This Book belonged to Edward Hutchinson of Boston who being employed by the Government to enter upon a Treaty with a Tribe of Indians in 1675 was treacherously waylaid & mortally wounded by them & died & lies buried in the town of Marlborough the first English Settlement to which he could then be carried. In the year 1769 an old man of the name of Rice died in ~~Marlborough~~ Worcester who was present and perfectly remembered having seen Mr Hutchinson brought in to Marlboro Rice died at the age of 102. Edward Hutchinson received the freedom of the Colony in 1634 Sept. 3d (see p. 81) and Wm William Hutchinson his father received his the 5th of March following — p. 82.

[illegible] the Court be[illegible]

the Governor and Company of the Massachusetts Bay in New England.

[illegible] be tasted the ballast & the shipped and 2. loade of knitts.

[illegible] Mayled
[illegible] & wyatt
[illegible]
Iron
Steele
Lead lead
Lanted
Salt
Sayle cloaths
Hoyped

Iron & tin.
Steele 2. Hammers.
Lead 12 Hodder.
Lead 2. Barrells.

Sir Hopson
Walter White at route of Milford land for aquaintance.

Chyrawell for 100 men.

400 paire of shoes.
300 paire of Hortfind wherefore
10 Dussen paire of Norwing gartered about 5s a Dussen paire.
400 Shirts
100 Mr Vasall. Suits Doublet and hose of leather lined with oyle & stin leather the hose and doublet with hooke on.
100 Suits of Norden Dussend or Hampshire kersies lined the hose with linned the doublet: the shirt
400 Mr Whittombe. Bands. 300 playne falling bands. of Gilford or Godhymon kerched 2 [illegible] 3 [illegible] 4
100 cutt bands. in 5. yarded peces. at her Bourgon Southampton
100. Mr Adams. Wastcoate of green Cotton bound about with red taper.
100. Mr Deanty. Leather girdes.
100. Mr Deanty. Mummouth tapped about 2s a peere.
100. Platte halfe lined in the browes with leather.
100. Mr Deanty. Red knit tapped mittes about 5s a peere.
200. Dusses of hooke and eyes. and smale hooked and eyes for mandilions.
16. Dusse of colbed ngedes of twelve Dussen talls leather & 2. Dussen tonis stayed
filled of skine hymen for handkerchiefs.
½ cl Dirter of leather of the best bend leather.
50. Mattes to lye under 50. bedd aboard shippe.
Mr Deanty. 50. Fingers.
Mr Deanty. 50. paire of strutts of ndesse Cotton.
100. paire of shoes.
50 Leg fitted and wolstered with wooll. to put them in stritch tyting.
Hymen for trencher and table cloyes and napkins.
Sea gosse.
3 ct. powdering hoyped. 1. ct. particulars.
Mr Vasall. 10. Marty. a gueed the Chyrawell to be 100. mandilions lined with white cotton 12 [illegible]
brayned and mustrates and 100. leather suits dublets & brayes of white sedige [illegible]
of brayned of leather drawers to serve to weare with boots their the suits.

To provide & send for Newe England.

Winsford.
Patent under Seale. Gerrid pea & apple quince kernell. Dopper bottles of the strong matting
Seale. pomegranard Wood seed. liquorice without barres of iron about them.
[illegible] in matting seeds. wotsfit and madder wotts. Cyles shinned of leather.
[illegible] of salt. Potatoes. Hope wotts. hemp seede. Madder seede.
[illegible] Barie oated. Flax seeds against winter. Cummyd Chia Sparbrook [illegible]
[illegible] in peaves. Emerant plants. Dame violyes. [illegible]
Hoood. hymen treaty. woollen treaty. Clyerton to [illegible]
Lee [illegible] Pewter pott 36 [illegible] of pewt. To remember [illegible]
2 bills of brasse [illegible]

[illegible] one hundred tonne in waite of her freight is her Abigall, [illegible]
to Rochelle. [illegible] ship to bill of lading. [illegible] 20. tunes [illegible]
4 [illegible] tun and [illegible] barrels bought by [illegible] of Captaine [illegible] & [illegible] bad
in his Company their passage and diett.

William Sherman. 26. William Sherman hath liberty for 14. days to [illegible]
Brigham [illegible].

26. February 1628.

The certificate received meete for our intended voyage for New England to be prepared for [illegible]
Mr Humfrey. For one [illegible] poeze of Ordinance long sure bought and payd [illegible] Mr John Humfrey is interest
and doth promise forthwith to transport them to be delivered to Samuel Sharpe, who is to ha
ve for having fitt carriages made for them.

Armed for 100 men.

3. Drummes to carry 2. paire of heads.
2. Ensigns.
2. Partizans for Captaine and Lieutenant.
2. Marg. 3. Halberts for 3. Sergeants.
80. Bastard muskets with shackbanes 4. foote in the barrell v [illegible] with.
6. long fowling peices with musket bores 6. foote long.
4. long fowling peices with bastard musket bores 5½ foote long.
10. full musketts 4. foote barrell with mattrosses and rests.
90. Bandilieres for the musketts each with a bullet bange.
[illegible] for the long fowling peices to hold a [illegible] and a pouch for shott.
100. Swords and belts.
60. Corselets and 60. pikes. 20. halfe pikes.
12. Barrels Powder 8 barrells for the pikes
4. for small shott.
Shott [illegible] to a Bandoleere.
[illegible] of land Ordinance for the [illegible] reserved [illegible] allowed by [illegible]
namely { 2. Demi Culverin [illegible] 30. ℔ weight a peice.
3. Saker [illegible] weighing 25. ℔. weight.
to provide { 1. whole Culverine as long as may be.
2. small peeces from Drake.
For great shott, at fitt proportion to her ordinance.
At Sayne, being a net to fish with.

For her Tabbutt, is 100. passengers & 35. mariners, 3. months her mariners attended double
14. tunne beere reserved { 16. tun. 4. hd. / 39 tun. 6. hd. } beere. Maligo and Canary sacke 16. a tun.
6. tunnes of water.
12. Rt. fish breads after ¾ ℔ to a man.
22 hogsheads of beefe.
40. hogsheads of pease. a peece a man for voyage.
20. hogsheads of oatmeale.
14. ℔. habedynes. 62. tonnes oates ℔. oats tonnes makes [illegible] ½ o. peeces a man p day.
8. dozen pounds of candles
2. Tierces of beare vynegar.
1½. hogshead mustard seeds.
20. gallons oyle gallipoly or Mesina a pint a man.
2. Firkins of Sope.
2. Hundreth Spanish wine 10. gallons a peece.
4. hogsheads of billets.
10. firkins of butter.
10. ℔. [illegible] cheese.
[illegible] of gravitye.

26. February, 1628.

Treated with John Brown on the matter & paine of roll[illegible] Leather, good rio[illegible] on the out sides with a beame [illegible] be substantiall wood, other l[illegible] of the best and 2. soles, the inner sole of good neate leather and the outer soles of Ronad barki[illegible]. to be 2. pr of 10 inches, 2. pr 11. inches. 2. pr 12. inches & 2. pr 13. inches.

The proportion we intend it — 1. pr of 10 inches. / 3. pr of [illegible] inches. / 1. pr of 13. inches / 3. pr of 1[illegible] inches } 2 — 7s.
2. of 8. inches / 2. of 9. inches } 2 — 4. & 8. to reserve it to bi[illegible] w[illegible] pr hee to be [illegible] 10 way is more.

2. March. 1628.

This day James Edmonds a saylor fisher and a Cooper was p[illegible] the Company as also Edward Miller a Cooper and a Weaber who de[illegible] for him and his man the first yeare, 50[illegible] a yeare the second and third yeares, and Edmonds demands being 10[illegible] the first yeare, 10[illegible] the second and 20[illegible] the third yeare both held to-deare for the Company to be at charge of wheat.

Also for Mr Walton, it was propounded he having still in non worke and willing in 25[illegible] in sorte it should be accepted at 50[illegible] and his charges to be borne out and home [illegible] Kinsmans, and upon his returne and report what may be done about fron worke — consideration to be had of recreding therein accordingly, and further recompense if hee be [illegible] to interteyne him.

Touching making of Cask, it was [illegible] fit that Commodity should be [illegible] for the generall Stocks benefit, notwithstanding this proviso that any Planter or Brother of the Company should have so many as he might any way have occasion to make [illegible] at their rate as themselves could make it, provided that if the Company [illegible] sufficiently provided for, the solder then partinlaw men may have liberty to make for their owne opponents or use any way, but not to transport or sell.

Touching John Oldham, the Ge[illegible] was ordered to conferre with him upon any indifferent course that might not be [illegible] riall to the Company.

Also it being propounded [illegible] the behalfe of the Boston men interessed [illegible] had promised, they not [illegible] itten to abbatement 400[illegible] in the joynt stocke that now their desire was [illegible] of them might undermake 25[illegible] a man — in the joynt stocke they wh[illegible] be stopped & abbated [illegible] their pa[illegible] about 250[illegible] more [illegible] to send [illegible] for managing [illegible] hing, though it be [illegible] all stocke [illegible] abatement [illegible] thereunto, yet [illegible] roidnes now to the good of [illegible] is most [illegible]

[illegible] March

Present.
The Governor.
Mr Deputy.
Mr Wright.
Mr Wadsall.
Mr Warwood.
Mr Coulson.
[illegible] Beaum[illegible]
Mr Rowell.
Mr Westron.
Mr [illegible]
Mr [illegible]
Mr Hugges.

Call.

Mr Oldham.

Mr George

Die 3.

Present.
The Governor.
Mr Doughty.
Mr Treasurer.
Sr Tho. Walsingham.
Capt. Wynn.
Mr Wright.
Mr Flower.
Mr Acton.
Mr Crombe.
Mr Pittcrombe.

Upson.

Robert Wilson.
Wrighton.

The 3. Marcye 1628.

Mr Samuel George wch was one yeare hath been an agent at Amoyna made in the behalfe of the Company, desired him 10th p annum for 3. yeares to have the oversight of the Indianes. he planted in the fforte to be sent upon the Plantation and what else may [illegible] Artillery businesse to give his advice in. But for all other imployment was left to be intertayned by any particular brayne of the Company wch if other occasion had intertayned men allready and held no fitt to be at fine [illegible] in that kinde, whereupon he said he have it intertayned to observe the [illegible] ants and imployments of certaine particular men of the Company.

[illegible] generall presented a bill ffor three Drummers and other pay [illegible] [illegible] he promised pipes, wch the Treasurer have order to pay.

The 4. Marcye 1628.

A motion or proposition being made in the behalfe of Mr Hildrom to be intertayned for his Pomes if it was deferred to further Consideration.

Also Mr Wadsworth being proponded for Secretary to the Company, it was ton[illegible] to intertayne him, but deferred till another meeting.

A proposition being made by Sr William Brouerton to the Governor of a Patent [illegible] him of lands in the Riall, Arquebes Bay by Mr John Dolman, and that if his Company [illegible] make him a remise so as he running to undervrite with his Company it might be prejudiciall to his Patent, it was resolved this Chiefe Court would be gibe him [illegible] That if he pleased to undervrite wth Mr without any Condition. whatsoever, but [illegible] in as all other adventurers does he would be wellcome upon the same Conditions [illegible] we have.

A proposition being made to intertayne a Surgion for the Plantation, Mr [illegible] was proponded as an able man upon these ruddiness namely,

That 40li should be allowed him wtt for his Chest, 25li, the rest for his owne Ballary for the first yeare, provided if he continue 3. yeares, the Company to be at charge of transporting his wife a [illegible] house, and he to have 20li a yeare for the other 2. yeares, and to build house at the Company's charge, [illegible] to allow him 100. acres of ground. but [illegible] but one yeare then the Company to be at charge of his bringing back [illegible] and he Chest for the Company's [illegible] he to leave his servant [illegible]

Agreed wth Mr [illegible] Barber Surgeon [illegible] Barber Surgeon [illegible] Mr Mathew late of London [illegible] for 3. yeares [illegible] to have [illegible] Blobled [illegible] the Barber and [illegible] his [illegible] belonging to [illegible] ts, and [illegible] sight [illegible] and [illegible]

their intent to attempt me in their service to the end of ha
to be at the charge of the transportation into New Eng
a boy and a maydservant: and withall to build me a re
and my said servants at their charges, and hereto to assigne me Due hun
of land, and to have parte thereof planted at the Companies charge against
comming of my familye wherebyy they may subsiste till I shall be possessed of m
family to performe the same or otherwise to allowe me some competency of necessary
victuall for the subsistence of me and my family till the next season of plantinge
sowinge after their arrivall. Also it is further agreed that if I continue in the Compa
nies imployment for three yeares the payment of five pounds p moneth for my Sallary
is to be ceased, and my yearely allowance in money from the time of my first arrivall
in New England to the end of three yeares to be after the rate of fifty pounds
by the yeare. Provided alwayes that my said ffamilye goeing over as aforesaid
there shall be sett a proportion of lands allowed me for them hereafter, as if they
had now taken their passage with me in the shipp now bound for New England.
Also for further Betterment for my true and faithfull endeavors in the said Companies
imployments wherin I doe pray to God Godds assistance to performe truelye and sincerely
to the best of my abilitye and understanding I doe and shall referre my selfe —
wholly to the Companies direction, as my true endeavors and the sucresse thereof
through Godds mercy shall intoucage them to doe. In witnesse of all the premisses I
have hereunto sett my hands and seale this present 7 day of Januarye Anno —
1628. in London.

Thomas Graves. ct Seale.

Witnesses hereunto. George Carwede
John Wem.

The 10th. Januarye. 1628.

Present
The Governor
Mr Deputy.
Mr Wem.
Mr Trower.
Mr Vassall.
Mr Eaton.
Mr Adams.
Mr Nightingale.
Mr Winthrombe.
Mr Winthrope.
20s to Mr Sharpe.

A proposition was made this day by Samuel Sharpe who was formerly intertained to doe his endeavour in the Companies imployments venturings artillery business and appeared by a bill of his moneys that all our the better parte of his sallary might be payd him now to provide him apparell wherein if he should happen to dye before he had deserved it, his said apparell should satisfie it, upon debate whereof it was thought fitt that twenty pounds should be payd him, and this to be the Treasurers warrant for payment thereof upon his salary of 10li a yeare for three yeares, his sayd twenty pounds to be payd him presently.

Division of lands.

This day being appointed to take into consideration touching the division of the lands in New England where our first plantation shall be, it was after manye debates thought fitt to referre this business to the Governor and a Committee to be chosen to that purpose to assiste him, and what soever they shall doe therein that to stande for good.

20li payed for Patent.

This day order was given to the Trower for payment of twenty pounds more to Mr John Humphrey towards charges of our Patent, and this to be his warrant for the payment thereof.

Committed to conf with Mr Oldham.

Captaine Wem Mr Eaton Mr Samuel Vassall & Mr Howell and Mr Winthrombe or any three of them are intreated once more to conferre with Mr John Oldham to see if any thinge can be made to finde the Company and him that he may be accomodated.

The 12th. Marrtes. 1628.

ven Grent and Mr Samuell Browne of the poole in Essex
for their passage in the Company shipped for New England
in consideration to plant there, It is agreed by those persons
their pay — and Dyett they shall pay five pounds sterling of them and that
their incouragement land shall be allotted to their answerable as if they had —
-ributed fifty pounds in the generall stocke, and to enjoye the priviledge as others
that are in the Patent doe.

John Browne.
Samuell Browne.

Plaiston agreement

Pitt and Plaiston aged 34 yeares or thereabouts Carpenter and Husbandman being desirous to transporte himselfe his wife, one daughter of 7. yeares old his Sister of 14. yeares old, his brother Barnaby Plaiston aged 23. yeares, and his brother in lawe Edward Hanstombe aged 21 yeares for New England in the Company shipped, It is promised him this day that he being able to furnishe 40li towards her charge of him and his what shall be wanting the Company will supply, upon this condition that upon their arrivall in New England what he shall be indebted to the Company shall be repaid by the labor of himselfe and his two servants or brothers aforesaid allowing them all there 3d. the day for so long time till they have payd his debt and in that time finding their 3. persons Dyett at the Companies charge, and whilest he is earning out his debt to instruct any of the Companies servants in the trade of a plowgwright, and there is land to be allotted to him and his as is usuall by the Companies order to those that transporte themselves. Written this 12th Marrtes 1628.

cannot goe this voyage.

The mark of Playdon.

The 16. Marrtes 1628.

72. pr Hoods. Bespoken by Mr Dimbridge at 2s. - 7d a pr. 6. Dussen pr of Hoods to be sent this week
viz 1. Dussen pr of fonnd. 4 pr Dd.
2. Dussen pr of 11.
2. Dussen pr of 12.
1. Dussen pr of 13.

The 16th Marrtes 1628.

20. Bedfe bolsted. Bespoke of Mr Blaio at 10½d p yards for beds of bolsters.
20. bedticks Stripe tiking ¾ broad 2 1/16 long or 1½ yards broad.
11. yards in dairy beds of bolster.

Bespoke the day aforesaid 8. Dussen paire coats leather shoes,
of Robert Harrot 1 Dussen 10. } a — 2s - 7d p pr to be made liquoud
3 Dussen 11 } coats leather according to the patterne.
3 Dussen 12
1 Dussen 13.

Estimate of charges. Estimate of 100. men charge of them and their provisions with others non to be sent.

100 men their charge 15li a man.	2	1500.
Hiring of the Ship Talbut 5 monethes 60li p mo.	300li 2	900.
Victuals and wages 32 men 70li a monethe	350 2	
The Ground rope for sea	2	500.
20. Goates of bulles 4li a peece	2 80li 2	610.
10. Mares and horses 6li a peece	2 60. 2	
Charges of the Ship	2 470 2	
		3360.

The 17

The 17. Marcij 1628.

— — — — Agreed wth Jasper Gunthill for 100. swords wth fine hilts good blades at 4s 6d a peece to have all taped.
and 10. short swords at 2s a peece.
and Polonia hilts at 3s 4d. as many as we like to dry wthin 8. days.

Bought of Isabell Woorman dwelling in Aldersgate lane. — Zb woman.

14. swords at 4s 6d a peece		
7. ditto at 3 — a peece	}	4li — 12s — 00.
4. ditto at 2 — a peece		

25. swords

Agreed wth Mr Ralph White in Philpot lane for 12. gallons aquavitae 2s 6d a gallon. — White.

12. Sydes of Barton dry by John Gladwyn at Mr Boffe of 74. stone 1/2 dry stone 8li at 2s 4d a stone.

17. Martij 1628.

A warrant was made for payment of 120li to Mr Mahynell Wright for somme — Rinke & others
payde by him to Mr Jarvis Kirke and William Warkley and Mr Robert Gartton for the Hope.
Also to pay for iron & steele.
Also to pay for Wood to make millstones — 110 — 2 and bought
of Edward Gasson of London Merchant taylor — 11li — 0 — 0
14 ft of Plaister of Paris 18d ft — 1 — 1 — 0
12 — 1 — 0
And porteridge wrigging the plaistering — 0 — 3 — 0
and rasing out of the Barrel 12 & 23d
— 12 — 4 — 0

The 19. of Martij 1628.

A warrant was made for payment of twelve pounds and twelve shillings unto Mr — Hoppard.
Howen Holme and Thomas Burkhed for 2. Hoppers for the hyne wholye ye day for 12li — 12s.

The 19th of Martij 1628.

A warrant was made for payment of 18li unto Mr — Zb woman and is for one — 18li flesh
Bayle of Stoney Stratford for the hyne wholye ye day

The 19th of Martij 1628

A warrant was made for payment of Twenty five pounds fifteene shillings unto Mr — 26li — 5s Malt.
John White of Reading for thirty quarters of malt to goe in the Hippes ye day 25li — 15s

The 23th of Martij 1628.

At this meeting intimation was given by Mr Howell by letter from Mr Charles Johnson — Present.
that one Mr Higgison of Worcester an able minister proved to goe to our Plantation, — The Lord Mayor.
who being approved for a reverend grave minister fit for our present occasion, it — The Deputy.
was thought fitt by the present to intreate Mr John Humfrey to ride presently to Worcester — Sr Rich. Saltonstall
and if Mr Higgison may conveniently be gone to goe this present voyage that he would — Mr Davenport.
deale wth him, thrust if his remoove from thence may be without scandall to that people, — Mr Humfrey
and approved by the consent of some of the best affected among them, wth the approbation — Mr William Vassall
of Mr Gilbertson of Oldbury de la Zouche. Secondly that in regard of the straitness of the time — Mr Simon Westcombe
the Company conceive it would be best if he so thought good to leave his wife & families — Mr Thomas Howell.
still towards Bartholomew tide for the better accommodation, yet if this should be held —
inconvenient that may be referred to himselfe to take his wife or one or two children wth
him, Thirdly that for his intertainement of the Company will give him such accommodation
any they have yet interchange or are in parte wth or rather better. And doubt not but
his to be contented

1° die 23. Martij 1628.

This day according to the tenor of the Charter these persons following were sworne for the performance of their severall places and offices according to the tenor of their severall oathes.

1st Deputy viz. — Mr Thomas Coffe tooke the oath of Deputy to this Company by the name of the Governor and Company of the Massachusetts Bay in New England.

Assistants. — Sr Richard Saltonstall Captaine Wm Mr Josh Humfrey Mr Symon Whetcombe Mr Thomas Adams Mr Samuel Aspinall Mr George Foxcroft Mr William Vassall Mr Increase Nowell Mr Richard Perry & Mr Thomas Hutchins tooke the oath of Assistants to the said Company.

Treasurer. — Mr George Harwood tooke the oath of Treasurer.

Beadle. — Humfrey Seale tooke the oath of Beadle.

Servants. — A motion was made by the Governor that 6. of the Company would take the paynes to daylie to see where the Company's servants are imployd and how they demeane themselves to the end, if there be cause such as shall be found idle or dissolute may be dismissed whereupon these following have promised to see the same performed, viz.

Mr Thomas Adams. Mr Increase Nowell.
Mr Thomas Hughson. Mr George Foxcroft.
Mr Daniel Wilcox. Mr Owen Rowe.
Mr Thomas Hutchins. Mr Symon Whetcombe.

Ward. — Thomas Ward of St Martins Spoonmaker singleman aged 30. yeares desireth to goe over at his owne charge there is 50. acres of land to be assigned to him by order of this Company & 5s paid in by him for his passage to the Treasurer.

Fiall & Wraydd. — Wee William Fiall and Thomas Wraidd Cooper, the Company hath agreed that they shall goe halfe at the charge of Mr Governor — the one halfe and at the charge of the Company the other halfe, and so the Governor is to appoint them men, the Governor one halfe and the Company the other halfe.

50. Acres a person. — It is agreed that every person that shall goe over at his owne charge that he shall have fifty acres of land.

Servants. — Further it is agreed that if any of the Company send over any servants or others, they shall have fifty acres of land to be at their masters disposing at their pleasure.

24 Mrs. Wood wife. — Dd a bill to Mr Brewster for 12li 15s. — 0. for a table and 86. yards of Sayle-cloath dd to the Lynd wife.

24 Ditto. — Dd a bill to Josh John Vibes for 15li for disbursements for the Lynd wife, & he to give acquittance for it.

24 Ditto. malt — Dd a bill to John Wright for 30. qrts of malt at 17s. 6d p qr. 26li 5s. 0.

26. Ditto. Woods — Dd a bill to Robert Harrett for 8. dussen of Woods at 2s. 7d p pl — 12li 8s. 0d.

30. Martij 1629.

Mr John Wise shoemaker a warrant for 18li 4s being for 12. dussen payr of shoes — Shoes.
8. dussen pt at 2s - 7d a pr. — 1 dussen of 13.
And 4. dussen of 8 & 9 ties at 2s - 5d a pr. — 3. dussen of 12.
3. dussen of 11.
1. dussen of 10.

Mr John Ffreeny a warrant for 3. dussen of Irish spades at 3s - 8d a peece steele spades — Spades.
Hooes & blades aber.

John Slaine plaisterer doth desire you to pay unto his mother Mary Slaine the summe of twenty shillings within 10. dayes after the Company sid a boards in parte of his wages for ever — 20s. Slaine.
Witnes John Wasshomes. — John Slaynes mark.

A warrant to Mr Molton ffor — 10li.
To Mr Robt Wolton a warrant for
A warrant to Mr John Dixon for — 13li.

Warrants to pay money.

Mr a warrant to Mr John Hugesson shoemaker for - 22li - 14s - 6d.
Mr a warrant to Mr Taylor for worke upon the hond wsplot pt - 30li -
Mr a warrant to Mr Blake in pt of Baskes — 30li
Mr a warrant to Mr Tamer in pt of Baskes — 30li.

Warrants Mr by the 30th of Martij for monyes to be payde by the Treasurer as followeth. — Warrants to witsbo money.

Mr William Warthouse 25li — Mr Hugh Peter — 25li.
Mr Owen Rowe — 25s. — Mr Joad Slober — 25s.
Mr John Potorter — 25s. — Mr Daniel Hudson — 25s.
Mr George Hopcroffe — 25s. — Mrs A G — 25s.
Mr John Rowlad — 25s. — Mr William Crowther 25s.
Mr Robert Grane — 25s. — Mr John Dam — 50s.
Mr Daniel Wdings — 25s. — Mr Richard Yonge — 50s.
Mr Joseph Daron — 25s. — Mr Thomas Huttjnd — 25s.
Mr Richard Tuffnayl — 50 — Mr Nathaniel Manthy — 25s.
Mr John Dabtmorte 25s. — Mr Theophilus Eaton — 25s.
Mr Samuel Alderseye 75s. — Mr Christofer Donlson — 25s.
Mr Richard Woorey — 25s. — Mr Richard Whitcrofte — 50s.
Mr Nathaniel Wright 25s. — Mr Edward Fordes — 25s.
Mr Richard Davyd 25s. — Mr Samuel Vassall — 50
Mr Francis Howell — 25s. — Mr Simon Whittombe — 85s.
Mr Edmonds Wpilor — 25s. — Mr Edward Ironside — 25s.
Mr John Hymphry 25s.

1629. A note of the tooles provided & bought by Mr Gillin Hyall.

Hyall.

2. Bayte axes 2s. a peece. 0 — 4s — 0
2. Howelles 1. 18d of 1. 12d. 0 — 2 — 6.
2 Two hollow taphooles & stocks to them 18d a peece 0 — 3 — 0
2. Bung boreds 2s a peece, too doaes 6d a pcl 0 — 4 — 0
2. Posser staffs 8d a peece.
1. Adds of 2s. 1. other adds 20d in naught.
2. Falling axes, 2s the one the other 18d. 0 — 3 — 6
1. Round Chaze 0 — 1 — 4.
1 — Jointer iron 1s 2. smale irons for planes 5d & 3d 0 — 1 — 8.
1. Crooke stave — 8d a knife 8d.
1. Steele saw 3s — 4d, 1. hedging knife 2s — 6d 6d too doaes 0 — 5 — 10.
1. Marking iron, 1. Hammer.
2. Wimbles. 1. gouge, 1. stamper 16d
1. Graze iron 8d.
1. Holdfast 8d. a drawing knife 10d. naught.
2. Dussen of Posser bills
1. Broad axe 2s — 8d & too doaes.
1. Bill 15d. A Crossin iron
1. Beef Cleaving iron

brought in by Mr Gillin Hyall.

1. Crosse wth an iron to it a paire of compasses 1. adds, 1 howell.
2. tapbores 1. hollowe 1. round, 1 bayte axe, 1 stave.

Turbile.

Ordinance received of Mr Edward Turbile as followeth.

16 — 2 — 0	16 — 2 — 0
16 — 2 — 0	12 — 2 — 0
16 — 2 — 0	12 — 01 — 0
16 — 3 — 0	41 — 1 — 0
16 — 3 — 0	83 — 0 — 0
83 — 0 — 0	124 — 1 — 0 at 13s 4d ye C in 80 — 15s — 3d

Turbile

A warrant ~~dd~~ to Mr Crashaw to pay the said money the 2d of April 1629. to Mr Turbile for the ordinance above mentioned ~~dd~~ aboard the Lyon wyldeye.

Webster.

A warrant ~~dd~~ unto Mr Anthony Webster the 2. of April 1629. for the summe of two pounds ~~sixteene~~ shillings. 2li — 15s —

The 2. of Aprill 1629.

This day these persons following were present Mr Mathew Bradocke Govr. Mr Tho: Coffe Deputy. Mr George Yorwood Treasurer and the rest following, Mr William Vassall Mr John Browne. Mr Francis Nobb Mr Richard Perry. Mr Francis Howell Mr Thomas Adams Mr Sam: Vassall. Present

It is ordered that Mr Moulton Gayner and two or three men are to goe to New England and Mr Debenard is to leave a friend of the charge of these men. Moulton.

The 6. of Aprill 1629.

This day these persons on the margin mett and consulted.

It is agreed that all the Cattell that Mr Debenard shall Ships shall be salte for the Companyes and the other halfe for the Debenards use. Also for sending the hound wheloe to the Isle of Wight and if he may habe sufficient Companyes to find her Victeils, to appoint some to see he may put a board.

These were appointed to be committed for making orders and power for mett government of New England. to write letter to Captaine Endicott to order division of lands and whatsoever may conterm the Companyes affayres, and to appoint a Committee to joyne with the Debenard amongst of these with Govr or Deputy. To divide up Company in familyes by the said Committe.

Mr Dabenorte.	Mr Adams
Mr Higgison.	Mr Eaton
Mr Waller.	Mr Vassall
Mr Wam.	Mr Coulson.
Sr Rich: Saltonstall	Mr Treasurer.
Mr Wright.	

The Companyes is content to give unto Mr Wright 5li towards his losse of his wages in the Country and his charge being in London.

Mr Wright and Mr John Browne tooke the oath of Assistants this day.

Appointed Mr Deputy to gett the Lord Treasurers letter to the Bishopes.

Appointed to Mr Nowtrembe to get the Exemplification of the Letters Patents.

To have such cattell changed as are unfitt to carry.

Mr Mathe: Bradocke Govr. Mr Tho: Coffe Deputy. Sr Rich: Saltonstall. Mr Rich: Davyd. Mr Sam: Vassall. Mr Sim: Nowtrombe. Mr Youge. Mr Tho: Adams. Mr Samll Winter. Mr Owen Rowe. Mr George Foxcroft. Mr Jo: Porcorte. Mr Francis Howell. Mr Coulson. Mr Rich: Perry. Mr Crane. Mr Tuer. Mr Higgison. Mr Wm Vassall. Mr Nobbs. Captaine Waller. Captaine Wam.

The 8th of Aprill 1629.

Mr Francis Higgison and Mr Samuel Skelton intended ministers for this Plantacon, and it being thought meete to consider of their intertainement, who expressing their willingnesse together also with Mr Francis Wright being now present to doe their bee endeavour in their places of the ministery as well in preaching catechizing as also in teaching or causing to be taught the Companyes servants of their children, as also the salvages and their children, whereby to their uttermost to further the manifestacon of this plantation being by the Assistance of Almighty God the conversion of the Salvages, the proposicon continued, on with Mr Francis Wright the 2. of February last were reciprocally accepted of by Mr Francis Higgison and Mr Samuel Skelton, who are in every respect to have like wordicon as Mr Wright hath, only wherease Mr Higgison hath 8. children it is intended that 10li more yearely shall be allowed him towards their charge. And it is agreed that the increase of the improvement of all their grounds during the first 3. yeares shall be at the Companies disposing who are to finde them victt during that time and some pounds more to Mr Higgison towards his present fitting him and his for the voyage.

Present at Mr Tuer. Sr Rich. Saltonstall. Mr Dabenorte. Mr Higginson. Mr Glover. Capt Waller. Capt: Wam. Mr Adams. Mr Skelton. Mr Wright. Mr Coulson. Mr Humfrey. Mr Nowtrembe. Mr Wm Vassall. Mr John Porcorte.

Francis Higginson.
Samuel Skelton.

Smith minister.

8. April. 1629.

Concerning Mr Rafe Smith order was given to the Governor to conferre with him and if he will give it under his hande not to exercise the ministery within the limitts of our Plantation neither publique nor priuate without the consent and approbacion of the Governor there established by us that then he shall be accommodated in his passage and so as During his being within the limitts of our Plantation he promise not to disturbe our proceedings but to submitt to suche order as shall be there established.

Present.
The Gouernor.
Mr Deputy.
Mr Tyler.
Mr Sam: Wassall.
Mr Geo: Addams.
Mr Wm Barkhouse.

13. April 1629.

This day notice was given that Mr Willm Barkhouse had freely disposed upon his Companyes to send for New England these bookes following for wyse thanks was given by the Governor and those present to the said Mr Barkhouse in the Companies behalfe.

The Englisse Bible in folio of the last print.
The Booke of Common Prayer.
Ainsworths works in folio.
Bishop Babingtons works.
Calvins Institucions.
Hooker against Atheisme.
Aldersons upon St Iohns Gospell.
A booke called the Arme Dombey faune.

To provide to send for New England
12. barrills powder wherof 3. fine.
3. a weight of shott for basteard muskets.
6 Ondweight of shott for fowlinge.
1 fodder of lead.
Shott for the great ordinance Rammers spunges ladles a wadhooke.

The 16th of April 1629. Mr Stoughton note of Bookes.

Present this day.
Mr Governor.
Mr Deputy.
Mr Adams.
Mr Browne.
Mr Wright.

1. Ds Greaves meditacions	2	0	1	2.
1. Hooker to faith	2	0	0	9.
1. Perkins workes	2	0	7	0
1. Downams guide	2	0	10	0
1. Ainsworth	2	0	13	0
1. Downams warfare	2	0	13	0
1. Slaine on the Epistles	2	0	3	0
1. Dod on the Commandments	2	0	2	2.
1. Robinsons Essayes	2	0	2	8.
1. Dr Reeds of Christ	2	0	2	0
1. Practise of pietie	2	0	1	6.
1. Dyke on the heart	2	0	2	0
1. Ds Conscience	2	0	1	0
1. Downham on the Commandments	2	0	1	6.
1. Communion of Sts	2	0	1	6.
1. Aaron against Idolatry	2	0	0	6.
1. Studder on the Lords prayer	2	0	1	2.
1. Ibis to happinesse	2	0	1	0
1. Studdes Direccions	2	0	1	6.
1. Ds Taylor	2	0	1	0
		3	6	3.

1. Ecclesiastij Harmon:
Parens de Imaginibus.
Pistator in Genesin.
in Exod.
Deuteronomium.
in Cronic.
Samuel.
in Iob.
in Psalmos.
in Proverbia minores.
in Prouerbia Salomonis.
in Iobum.
in Esaiam.
Wintorfij Synagoga Iudaica.
Hollaurmius Interpretes. 2. vol:
1 Amesij medulla. 12.
Holland 2
Amount unto 2 3 £ 15s. 3d.

A note of the rest of the bookes 16. of April 1629.

1.	A Grapula	0	13	0
1.	A Concordance	0	15	0
1.	Parens in Rom:	0	7	0
1.	Dr Wilcox works	0	6	0
1.	Paget against Chynworth	0	2	6.
1.	Redemed his Image	0	2	0
1.	Bernards against Brownists	0	1	8.
1.	A bible	0	6	0
1.	Raising Brownists	0	0	8.
1.	Rhodes imbayled	0	} 1	4
1.	Popish flowing	0		
1.	Leonards grammer	0	1	6
1.	Saunders grammer	0	1	2.
1.	Eso. greeke & latin	0	1	2
2.	Chynworth psalmes	0	1	4.
2.	Dresser & ten catechismes	0	3	0
1.	Rider London.	0	7	0
		3	10	4.

ioud 80 women of Maydes.
mbers warrant. 26. Children.
300. men with victuall armes & tools & necessary apparell for them.
12. Faggotts of steele.
5. Tunnes of Iron.
340. Hogsheads of meale.
120. Hogs of malt.
60. Cheese of pease.
60. Waie of Cheese.
80. Waie of Salt.
60. Firkins of butter.
140. Head of Cattell with hay & provender for them.
40. Coats.
40. Hogs of horse & pouder.
8. Barrell of ordnance.
40. Barrills of pouder.
200. muskets.
60 Pykes.
3. Fother of lead.

In merchandize of severall kynds as kettles, kingles, scoones, knives, scissers, combes, linnen and woollen cloaths and other things in all her value of £ 350.

After my hearty commendations. Whereas his Matsm and by his letters Patents under her greate Seale of England bearing.

The 27. day of April 1629.

A warrant this day to Mary Clayme for 20s.

Mr Pinchon was sworne into the Company's Assistant.

The letters that are written unto Captaine Endicott are approved of and ordered to be taken notice of.

17.
Present this day
Mr Cook Mr Dry
Mr Tuer Mr Gibs
Mr Oldam Mr Wm
Mr Howell Mr
Mr Humfrey Mr Nye.
Mr Graue Mr Pinchon.
Mr Bonnell Mr Winge.
Mr Warren Mr Colbron.
Mr Wakehouse Mr Coalard.
Mr Webb.

The 30th. of April 1629.

By a warrant into Richard Tutt for 2. scales in silver the summe of 2 — 5li
To Mr John Clarke for 2 — 5li. 4s.
Unto Richard Woney for two parts of his agreement 2 — 12li
To Mr Thomas Purmt 2 — 6li 4s.

It is agreed for the three ships that are to goe for the new Planting for New England, the one halfe of the charge to be the Adventure and the other to be at the Companies charge.

The letters vtsed wth were sent in the Bearer of Talbot and confirmed.

Mr Samuel Aldersey tooke his oath of Assistant.

Mr John Endecott and Mr Samuell Sharpe being both put to election for Governor of the Plantation in the Massachusetts Bay, Captaine John Endecott was chosen by ye Mr Sam: Aldersey a full and free election for the yeare following to be Governor, and the yeare to begin from the time he shall take his oath.

Present this day.
Mr Governor.
Mr Deputy.
Mr Tuer.
Mr Oldam.
Mr Cropcott
Mr Howell.
Mr Hynson.
Mr Pinchon.
Mr Humfreys.
Mr Huttchinson.
Mr Sam: Vassall.
Mr Wm Vassall.
Mr Rig: Perry.
Mr John Browne of Mr Geo: Malgrave.
Mr Herbert Pelham.

Mr Francis Higginson, Mr Samuel Skelton ~~Mr Francis Wright~~ Mr John Browne of Mr Samuel ~~Brownell~~ Sharpe or any one of them, but in case of all their absence Abraham Palmer or Eliad Stylemen are to administer the oath sent herewith to the said Governor Mr Endecott for the execution of his place.

Mr Francis Higginson Mr Samuel Skelton Mr Francis Wright Mr John Browne Mr Samuel Browne Mr Thomas Graves, Mr Samuel Sharpe, These by free election of hands were chosen to be of the Comsell of the Massachusetts Bay for the yeare ensuing after they have taken their oathes to assist the Governor Captaine John Endecott or his Deputy being sing ad shall be thereto chosen. Comsell.

By election of hands the olde planters that will live under our government are hereby authorized to choose 2. of the discreetest men amongst themselves to be of the Comsell, but in case they refuse then the Governor or Deputy and the 7. of the Comsell aforenamed or the major parte of them are to choose 2. in lieu of them to be of the Comsell. Comsell.

By election of hands the Governor or Deputy and the 7. of the Comsell aforenamed or the major parte of them are to choose 3. more to be of the Comsell, sing ad they shall esteeme fittest thereto. Comsell.

It is ordered that the Governor and the Comsell or the major parte of them shall choose a Deputy Governor for the yeare ensuing to assist the Governor and the Comsell in his absence, and that the Governor shall give the Deputy and the Comsell their oathes appertayning to their places a Copy whereof is sent herewith. Deputy Governor.

The 30th of April 1629.

Secretary & other officers.

It is further ordered by those presents that the Governor or his deputy and Counsell aforesaid or the major parte of them shall make choise of a Secretarie and such other officers as shall in their discretions seeme requisite and necessarie for the peaceable and quiet government of the Plantation, and to frame such oaths and to administer the same to every of them for the execution of his place and office for the yeare ensuing next after they shall have taken the said oaths, as they in their discretions or the greater number of them shall thinke good.

Officers to continue for a yeare.

And it is ordered that the said Governor deputy Counsell and other officers aforenamed shall be established and continue in their said severall places for one whole yeare or untill his Maties shall thinke fitt to choose others in their place or places of them or any of them, and in the case of death &c.

Orders lawes &c to be made not contrary to the Lawes of England.

It is further ordered that the said Governor m^r^ Endicott or his deputy and the said Counsell being chosen as aforesaid and having taken their oaths respectively to their places or the greater number of them, whereof the Governor or deputy to be allwayes one at any their meetings (which the said Governor at his discretion or in his absence the deputy is hereby authorized to appoint as off as there shall be occasion) shall have full power and authority and are hereby authorized by power derived from his Maties Letters Patents to make ordeine and establish all manner of wholesome and reasonable Orders Lawes Statutes Ordinances directions and instructions not contrary to the Lawes of the Realme of England for the present government of our plantation and the inhabitants residing within the limitts of our plantation: a copy of all wch ordered is from time to time to be sent the Company to London.

Acte of order impressed & sent for New England.

It is ordered by those presents that a Copye of the acte of order made this present day for the settling the government in the Plantation of the Massachusetts Bay aforesaid shall be finisly impressed and sent under the Companies seale prescribed by the Governor and deputy by the speedieste conveyance for New England that may be hadd.

Election of Lands.

All this confirmed by election of hands.

Committee to frame the Governors oath.

m^r^ Aldgrave m^r^ Pollam & m^r^ Humfrey & m^r^ Rowell are intreated to frame the forme of the oath for the Governor m^r^ Endicott as also for his deputy, and for the Counsell wch is to be sent over and be administred to them in New England.

Thursday the 7th of May. 1629.

Present.
The Governor.
m^r^ Deputy.
m^r^ Aldersey.
m^r^ Adams.
m^r^ Gutteridge.
m^r^ Gonlson.
m^r^ Rowell.
m^r^ Humfrey.
m^r^ Tho: Pulyston.

The last Court was read and confirmed by those present.

A forme of an oath for the Governor beyond the seas and of an oath for the Counsell heere was framed drawen and delivered m^r^ Humfrey to sent to Counsell.

Letters are to be written about lands to be allotted to Capt Aldentwer, also about m^r^ Francis Webbe businesse for a mill &c.

To have those commissions beyond seas that soll ymmed.

To have some more lands lands together.

The 11. of May 1629.

The his day Mr Duldham proponded unto Mr White that he would, have his Patent examined and it is agreed by the Court not to have any treaty with him about it by reason its thought he doth it not out of love but out of some sinister report.

A warrant to Mr Seale for 9 dozen and two halfe at 2s the dozen for the summe of — 20 – 4 [illegible]

Present this day
Mr Deputy
Mr Tver
Sr Rich: Saltonstall.
Mr Adams.
Mr Howell.
Mr Intrigins.
Mr Humfrey.
Mr John Wassall.
Mr Foster.
Mr William Pinger.
Mr Foxcroft.

The 13 of May 1629.

Did a warrant unto Richard Bowers for — 12s. and ⅔ parts of 15s. the other ⅓ being to be payd by the Governor and is for his apprentice Robert Seale his time.

Mr Mathew Cruderick is this day chosen by the consent of the generality of the Company to be Governor to the New England Company for the yeare following. Mr Thomas — Crosse Deputy, also Mr George Harwood treasurer to the said Company.

The Assistants being this day to be chosen two of the former Assistants mentioned in the Patent viz Mr John Endicott & Mr John Browne being out of the land, the other 16. were confirmed viz Sr Richard Saltonstall Mr Isaack Johnson Mr Samuel Aldersey Mr John Winn Mr John Humfrey Mr Simon Wolstrombe Increase Nowell Richard Perry — Nathaniel Wright Samuel Wassall Theophilus Eaton, Thomas Adams Thomas — Intrigins George Foxcroft William Wassall & William Pinchon: and to make up the number of 18. Mr John Porter and Mr Eyre Coulson were chosen Assistants, — and of these all excepting Mr Isaacke Johnson Samuel Aldersey John Winn Nathaniel Wright Samuel Wassall Theophilus Eaton & Eyre Coulson took their oaths appertaining.

William Pinger Humfrey Newto John Washborne & Lawrence Rot being all put in election for the place of Secretary, by a free election Mr William Pinger was chosen Secretary for the yeare ensuinge.

Humfrey Seale chosen sworne beadle.

It is this day ordered that whosoever any Court of Assistants shall be — summoned whosoever of the Assistants come not twixt 25. March and 29. Sept before eight of the clocke in the morning, and from 29. Sept to 25. March before 9. of the clocke in the morning shall forfeit 12d for every such offence, and if he come not within two houres after sitting of the said houres respectively then two shillings for every default each man to forfeit and pay and for want of payment within days after demaund made by the Officer of the Company the fyne double to be sett upon his account, allwayes provided upon leave of the Governor or Deputy or a lawfull excuse to the approbation of the Court, the fyne not to be exacted.

It is also agreed that for any that shall have private conference after the Court is summoned by the Governor or his Deputy knocking of the hammer hanging on the table to sit downe and attend the Court, that 6d by every person for every such offence shall be payd.

It is agreed that three pounds shall be payd John Washborne for his payned as — Secretary to the Company for the time past.

Present this day.
Mr Governor.
Mr Deputy.
Mr Treasurer.
Mr Glover.
Sr Rich: Saltonstall.
Mr Adams.
Mr Offield.
Mr Wolstrombe.
Mr Foxcroft
Mr Wm Wassall.
Mr Perry.
Mr Howell.
Mr Pinchon.
Mr Intrigins.
Mr Hughson.
Mr Warhouse.
Mr Ballard.
Mr Bromsgrove.
Mr Whitgrove
Mr White.
Mr Potter.
Mr Evans.
Mr Humfrey.
Mr Webb.

Absent Assistants to be fined.

Private conference not to be in court.

Secretary Washborne rewarded.

The names of the Governor Deputy Treasurer and Assistants for the yeare 1629. and other Officers.

Governor: Mr Matthew Gundersby Governor.

Deputy: Mr Thomas Goffe Deputy.

Treasurer: Mr George Harwood Treasurer.

Assistants:

Mr Richard Saltonstall	Mr Samuel Vassall.
Mr Isaac Johnson	Mr Theophilus Eaton.
Mr Samuel Aldersey	Mr Thomas Adams.
Mr John Venn.	Mr Thomas Hutchins.
Mr John Humfrey.	Mr George Foxcroft.
Mr Simon Whetcombe.	Mr William Vassall.
Mr Increase Nowell.	Mr William Pynchon.
Mr Richard Perry.	Mr John Porter.
Mr Nathaniel Wright.	Mr Christopher Gardiner.

Sworn Beadle: William Wright Serjeant.

Humfrey Veale Beadle.

Present, Mr Governor, Mr Deputy, Mr George Harwood Treasurer, Mr Isaac Humfrey, Mr Thomas Adams (Officers in Nº 6.) Mr Simon Whetcombe, Mr Richard Perry, Mr John Porter, Mr George Fforcroft.

At a Court of Assistants upon munday the 18th of May 1629.

William Wright chosen by the last generall Court to be Serjeant for the yeare ensuinge was now admitted and sworne accordingly, upon the Callance of xx marks from the day he was chosen for the said yeare.

The Acts made at a Court the 30th of April last for choosing and ordeininge a Governor a Deputy Counsell and other Officers in New England was now read and bid Court-ponder hongest fit to add thereunto that they shall be ordeinned in their said place for one whole yeare or till such time as the Company doore shall thinke fit to choose others in their place of them, or any of him. And that in case any of them shall departe this life before the expiration of the time they were so chosen for, that the Governor or Deputy and Counsell at an ample Court assembled shall have power to nominate and chose fitt person or persons to succeede him or them so deceased in the said place or places for the residue of the time intended.

Provisions for Mr Endicott.

Mr Humfrey and Mr Adams are desired to meete and consider what provisions are fitt to be now sent over to Captaine John Endicott and his ffamily and to provide the same accordingly.

20 pers. of Lands in Adventure.

The names of all the Adventurers to be now sent over with the severall summes by them underwritten. And it is ordered that the Governor and Counsell doe shall have power to allott unto every particular Adventurer, that shall desire the same by himselfe or his assignees, 200. acres of land upon the summe of 50li. adventured in the generall stocke in this first division and proportionably for more or lesse according to their severall adventures. And Mr Governor, Deputy, Mr Nowell Mr Adams and Mr Whetcombe are to meete at Mr Governors house to morrow morning at five of the clocke to advise and consider of this business.

The 19th

The 19th of Iulye 1629.

Mr Governor.
Mr White.
Mr Nightingale.
Mr Adams.

Allotment of lands.

Concerninge the allotment of lands to those persons as are Adventurers in the common stocke; It is thought fitt that letters be written to the Governor to sett out and allott unto them after the proportion of two hundred acres of lands for 50li. adventure, and after that rate for more or lesse, to the intent to build their howses and to improve their labours thereon, by any particular adventurer in the common stocke or his servant for him. And if within ten dayes after their arrivall and demaunde made the same be not so allotted, Then every man being an adventurer is hereby permitted free liberty to build in any place, where himselfe shall thinke most convenient with reservation not to build or manure that allreadye built on or manured. Provided that if the plott of ground whereon the Towne is intended to be built, be sett out, that it be publiquely knowne to be intended for that purpose, that then no man shall presume to build his howse any where else unlesse it be in the Massachusetts Bay, and there according to suche direccions as shall be thought meete for that place; but in case his allotment be not sett out wthin the Towne where he shall build, and having in his owne name or in the behalfe of his Master made request to the Governor to have the same assigned to him, if it be not done within ten dayes after his arrivall; It shall be free for ayme in suche case being an adventurer in the common stocke to build his howse within the foreseaid plott of ground sett out for the Towne to be built on and to inyoye to his owne use proportionable to halfe an acre of ground for 50li adventure in the common stocke, unlesse a greater or lesser proportion be formerly determined of by the Governor and Counsell in wthin case that proportion is to be made use of and appropriated to every man within the liberties of the plott sett out for the Towne to be built on. And it is ordered that Goodyeare be made in the Companies name wth the Common seale of the Company, to ayme that shall desire it four score ye[illegible] manne yearlyes enjoying of that land he holdes at the charge of the Company.

It is further thought fitt and ordered that all suche persons as goe over at their owne charge and are adventurers in the common stocke shall have lands allotted to them for themselves and their families forthwith, 50. Acres of land for every person, but being no adventurers in the common stocke, shall have 50. Acres of land for the Master of the ffamily, and suche a proportion of land more if there be cause, as according to their charge and quality the Governor and Counsell of New Englande shall thinke necessary for them, whereby their charge may be fully and amply supported, unlesse it be to ayme wthe persons the Company in London shall make ayme other particular agreement, to wthin relation is to be had in suche case.

And for suche as transporte servants landes shall be allotted for every servant 50. Acres to the master, wthin land the Master is to dispose of at his discretion in regarde the servants transportation wages or is at the Masters charge.

Present
Mr Coddington
Mr Coffe Deputy.
Mr Saunders Treas.
Mr Nathaniel Wright.
Mr Pynchon.
Mr Eaton.
Mr Wilson.
Mr Jno Nowell.
Mr Humfrey.
Captaine Udallee.
Mr Hutchins.

A Court of Assistants on Thursday the 21 of May 1629.

Mr Eaton tooke the Oath of Assistant: And he is desired to acompany Mr Humfrey to Mr White the Counseller to be satisfied touching the administering oathes to the Adventurers and Comrell in New England. Mr Nathaniel is also desired to be with them.

The Court of the 18 of May was now read as also the order touching Mr Coddington and others touching the Allotment of lands, and a parte of the letter formerly written in this parliament was confirmed, whereunto this Court thought fitt to adde, if within ten Dayes after arrivall of those shipped and demand made by any person Adventurer in the Common Stocke or his or their servant of their allotment of lands the same not being done, that then every person be permitted to seate himselfe in a tenement place not formerly built nor manured and to build his house and inclose the same to his or their use not exceeding the one halfe of that proportion which by the former order of this Court is allowed, And when the divident is made to be free to make his choice within the said allotment if the distinct that he had formerly chosen.

Orders to be drawne out.

It is thought fitt that the Committees draw out at large the orders touching the establishment of the Coddington and Comrell in New England, as also the order made touching the allotment of lands. And Mr Coddington Mr Deputy Mr Treasur Mr Adams Mr Eaton Mr Hutchins Mr Nowell Mr Nathaniel Mr William Vassall or any foure of them, whereof the Coddington or Deputy to be allwayes one are desired and appointed to meete and resolve of those orders, and to affixe the Comanies seale hereunto, as also for preparing letters to be now written and to resolve and determine of all other business requisite for dispatch of those shipped.

Present
Mr Coddington
Mr Deputy.
Mr Adams
Mr Humfrey.

A meeting at the Coddington house on Fryday the 22 of May 1629.

Orders for establishing of Officers in N. E.

The Orders drawne for the establishment of the Coddington Deputy and Comrell and other Officers in the plantation at the Massachusetts Bay in New England, as also the orders for the Dividing and allotment of lands here to the Adventurers and others were now read, advised on, corrected and concluded on. Together with the generall letter from the Company heere to the Coddington and Comrell there. All which are appointed to be finishy improssed and the said Orders to be sealed with the Common seale of the Company and sent over upon the Shipp now ready to depart for New England.

A generall

A generall Court the 11th of June 1629.

Present
Mr Robert.
Mr Dounty.
Mr Harwood Dep.
Mr Adams.
Mr John Wem.
Mr Carthouse.
Mr Wm Vassall
Mr Webbe.
Mr Humfrey.
Mr Graves.
Mr Pulliston.
Mr Portrosse.

The said Court was appointed to take consideration of raysing of money for payment of divers debts and bills, and thereupon an estimate was made of what was owing by severall bills and which are of necessity to be presently payd.

That another day be appointed and the whole Company to be summoned by tickets, which is thought fitt to be on wednesday next.

Mr Godden Mr of the Shipe made demande of sufficient provisions to bedue unto him for his last voyage, but he not expressing a certaine summe, The said Assembly thinke fitt to defere him till the next Court. And in the meane time he is desired to bring in a note of what is due, And also to give security to the Company to free them from any further demand of and thereupon a finall conclusion thereof to be made.

A generall Court held at the Deputyes house on wednesday the 17th of June 1629.

Present
Mr Robert
Mr Dounty
Sr R. Saltonstall.
Mr Ald: Portrosse
Mr R: Perry.
Mr Adams.
Mr Nightingale.
Mr Porter.
Mr Johnson.
Mr Howell.
Mr Harwood Dep.
Mr White.
Mr Pollam.
Mr Cooke.
Mr Clarke.
Mr Ballard
Mr Pulliston.
Mr Nicholson.
Mr Carthouse
Mr Davys.
Mr Edm: White
Captaine Waller
Captaine Wem
Mr David
Mr Tho: Chidwood
Mr Aldersey.

Mr Johnson was sworne an Assistant of the said Company being chosen thereunto by a Court the 13th of May 1629.

Mr Robert moved that a course might be settled for bringing in of money.

And Mr Twas not returned a note conteyning the desertyes men.

It was proponded,

To encrease their former subscriptions.

To invite others to underwrite.

To borrow money for a time to supply the occasion.

To take up money at interest.

That those here present doe furnish 200, or 100li a peece and to have allowance for it.

The Court taking into consideration the necessity of a present supply of the summe of fifteene hundred pounds for discharging of debts and bills and that the money underwritten by the adventurers and not yet brought in, nor likely to be brought in, in convenient time for satisfaction of those debts and bills, which are of necessity to be presently payd, upon severall propositions made it is desired and concluded on that those of the Company heere present would ease of them voluntarily lends sure a summe of money as he shall thinke fitt for advanceing the summe wanting, and to have the common seale of the Company for the payment thereof according to the time for which he or they so lends the same. And also that the Secretary be appointed to goe to some others of the Company not present and Mr Robert shall name, to intimate the same unto them, and to desire them to underwrite what summes they will lend for the said occasion according as many of the Company heere present have done.

Names of those in Court that underwritt to lend.

Sr R: Saltonstall	100li	Mr Robert	150li	Mr Dounty	50li
Mr Perry	25li	Mr Adams	50	Increase Howell	25li
George Harwood	50	Eliz: White	25li	Mr Clarke	25li
Simon Nightingale	25li	Tho: Lutright	25li	Edw: Cooke	50li
Dam: Ballard	25li	Edm: White	20	Joseph Parson	25li
Mr Aldersey	50li	Tho: Chidwood	25li		

And it is ordered that the Common Seale of the Company be given to them, and

all others that will lend for repayment thereof at suche time as they shall desire the same.

Auditors appointed.

Auditors appointed for auditing the Accomptes vizt Mr Simon Ridgecombe, Mr Nathaniel Wright, Mr Howell, Mr Perry, Mr Crane, Mr Clarke, Mr Eaton and Mr Andrewes, those 8, or any 4. or more of them to meete at a convenient time and place to audite the Accomptes.

Committees to reduce former orders into a methode.

A Committee for reducing of all former orders into a methode, vizt the Robernor Mr White Mr Davenport Mr Johnson Captaine Waller Captaine Adam Mr Allerton Mr Adams Mr Wright and Mr Derby they or any 4 of them. And to present the same to the next generall Court to be ratified and confirmed in parte or in whole as shall be then thought fitt. Which are then by the Secretaries to be entred into a faire booke to be kept for that purpose, according to the usage and custome of other Companies.

A generall Court holden for the Company of the Massachusetts Bay in New England at Mr Deputyes house on Tuesday the 28. of July 1629.

Present.

Mr Matt: Cradocke Gov.
Mr Thomas Graffe Deputy.
Mr George Harwood Treas.

Assistants.

Mr Thomas Adams
Mr Nathaniel Wright
Mr Theophilus Eaton.
Mr Richard Perry.
Mr Howell.
Mr Simon Ridgecombe
Mr John Pocoke
Mr Colson.
Mr Hutchins.
Mr Pinchion.

Mr Sam: Vassall. Assistant.
Mr Jos: Wardlawe.
Mr Winnett.
Mr Pitt.
Mr Dan: Ballard.
Mr Symmons.
Mr Tho: Johnson.
Mr Woodgate.
Mr Webb
Mr Crane.

Generality.

Accomptes to be Audited.

The businesse treated on at the last meeting was now read and thereupon the Accomptes of Mr Robernor Mr Deputy and Mr Treasurer being now presented to this Court, the Auditors formerly appointed for auditing the Companyes Accomptes were now desired to meete and peruse and audite those Accomptes, which they have agreed to doe to morrow in the afternoone.

It was moved by Mr Robernor that a shippe of 400. Tunnes and of good force being now to be sold, Could be bought for the Companyes use upon their generall stocke or that some particular members of the Company would undertake to buy the said shippe in regarde the Company are now in Hast. And that the Company will not only imploy that shippe but take other shippes of them of lesse defence for transporte of their Cattell and all other Commodities from time to time so long as they shall be willing to furnishing shippinge.

Whereupon Mr Robernor declared that he was willing to take parte of the said shippe.

And

Chub did write a	1/8 pf.	Mr Pebell a	1/16
Mr Dexter a	1/16	Mr Aldersey a	1/16
Mr Adams a	1/8	Mr Milburne a	1/8
Mr Wright a	1/8	Mr Hanson a	1/16
Mr Eaton a	1/16	The Company a	1/8.
Mr Wheetcombe a	1/16.		

ex.

A letter of the 27 th of May from Mr John Endicott was now read, wherein amongst other things he complayned of the prophane and dissolute living of diverse of some Plantation former Traded to those parts and of their irregular trading with the Indians contrary to his late Mats Proclamation, desiring that the Company would take the same into their serious consideration, and to use some speedy meanes heere for reformation thereof; whereupon the Proclamation made in Anno 1622. was read. And it is thought fitt, that suit be made to his Matie or the Lords for renewing thereof, with addition of such beneficiall clauses as shall be needfull for reforming so great and insufferable abuses. And Mr Governor, Mr Aldersey, Mr Wright, and Mr Eaton are desired to wayte to the Lord Keeper and Mr Secretary Coke to acquaint their Honnors herewith, and afterwards a petition to be presented to the Comitill Board accordingly.

Letter from Maxtome Endicot read.

A note of diverse propositions offered to the Consideration of this Company by one John Witts was read, pretending that he is able to discover diverse things for the good and advantement of the plantation and the benefitt of this Company whereupon some of those heere present were desired to enquire further of him, not only of his ability but of his Deportment in his life and Conversation and then the Company to treate with him as they shall thinke fitt.

Propositions of John Witts.

Also Mr Webbe moved touching a ffrenchman being a Physition, and otherwise well qualifyed who is desirous to goe over, to live upon the Company's Plantation, and gives good commendations both of his sufficiency, and of his godly life and conversation, and of one Mr Gardiner an able and expert man in diverse faculties, who are to be further enquired of, and treated with against the next meeting of the Company.

A ffrenchman Physition. Mr Gardiner.

It is also thought fitt and ordered that letters be written to those in the Country to pay in what they are behinde upon their subscriptions, and that some tradesmen heere in London that have occasion to trade into any of those parts be desired to contribute the monies on the Companies behalfe.

Letters to be written to divers for bringing in their subscriptions.

And lastly Mr Governor read certaine propositions contributed by himselfe, viz. That for the advantement of the plantation, the inducing and encouraging persons of now hand quality to transplant themselves and families hither, and for other weighty reasons herein contayned to transfer the Government of the Plantation to those that shall inhabite there, and not to continue the same in subordination to the Company heere as now it is. This business occasioned some debate, but by reason of the many great and considerable consequences hereupon depending, it was not now resolved upon, but those present are desired privately and seriously to consider hereof, and to sett downe their particular reasons in writing pro et contra and to produce the same at the next generall Court where they being readyed to heard and maturely considered of the Company may then proceede to a finall resolution therein, and in the meane time they are desired to carry the business secretly that the same be not divulged.

About transferring the Government.

A generall Court holden at Mr Deputyes house the 28th of August 1629.

Present

Mr Goffe Deputy.	Mr Howell.
Mr Norwood Ass.	Mr Foxcroft.
Sr Richard Saltonstall.	Mr White.
Mr Johnson.	Mr Cooke.
Mr Babworth.	Mr Pallards.
Mr Winthrop.	Mr Wright.
Mr Adams.	Mr Westcombe.
Captaine Adam	Mr Smith.
Mr Pocock.	Mr Rebell.
Mr Pray.	Mr Davyd
Mr Colston	Mr Eaton.
Mr Pynchon	Mr Colsbrand.
Mr William Vassall.	

About transporting the Ordnance.

Mr Deputy acquainted this Court that the generall ranse of their meeting was to give answere to divers gentlemen intending to goe into New England whether or no the raise Ordnance of his Plantation together with his Patent should be settled in New England or heere.

Whereupon it was ordered that this afternoone Mr Wright Mr Eaton, Mr Adams Mr Cromwell and sing others as they should think fit to call unto them whether they were of the company or not to consider of arguments against the settling of the ordnance in New England. And on the other side Sr Richard Saltonstall Mr Johnson Captaine Adam and sing others as they should call unto them to prepare arguments for the settling of the said Ordnance in New England. And that to morrow morning being the 29th of August at 7. of the clocke both sydes should meete and conferre and weigh their severall arguments and afterwards at 9. of the clocke (which is the time appointed of meeting for a generall Court to make report of it) to the whole Company, who then will determine this business.

A

A generall Court at Mr Deputyes house the 29 of August 1629.

Present.

Mr Deputy.	Mr Harwood Treas.
Sr Richard Saltonstall.	Mr Weare.
Mr Johnson.	Mr Coppock.
Mr Dabenport.	Mr Dand.
Mr Aldersey.	Mr Ironside.
Mr Humfrey.	Mr Winthrop.
Captaine Walker.	Mr William Vassall.
Captaine Venn.	Mr Pond.
Mr Adams.	Mr Ballard.
Mr Eaton.	Mr Howell.
Mr Samuel Vassall.	Mr Nobbs.
Mr Wright.	Mr Wheelwright.
Mr Colston.	Mr Pelbrand.
Mr Porter.	

This day the Committees which were appointed to meete yesterday in the afternoone to consider of arguments pro & contra touching the settling of the Ordinance of the Company Plantation in New England, being according to the order of the last Court, met together debated their arguments and reasons on both sides, where were present many of the Assistants and generalitie. And after a long debate, Mr Deputy put to the Question as followeth.

Settling the Ordinance in N. E.

As many as yon desire to have the Patent and the Ordinance of the Plantation to be transferred to New England, so as it may be done legally, hold up your hands. So many as will not, hold up your hands.

Whereupon by erection of hands, it appeared by the generall consent of the Company, that the Ordinance and Patent should be settled in New England, and according to an order to be drawne up.

Ordered &c.

A generall Court holden at Mr Deputyes house the 19th of September 1629. Present,

Mr Matt: Gwadorte Governor.	Mr Gelson.
Mr Tho: Coffe Deputy.	Mr Pinchon.
Mr Geo: Harwood Treas.	Mr Ingtrind.
Mr Commissioners.	Mr Stevens.
Mr Porter.	Mr Westrombe.
Mr Wright.	And others.

Businesse of Mr John & Samuel Brown.

At this Court letters were read from Captaine Endicott and others from New E. and wherein a difference hath fallen out betwixt the Governor there, and Mr John and Samuel Brown, it was agreed by the Court, that for the determination of those differences, Mr John and Samuel Brown might choose any three or foure of the Company on their behalfe to heare the same differences, the Company choosing as many. Whereupon the said Mr John and Samuel Brown made their of Mr Samuel Wassall & Mr William Wassall, Mr Simon Westrombe and Mr William Pinchon, and for the Company there were chosen Mr John White & Mr John Dabenporte — Mr Charles Johnson and Mr John Winthrop, who with the Governor or Deputy are to determine and end the business, the first Tuesday in the next Term, and if any of the aforenamed parties be absent, others to be chosen by either parties in their stead.

Unlading the shippes.

For the unlading of the shippes now come into the Rynd Watches and the Talbot, it was desired that the Governor and Deputy would take sixth order herein as they should thinke fit.

The 5. boyes sent back.

And lastly for the 5. boyes returned from New England upon the Talbot, It is to be advised on what course to be taken for their punishment, either by returning Mr Prowder his warrant, by complaining to the Judge of the Admiralty, or otherwise.

A generall Court holden at Mr Deputyes house on Tuesday the 29th of September 1629. Present.

Mr Matthew Cradock Gov.	Mr Childrenod.
Mr Thomas Goffe Deputy.	Mr Roe.
Captaine Walter.	Mr Pobell.
Captaine Dem.	Mr Huson.
Mr Mary: Wright.	Mr Hobbe.
Mr Thomas Adams.	Mr Woodgate.
Mr George Foxcroft.	Mr Pollefon.
Mr Richard Perry.	Mr Bateman.
Mr Howell.	Mr Wynthy.
Mr Simon Westcombe.	

At this Court were read the Orders made the 28th and 29th of August last touching the transferring of the Patent and Government of the Plantation, into New England, — but that business being of great and weighty consequence it thought fit to be deferred for determination untill Sr Richard Saltonstall, Mr Johnson and other Gentlemen be come up to London and may be heare present; and in the meane time it was propounded that a Committee should be appointed to provide the business,

Transferring of the Government.

To take advice of learned Counsell, whether the same may be legally done, or no.

By what way or meanes the same may be done to correspond with and not to prejudice the Government here.

To consider of the time when it will be fit to doe it,

To resolve on whome to conferre the Government and divers other circumstances materiall to be considered on.

The next thing taken into consideration was the Letters from Mr John and Samuel Browne to divers of their private friends here in England, whether the same — should be delivered or detayned, and whether they should be opened and read or not and for that it was to be doubted by probable circumstances that they had defamed the Country of New England, and the Government and Government there, it was thought fit that some of the said Letters should be opened and publiquely read, which was done accordingly, and the rest to remayne at Mr Deputyes house, and the partyes to whome they are directed to have notice. And Mr Governor Mr Deputy Mr Treasurer and Mr Wright or any two of them are intreated to be at the opening and reading hereof, to the end the Company may have notice if ought be inserted therein, which may be prejudiciall to their Government or Plantation in New England. And it is also thought fit that none of the Letters from Mr Samuel Browne shall be delivered but kept to be made use of against him as occasion shall be offered.

Letters from John & Samuel Browne &c.

The business of clearing the two Ships lately come home, paying and discharging the men, and housing the goods is recommended to the care of Mr Deputy, who hath undertaken the same.

Clearing the Ships lately come home.

It is also thought fit and ordered that the Secretary shall write out a copie of the former grant to the Earle of Warwicke and others, which was by them resigned to this Company, to be presented to his Lopp, he having desired the same.

Copie of the Patent for the Earle of Warwicke.

Buying the Ship Eagle.

Mr Doberne moved to know the resolution of the Company touching buying the Ship Eagle and it was concluded on as formerly that the said Ship should be bought by those hereafter named viz.

The Doberne	1/8	Mr Hobell	1/16
The Deanty	1/16	Mr Alderseye	1/16.
Mr Adams	1/8	Mr Gilbourne	1/8.
Mr Wright	1/8.	Mr Huson	1/16.
Mr Eaton	1/16.	The Company	1/8.
Mr Westcombe	1/16.		

And Mr Doberne is desired to goe on and conclude the bargaine upon such termes as he can and it was further thought fit and resolved on that this Ship being of good-scure and bought for the safety and honor and benefit of the plantation shall always be reserved in that voyage before any other Ship and to have some consideration in her freight above other Ships according.

Sale of Beaver skinnes.

It is also thought fit for the present raising of money that sale be made of the beaver skinnes and to that purpose a rate was now sett upon them of 20s p. lb. And Mr Nathaniel Wright being here present is to have time till to morrow to accept of them at that rate or to returne his answer and in the meane time the skinnes not to be sold under that rate, The sale of them being referred to Mr Doberne and Mr Deanty.

Petition to the Lords.

Also some speeches was had concerning the delivery of the petition to the Lords of his Majestie but this is deferred till the Ships coming to London.

Abstract of those behinde with their subscriptions.

Mr Treasurer and Mr Adams are desired to make an abstract of those wee are behinde with their subscriptions to the end some course may be taken to call in for those moneys.

Boxes and tallies to be sold.

For the twelve Boxes and three tallies and 2. maves and 2. folds it is thought fit that they be forthwith sold rather then kept at charges all this winter, wch is recommended to the care of Mr Bateman and Mr Huson.

The boxes sent home.

Also concerning the 4. boxes returned in the Talbot Mr Westcombe and Mr Howell are desired to acquaint Sr Henry Martyn with their miscarriage and to advise what punishment may be inflicted upon them and how the company may be legally discharged of them.

Sr Samuel Brownes.

Upon the desire of Mr John & Samuel Brownes it is thought fit and ordered that they should have a copy of the accusation sent from New England against them to the end they may be better prepared to make answere thereunto.

Clapboards.

Mr Wright is desired to take care of the sale of the Clapboards and other woods.

Cottons to be answered.

Also Letters from Robert Houlton the Shipwright and from the Company and Clapboard of woods consisting of divers particulars were now read wch are to be abbreviated and fitting answeres to be made unto them by the returne of the next Ship to New England.

A Generall Court at the Governor house on Wednesday the 15. of October 1629. Wee present.

Mr Matthew Cradock Governor.	Mr Ballard
Mr George Harwood Treasur.	Mr Pocock.
Mr Richard Saltonstall.	Mr Dudley.
Mr John Humfrey.	Mr Winthrop.
Mr Isaac Johnson.	Mr Nobell.
Mr Sammel Aldersey.	Mr Hutchin.
Mr John Humphry.	Mr Nowell.
Mr Nathaniell Wright.	Mr Wheelwright.
Mr John Wood.	Mr Graves.
Mr Thomas Adams.	Mr Owen Rowe.
Mr William Vassall.	Mr Fowler. w[illegible]
Mr Simon Wheelwright.	Sibsed ofsed of the
Mr William Pynchon.	Generalitie.
Mr George Foxcroft.	
Mr Increase Nowell.	

Transferring the Colledge.

The especiall and only occasion of this meeting being to consider and resolve of the setting the Trade in New England now upon transferring the government hither for the imtanagement as well of the Adventurers in the joynt stocke here as of those allready are and of others who intend to goe over in person to be planters there, — and for the mutuall correspondence and behoofe and the advancement of the Plantation to the end which was at first intended, The Court took the same into due and mature consideration And after a long debate and sundry opinions given and reasonings the joynt stocke (which had borne the burthen of the charge hitherto and was likely to bear much more) could have certaine commodities appropriate thereunto for reimbursement and defrayment thereof, and Sibsed objections being made to those reasons all were said laughly discussed and well weighed, The Court in conclusion fell upon a moderation as followeth. viz.t.

The joynt stocke to have the trade of Sider for 7. yeares.

That the Companies joynt stocke shall have the Trade of Sider and all other fruit in those parts solely for the space of seven yeares from this day for and in consideration of the charge that the joynt stocke hath undergone allready and is yet annually to bear for the advancement of the plantation.

Charge of Fortifications

That for the charge of the fortifications the Companies joynt stocke to bear the one halfe and the Planters to defray the other viz.t for ordinance munition powder &c. but for labour in building of forts &c all men to be imployed in an equall proportion according to the number of men upon the Plantation and so to continue untill sure fill and necessary works be finished.

Charge of Ministers & other publicke charges.

That the charge of the Ministers now there or that shall goe hereafter to reside there as also the charge of building convenient Churches and all other publicke workes upon the plantation be in like manner indifferently borne the one halfe by the Companies joynt stocke for the said terme of seven yeares, and the other halfe by the Planters.

Ordinance to be raised.

That the ordinance allready provided for fortification be raised as they use as also all powder and munition whatsoever concerning Armes so as the same be delivered there for publicke use, and this to be accomplished as parte of the joynt stocke of the Company.

All w.ch being severall times read was put to the question and by generall consent

by erection of hands was agreed, and ratified on and ordered accordingly.

A Committee about transferring of the government.

And forasmuch as by former order the Patent and Government is to be transferred to New England, A Committee is appointed parte of the Adventurers here and parte of those that intend to goe over. viz.

Mr Davenporte. Mr Adams. Sir Richard Saltonstall. Mr Wilson. Mr Dudley. Mr Wolcott. Mr Hopson. Mr Wadsall.
Mr Wright. Mr Whetcombe. Mr Humphrey. Mr Pynchon.
Mr Perry. Mr Pomeroy. Mr Humphrey. Mr Downing.
Captaine Walker. Mr Spencer. Mr Hudson.
Captaine Venne. Mr Pocock.

Who are desired to meete to morrow morning to consider of and draw fitt and contrement clauses to be inserted in articles of agreement wherby may be commodious for either parte and to prepare the same for a Court of Assistants appointed that afternoone to determine thereof.

A Court of Assistants at the Deputyes howse on ffriday the 16. of October 1629. Present

Mr Matthew Cradocke Governor. Mr George Harwood Treasurer.
Sir Richard Saltonstall. Mr Humphrey.
Mr Ff. Johnson. Mr Hutson.
Mr Dudley. Mr Whetcombe.
Mr John Humphrey. Mr Perry.
Mr William Wadsall. Mr Pocock.
Mr Pocock. Mr Spencer.
Mr George Harrison. Mr Pynchon.
Mr Adams. Captaine Venne.
Mr Samuell Wadsall.

About transferring the government.

This Court was appointed to treate and resolve that upon the transferring of the Government to N. England what Government shall be held at London wherebye the future charge of the joynt stock may be eased and preserved and the body politicke of the Companye remaine and continue.

Who shall be to manage the joynt stock:

What persons shall have the charge of the managing of the joynt stock both at London & in N. England wherein it is considered fitt that Captaine Endecott continue the government there unless just cause to the contrary.

fitt the government be transferred.

These and other things were largely discussed and it was thought fitt and naturall that the government of persons be held there. The Government of trade and merchandize to be here. The that the joynt stock being mutuall both here and there that some fitt persons be appointed for managing thereof in both places.

More for clearing the joynt stock of the debt.

But for that there is a great debt owing by the joynt stock it was moved that some course might be taken for clearing thereof before the Government be transferred, and to this purpose it was first thought fitt that the accomts should be audited to see what the debt is, but the business not admitting any such delay, it was desired that Mr Cradocke and Mr Treas would meete to morrow and make an estimate of the debts & prepare the same against a meeting to be on munday next to determine this question.

Letters to Mr Endicott.

The Ship Eagle is to be freighted from Bristol.

The letters were read and signed to Mr Endecott Mr Skelton & Mr Higgison as appeared by the entryes of them in the booke of Copyes of Letters.

A meeting at Mr Downings house on Munday the 19th of October 1629. Present,

Mr Matthew Gradock Governor.	Sr Richard Saltonstall.
Mr George Harwood Treasurer.	Mr Isaac Johnson.
Mr Nathaniell Wright.	Mr Dudley.
Captaine Wiggins.	Mr Goffe the Treasurer.
Mr Pynchon.	Mr Wyse the Comptroller.
Mr William Vassall.	Mr Winthrop.
Mr Hanson.	Mr Dudley.
Mr Pennell.	
Mr Adams.	
Mr Throgmorton.	

The occasion of this meeting being to resolve of the alteration of the Government and therein to consider how the debts upon the joynt stocke shall be first discharged, and how the same shall hereafter managed and therein what was formerly treated on — wad againe related, and for that diverse questions will arise to be determined in this — business we will take no more time and cannot but so conveniently doe at a Court it was thought fitt that certaine committees be appointed on either parte to meete and make propositions each to other and sett the same downe in writing, and if they can to agree and conclude of a fitt end to be made for the good of the plantation and if any differences happen we they cannot agree on that then the same be referred to the unpiraigt and determination of some of the greatest to be chosen to that purpose we are desired Sr Sett Downes in writing what they shall thinke in conscience is fitt to be done indifferently for the good of the worke and the incouragement both of Planters and Adventurers, And to this purpose Arbitrs between the Planters and Adventurers for performance of what shall be determined were nominated by Mr White the Comptroller read and approved and are to be presented to morrow at a generall Court the Governor and Assistants to be chosen for the Government in New England.

About transferring the government.

Committees be appointed.

Arbitrs drawne.

A generall Court holden at Mr Goffes the Deputyes house on — thursday the 20. of October. 1629. Present.

Mr Matthew Gradock Gov.	Mr Richard Perry.	Captaine Wiggins.
Sr Richard Saltonstall.	Mr Thomas Adams.	Mr Pallard.
Mr Isaacke Johnson.	Mr John Porter.	Mr Woodgate.
Captaine John Wiggins.	Mr Tho: Hutchins assist.	Mr Stephens.
Mr Alderson.	Mr Dudley } Govr.	Mr Ph: Ffisher.
Mr Nathaniell Wright.	Mr White }	Mr Symonds
Mr George Harwood Trea.	Mr Winthrop.	Mr Hanson.
Mr John Humphry.	Mr Dudley.	Mr Roe.
Mr William Vassall	Mr Pynchon.	Mr Webb.
Mr William Pynchon.	Mr Pallard.	Mr Ffitz James Coxe
Mr George Throgmorton.	Mr Job Throgmorton	Sr Sigis: Generality
Mr Francis Pennell.	Mr Cooke.	
Mr Christopher Batson.	Mr Cotell.	

Assistants.

Mr Governor ranted to be read the order formerly made concerning the buying of the Shipped Eagle.

& hippet Eagle, and desired to know the pleasure of the Court for confirmation thereof, — whereupon some debate being had the order was well approved of, but for that it is wished that the gentlemen that are to goe over should have the ⅓ parte of the said ship which was formerly allotted to the Company, the Company being out of stay and for other reasons — they not having notice thereof till now desired time till the afternoone to consider thereof and to give their answer, wch was condescended unto and the same is then to be determined accordingly.

Election of a new Governor ed.

After which m^r Governor acquainted the present that the speciall occasion of summoning this Court was for the Election of a new Governor Deputy and Assistants the government being to be transferred into New England according to the former order and resolution of the Company,

But before the Court proceeded to the said Election certaine Articles of agreement tendered at a meeting yesterday between the adventurers here at home and the Planters that are to goe over as well for the managing and settling of the joyntstocke as for reconciling of any differences that may happen upon the charge of the Government was now read and recommended to the Court for their approbation and for the nomination and appointment of a competent number of Committees to meete and treate and resolve of these businesses, & the Articles themselves were approved of and fifte Committees on either parte were thereupon chosen vizt, Sr Richard Saltonstall m^r Winthrop m^r Dudley m^r Johnson and m^r Humfrey for the Planters, and for the Adventurers was chosen m^r Governor m^r Aldersey m^r Wright m^r Eyrington and Sir Tame Dennis. And in case the said Committees or the greater number of them should differ in any one or more particulars and not agree thereon there was chosen for Umpires m^r White the Comptroller m^r White of Dorchester and m^r Dabenport to whome the division and determination of all such differences is referred according to the tenor of the said Articles of Agreement. And it being further taken into consideration that in regarde of the shortnesse of the time limitted to the Committees many things of weight and consequence in this so great a business may either not be at all thought on or otherwise slightly resolved by them and the said Umpires: It is therefore thought fit by this Court that the said Committees and Umpires shall continue till the ends of this Treaty and whatsoever materiall thing for the good of the Plantation shall in that time be treated on and resolved by them the same to be as valid and effectuall as if it had bin done before the expiration of the time limitted to the Committees Articles And it was further thought fit that all such other of the Company as will may from time to time have access to the said Committees to propounde such things as they conceive beneficiall for the business or to present their opinions in writing but not to debate with them for interrupting their proceedings.

All which being put to the question was approved of and by erection of hands ordered accordingly.

Election of

And now the Court proceeding to the Election of a New Governor Deputy and Assistants which upon serious Deliberation hath bin and is conceived to be for the especiall goods and advancement of their affaires and having conceived extraordinary great commendations of m^r John Winthrop both for his integrity and sufficiency as being one every way well fitted and accomplished for the place of Governor did put in nomination for that place the said m^r John Winthrop Sr Richard Saltonstall m^r Charles Johnson and m^r John Humfrey and the said m^r Winthrop was with a generall voice and full consent of this Court by Erection of hands chosen to be Governor for the ensuing yeare to begin on this present day wch was pleased to accept thereof and —

A Committee & Umpires appointed.

Governor

Deputy.

thereupon tooke the oathes to that place appertayning. In like manner and wthiche
free and full consent Mr John Humfrey was chosen Deputy Governor and

Sr Richard Saltonstall	Mr Thomas Shaw.
Mr Isaac Johnson	Mr John Nobell.
Mr Thomas Dudley	Mr Matthew Gridley.
Mr John Endicott	Mr Thomas Coffe.
Mr Howell	Mr Alderseye
Mr William Vassall	Mr John Wem
Mr William Pynchon	Mr Nathaniel Wright
Mr Samuel Sharpe	Mr Theophilus Eaton
Mr Edward Rossiter	Mr Thomas Adams,

were chosen to be Assistants wthin said Deputy and the greatest parte of the said — Assistants.
Assistants being present tooke the oathes to their said places appertayning respectively.

A Court of Assistants at Mr Coffes howse on Munday the 20th of October
1629. Present

Mr John Winthrop Governor.	Mr Thomas Coffe.
Mr John Humfrey Deputy.	Mr William Pynchon.
Sr Richard Saltonstall.	Mr Colson.
Mr Thomas Dudley.	Mr Matthew Gridleye.
Mr Thomas Adams.	Mr George Harwood.
Mr Nathaniell Wright.	Mr John Nobell.
Mr Hutchins.	Mr Howell.

The especiall cause of this meeting was to advise of a course for bringing in of moneys — Their bringing in of moneys,
for payment of mariners wages freight of shipps and other debts and charges. Mr
Gridleye acquainted those present what summes he had disbursed for arrompt of the
Company and what more was owing for mariners wages upon the Shippe Talbott, May-
flower, and Ffower Sisters and for the freight of those Shipps amounting to 1200li and — to pay
upwards wthin the Court thinke fitt and order to be first payde before any other debts,
And Mr Coborne desyring to have power from the Court to grant warrants for paymt — freight & mariners wages.
of moneys as was formerly arrestedd the same was condescended unto, and a warrant — A warrant for 800li.
was now made and signed by the Governor and Deputy directed to Mr Harwood the — to Mr Gridleye.
Treasurer for payment of 800li to Mr Gridleye as soone as money shall come to his hands.

Some debate was had concerning Mr John and Samuel Browne complaynyng that — Mr John and Sam: Browne.
their goods provided in New England are imbezelled, and diverse things omitted to be
provided wherein they desire to have relief and justice done, It is thereupon thought
fitt that if they can produce proofe thereof then they are to be relieved herein,
otherwise the same is to be rejected, and all the objections they can make to be
taken notice of and recommended to Mr Coborne to be considered of and determined —
after his arrivall in New England when he may heare the parties answere to those
objections and in the meane time Mr Gridleye to pay the moneys charged upon him for
the same.

Mr Roger Mos the Shippe Talbot desired to have in a bonde wth he entered into to — Smartound wages of the Howse servants.
Mr Pratt for wages or allowance to a Christian for the howse servants who was to
have 2s 6d for every person in the Shye according to an agreement made wth them,
The number of the persons being about 125. of which Mr Roger had formerly delivered
a particular note to Mr Coffe, The Court conceiving the said allowance to be exorbitant

and more then is usuall in like cases doe desire that the Governoure be appointed to be — heere the next generall Court and then such conclusion is to be made unto him as shall be fitt.

Subscriptions — Lastly Mr Smith the Adventurer attended them with their arguments and after perusall — thereof it appearing that divers were behinde with their rates subscriptions or part thereof It was thought fitt that for the present supply of moneys tickets should be sent unto them to desire them to send in the summes by them underwritten to which purpose a list of their names and summes was now drawne out and tickets are forthwith to be made accordingly.

A generall Court on Wednesday the 25. of November 1629. Present.

Mr John Winthrop Governor.	Captaine Waller.
Mr John Humphry Deputy.	Mr Wyllis.
Sr Richard Saltonstall.	Mr Dabenport.
Mr Isaac Johnson.	Mr Hutson.
Mr Thomas Adams.	Mr Warthouse.
Mr Nathaniel Wright.	Mr Foxcroft.
Mr Theophilus Eaton.	Mr Woodgate.
Mr William Pynchon.	Mr Bradstreet.
Captaine Adams.	Coghard.
Mr Increase Nowell.	
Mr Matthew Cradock.	

A Letter of the fift of September from Mr Endicott the Governor and others in New England was now read — and also Mr Governor acquainted his present with certaine Testimonies sent over against one William Dobell — master of a shipp of — concerning some insolent and misbeseeming speeches uttered by him in contempt of the Companies priviledges and government which is to be taken into further consideration and he peremptorily against when other certificate are come with are expected concerning that business.

The generall business.

This day being one of the foure quarter dayes appointed by the Charter for keeping a — generall Court, the generall business of the Plantation should have bin treated on, but nothing was done herein, only the Governor made relation of the proceedings of the joynt Committee concerning the settling of the joynt stocke, That notwithstanding there had bin all good — endeavoure and faire proceedings betweene them, yet by reason of the greatnesse of the — business and the smallnesse of the supplyes they could not bring the same to a wished effect but only had admitted it to certaine propositions to be represented to the Consideration of the Companies to receive their resolution therein.

The Adventurers having made an estimate of the Adventure the joynt stocke appeared to be in arrears 3000li and upwards. Towards yet 3000li there is 1900li in subscriptions not yet brought in and about 8. or 900li upon freight of Shipps.

There will be a necessity for supply of necessaryes for the Companies { 1000li
Servants

For merchandizes for trade — 0500li

For ammition and Artillery for fortification — 0500li

So as there being an inevitable necessity of supply of money either to rebite the old — stocke or to raise a new the propositions were now expressed first.

1. That all the former adventurers should double their former subscriptions.
2. That the Servants tattell and all merchandizes or provisions belonging to the joynt stocke should be sold and the underwriters be payd their proportion of what shall arrive or arise thereof.
3. Or lastly that the stocke be put over to certaine undertakers upon such conditions as can be agreed on and they to goe on with the worke and manage the business to draw all things and to stand to a profit and losse and to pay the under=

writers —

their principall by them brought at the end of seven yeares and this to be understood not to exclude any into have affection to this business but that they may come in under those undertakers for such summes as they shall think fit to adventure but that for the better furtherance and facilitating the business the same to be managed by fewer hands, And for the encouragement of such undertakers the Committee have thought of certaine inducements. viz,

That they shall have the one halfe of the Rover.

The sole making of salt.

The sole transport of passengers servants and goods to be transported at reasonable rates.

To be allowed a reasonable profit upon all such provisions as they shall leave in magazine there for the use and relefe of the inhabitants.

All which premises the Adventure recommended to the consideration of those present but by reason of the smale appearance nothing could be determined and therefore a Generall Court appointed for this purpose on munday next and the whole Company to be summoned by tickets to be present. — recommended to an other Court.

Lastly upon the motion of Mr Rogers to the end that this business might be prosecuted in with the first intention, which was chiefly the glory of God and to that purpose that their meetings might be sanctified by the presence of some faithfull Ministers resident here in London whose advise could be likewise required upon many occasions, The Court thought fit to admit into the freedome of this Company Mr John Cotton and Mr Hibbins the Ministers here in London, who being heere present thanks accepted thereof. Also Mr Wright did recommend unto them Mr Nathaniel Ward of Stanton. — Ministers to pray at meetings.

A generall Court at Mr Coffs house on Munday the last of November. 1629. present.

Mr John Winthrop Governor — Mr John Humfrey Deputy.

Mr George Harwood Treasurer.

Assistants.

Sir Richard Saltonstall. — Mr Thomas Adams.
Mr Isaac Johnson. — Mr Theophilus Eaton.
Mr Thomas Coffe. — Mr Emanuel Howell.
Mr Thomas Dudley. — Mr John Poole.
Mr Nathaniel Wright. — Mr William Pynchon.
Mr Matthew Cradock.

Wishmen of the generality.

It was propounded to the Court that whereas the joynt stock was ingaged to the value of 2500li present debt and there was necessarily required 1500li towards disbursements for maintenance of the servants now in the Plantation and for commodities for Trade and munition, that the Adventurers would be pleased to double their former subscriptions. which being not assented unto by the Court It was propounded and agreed by generall consent that ten persons should be chosen 5. of the Adventurers and 5. of the Planters which should state the joynt stock at the time value and take upon them the engagements and other charges for why there should be appropriated to the joynt stock for 7. yeares these privileges which follow viz. — The joynt stock.

1. Halfe the Trade of the Rover and all other fraud.
2. The sole making of Salt.
3. The furnishing of a Magazine at fitt rates.
4. The sole transportation of passengers and goods at certaine rates.

For why end there was a Committee appointed to value the joynt stock, viz, Mr Whitcock Governor Mr Thomas Coffe Mr Nowell Mr Emanuel Howell who taking upon them the charge — A Committee for valuing it.

of the said business did the next day (the Court then sitting upon adjournment) make certificate of their proceedings to this effect. viz.

The value of the joynt stock ratified.

That whereas Diverse summes had bin disbursed in publique charges as transporting of Women and their families Ammition & wtes were not now to be valued to the Undertakers as being to remaine allwayes to the Plantation, And whereas many of the servants whiche were transported at extraordinary charge do not prove so ufull as was expected and so will not yeilde the undertakers any suche benefit as may answere their charge, diverse of the Cattle & provisions likewise miscarrying through want of experience in the beginning of such a worke, they could not finde the said stocke to remaine clear and good (the debts discharged) above one third parte of the whole summe which hath bin adventured from the first to this present day, which value upon due examination and long debate was allowed by all the Court.

Ordered

Whereupon it was proponded and agreed by the whole Court that the old Adventurers in lieu of this abatement of $\frac{2}{3}$ of their Adventure should have an addition of a double proportion of land according to the first proportion of 200 acres for 50li and that they should have liberty to put in what summes they pleased to be added to their former Adventure, so as they subscribed the same before the first day of January now next ensuing, and such as were in the Country remote from the Citie of London to enter their subscriptions before the second of February next, And that any of the said Adventurers may take out their Adventure after the aforesaid rate, And further that it should be lawfull for all other persons (with consent of any 3. of the undertakers) to put in what summes of money they pleased to be traded in the joynt stocke (upon such allowance to the common stocke for publique use in regard that they shall beare no part in the former losse) as the said Adventurers or 3. of them shall agree with them for from time to time, and that all Adventurers shall pay in their adventures in such time and manner as shall be agreed between them and the said undertakers or any three of them.

It was also agreed by the Court that in regarde the Undertakers should beare the greatest charge and burden and all other Adventurers should have equall parte of the gaine if any did proceede that therefore they should have 5li in the hundred clear gained of the said joynt stocke both in and out, all charges being deducted.

Undertakers of the joynt stocke.

And that the joynt stocke being thus managed at the end of seven yeares (to be accomptes from this day) as well the said stocke as the proceede and profit thereof to be divided to every man proportionably according to his adventure and all the said privileges then to cease and all persons to be at liberty to dispose of their parte in the joynt stocke at their owne pleasure.

Thereupon the Court thought fit to desire the gentlemen hereundernamed to undertake the joynt stocke upon the termes before proponded, viz.

Mr John Winthrop the Elder.	Mr Matthew Cradock.
Sr Richard Saltonstall Knight.	Mr Nathaniel Wright.
Charles Johnson Esq.	Mr Theophilus Eaton.
Mr Thomas Dudley.	Mr Thomas Goffe.
Mr John Humfrey.	Mr James Younge.

Which gentlemen (upon mutuall entreaty of the Court) did accept of the said charge and accordingly were chosen to be undertakers to have the sole managing of the joynt stocke with all things incident thereunto for the space of seven yeares as is aforesaid.

Treasurer.

And it was agreed to desire and nominate Mr Underhill to be treasurer for the said Company and that all moneys wch shall come into the joynt stocke or that shall be given to the common stocke shall be payd unto him and to be issued out upon warrant under the hands of the said undertakers or any three of them as occasion shall require.

It was also ordered by the Court that the undertakers should provide a sufficient number of shipps of goods fourte for transportinge of passengers at the rate of 5li a person and 4li a Tonn for goodes which shall be redy to sett sayle from London by the first day of March and that if any passengers be to take shipp at the Isle of Wight the shipped shall shippe there 24. houres and that all such as intend to passe over shall give in their names with 40s towards their freight to one of the said Undertakers abiding in London in the Plantacon Towne before and shall deliver their goods on shipp board before the 20th of ffebruary following and shall give security for the rest of their freight as they can agree with the said undertakers either for money to be payd there or for commodities to be delivered in the Plantation.

Transportation of passengers & goods.

Further it was agreed that for the transportation of children. their rate shall be kept, viz, putting children not to be reckoned, such as are under 4. yeares of age, 3 for one, under 8. 2. for one under 12. 3. for 2. And that a shipp of 200. Tonn shall not carry above 120. passengers compleate, and so of other shipps after the same proportion. And for goods homewards the fraight shall be for Rebecca 3li a Tonn and for other commodities 40s p Tonn, and such as will have their goods assured shall pay 5li p C.

Children.

freight of goods homewards.

Concerning the Magazine it is likewise agreed that the Undertakers should furnish the Plantation with all such commodities as they shall send for, and the Planters to take them off and retayle them at their pleasure allowing the Undertakers 24li in the hundred above all charges and the Planters to have liberty to dispose of their parte of the Rebecca at their owne will, and every man may keep or send for any commodities for his owne use, where or how he pleases, so as he trade not with interlopers so long as he may be furnished sufficiently by the adventurers according to the Rate aforesaid.

A Magazine.

Lastly it is ordered that in regard this Court could not sett downe particulars direction for every thinge which may be fitt to be considered and provided for in all or any of the matters aforesaid, therefore the said Undertakers should have power to meete and consult about the premisses, and what orders and directions they or the greater number of them shall sett downe shall be accounted legall and to be duely observed untill it shall be thought fitt by this Court to alter or determine the same.

The Undertakers to have power to make orders about the joynt stocke.

Provided allwayes that if those that intend to inhabite upon the Plantation shall before the first of January next take upon them all the said engagements and other charges of the joynt stocke then the power and priviledge of the Undertakers to determine and all trade to be free.

A Proviso.

A generall Court holden at Mr Coffe his house on the 15. of December 1629.

Present,

Mr John Humfrey Deputy. Mr George Harwood.
Sr Richard Saltonstall. Mr William Pynchon.
Mr Matthew Cradock. Mr Thomas Hewett.
Mr Nathaniell Wright. Captaine Adams.
Mr John Pocock. Mr Thomas Adams.

Assistants.

Which Diverse of the Generality.

Exceptions against the order of the last Court.

Mr Deputy ranne to be read the Acts and orders of the last generall Court of the 30 of of November wherein being of great consequence as namely for settling the joynt stock and managing of the whole business it was desired the same should receive confirmation by this Court, upon debate whereof some exceptions were taken by those who had doubled their Adventures, conceiving themselves to be wronged in having both their summes drawne downe to so lowe a rate as $\frac{1}{3}$ parte, alledging that the broad summe was payd in upon a proposition of trade which went not forwards and not ad into the joynt stocke for the plantation.

Discussion thereof.

This business received a large discussion and Captaine Waller and Mr Vassall were content to give the first 50.li to the Plantation, so as their other 50.li might go on wholly in this new stocke, but for assuring ad this concerned diverse other who were in the same case and that it could not be done without alteration of the Act made the 30 of of November wch was done by a generall Court upon mature and deliberate consideration, and that the Undertakers would not continue their said undertaking but upon the same conditions which were then proponded, and concluded on.

Ratification of the said Order.

This Court in conclusion put it to the question and by erection of hands every circumstance of the former Court was ratified and confirmed, onely the matter in difference wch them who had doubled their Adventures being no more to stay of them then between 50.li and 33.li 6.s 8.d was by mutuall consent referred to the three Ministers Master Prosser, Mr Davenporte Mr Rayner and Mr Cotton, who are to reconcile the same between the Men Undertakers and them.

A generall Court holden at Mr Geoffs house on Wednesday the 10th of February 1629. Present,

Mr John Winthrop Governor.
Mr John Humfrey Deputy.
Mr Clarke Johnson.
Mr Matthew Cradock.
Mr Theophilus Eaton.
Mr Thomas Adams.
Mr George Harwood.
Mr Increase Nowell.
Mr Nathaniell Wright.
Mr John Wollell.
Mr Willm Pynchon.

With many others of the generality.

Forasmuch as the further course of the Plantation will necessarily require a great & continuall charge wch cannot wthout inconvenience be defrayed out of the joynt stocke of the Company wch is ordayned for the maintenance of the trade wthout endangering the same to be wasted and exhausted, It was therefore propounded, that a common stocke should be raised from such as beare good affection to the Plantation and the navigation thereof, and the same to be employed only in defrayment of publicke charges, as maintenance of Ministers, Transportation of poore families building of Churches and fortifications and all other publicke and necessary occasions of the Plantation, And the Court doe thinke fit and order that 200. Acres of lands shall be allotted for every 50li and so proportionably for what somes shall be brought in by any to his purpose. And Mr George Harwood is chosen Treasurer for this Atrompt of the common stocke which he accepted of, who is to receive all such money as shall be by any sent in and to issue out the same upon warrant under the hands of any two or more of the Undertakers. And it is further agreed on and ordered that an order be drawne up and published under the Seale of the Company, To signifie and declare to what uses all such moneys as are given to the common stocke shall be employed and what lands shall be allotted to every man that gives harmes as well for their satisfaction as the encouragement of others to so laudable and charitable a worke, And it is further taken into consideration and ordered that this allotment or division of lands shall not prejudice the right of any the Adventurers, who are to have lands and have not yet the same allotted out into them nor unto those whose land is alreadye sett out according to the former order and direction of this Court, yet notwithstanding it is further agreed, that if for good and weighty reasons and for the benefit of the Plantation in generall there shall be occasion to alter any particular mans Allotment the said party is to have such due recompence for the same as in the wisdome of the Governor and Company there resident shall be thought reasonable and expedient.

A common stocke.

Order to be published.

Allotment of lands.

Mr William Pynchon his motion.

Motion was made on the behalfe of Mr William Pynchon who by virtue of Letters Patents pretended right and title to some parte of the land within the Companies privileges and Plantation in New England, yet notwithstanding he intended not to contest with the Company but desired that a proportionable quantity of land might be allotted unto him for the accommodation of his people and servants now to be sent over, which request the Court taking into due consideration, doe not think fitt to enter into any particular capitulation with him herein nor to sett out any allotment of lands for him more then the 600 Acres he is to have by virtue of his Adventure in the joynt stocke nor to acknowledge any thing due unto him as of right by virtue of his said Patent nor to give any consideration in case he should relinquish his pretended right but they are well content he should joyne with them in the

600 Acres.

execution of his business according to their Charter and doe promise in the meane time that such servants as he shall send over to inhabite upon the Plantation shall receive all courteous respect and be accommodated with land and what else shall be necessary as other the servants of the Companie, which answere was delivered unto those that were sent from him and the Court desired also that Captaine Waller and Mr Eaton would signifie the Companies affection and due respect unto him he having written to them about his business.

John & Samuel Browne. A writing of privaunce of Mr Samuell and John Browne was presented to this Court wherein they desire recompence for losse and dammages sustayned by them in New England which this Assembly taking into Consideration doe think fit that upon their submitting to stand to the Companies Award for ending of all differences betweene them with they are to signifie under their hands Mr Wright and Mr Eaton are to heare their Complaint and to sett downe what they in their judgments shall thinke requisite to be allowed them for their pretended damm-mages sustayned and so to make a finall end with them accordingly.

Mr Ludlowe. Mr Roger Ludlowe was now chosen and sworne an Assistant in the roome of Mr Samuel Shayne who by reason of his absence had not taken the oath.

Humfrey Scalde Woodle. And lastly upon the petition of Humfrey Scalde the Woodle of this Companie the Court was content and agreed to give him 20. Nobles for his yeares Salary ending at Christmas last, which is to be payde by Mr Aldersey the Treasurer out of the joynt stocke.

At a meeting of Assistants at Southampton March 18th. 1629.

Present,

Mr Coborne,	Mr Humfrey,
Sr Richard Saltonstall,	Mr Howell.
Mr Johnson.	Mr Dimmon.
Mr Dudley.	Mr Coppe.

Assistants chosen. It was ordered and concluded by consent of hands that Sr Brian Janson Kt Mr William Goddington and Mr Simon Bradstreete gent shall be chosen in the roomes and places of Assistants of Mr Nathaniel Wright merchant Mr Theophilus Eaton and Mr Thomas Coppe of London merchants.

Sr Brian Janson was sworne an Assistant before the Coborne and Mr Dudley the same day.

March. 23. 1629.

Mr William Goddington Mr Simon Bradstreete and Mr Thomas Shayne being formerly chosen Assistants did now take the Oathe of Assistants before the Coborne Mr Dudley and other Assistants.

At a Court of assistants aboard the Arbella March 23. 1629. present

Mr John Winthrop Coborne.	Mr William Goddington.
Sr Richard Saltonstall.	Mr Thomas Shayne.
Mr Charles Johnson.	Mr Willm Vassall.
Mr Thomas Dudley.	Mr Simon Bradstreete.

Deputy. Mr John Humfrey in regarde he was to stay behinde in England was discharged of his Deputyship and Mr Thomas Dudley chosen Deputy in his place.

The first Court of Assistants holden at Charlton August 23. the Anno dm 1630. present,

Mr John Winthrop Governor. Mr Humphrey Newell.
Mr Thomas Dudley Deputy Governor. Mr Thomas Sharpe.
Sr Richard Saltonstall Kt. Mr William Pynchon.
Mr Robert Ludlow. Mr Simon Bradstreet.
Mr Edward Rossiter.

1. Imprimis it was propounded how the Ministers should be maintained, Mr Wilson and Mr Phillips only propounded. It was ordered that houses should be built for them at the convenient places at the publique charge. Sr Richard Saltonstall undertook to see it done at his Plantation for Mr Phillips, and Mr Governor at the other Plantation for Mr Wilson. — Provision for maintenance of Ministers.

2 It was propounded what should be their present maintenance, Ordered that Mr Phillips should have allowed him 3. hogsheads of meale 1. hogshead of malt, 4. bushells of Indian Corne, 1. bushell of Oatmeale, halfe an hundred of salt fish, for apparell and other provisions xxti. or else to have xlti. given him in money — p annu to make his owne provision if he goose it the rather, he yeare to begin the first of September next. — Mr Phillips

3. Item that Mr Wilson should have after xxti. p annu till his wife come over his yeare to begin the 10th of July last all this to be at the common charge, these of Wattapan and Salem only exempted. — Mr Wilson.

4. It was propounded what should be Mr Sagers maintenance Ordered that he should have an house builded him against the next springe id to have a Cowe given him and xxti. in money for his yeare to begin the 20th of June 1630. and after xxti. p annu, all this to be at the common charge. — Mr Sager.

5 It was ordered that Hamed Ben should have 20 nobles p annu and a daywork of a man at springe from every able family to help build his house his yeare to begin the first of September next, his imployment to be as a Souldier to attend upon the Governor and always to be ready to execute his commands in publicke businesses. — Hamed Ben Souldier.

6 It was ordered that there should be a Court of Assistants held at the Governors house on the 7th. day of September next being Tuesday to begin at 8. of the clocke. — Courts

It was propounded whether there should not be a Court held every first Tuesday in every month and a generall Court the last wednesday in every term. — Referred till the next Court.

7. It was ordered that in all civill actions the first processe or summons by the Souldier or his deputy shall be directed by the Governor or deputy Governor or some other of the Assistants being a Justice of the peace, the next processe to be a — Capias or dismissed at the discretion of the Court. — Process.

8. It was ordered that Mr Morton of Mount Wollaston should presently be sent for by processe. — Mr Morton.

9. It was ordered that Carpenters joyners bricklayers sawyers and thatchers shall not take above 2s. a day, nor any man shall give more under paine of xxs to — taker and giver. And that sawyers shall not take above 4s — 6d. the hundred for boards at 6. foote to the hundred if they have their wood felled and — Workmen wages. Rep. 73.

squared for them and not above 5s. 6d. is the stoll and square their wood themselves.

Justices. It was ordered that the Governor and Deputy Governor for the time being shall allways be Justices of the peace, and that Sr Richard Saltonstall Mr Johnson Mr Endicott and Mr Ludlowe shall be Justices of the Peace for the present time in all things to have like power that Justices of Peace have in England for reformation of abuses and punishing of offenders, And that any Justice of the Peace may imprison any offender but not inflict any temporall punishment without the presence and consent of some one of the Assistants. 10.

2. Boates. It was ordered that no person shall use or take away any boate or Pinnace without leave from the owner thereof in paine of fine and imprisonment, at the discretion of the Court. 11.

Memorand to estimate the next Court day the thanks that Mr Governor hath bin at in entertaining severall publike persons since his landing in New England. 12.

A Court of Assistants holden at Charlton the 7th. of September 1630. present,

The Governor.	Mr Nowell.
Deputy Governor.	Mr Goddington.
Sr Richard Saltonstall Kt.	Mr Ludlowe.
Mr Johnson.	Mr Pynchon.
Mr Endicott.	Mr Winthrop.
Mr Sharpe.	Mr Bradstreet.

Mr Endicott. Captaine Endicott being formerly chosen an Assistant did now take the oath of an Assistant in the presence of the Court. 13.

Courts. It was ordered that every third tuesday there should be a Court of Assistants held at the Governors house (for the time being) to begin at 8. of the clocke in the morning, every Assistant not being present at that time to be fined at the discretion of the Court. 14.

Beadle. James Pen did now take the oath of Beadle. 15.

Absent Assistants fined. Mr Ludlowe Mr Pynchon and Mr Winthrop by the generall consent of the Court are fined a noble a peece for their absence from the Court after the time appointed. 16.

Thomas Morton. It is ordered by this present Court that Thomas Morton of Mount Wollaston shall presently be sett into the Bilboes and after sent prisoner into England by the first called the gift now returning hither that all his goods shall be seized upon to defray the charge of his transportation payment of his debts and to give satisfaction to the Indians for a Pinnace he unjustly tooke away from them and that his house after the goods are taken out shall be burnt downe to the ground in the sight of the Indians for their satisfaction for many wrongs he hath done them from time to time. 17.

Thomas Baker. It is ordered that Mr Thomas shall pay unto John Baker the summe of 38s. in recompence for the dammage he received by a bargaine of teaths wherein Mr Thomas dealt fraudulently with the said John Baker as hath bin proved upon oath. 18.

Mr Platrick. Mr Underhill. It is ordered that Mr Platrick and Mr Underhill shall have allowed them for their a yeares provision 2. hogsheads of meale 4. bushells of malt 10lb. of powder and lead to make shott also houseroome provided for them and 15lb. 12s. in money to make offer provision all this to be done at the publike charge their yeare to 19.

begin from the time they begin to keepe house.

20. It is ordered that Tinmouthania shall be called Boston, Mattapan Dorchester, and the Towne upon Charles River Waterton. — Boston Dorchester Waterton named.

21. It is ordered that no person shall plant in any place within the limits of this Patent — without leave from the Governor and Assistants or the Major parte of them. Left that a warrant shall presently be sent to Aggawam to commaund those that are planted there forthwith to come away. — Plantations. 3.

A Court of Assistants holden at Charlestown 28. of September. 1630. present

The Governor. — Mr Nowell.
Deputy Governor. — Mr Goddington.
Captaine Endicott. — Mr Pynchon.
Mr Ludlowe. — Mr Coddington.
Mr Gilmson.

22. It is ordered that those of Dorchester who bought certaine Cattle of the merchants of Dorchester shall pay unto Xtofer Stower 9. bushells of meale or of Indian Corne or 9.[s] of Beaver for the keeping of the said Cattle according to an agreement made with him. — Cattle.

23. It is ordered that no person whatsoever shall either directly or indirectly imploy or cause to be imployed or to their power permit any Indian to use any Coate upon any occasion or pretence whatsoever under paine of x.[s] fine for the first offence, and for the second offence to be fined and imprisoned at the discretion of the Court. — Indian. 4.

24. It is further ordered that no Servant either man or maide shall either give sell or trucke any commodity whatsoever without licence from their master during the time of their service under paine of fine and corporall punishment at the discretion of the Court. — Servants. 38. 28. 5.

25. John Woodbury is chosen Constable of Salem and Thomas Stoughton Constable of Dorchester to continue in that Office for a yeare and after till new be chosen. — Constabled.

26. John Woodbury now tooke the Oaths of a Constable.

27. It is ordered that all Vintners Strongest Strong waters shall presently be sized upon for his selling great quantity thereof to severall meane servants whing was the occasion of many disorder drunkennesse and misdemeane. — Strong water.

28. It is ordered that no master Carpenter mason joyner or bricklayer shall take above 16.[d] a day for their worke, if they have meate and drinke and the Servants not above 12.[d] a day under paine of x.[s] both to giver and receiver. — Rated for workmen.

29. It is ordered that Mr Patrick and Mr Underhill shall have allowed them 6.[li] 8.[s] in money to buy them Householdstuffe and for labor to wash brewe and bake xx.[ti]. — Mr Patrick. Mr Underhill.

30. Thomas Gray is imployed under the penalty of x.[li] to attend on the Court in person this day three weeke to answere to diverse things objected against him and to remove himselfe out of the limits of this Patent before the end of March next. — Thomas Gray.

31. Sr Richard Saltonstall is fined 4. bushells of meale for his absence from the Ct. — Sr Rich: Saltonstall fined.

32. It is ordered that no person inhabiting within the limits of this Patent shall either directly or indirectly give sell trucke or send away any Indian Corne to any English without the limits of this Patent or to any Indian whatsoever without licence from the Governor and Assistants. — Corne. 6.

33. It is ordered that John Wonlworth shall be whipped and afterwards set in the stocks for felony committed by him wherein he is convicted by his owne confession, — Wollond.

Also that Henry Lyn shall be whipped, for his like offence and John Boggust and John Pirkins to sitt in the stocks 4. howres together at Salem for being accessary thereunto. 34.

Mr Pakirke
Mr Underhill.

It is ordered that there shall be collected and levyed by distresse out of the severall plantations for the maintenance of Mr Pakirke and in Underhill his summe of 50.ti vizt out of Charlestown 7.ti Boston 11.ti Dorchester 7.ti Watertown 5.ti Newtown, 11.ti Meadford 3.ti Salem 3.ti Wessagusus 5.ti Rakestraw 1.ti 35.

Rates for laborers.
Rep. 73.

It is ordered that labourers shall not take above 12.d a day for their works and not above 6.d and meat and drinke under paine of xx.d 36.

September 28. 1630.

A Jury impanelled to inquire touching the death of Austen Bratger. 37.

Richard Browne. Nicholas Upsall.
William Aspinwall. John Johnson.
Abraham Palmer. Edward Converse.
Nicholas Stower. Ralph Sprague.
Peter Palfrey. Eliot Sexton.
Roger Williams. Abraham Pratt.
William Wennell. Thomas Smith.
George Dyer.

Austen Bratger dying lately at Mr Gradorth plantation was viewed before his buryall by divers persons vizt 38.

Thomas Brabod. Thomas Roads.
James Pingott. Richard Lynton.
Thomas Ward. John Jarbis. } absent.
Thomas Painter. Arthur Eliot }
William Barsham.

The Jurye sworne.

We finde that the speeches given by Walter Palmer were occasionally the meanes of the death of Austen Bratger and so to be manslaughter. 39

Walter Palmer hath bound himselfe in 40.li and Ralph Sprague and John Eliot 40
hath bound themselves in 20.li a peece for Walter Palmers personall appearance at the next Court to be holden at Boston the 19 of October next to answere for the death of Austen Bratger.

September 18. 1630.

Upon view of the dead body of William Bateman.

An inquisition taken at Charlestown the 18th day of September Anno dni 1630. 41.
before John Winthrop Esq. Governor and Richard Johnson Esq. one of the Assistants and Justice of peace.

Upon the oathes of:

Walter Morton Esq. Richard Browne.
Nicholas Stower. Robert Hardinge.
Ralph Sprague. Richard Garrett.
William Chesebrough. Thomas Williams.
John Littlefield. Daniel.
Richard Norman. John Baker.
William Bateman.

Who say upon their oathes that the aforesaid William Bateman was sett on shore upon the necke of land neare Plymouth point in the bay of Mattachusetts by a shallop of one Mr Nauigat, which brought him from Plymouth upon wednesday last being very sicke and weake and being left there with one Mr Walter Blosse and other who had a shallop in that place but being forced to leave her here betause the winde was contrary they returning home left him with provision and fire, but when they returned to their boate in on friday last they found the said William Bateman dead about the high water marke neare their boate about a shood cast from the place where they left him. So the Iury doe sett that he died by Gods visitation.

Edmund Mr Ralph Blosse. Eliad Mayerick. Giles Cocton. & James Browne &c.

At a generall Court holden at Boston the 19th of October 1630.

present,

The Governor. Captaine Cudworth.
Deputy Governor. Mr Nowell.
Mr Richard Saltonstall. Mr Pynchon.
Mr Endicott. Mr Bradstreete.

42. For the establishment of the gouerment it was proponnded, if it were not the best course that the freemen should have the power of choosing assistants when they are to be chosen and the assistants from amongst themselves to choose a Gouernor and Deputy Gouernor who with the assistants should have the power of making lawes and ordering offices to execute the same, which was fully assented unto by the generall vote of the people and diuersion of hands. Elections. 4th

43. Ralph Sprague is chosen Constable of Charlestown John Johnson of Roxbury and John Page for Watertown for the space of one whole yeare and after till new be chosen. Constables.

44. It is ordered that sawyers shall not take above 12d a score for sawing oke boards and 10d a score for pyne boards if they take their wood folded and squared for them. Rates. Rep: 73

45. Walter Palmer made his personall appearance this day and standeth bound for his shariffes till the next Court.

46. The names of suche as desire to be made freemen.

Mr Samuel Mayerick. Mr Abraham Palmer. William Aldebood.
Mr Edward Johnson. John Page. 30 George Dyer.
Mr Edward Gibbones. Mr Robert Feake. Ioseph Hosmer.
Mr William Coddington. Mr William Pelham. Thomas Florde.
Mr John Winthrop. Mr Benjamin Brande. Christopher Yeoall.
Mr Samuel Shapp. 20 Mr William Blantchard. Stephen Terrell.
Mr Thomas Graves. Mr Edward Fortrede. Henry Smith.
Mr Roger Ginnant. Mr Richard Browne. Roger Williams.
John Woodbury. John Kirkland. John Wollridge.
10 Peter Palfry. Ralph Sprague. Thomas Smithard.
Mr Nathaniel Turner. Mr George Ludlowe. Zigat Eaglestone.
Mr Samuel Freeman. James Olen. 40 John Throwers.
Ephraim Philips. Henry Wolcott. Christopher Crispen.
Mr William Heard. Thomas Stoughton. John Benham.

Thomas Williams alias Harris.
Richard Garrett.
John Newman.
John Grabb.
Captaine Walter Norton.
Mr Alexander Nignall.
40 Mr William Jennison.
Mr Thomas Coultrott.
Mr Richard Coultrott.
James Pomberton.
Mr John Dillingham.
John Johnson.
George Throte.
Mr Robert Gold.
John Ruer.
Thomas Pavlind.
60 Richard Lugby.
Richard Hutchins.
Ralfe Mongall.
Thomas Lambe.
William Cheddingham.
William Chase.

Francis Growell.
Mr Charles Gott.
Henry Harwood.
Mr George Phillips
70 Mr John Wilson.
Mr John Maverick.
Mr John Nearsam.
Mr Samuel Skelton.
Mr William Gallison.
Mr William Chesmall.
Edward Gouverne.
Mr Richard Palgrave.
John Sayame.
Richard Emmes.
80 Richard Silvester.
William Walstone.
Robert Abell.
Mr Giles Corton.
Robert Cooke.
John Willes.
John Gramwell.
Mr Ralfe Glover.
William Hubbard.
Edmond James.

90 John Phillips.
Nathaniel Norman.
John Doggett.
Francis Coates.
Daniell Abbott.
Charles Chadwicke.
William Drakenbury.
John Drake.
John Ralfe.
Samuel Gold.
100 Mr William Crafts.
William Cayford.
William Portwell.
Henry Harriss.
Samuel Foster.
Richard Wyllott.
Mr Abraham Pratt.
William James.
William Allen.
109 Samuel Chester.

A Court of Assistants holden at Boston 2 Novembr 3 H. 1630.

present.

The Governor.
Deputy Governor.
Mr Richard Saltonstall.
Mr Endicott.
Captaine Endicott.
Mr Goddington.
Mr Nowell.
Mr Bradstreete.

Boabed. It is ordered that wheereas the in small rate of beaver hatts bin after 6s. the pounde it shall be hereafter left free for every man to make the best profitt and improvement of it that he can. 48.

Wolves. It is ordered that every English man that killeth a wolfe in any parte within the limitt of his patent shall have allowed him 1d. for every head of horse and 6d. for every weanedd sheep and grate in every Plantation to be levyed by the Constables of the said Plantations. 48.

Ferry. It is further ordered that whosoever shall first give in his name to Mr Governor that he will undertake to sett up a ferry betwixt Boston and Charlestown and shall begin the same at such time as Mr Governor shall appoint shall have 1d. for every person and 1d. for every 100. weight of goods he shall so transporte. 49.

50. Mr Gloarke is prohibited cohabitation and frequent keeping company wth mrs Fletcheman under paine of such punishment as the Court shall thinke meete to inflicte. — Mr Gloarke.

51. Mr Gloarke and Mr Fressman have bound themselves in the a peare that Mr Gloarke shall make his personall appearance at the next Court to be holden in March next and in the meane time to carry himselfe in good behaviour towards all people and especially towards mrs Fressman touching whome there is strong suspition of incontinency.

52. It is ordered that Richard Dissbrant to Sr Richard Saltonstall shall be whipp'd for his misbehaviour towards his master. — Dissb.

53. A Jury impannelled for the tryall of Walter Palmer touching the death of Austin Bratger. — Palmer

Mr Edmond Lockwood.	Richard Morris.
William Lockwell.	William Walton.
Christofer Goodnut.	William Chebsborough.
William Pooley.	John Page.
William Gayland.	John Walter.
John Hosking.	Jaquanne Coates.

54. The Jury finded Walter Palmer not guilty of man slaughter wherewth he stood indicted and so the Court argritted him. — not guilty.

A Court of Assistants holden at Boston November. 30. 1630. present

The Governr.	Mr Rowell.
Deputy Governr.	Mr Pynchon.
Sr Richard Saltonstall.	Mr Goddington.
Mr Endicott.	Mr Bradstreet.

55. Sr Richard Saltonstall is fined 10s. for whipping 2. severall persons without the presence of another Assistant contrary to an Act of Court formerly made. — Undue whipping fined.

56. It is ordered that whosoever imployeth William Knoy or his sonne in any worke shall pay the one halfe of their wages to Sr Richard Saltonstall and whosoever buyeth boards of them shall pay one halfe of the price to Sr Richard till the monies be halfe discharged, for them be satisfied. — Knoy.

57. Bartholomew Hill is adjudged to be whipt for stealing a loafe of breads from John Hosking wth him selfe confessed. — Hill.

58. It is ordered that there shall be 60tie rollerfed out of the generall plantations following for the maintenance of Mr Wilson and Mr Phillipps viz't out of Boston 20tie Watertown 20. Roxbury 10tie Dorchester 6tie Meadford 3tie Winnetsemett 1tie — Mr Wilson & Mr Phillipps.

59. It is ordered that John Baker shall be whipped for shooting at fowle on the Sabboth daye. — Baker.

60. It is further ordered that Thomas Moulton shall pay unto Walter Glover xlis before the 8.th day of December next or else to be whipt for the wrong he did Mr Glover in coming from Plymouth being master of his boate and leaving him without a pilott. — Moulton & Mr Glover.

A Court of Assistants holden at Boston 1. Martij 1630. present

Mr Cotton.	Mr Winthrop.
Deputy Coddington.	Mr Rossell.
Mr Pynchon.	Mr Sharpe.
Mr Ludlow.	Mr Coddington.
Captaine Endicott.	Mr Sandys.

Unmeet persons to be sent into England. — It is ordered that Mr Morris, Mr Weaver, Mr Plaistowe, Mr Cutter, Mr Coblett of Wormwood shall be sent into England by the ship upon or so many of them as the ship can carry the rest to be sent hither by the first of May next if there be opportunity of shipping, if not by the next shipps. that returns for England as persons unmeete to inhabite heere and that Mr Christopher Gardiner and Mr Wright shall be sent as prisoners into England by the ship now returning hither. 61.

Mr Gardiner.

Mr George Ludlow. — Further it is ordered that the business concerning Mr George Ludlowe deposed in a certaine petition sent out of England to the Governor and shall be referred to the Governor and the rest of the Assistants resident at Boston (or some three of them the Governor and Deputy being 2. thereof) to receive his Answere and determine the business. 62

Constable for marrying fined. — Mr Thomas Stongeton Constable of Dorchester is fined 5.s. for taking upon him to marry Clement Riggs and Joane Allen and to be imprisoned till he hath payd his fine. 63

7. Indian. — It is ordered that if any person within the limitts of this Patent doe trade truck or sell any money either silver or gold to any Indian or any man that knowes of any that shall so doe and conceale the same shall forfeit twenty for one. 64

8. Indian. — Whether it is ordered that what other person hath received any Indian into their family as a servant shall discharge themselves of them by the first of May next and that no person shall hereafter intertaine any Indian for a servant whom hireme from the Court. 65.

Knox fined for selling water of no value for the fevers. — Richard Knox is fined 5.s. for taking upon him to cure the fevers by a water of no worth nor value wherr he sold at a dear rate to be imprisoned till he pay his fine or give security for it or else to be whipped and shall be liable to any more action of whome he hath received money for the said water. 66.

Harmonides. — Joseph Weillust is chosen surveyor of the Ordinance and Harmonides for wch he is to have allowed him 10.s. p annum. 67.

Elford & Pinfett. — John Elford hath bonded himselfe in 40.li. marks and Roger Genant and John Woodbury hath bonded themselves in 40.li. a peice for John Elfords personall appearance at the first Court to be holden in November next to answere for the death of Thomas Pinfett. 68.

Knox. — Mr William Witham and Mr Edmond Fortwood hath promised to pay to the Court the summe of 5.s. for Richard Knox before the last Court of May next. 69.

At a Court at Watertown Mart. 8. 1630. present.

Th: Dudlye.	Mr Nowell.
Deputy Dudlye.	Mr Winthrop.
Sr Richard Saltonstall.	Mr Goddington.
Mr Ludlowe.	Mr Bradstreete.

70. Upon a complaint made by Saggamore John and Peter for taking two wigwams bmnt which upon examination appeared to be occasioned by James Woodward, servt to Sr Richard Saltonstall. It was therefore ordered that Sr Richard should satisfie for 2. wigwams bmnt. Saggamore John of Peter satisfied.

71. It was ordered that Thomas Foxe servant to Mr Gardeiner shall be whipt for uttering malitious and slanderous speeches whereby he sought to hinder the Court as if they had taken some bribe in the business concerning Walter Palmer. Foxe standall.

72. Further in regard the number of Assistants are but few and some of them going for England) it was therefore ordered that neither before the number of Assistants resident within the limits of this Jurisdiction shall be fewer then 9. it shall be lawfull for the major parte of them to keepe a Court and whatsoever orders or acts they make shall be as legall and authentiall as if there were the full number of 9. or more. Assistants. 9.

At a Court of Assistants holden at Boston March 22. 1630. present

Th: Dudlye.	Sr Richard Saltonstall.
Deputy Dudlye.	Mr Winthrop.
Mr Ludlowe.	Mr Sharpe.
Mr Goddington.	Mr Bradstreete.
Mr Nowell.	

73. It is ordered that whereas the wages of carpenters joyners and other Artificers and workmen were by order of Court restrayned to xxs sterlinglawe summe they shall now be kept free and at liberty as men shall reasonably agree. Wages kept free.

74. Further it is ordered that every Towne within this Patent shall before the 1. of Aprill next take especiall care that every person within their Towne (except Magistrates and ministers) as well servants as others be furnished with good and sufficient armes allowable by the Captaine or other officers, those that want and are of ability to buy them themselves others that are unable to have them provided, by the Towne for the present and after to receive satisfaction for that they distribute when they shall be able. Armes. 10.

75. It is likewise ordered that all persons whatsoever that have traded dice or tables in their houses shall make away with them before the next Court under paine of punishment. Traders of dice. 11.

76. Richard Johnson confessed to owe unto Sr Richard Saltonstall (all accomts reckoned) the summe of 13l. wch he promisseth to pay after 2d. p weeke, therefore it is ordered that those that sette Johnson on worke shall pay unto Sr Richard out of his wages the said 2d. p weeke. Sr Rich: Saltonstall & Johnson.

Three whipt for theeft. It is ordered that Benjamin Gribb John Gable and Morris Trowent shall be whipped for stealing three pigges of Mr Palfo's lebord. 77.

Mr Indlowe agt Longe. Richard Longe confesseth to owe unto Mr Indlowe the summe of 3li. 18. 4d. which he promisethe to pay him after 2. p weeke till it be all satisfied. 78.

Sr Ric. Saltonstall agt Wm Knop. It appeared by Sr Richard Saltonstalls note of disbursements that William Knop owed him the summe of 19li. 5s. ad was ordered to the Court by Richard Browne & Ephraim Hilldo being men indifferently chosen betwixt them to judge thereof. 79.

At Court of Assistants holden at Boston April 12 Ao. 1631. present.

The Governor. Mr Howell.
Deputy Governor. Mr Pynchon.
Mr Indlowe. Mr Bradstreet.

12. Watered. It is ordered that there shall be a water of 4. foot depth nigh at Dorchester and another of 4. at Waterton the water to begin at Ermstt. 80.

Disturbance of them. Further it is ordered that if any person shall shoote off any peece after the watch is bett he shall forfeit 40s. or if the Court shall judge him unable then to be whipped, the bound fault to be remitted as an offence of an higher nature. 81.

13. Ammition. It is likewise ordered that every man that findes a musett shall before the 15th day of this moneth and so allwayes after have redy 1lt. of powder 20. bullotts and 2. fathome of match under penalty of vs. for every fault. 82.

Training. It is ordered that every Captaine shall traine his company on Satterdayes in every weeke. 83.

Trabellers. Further it is ordered that no person shall travell single betwixt these Plantations of Plymouth, nor without some armes thereof 2. or 3. together. 84.

At Court of Assistants holden at Boston May 3. 1631. present,

The Governor. Mr Howell.
Deputy Governor. Mr Pynchon.
Mr Indlowe. Mr Bradstreet.
Captaine Endicott.

Gibbs. It is ordered that Thomas Gibbs shall be freed from the service of Mr Samuel Maverick and shall become servant to William Vauxe of Dorchester. 89.

Legge. It is ordered that John Legge servant to Mr Humphrey shall be severely whipped this day at Boston and afterwards so soone as conveniently may be at Salem for striking Richard Wright when he came to give him correction for idleness in his master's worke. 90.

Wallford. Thomas Wallford of Charlestown is fined vlbs. and is injoined he and his wife to depart out of the limitts of his Patent before the twentieth day of October next under paine of confiscation of his goods for his contempt of Authority and confronting Officers &c. 91.

Trespasses in Grains. It is ordered that for this yeare if the owner of any horse or goate of any man in any plantation (Salem excepted) shall trespasse and doe hurte in the Grains of another that the owner of the Gattle shall make full satisfaction for the damage done by them, and that all swine that are found in any man's corne shall be forfeit to the publicke out of yeare the party damnified shall be satisfied, if the swine so forfeited be of that value, if not the owner is to make full recompence in other goods. 92.

93. It is ordered that Thomas Bartlet servant to Mr Pelham shall be whipped for his unjust selling of his Masters tooles, and that Samuell Hosier and John Page shall retume either the tooles they bought of him or the money they paid to Mr Pelham. — Mr Pelham agt Bartlet.

94. John Norman is fined vs for his not appearing at the Court being summoned. — Norman.

95. A jury impanelled to inquire touching an action of Battery complained of by Thomas Dexter against Baptiste Lidiott.

Richard Browne.	Henry Nollott.
Willm Peake.	Samuel Hosier.
Alexander Nignall.	John Strickland.
John Dillingham.	Isaacke Stearne.
John Dosse.	Daniel Shine.
John Gryson.	Edward Gomerse.

The Jury finded for the plaintiffe and tessed for dommages xls. — Thomas Dexter agt Baptiste Lidiott.

A generall Court holden at Boston the 18. day of May 1631. present.

Mr Winthrop Governor.	Mr Nowell.
Mr Dudley Deputy Gov.	Mr Winter.
Mr Endicott.	Mr Bradstreet.
Captaine Lidiott.	Assistants.

96. John Winthrop Esqr was chosen Governor for a whole yeare next ensuing by the generall consent of the Court according to the meaning of the Patent and did accordingly take an oathe to the place of Governor belonging. — Election of Gov.

97. Thomas Dudley Esqr is also chosen Deputy Governor for this yeare next ensuing and did in presence of the Court take an oathe to his place belonging. — Deputy Gov.

98. Upon expiration of an order made the last generall Court holden the 19th. of October last it was ordered now wth full consent of all the Commons then present that once in every yeare at least a generall Court shall be holden at which Court it shalbe lawfull for the Commons to propounde any person or persons whome they shall desire to be chosen Assistants, and if it be doubtfull whether it be the greater parte of the Commons or not it shall be put to the voll. The like course to be holden when they the said Commons shall see cause for any deport or misbehavior to remove any one or more of the Assistants, and to the end the body of the Commons may be preserved of honest and goodmen it was likewise ordered and agreed that for time to come no man shall be admitted to the freedome of this body politicke but such as are members of some of the Churches wthin the limitts of the same. — Comons. Comons Liberty to propound Elect Assistants, Commons members freemen. 14.

99. Thomas Williams hath undertaken to sett up a ferry betwixt Winnetsemett and Charlestown for wching he is to have after 3d a person and from Winnetsemett to Boston 4d a person. — Winnetsemet ferry.

100. It is ordered that every Plantation wthin the limitts of this Patent shall before the last day of June next provide common measures and weights which shalbe made by some that the Governor hath allready sealed and by wch also all others that will have weights and measures of their owne are to be made. — Weights. measures. A. 2. 15.

101. It is ordered that no person shall kill any wilde swine wthout a generall agreement at some Court. — Swine.

102. Richard Norman is fined 2s 6d for his negligence in watching. — Norman.

103. Daniell Abbott is fined 5s. for refusing to watch and for other ill behaviour towards Captaine Patrick. — Abbott.

104. Chickataubott and Saggamore John promised unto the Court to make satisfaction for what soever wrong that any of their men shall doe to any of the English to their totle or any otherwayes. — Chickataubott & Saggamore John.

Mr Roger Fonant promisethe to deliver to Mr Thomas Dudley Deputy Governor 4. buse 105.
olde of Indian Corne before the last day of October next.

The names of Surgeons took the oath of Freemen.

Mr John Wakerley.
Mr John Markham.
Mr William Blackstone.
Mr George Phillips.
Mr Richard Browne.
Captaine Daniell Patrick.
Captaine John Underhill.
Captaine Contentrott.
Mr Thomas Graves.
10 Captaine Walter Norton.
Mr George Darthmorton.
Mr William Colborn.
Giant Morris.
Giant Chittland.
Mr Roger Fonant.
Mr Charles Gott.
Ralph Sprague.
Lawrence Leaff.
John Horne.
20 Mr Samuell Fole.
John Woodbury.
Mr John Oldham.
Edmond Fortwood.
John Page.
Mr Richard Palgrave.
John Doggett.
Richard Sprage.
Francis Johnson.
Thomas Stoughton.
30 Abraham Palmer.
John Johnson.
Ephraim Childe.
Bray Pepper.
Robert Seeley.
Ringot Cogleson.
Mr William Pearce.
William Proctor.
Mr Robert Feake.
William Ager.
40 Nicholas Glover.
John Bonham.
William Paulson.
Stephen Terry.
Samuell Hosier.
Robert Harding.
William Woods.
Mr George Allerton.
Robert Moulton.
Peter Palfrey.
50 Mr Edward Bolcher.
John Edmonds.
George Phillips.
Roger Williams.
John Palgre.
John Moore.
Henry Herrick.
John Hosking.
Nathaniell Grant.
John Elmer.
60 Simon Hoyt.
Charles Chadwicke.
William Parke.
Walter Russell.
William Hudson.
Walter Palmer.
Henry Smith.
Thomas Fford.
Jonas Woods.
Mr Edward Tomlyne.
70 Edward Gibones.
Mr Alexander Wignall.
Mr Richard Saltonstall.
Mr William Tomison.
Daniell Abbott.
Thomas Pawlin.
Richard Bigby.
John Warren.
Mr William Jeffrys.
80 David Johnson.
Nicholas Upsall.
William Watsomon.
Daniell Ffire.
Mr John Winthyn.
Mr John Waisford.
John Poore.
Griffin Groffe.
George Dyar.
William Fortwell.
90 Thomas Moore.
John Taylour.
Thorsiell Richardson.
Edward Gouverner.
Robert Abell.
Mr John Dillingham.
Charles Stevens.
Roger Mavery.
Thomas Tombs.
Thomas Williams.

100 John Forman.
John Gosse.
John Gunnowry.
Giles Gorton.
Thomas Innebard.
Mr Edward Jones.
William Langford.
William Allen.
Richard Lingar.
Richard Floywell.
110 William Pheloed.
John Pourtind.
Mr Edward Johnson.
William Phosborough.
Anthony Dice.
Francis Smith.
Francis Alnworth.
Mr John Elliott.
Jacob Elliott.
Abraham Browne.
120 James Pommyman.
Martis 6. 1631. Charles Pourys.
Gregory Raylor.
William Throckingham.
Sammell Moore.
John Clarke.
John Willis.
Mr John Wimthrox Jun
April 3. 1632. Mr William Ashmidell.
John Sampsonde.
130 William Hulbert.
Mr Nathaniell Cuner.
Julij 3. 1632. John Pingeted.
Chiad Chiloman.
Mr William Dennison.
Mr Sammell Shaypo.
Mr John Wilson.
John Moore.
John Phillipd.
August 4. Valentine Prouhire.
40 John Hull.
Sammell Wakeman.
Octobr 2. 1632. Mr Sammell Maberiche.
Mr Thomas Wolde.
Mr Thomas James.
Novembr 6. 1632. Mr John Willust.
Mr John Goggshall.
Mr Richard Summer.
Mr Thomas Ollyder.
Mr John Pirankes.
150 Mr Thomas Barger.
Thomas Fromes.
William Goodrom.
John Benjamin.
John Talbott.
James Chinstead.
John Gbarke.
William Lewis.
Nathaniell Richards.
William Waddesworth.
160 Richard Webbe.

Martis 4. 1632.
William Gurtis.
Thomas Uffott.
John Pourys.
Charles Morrall.
William Heath.
George Hull.
Elwood Pommoryy.
Nicholas Denstone.
170 Giles Gibbs.
John Roroton
John White.
William Spenser.
John Linman.
Timothy Comhym.

Martis 4. 1632.
Henry Harwood.
Richard Gollicott.
William Wartenbury.
180 John Smith.

Martis 1. 1633.
Gliant Gresno.
Tire Gold.
William Dodys.

Junii 11. 1633.
William Stilson.
Richard Millett.
Richard Lymm.
Jasper Fowling.
190 Thomas Smith.
David Wilton.
John Whitefield.
Chiad Chaberiche.

Novembr 5. 1633.
Mr Israell Stongston.
Mr John Gorgan.

Mr William Hill
Mr John Moody
John Porter.
200 Edward Watson.
John Watson.
John Holgrave.

Mayor 4 E. 1633.

Thomas Webb.
Edmond Hubbard.
Edward Hutchinson.
Mr Thomas Tobertt.
Mr Sylas Freman.
Edmond Dennisons.
William Gollingawe.
210 Thomas Wilmer.
Thomas Howlett.
John Page.
Sammell Wilbore.
John Tobend.
John Framwell.
Edward Mollowes.
James Viverons.
Mr John Wollridge.
Joshua Hugges.
220 Robert Turner.
John Biggs.
Thomas Matson.
Walter Mowry.
Richard Tappin.
Mr Alverton Honey.
William Andrewes.
Richard Walker.
George Ringfold.
Mr Nicholas Painter.

Sheriff 1. 1634.

230 Mr Daniel Dennison
George Minott.
Richard Burdons.
Thomas Roads.
George Hutchinson.
Robert Poise.
John Pemerton.
Bernard Trumbert.
Henry Wultott.
Richard Hill.
240 John Walling.
Richard Gibbesser.
William Horsford.

Mayor 4 E. 1634.

John Hanford Esqr.
Phillip Sherman.
Daniell Weaver.
Thomas Stagthaite.
Robert Cambyn.
Thomas Hall.
Edward Biggs.
John Walker.
Thomas Wilson.
250 Sammell Basse.
Thomas Higg.
William Hill.
Sammell Ffenes.
George Williams.
Edward Sylas.
William Dicks.
George Norton.
Thomas Eborne.
Daniell Weary.
270 Abraham Mollowes.
John Olyver.
Robert Hall.
Thomas Jakobroad.

A Court holden at Boston June 14. 1631. present.

The Governor.
Deputy Governor.
Mr Lindlowe.
Captaine Endicott.
Mr Nowell.
Mr Winton.
Mr Simon Bradstreete.

107. It is ordered that no man within the limitts of this Iurisdiction shall hire any person for a servant for longe time then a yeare unlesse he be a settled housekeeper, Also that no person what soever shall transport out of this patent either by sea or land without leave from the Governor Deputy Governor or some other Assistant under pennalty ad the Court shall thinke meete to inflicte. — Servant. 16. Licence. 17.

108. It is ordered that the Constables of the severall Plantations shall give notice to the Captaines Iobott Iohn Woodcust and Henry Lauson to be at the next Court to make proofe of their debtes that they may receive satisfaction for the same for fear ad their goodwill afford. — Captaine Iobotte offered.

109. Upon the reading of certaine Articles concerning a generall trade of boate agreed upon by Captaine Endicott and diverse others It was ordered that the persons interest therein shall give a meeting before the next Court at such time and place as Captaine Endicott shall appoint to decide such differences ad are betwixt them and for such as they cannot end to bring them to the next Court there to be determined. — Boate.

110. Mr John Blaisted hath undertaken to make a passage from Charles River to the Towne 20. foote broade and 7. foot deepe for which the Court promisethe him satisfaction according ad the charges thereof shall amount unto. — Blaisted.

111. It is ordered that Phillip Swadden shall be whipped for running away from his Master Robert Cooke intending to goe to Virginia. — Swadden.

112. It is ordered that Phillip Pattlisse shall be whipped habe his eares cutt off fined 40ti and banished out of the limitts of this Iurisdiction for uttering malicious and fraudalond speeches against the government and the Ministry of Salem ad appeare by a peticulare thereof proved upon oath. — Pattlisse. Scandall.

113. It is ordered that no person what soever shall buy corne or any other provision or Marchantable commodity of any ship or barke that commeth into this bay without leave from the Governor or some other of the Assistants. — Licence. 18.

Christopher Lobbette is fined 2s. 6d for taking away Mr Globers trance without leave.

114. Christopher Lobbott is fined a skin of leather for shooting a Swine of Mr Richard Calkinshall. — Christopher Lobbott.

115. William Olney is fined 2s. 6d for taking away Mr Globers Gunne without leave. Fined Crowne presently payment.

116. Edward Gondser hath undertaken to set up a ferry betwixt Charlton and Boston for which he is to have 2d for every single person and a 1d a peece if there be 2. or more. — Ferry. 19.

117. It is ordered that Mr Holham shall pay unto Thomas Coilhart the summe of 5li wherof 5. nobles is allready payde with the Court hath awarded him to pay to make good a Covenant betwixt them. — Mr Holham & Coilhart.

A Court of Assistants holden at Boston. July 5th. 1631. present

The Governor. Mr. Nowell.
Deputy Governor. Mr. Pynchon.
Mr. Endicott. Mr. Bradstreet.

Newtowne trucks. It is ordered there shall be levyed out of the generall plantation the summe of thirty — 118.
pounds for the making of the trucks at the Newtowne viz: Winnisimet 15s. Nonsagustus 40s.
Saugus 20s. Natasset 10s. Waterton 5s. Boston 5s. Dorchester 4li. 10s. Rattlesbury 3s. —
Salem 3li. 5s. Charlton 4li. 10s.

20. Islands. Further it is ordered that all the Islands within the limits of his Patent viz: Conants — 119
Island, Noddles Island, Composed Island together with all other Islands within the limits of
our Patent shall be appropriate to publique benefitt of usse and to remaine in the power of
the Governor and Assistants for the time being to be lett and disposed of by them to
help towards publike charges and that no person whatsoever shall make any use or —
benefitt of any of the said Islands by putting on cattle feeding woods raising stake or
wrynt leaves from the Governor and Assistants for the time being, This order to take
place immediatly after the first of October next.

21. Courts. 3. 15. 23. It is further ordered that every Assistant shall have power to grant warrants summons 120
and attachments as occasion shall require and that the acts of the Court shall be authoritall
if they passe only under the Secretaryes hands for the time being

Saggamore of Agawam banished. The Saggamore of Agawam is banished from comming into any English mans house 121.
for the space of a yeare under the penalty of 10. shill of beaf.

At a Court holden at Boston July 26th. 1631. present,

The Governor.
Deputy Governor.
Mr. Endicott.
Captaine Endicott.
Mr. Nowell.
Mr. Pynchon.
Mr. Bradstreet.

22. Burning grounds. For the preservation of howses hays boards timber &c it was ordered that no person 122.
whatsoever within the limits of our Patent shall burne any grounds any yeare till
the first of March under such penalty as the Court shall thinke meet to inflicte,
and if any person be desirous to burne any of his owne grounds for corne before
that time he shall make full satisfaction for the damage it doth in case any be
occasioned thereby.

Mary Smith. Mary Smith is bounde as an apprentice with Mr. Roger Endicott for 7. yeares during 123
with time he is to finde her meat drinke and cloaths and at the end of her
yeares to give her the summe of 5li.

Watch. It is ordered that there shall be a watch of 6. and an officer that every night 124.
at Boston 2. whereof are to be of Boston. 2 of Charlston and 2. of Rattlesburg.

Training. It is further ordered that every first tuesday in every moneth there shall be a — 125.
generall training of Captaine Underhills Company at Boston and Rattlesburg
and every first thursday in every moneth there shall be a generall training of
the remainder of them that inhabite at Charlston Mistick and the Newtowne.
at some convenient place about the Indian Wigwand, the training to begin at
one of the clocke in the afternoone.

Penny. It is ordered that Francis Penny shall be whipped for his ill speeches and misbehaviour — 126
towards his master.

127. Mr Francis Mowrey is chosen lieutenant unto Captaine Coulcott and Captaine Coulcott haths liberty graunted him to goe for England promising to returne againe with all tendement speede. — Captaine Coulcott.

A Court of Assistants holden at Boston August. 16. 1631.

present

The Governor. Mr Nowell.
Deputy Governor. Mr Winthrop.
Mr Ludlowe. Mr Bradstreete.

128. It is ordered that any bill assigned to another shalbe good debt to the party to whome it is assigned also that such debt due upon bill shalbe payd before any other and that the party that gibeth such billes shall renew them upon demaunds and deliver in ye olde bill. — bills of debt. 23. A 4 7

129. It is ordered that Mr Shepheard and Robert Foldes shalbe fined 5. marks a peece and Edward Gibones 20s for abusing themselves disorderly with drinking too much strange drinke aboard the Friendship and at Mr Maverickes house at Nimetshemet. Mr Alexander Nuingall is fined 5. marks for the like offence at the same time. — drinking too much punished.

130 It is further ordered that the executors of Richard Garrett shall pay unto Henry Harwood the summe of 20. nobles according to the proportion that the goods of the said Richard Garrett shall amount unto. — Garrett & Harwood.

131 It is ordered that Phillip Swadon shalbe sett free from his master Robert Cocks upon the payment of xs. to his master. — Swadon.

132 Mr William Tomlison is chosen Christ to Captaine Patrick. — Antient Tomlison.

A Court of Assistants holden at Boston. September 6. hy. 1631.

present

The Governor. Mr Nowell.
Deputy Governor. Mr Winthrop.
Mr Ludlowe. Mr Bradstreete.

133. It is ordered that Henry Lynn shall be whipped and banished the plantation before the 6th day of October next for writing into England falsely and malitiously against the government & operation of Justice heere. — Lyn Standall.

134. There is graunted to Mr Governor 600. Acres of land to be sett forth by marks and bounds where his house at Mishite to enjoy to him and his heires for ever. — Mr Governor 600 Acres. 24.

135. It is ordered that John Dance shalbe severely whipped for intiring an Indian woman to lye with him. — Dance.

136 Upon this occasion it is propounded whether adultery either with English or Indian shall not be punished with death. Referred to the next Court to be considered of. — Adultery.

137 Mr Alexander Nuingall is fined 40s. bounde to his good behaviour and enjoyned to remove his dwelling to some settled plantation before the last of May next for drunkennesse and many misdemeanor by him committed at the plantation where now he dwelleth. — Nuingall.

A Court of Assistants holden at Boston September 27. 1631.

present.

The Governor. Mr Nowell.
Deputy Governor. Mr Winthrop.
Mr Ludlowe. Mr Bradstreete.

25. Sawyers rated. It is ordered that Sawyers shall not take above 12d. a score for boards if they have their wood hewed, and squared for them and not above 7d. for hundreds after 5s. score to the hundred if they fell and square their wood themselves. 139.

Plastowes. It is ordered that Josiah Plastowe shall for stealing some baskets of tomes from the Indians returne them 8. baskets again or fined 5li. and hereafter be called by the name of Josiah and not Mr as formerly he used to be, and that William Buttland and Thomas Chidrowe shall be whipped for being accessary to the same offence. 139.

William Pheloed is chosen Constable of Dorchester. 140.

A Court of Assistants holden at Boston October 18. 1631.

present,

The Governor.
Deputy Governor.
Mr Ludlowe.
Captaine Underhill.
Mr Nowell.
Mr Winthrop.
Mr Bradstreete.

26. Adultery death. Lev. 20. 10. 141. It is ordered that if any man shall have carnall copulation with another mans wife they both shall be punished by death.

Sheppards fine. The Constable of Rexbury returned the record of Mr Sheppards fine of 5 marks and so it remained in his hands to be accomptable for it. Mr Governor is to have 40s. if it was he payed for bringing the waters from Charlton to Boston. 142.

27. Gray banished. It is ordered that Thomas Grayes house at Mavelo harbor shall be pulled 143. downe and that no English man shall hereafter give housroome to him or intertain him under pain penalty as the Court shall think meet to inflicte.

28. Kirman agt Frisbe et al. It is ordered that there shall be taken out of the estate of Mr Frisbe and his 144. Company the summe of 12li. 3s. 5d. and delivered to John Kirman as his proper goods and after the whole estate to be inventoried wherof the said John Kirman is to have an 8th. parte this to be done with all convenient speede by Mr Coddington Mr Nowell or any three of them viz Mr John Masters Mr Robert Feake Mr Edward Gibones Ephraim Childe Daniell Finch et al.

Corne payment. It is further ordered that Corne shall passe for payment of all debts at the 145. rate it is sold for except money or leather be expressly named.

At a meeting of Assistants at Boston ffebruary 3. 1631. present

The Governor.
Deputy Governor.
Mr Endicott.
Captaine Endicott.
Mr Nowell.
Mr Pynchon.
Mr Bradstreete.

146. It was ordered there should be three score pounds levyed out of the severall plantacions within the limitts of this Patent towards the making of a pallisadoe about the New Towne viz Watertown. 8li The New Towne 3li Charlestown 7li Meadford 3li Sangus and Marble harbor 6li Salem 4li 0s. Boston 8li Roxbury 7li — Dorchester 7li Weymouth 1li Winnetsmett 30s. New towne.

147. The Governor hath bounde himselfe in 0li to make his personall appearance at the next Court to be holden at Boston the first tuesday in March next to answere to suche things as shalbe objected against him. Governor.

At Court of Assistants holden at Boston March 6th 1632. present

The Governor. Mr Nowell
Deputy Governor. Mr Pynchon.
Mr Endicott. Mr Bradstreete.
Captaine Endicott

148. It is ordered that no planter within the limitts of this Jurisdiction returning for England shall carry either money or beaver with him without leave from the Governor for the time being under paine of forfeiting the money or beaver so intended to be transported. Money. beaver. 29.

149. As an addition to an order made the 22d of March 1630. it is ordered that if any single person be not provided of sufficient Armes allowable by the Captaine or Lieuten[ant] before the 10th of Aprill next he shalbe compelled to serve by the yeare with any master that will retayne him for suche wages as the Court shall thinke meete to appoint. Armes. 30.

150. It is ordered that Courts hereafter shalbe held every first tuesday in every month. Courts.

151. It is further ordered that Robert Gold of Roxbury shalbe fined 0li 0s. for being drunke at Charlestown in October last and is injoyned to confesse his fault to the Court (now committed in extenuating his offence) the next Court and after at the generall Court. Drunkennesse punished.

152. The Governor hath bounde himselfe in 0li to make his personall appearance at the next Court to answere to suche things as shalbe objected against him. Governor.

153. March 6th. 1632. It is agreed upon by the partyes whose named are hereunder written by vertue of an Order of Court for the appointing and setting out the bounde of Charlestown Towne and New Towne, ffirst it is agreed that all the lands impaled by Newtowne men with the north hereunto adjoyning wherein Mr Wiraed dwelleth shall belong to the said Newtowne and that the bounde of Charlestowne shall end at a tree marked by the said pale and to passe along from that tree by a straight line into the midway between the westermost parte of the great lott of lands of John Winthrop Esqr now Governor of the English Colony in the Massachusetts and the eastermost parte thereto of the bounde of Watertown. In witnesse whereof we have hereunto sett our hands the day and yeare aforesaide. Thomas Mayhew. Nathaniell Turner. George Morse. Charlton and Newtowne bounde. 33.

A Court of Assistants holden at Boston Aprill 3. 1632. present,

The Governor. — Mr Coxell.
Deputy Governor. — Mr Pynchon.
Mr Endicott. — Mr Bradstreet.
Captaine Endicott.

Knower. — Thomas Knower was sett in the bilboes for speaking the Court that if he should be punished he would have it tryed in Englande whether he was lawfully punished or not. 154

Dullys point & Noddles Island — It was ordered that no person what soever shall goe at fowle upon Dullys point or Noddles Island but that the said place shall be reserved for Josu Winthrop to take foule in his nets. 155.

Goold. — Upon Robert Goold confession of his fault committed the last Court in extremeing of his offence of drunkennesse the Court remitted his fine and further confession enjoyned him the last Court. 156

31. Sarah Morley. — Sarah Morley is put as an apprentice to Mr Nathaniell Turner of Saugus for the space of nine yeares from this Court for which terme he is to finde her meate drinke and cloathing. 157

32. The Governors Garden. — The Island called Tenants Island with all the liberties and priviledges of fishing and fowling was demised to Josu Winthrop Esq the present Governor for the terme of his life for the rent of forty shillings and at the yearly rent of xl s. to be payd unto the Treasurer upon the 25th day of March and it was further agreed and the said Josu Winthrop did Covenant and promise to plant a vineyard and an orchard in the same, in Consideration whereof the Court did graunt that at the end of the said terme the lease houses should be renewed to the heires or assignes of the said Josu Winthrop for twenty and one yeares x paying yearly to the Governor for the time being the first parte of all sing fruits & profitts as shall be yearly raised out of the same and so the same lease to be renewed from time to time unto the heires and assignes of the said Josu Winthrop with the said reservation of the fifth parte to the Governor for the time being, Clud the name of the said Island is changed and is to be called the Governors Garden. Provided that if the heires or assignes of the said Josu Winthrop shall at any time sitter the said Island to be waste and not improved the same then this present demise to be voyde. 158

A generall Court holden at Boston May 9 th. 1632. present,

The Gov[ernor] Eborne.	Mr Nowell.
Deputy Eborne.	Mr Winton.
Mr Ludlow.	Mr Broadstreet.

159. It was generally agreed upon by ouertion of hands that the Eborne Deputy Eborne and Assistants should be chosen by the whole Court of Eborne Deputy Eborne Assistants and Freemen and that the Eborne shall allwayes be chosen out of the Assistants. Elections. 34.

160. John Winthrop Esqr was chosen to the place of Eborne (by the generall consent of the whole Court manifested by ouertion of hands) for his yeare next ensuing and till a new be chosen and did in presence of the Court take an oath to his said place belonging. Eborne

Thomas Dudley Esqr was in like manner chosen to the place of Deputy Eborne for his yeare next ensuing and till a new be chosen and did accordingly take an oath to his place belonging. Deputy Eborne

161. Mr Roger Ludlow Mr Emanuel Nowell Mr William Pynchon Mr Broadstreet Captaine Underhill John Humfrey Esqr Mr William Coddington and Mr John Winthrop junior were chosen into the place of Assistants for this yeare next ensuing and till new be chosen. Assistants.

162. It was ordered that there should two be chosen of every plantation appointed to confer with the Court about raising of a publicke stocke,

Mr Oldham and Mr Masters for Watertown.
Robert Sheed and John Johnson for Dorchester.
Mr William Colborne and William Coggeshborough for Boston.
Richard Wright for Saugus.
Mr Lothropp and Mr Spencer for Newtown.
Mr Gibbons and Mr Palmer for Charlestown.
Mr Conant and Peter Palfrey for Salem.
William Phelps and John Maylard for Dorchester.

163. It was ordered that the Towne of Watertowne shall have that pintilage and inlarge in the wayes they have built up Charles river according as the Court hereafter shall think meete to confirme unto them. Waterton wayes. 34.

164. Mr Edmond Lothrop was chosen Constable of Newtowne for this yeare next ensuing and till a new be chosen. Constable.

165. Mr Gibbarde was chosen Constable of Waterton for this yeare next ensuing and till a new be chosen. Constable.

A Court of Assistants holden at Boston June 4th 1632. present,

The Governor.	Mr Endicott
Deputy Governor.	Mr Winthrop Junr.
Mr Nowell.	Mr Bradstreet.
Mr Pynchon.	

A day of Thanksgiving. The Court taking into consideration the great mercy of God, bestowed to the Churches of God in Germany and the Palatinate & hath appointed the 13th day of this present month to be kept as a day of publicke thanksgiving throughout the generall plantations. 166.

Companyes goods. It is ordered that the goods of the Company of Husbandry shall be inventoryed by the Rodes and preserved here for the use and benefitt of the said Company. 167.

36. Mr Dudley 200. Acres. It was further ordered that there shall be 200. Acres of land sett out by markes and bounded on the west side of Charles River over against the Newtowne, to enjoy to Thomas Dudley & his Deputy Governor to him and his heires for ever. 168.

37. Rode. It was likewise ordered that every planter in habitting within this Patent shall pay to the Rate towards the defraying of publicke charges 4d. for every pound of beaver that he shall trade for with any Indian within this Patent or that he brings into the Patent having traded the same with any forraigner Indian. Repealed. 169.

Trucking howses. Also it is agreed that there shall be a trucking house appointed in every plantation wherein the Indians may resorte to trade to avoyde their comming to generall howses. 170.

Wlashows estate. There is a Commission granted to Mr Pynchon and Mr Westerick son to make inquiry and to take depositions of the Creditors of Josiah Wlashows and their witnesses that it may appeare what debts are owing by him and so his estate to be preserved here till the next Court. 171.

A Court holden at Boston July 3. 1632. present,

The Governor.	Mr Pynchon.
Deputy Governor.	Mr Winthrop.
Mr Endicott.	Mr Bradstreet.
Captaine Endicott.	Mr Nowell.

Mr Endicott. Captaine Endicott being chosen an Assistant at the generall Court did now take an oath to his place belonging in the presence of the Court. 172.

Joist Woollast. It is ordered that Joist Woollast shall have allowed him 5s. towards his transportation into his owne Country, whither according to his desire he hath liberty to goe. 173.

Thomas Dexter bound to the good behaviour & fined. It is ordered that Thomas Dexter shall be bound to his good behaviour till the next generall Court and fined 5s. for his misbeharie and insolent language and referred to Mr Bradstreet at his owne house also at the generall Court it bounden to confesse his fault. 174.

38. Captaine Endicott. Necke of Lands. There is a necke of land lying about 3. miles from Salem containing about 300. Acres of land granted to Captaine John Endicott to enjoy to him and his heires for ever called in the Indian tongue Ndahquamesbrook in English Birchwood bounded on the South side with a River called in the Indian Tongue Cocwamapcissett commonly called the Horse River bounded on the Northside with a river called in the Indian Tongue Gonamalsqnocurant commonly called the Dirty river bounded on the East with a river leading up to the two former rivers which called in the Indian tongue Dirkhussunt otherwise knowne by the name of Ndollisson river bounded on the west with the main land. 175.

176 There is another neck of land lying about 3. miles from Salem containing about 200. Acres granted to Mr Samuell Skelton to enjoy to him and his heires forever called by the Indians Nahguark bounded on the south upon a little river called by the Indians Ponamakquoontant upon the north abutting on another river called by the Indians Pomonoukant and on the east on the same river, Also there is granted to Mr Skelton one acre of land on which his house standeth and 10. Acres more in a neck of land abutting on the south river upon the harbor river on the north upon William Allens ground on the east and upon Mrs Higgensons grounds on the west likewise there is granted to Mr Skelton two acres more of grounds lying in Salem abutting on the south river on the east upon the maine upon the west on Captaine Endicotts ground on the south and on Joshua Swaynes grounds on the north. Mr Skeltons lands. 39.

177 William Parkes doth promise if Servant Bateman connot no more to satisfie Mr Pinson what shall be thought meet by two indifferent men for their leaden weights by him lost and 12. paire of stockins which the said Bateman sold to Mr Pinson for good ones but proved bad and naughtie. Mr Pinson & Bateman.

178 John Smithe is bound an apprentice with Mr John Walton for five yeares from this present during which terme Mr Walton is to finde the said John Smithe meate drinke and apparell and at the end of the said time is to give unto him the summe of 40s. It is likewise ordered that those goods wch were sent over with the said John Smithe shall remaine in the hands of Mr Walton for which he is to be accountable to those that sent them over. Smithe.

179 Wyman Wilkes and Peter Johnson habe bound themselves joyntly and severally in pte a peere that they shall not departe out of the Patent without leabe from the Governor and shall be redy to attend upon the Court when they shall be called to give an acompt of their company goods. Wilkes & Johnson.

180 John Smithe hath likewise bound himselfe in pte to be accountable for his company goods now inventoried and remaining in his hands. Smithe.

181 Mr James Parker is fined xlis and bound to his good behavior till the next Court for his misdemeane and drunkennesse committed aboard the Virginia ship. Drunkennesse. punished.

182 Mr Samuell Dudley is fined xlis for the like offence at the same time.

183 It is ordered that the Captaines and Officers shall take especiall care to search all peeces that are brought into the fields for being charged and that no person whatsoever shall at any time change any peece of barbing with bullets or shott other then for defence of their howses or at commaunde from the Captaine upon pritty penalty as the Court shall think meet to inflict. Peeces to be searched. 40.

At a Court holden at Boston the xxiiij.th 1632. present,

The Governor. — Mr Winthrop.
Deputy Governor. — Mr Nowell.
Mr Endicott. — Mr Bradstreet.
Mr Coddington.

Murder of Walter Hagnall prosecuted. — Upon further consideration of the matter to be done upon the murder of Walter Hagnall and upon reading a letter from those of Plymouth being written in answer of a letter sent to them about it It is ordered that a boate shall be sent forth sufficiently manned with commission to deale with the Plantation to the Eastward and to require of them as shall be willing thereto for examination of the murder of the said Walter Hagnall and for apprehending of such as shall be found guilty thereof and to bring the prisoners into the Bay. It is referred to the Governor to take order herein.

Strong water stolen beaten of drunkens gallons — It is ordered that the remainder of the elleven hundred strong water being estimated about two — 165
gallons shall be delivered into the hands of the Deacons of Dorchester for the benefit of the poore there for their selling of it ~~it~~ dyed timed to such as were drunke with it to knowinge thereof.

Wood wards. — It is ordered that James Woodwards shall be set in the bilboes for being drunke at the — 166
Town.

Knop — There is 3.li of Knopes fine of 5.li remitted. 167.

41. Captaines. — It is ordered that the Captaines shall be maintained by their severall companies. 168.

42. Treasurer. — Mr William Pynchon is chosen Treasurer for this yeare next ensuing and till a new be chosen. 169

At a Court holden at Boston September 4.th 1632. present,

The Governor. — Mr Treasurer.
Deputy Governor. — Mr Nowell.
Mr Endicott. — Mr John Winthrop.
Captaine Underhill. — Mr Bradstreet.

Swearing & swearing punished. — It is ordered that Robert Shaw shall be severely whipt for wicked cursing swearing 170
justifying the same and glorying in it as hath bin proved by oath.

Refusall to water fends. — John Strickland is fined 3.li for his refusing to watch at the Captaines commaunde. 171

Cap: John. — Cayganowe John ed promised against the next yeare and for ever after to forbeare 172
to carry against all kinde of cattell.

Barnard. — Joshua Barnard is bounde as an Apprentice to Mr Plaine for 5. yeares from his landing 173
for 4.li p annum wages and 4.li at the end of his terme to be payde to him by his said Master.

drunkenness punished. — It is ordered that William Hannon shall be set in the bilboes for being drunke. 174

Constable. — Mr Turner is chosen Constable of Saugus for this yeare and till a new be chosen and did 175.
now take an oath to his place belonging.

Wolfe killed to. — There is order given to Mr Treasurer to pay 40.s to Richard Waterman for killing 176
a wolfe about 2. monethes since in Salem plantation.

Captaines exhibition. — There is likewise order granted to Mr Treasurer to pay Captaine Underhill and — 177
Captaine Patrick a quarterd exhibition.

Lieutenant Poole. — Mr Robert Poole is chosen into the place of Lieutenant to Captaine Patrick. 178

Hopkins for selling powder & to the Indians punished. — It is ordered that Richard Hopkins shall be severely whipt and branded with a hott iron 179
on one of his cheeks for selling powder and powder and shott to the Indians. Whereupon it was propounded if this offence should not be punished hereafter by death referred to the next Court to be determined.

A Court holden at Boston October 3. 1632. present

Mr Richard.	Mr Wasnnel.
Deputy Richard.	Mr Howell.
Mr Yale.	Mr Winthrop.
Captaine Endicott.	Mr Woodstreete.

Beer trade.

233. Mr Wasnnel hath promised to give xxs. for this year for his beaver trade for wch his 12d in the pound is remitted.

House of correction

201. It is ordered that there shall be an house of correction and an house for the Beadle built at Boston wthinsat sedd tenements may be.

Mr Hathrell.

202. Mr Hathrell is required to forbear exercising his office as a pastor or teacher publickly in our Patent unlesse it be to those he brought wth him for his contempt of Christenity and till some friendlie be removed.

Beadle.

203. It is agreed that the Beadle shall have 8d exhibition for this year.

Woodward.

204. It is ordered that James Woodward shall wipe for running from his master Mr Gibbons and absenting himselfe from his service in recompence whereof he shall doe him 6. weeke worke when his time comes out.

Edward Winton.

205. Edward Winton is fined xs. for his contempt of Christenity in refusing to come to the Court & being summoned hit the Drumbone and 40s. for drunkennesse.

Saugus plantation

206. It is ordered that Saugus plantation shall have liberty to build a weare upon Saugus river, wch they have promised to make and continually to keepe a good footbridge upon the most convenient place there.

43.

Wastinge powder

207. It is ordered that Alexander Miller and John Wimple shall give 3s. 4d. a peece to their master Israel Stoughton for their wastfull expence of powder and shott.

Richard Norworth.

208. Richard Norworth hath liberty granted him to returne to England by the ship Lyon.

Mr Woodstreete 60. ac.

209. There is 60. acres of meadow ground granted to Mr Simon Woodstreete in the marsh ground against the Cypsie banke wthin wch he shall choose to enjoy to him and his heirs for ever.

44.

Nicholas Phrost.

210. It is ordered that Nicholas Phrost for theeftes by him committed at Dorchester rob upon the Indians for drunkenness and fornication of all wch he is convicted, shall be fined xs. to the Court and xls. to Henry Wade and John Hollman ~~to be effmed be paide [illegible] that he is to beare his owne charges~~ shall be severely whipt and branded in the hand wth an hott iron and after banished out of this Patent wth penalty that if ever he be found within the limits of the said Patent he shall be put to death. Also it is agreed that he shall kept in bolts by Henry Wade and John Hollman till his effmed be paid during wthin time he is to beare his owne charges.

45.

Boston.

211. It is thought by generall consent that Boston is the fitest place for publicke meetings of any place in the Bay.

Ewins.

212. It is ordered that from the first of Maye next ~~every~~ person shall sacrifice for the damage of his swine shall doe in the corne of another.

Tobacco.

213. It is further ordered that no person shall take any tobacco publickly under paine of imprisonment also that every one shall pay 1d. for every time he is convicted for taking tobacco in any place and that any Assistant shall have power to write ordinary and give order for the keeping of it as also to give order for the keeping of the office of the Ferry, this order to begin the 10th of November next.

Constables.

214. George Dyer is chosen Constable of Dorchester for this year next ensuing and till a new be chosen and did now take an oath to his place belonging.

A Court holden at Boston November 7. 1632. present,

The Earle of Lincoln. Mr Howell.
Sr Henry Vane. Mr Winthrop.
Mr Ludlowe. Mr Bradstreet.
Mr Treasurer.

40. Timber. For preservation of good timber for more necessary vses it is ordered that no man shall fell any wood for paling but such as shall be viewed and allowed by the Court Assist or some whome they shall depute to doe the same. This order not to extend to ground that is or shall be assigned to particular persons. 215.

47. Charlestowne & Newtowne. It is ordered that the differences betwixt Charlestowne and Newtowne for ground shall be referred to Mr Bradstreet Mr Mayor Mr Mayor and Mr Mayor and Mr Mayor to viewe the ground wood and meadowe and so to sett downe the bounds betwixt them. 216.

48. Boston. It is ordered that the neck of land, betwixt Powder Horne Hill and Pullen point shall belonge to Boston to be enjoyed by the Inhabitants thereof for ever. 217.

49. Dorchester neck. It is likewise ordered that the Inhabitants of Boston shall have liberty to fetch wood from Dorchester neck of land for 20. yeares the property of the land to remaine to Dorchester. 218.

50. Dorchester & Roxbury bounds. Captaine Traske Mr Servant William Chesebrough & John Warbin are appointed by the Court to sett downe the bounds betwixt Dorchester and Roxbury so Walter Spragues is there Limits. 219.

51. Mr Ludlowes 100. acres. Ffines. There is 100. acres of land granted to Mr Roger Ludlowe to enjoy to him and his heires for ever lying betwixt Musquantum Cippell and the mouth of Paxonsett. John Ffines is fined v.s for wanting armes for his man and for being absent himselfe from training. 220. 221.

Lynn. Henry Lyn is fined v.s. for absenting himselfe from training. 222

Gradock. Mr Mathew Gradocke is fined iiij.s for his men being absent from training diverse times. 223.

52. Training. Ex Fin. Saltonstall. It is ordered that the Captaines shall train their companies but once a moneth. 224.

It is further agreed that Mr Richard Saltonstall shall give Cayzamour John an horsehead of varne for the hurt his tattell did him in his corne. 225.

53. Wolves. It is ordered that neither English nor Indians shall have any more rewards given them for killing wolves. 226.

54. Mr Winthrop 50. acres. Mr Winthrop Esqr present doth lay hying betwixt Cobbetts house & Manottomies River. 227.

55. Mr Humfrey. It is referred to Mr Treasurer Mr Ralphe and Roger Servant to sett out a proper peece of land in Saugus for John Humfrey Esqr. 228.

56. Mr Phillips. Mr Phillips hath 30. acres of land granted him up Charles river on the south side beginning at a tree a little higher then the first Ffynes and so upwards towards the ware. 229.

Formication. It is ordered that Robert Huitt and Mary Ridge shall be whipped for committing formication together of late they are contributes. 230.

Doctor. There is 4.th of the Thomas Dexter ffor 5.th forgiven him. 231.

New Towne. Charlestowne. There is entred also the writing of the 6 ffy of March 1632. concerning the bounds of Newtowne and Charlestowne wch was entred more at large before and it is recorded p. 61.

A Court holden at Boston March 4th 1632. present,

The Governor. Mr Twasyne.
Deputy Governor Mr Howell.
Mr Hudlowe. Mr Winthrop Jun.
Captaine Endicott. Mr Bradstreete.

233. The Governor is administration granted to Roger Ludlowe Esq. of the goods and chattells of John Knight Admin.
Knight who departed in November last.

234. The Court hath referred the last Act against Mr. Waterroller wth refrayned him from further gathering a Church within this Plantat. Mr Waterroller.

235. It is ordered, that Thomas Dexter shall be sett in the bilboes disfranchised and fined xlt. for speaking opprobrious and seditious words against the government heere established and finding fault to discard wth the Acts of the Court saying his trophied government will bring all to naught adding that the best of them were but an Attomy or Dexter Scandall.

236. It is agreed that the bounds formerly sett out betwixt Boston and Dorchester shall continue only Dorchester to enjoy the commoning of the rocks neare theeunto. Boston & Dorchester. 57.

237. Boston is rated 5th Charlestown 4th Dorchester 6th Watertown 6th Roxbrowne 6th Mewford 3th for the maintenance of Captaine Underhill and Captaine Patrick for halfe a yeare. Captaine Underhill. Captaine Patrick.

238. Servant Roland is chosen Servant to Captaine Underhill. Servant Roland.

239. Thomas Wintall is fined xxs. for drunkennesse. Wintall.

A Court holden at Boston Aprill 1. 1633. present,

The Governor. Mr Twasyne.
Deputy Governor. Mr Howell.
Mr Hudlowe. Mr Bradstreete.
Captaine Endicott.

240. There is xlt. to be allowed to Edward Gomerset for fencing Cattell over the water. Fencing Cattell.

241. It is ordered that no person what soever shall goe to plant or inhabite at Aggawam without Leave from the Court except those that are alreadye gone viz Mr John Winthrop Jun. Mr Charles Robart Gent. Thomas Newlett John Riggs John Ware & Thomas Hauter William Perkins Mr Thorndike William Geant. Aggawam. 58

242. The peice of ground formerly refrayned to be the Brickell is now sett at liberty to be sold as men can agree. Peice of ground at liberty.

243. Roddles Island is granted to Mr Samuel Maverick to enjoy to him and his heires for ever holding and paying yearely at the generall Court to the Governor for the time being either a fatt wether a fatt hogg or xlt. in money and shall give Leave to Roxbury Charlestown to come to fetch wood continually as their need required from the Southerne parte of the said Island. Grant to Mr Sa: Maverick of Roddles Island. 59.

244. It is agreed that Mr William Blackstone shall have 50. ac. of ground sett out for him neare to his house in Boston to enjoy for ever. Mr Blackstone. 50. ac. 60.

245. Gotfriell Richardson is chosen Constable of Charlestown for this yeare next ensuing and till a new be chosen. Charlestown Constable.

246. It is ordered, that if any swine shall in fishing time come within a quarter of a mile of the stage at Marble head that they shall be forfeited to the owners of the said stage. and so for all other stages within those limitts. Swine.

70.

Berkeagt Bradwirke. Matrimony. It is ordered that Henry Bradwirke shall give unto Alexander Berke the summe of xl li. for promising him marriage without her friends consent and now refusing to performe the same. 247.

01 John Cayle. follony. John Cayle being convicted of felonously taking away coine and pyll from divers persons the last yeare and his ad also playboards of xx li consumed by the Court after his manner, that all his estate shall be forfeited out of using double restitution shall be made to those whome he hath wronged shall be whipt and bound ad a servant with any that will retayne him for three yeares and after to be disposed of by the Court as they shall thinke meete. 248.

Servant. of his daughter. John Cayle is bound with Mr Pogyshall for three yeares for which he is to give him 4 li yeare. his daughter is also bound with him for 14. yeares Mr Pogyshall is to have a sonne with her and at the end of her time he is to give unto her a good Calfe. 249

At generall Court holden at Boston May 29. 1633. present.

Governor. Mr Goddington.
Deputy Governor. Mr Winthrop Jun.
Mr Coxsnod. Mr Bradstreete.
Mr Howell.

Election of Governor. John Winthrop sen Esq was chosen to the place of Governor for this yeare next ensuing manifested by generall ouertion of hands and did in presence of the Court take an oath to his place belonging. 250.

Deputy. In like manner Thomas Dudley Esq was chosen to the place of Deputy Gov for this yeare next ensuing and did in presence of the Court take an oath to his place belonging. 251

Assistants. Mr Roger Ludlow Mr William Pynchon Mr William Goddington Mr Increase Nowell Mr Simon Bradstreete and Mr John Winthrop Jun was chosen to the place of Assistants for this yeare next ensuing and till now be chosen and did in Court take the oaths to their place belonging. 252

Mr John Endicott Mr Richard Saltonstall John Humfrey Esq was chosen to the place of Assistants for this yeare next ensuing. 253

62. Boston fort. It was ordered that the fort at Boston shall be finished with what conuenient speede may be at the inhabitants charge. 254

Uniforme Constable. Mr John Benjamin chosen Constable of Newtowne for this yeare next ensuing and till a new be chosen. 255.

Court. The next Court is to be holden the second tuesday in June. 256.

70

At a Court holden at Boston June 11. 1633. present,

The Governor.	Mr Rowell.
Deputy Governor.	Mr Goddington.
Mr Ludlow.	Mr Winthrop.
Mr Trasure.	Mr Bradstreet.

257. It is ordered that William Dixon shall be set in the bilboes for disordering himselfe with drinke. — Dixon.

258. It is likewise ordered that John Somerton shall be wright bound to his good behaviour and enjoyned to make his appearance at the next Court for committing fornication with Elizabeth Clarson. — fornication

259. John Webb is set at liberty from his master William Sparke. — Webb & Sparke.

260. The Governor is leave granted to Thomas Collen to plant at Cogganum. — Collen.

261. The 19 of this moneth is appointed to be kept ad a day of publique thanksgiving throughout the generall plantations &c. — day of Thanksg.

At a Court holden at Boston July 2. 1633. present,

The Governor.	Mr Rowell.
Deputy Governor.	Mr Goddington.
Mr Ludlow.	Mr Winthrop.
Mr Endicott.	Mr Bradstreet.
Mr Trasure.	

262. Mr Endicott being chosen an assistant at the generall Court did now take an oath to his place belonging. — Mr Endicott.

263. Mr Ludlow Mr Trasure and Mr Rowell are chosen ad committed to take an account of the Debts due to the Governor, and to certifie the same at the next Court that they may be discharged. — Governors debts. 04.

264. It is ordered that there shall be ffty s. given to the Governor this present year towards his publike charges and extraordinary expenses. — Exhibition to the Governor.

265. Robert Allen is fined x s. for absenting himselfe from Court being summoned to be there ad a witnesse. — Allen.

266. James White is fined xxx s. for drunkennesse by him committed at Marbles head on the Sabbath day. — Drunkenness fined.

267. John Vennet is fined x s. for being drunke at Marbles head. — Drunkenness.

268. It is ordered that no person shall sell either wine or strong water without leave from the Governor or deputy Governor. The fine order to take place a fortnight hence and after the constable of the same plantation hath published the same, and that no man shall sell or bring in a license of trading give any strong water to any Indian. — Wine, strong water. 65. Indian

269. It is ordered that if any towne fence shall be by the Inhabitants of the Towne judged insufficient and the owner thereof forbeare mending of it more then two dayes after warning given the Inhabitants shall mend the said fence and the charges of the owner of the said fence shall be liable to pay the charges of the mending thereof. — ffences of Towne. 66.

270. Mr Pochinder and Mr Gibbons are appointed to joyne with Mr Coddard and Mr Dennison to inventory the goods and chattells of Alexander Wignall. — Wignall's goods.

271. It is ordered that the grounds lying between the north river and the tweefoot on the north side of Mr Mahewis rude so up into the Country shall belong to the inhabitants of Charlestowne. — Charlestowne. 67.

Hull. — Order is given to the Treasurer to deliver to Lieutenant Mason xl. for his voyage to Portsmouth with his men about the taking of Hull. 272.

68. Lease of State to Thomas Lambe. — The lease is demised to Thomas Lambe of State in State Street to pole towards the water side and so pole into the land for three years varying the yearly rent of iij^li. xiijs. 273.

Mr Robert intestate. — Administration is granted to Mr Manyhow of the goods and chattells of Mr Walter Robert deceased. 274.

69. Swine. — It is ordered that it shall be lawfull for any man to kill any swine that rommed into his roome the party that owed the swine is to have them being killed and allowe recompence for the dammages they doe etc. 275

At Court holden at Boston Church 6. 1633. present

The Governor. — Mr Howell.
Deputy Governor. — Mr Goddington.
Mr Lidlowe. — Mr Whitgrove.
Mr Treasurer. — Mr Bradshawe.

Mr Woolridge. — Mr John Woolridge is fined xl^s. for distempering himselfe with drinke aboard Mr Wilcocks his ship. 276

70 Boston & Portsmouth bridge. — It is agreed that there shall be a sufficient cart bridge made in some convenient place over mud=277 dy river and another over stony river to be done at the charge of Boston and Portsmouth Mr Goddington Mr Colburn and Mr Sanford are chosen to see it done for Boston and Mr Treasurer John Wear and John Johnson for Portsmouth.

71 Ram goated. — It is further ordered that if any ram goate be found amongst two goates betwixt the first 278 of July and 10th of November it shall be lawfull for any man to seize on him before witnesses and to conveye him to some safe place till the said 10th of November, and then halfe of him is to goe to the constables and the other halfe to the parties that seizeth on him, this order to take place on Munday next.

At Court holden at Boston September 3. 1633. present,

The Governor. — Deputy Governor.
Mr Lidlowe. — Mr Treasurer.
Mr Howell. — Mr Goddington.
Mr Whitgrove. — Mr Bradshawe.

Drunkenness. — John Shotswell is fined xl^s for distempering himselfe with drinke at Agawam. 279.

Colod drinke fined xx. — Robert Coles is fined x^s and enjoyned to stand with a white sheete of paper on his back 280. wherein a drunkard shall be written in great letters and to stand therewith so long as the Court thinks meete for abusing himselfe shamefully with drinke in seeking John Shotswell wife to intentinency and other misbeeame.

Walfords goods sequestred for debt. — It is ordered that the goods of Thomas Walford shall be sequestred and remaine in the 281 hands of Christian Cleminson to satisfie the debtes he owed in his Warr to severall persons.

72. Russell intestate. — The lease is administration granted to William Sanford and William Portnell of the 282. goods and chattells of John Russell of Dorchester who deceased Church 26. 4. 1633.

Dexter intestate. — Administration granted to Mr John Wood of the goods and chattells of Thomas Dexter 283. deceased and so to remaine in his hands to be accountable for them.

Dillingham. Wright. Dexter. reference. — By consent of John Dillingham Richard Wright and Thomas Dexter the differences betwixt 284 them are referred to Mr Endicott and Mr Howell and power is granted them by the Court to depose witnesses heare and determine the said differences.

Captaine Stone Banished. — Captaine John Stone for his outrage committed in confronting Authority abusing Mr 285 Endicott both in words and behavior assaulting him and calling him a pisse ass etc is fined xl^s and prohibited comming within his Patent without leave from the Governor under the penalty of death.

286. It is ordered according to a former order at the generall Court that every hand except Magistrates and Ministers shall afforde their help to the finishing of the fforte at Boston till it be ended. — Boston forte. 73.

287. Mr Palmer is fined xx^s for absenting himselfe being warned to serve of a Jury. — Mr Palmer default.

288. Alexander Nugnall is fined xx^s for drunkennesse quarrelling bravery of an order of Court and contempt of Authority. — Nugnall contempt.

289. Administration granted to William Ellison of the goods and chattells of Richard Cornell of Newmarket Street deceased. — Cornell intestate.

290. The liberty granted to Mr John Newthorp Jun and to his assigned to sett up a hunting house up Newmarke river. — Newmarke hunting house.

291. Mr John Wartroffe doth acknowledge to owe unto our Soveraigne Lord the King the summe of xl^li and Mr Samuell Wakerike the summe of xx^li on the condition of this obligation is that Jane Wartroffe wife of the said John shall be of good behaviour towards all persons. — Jane Wartroffe bien-porte.

A Court holden at Boston October 1st. 1633. present

The Governor.	Mr Flowell.
Deputy Governor.	Mr Goddington.
Mr Endlowe.	Mr Wendthroate.
Mr Treasurer.	

292. It is ordered that Elizeart Newtind shall pay 40. tunes to the forte ad a punishment for drunkennesse by him committed. — drunkenness.

293. Also it is ordered that Tomas Dexter shall be fined 2^s for the like offence. — drunkenness.

294. It is ordered that if any trayned souldier shall be absent from traying upon their traying dayes having lawfull warning shall forfeit 5^s. and that it shall be lawfull for one of the Sergeants appointed by the Captaine of the Company to levy it imediately within two dayes after it be demanded the party offending being a Certificate from the next Assistant that he had a necessary occasion to be absent. — trayned souldiers. 74.

295. October 3. 1633. It is ordered that Master Gouverner Sanyard mason shall have bounty Brittlayard Richard Joyner wheelwrights moved ex shall not take above 2^d a day finding themselves diet and not above 14^d a day if they have diet found them under the penalty of 5^s. both to giver and receiver for every day that there is more given and received, Also that all other inferiour workemen of the said occupations shall have such wages as the Constable of the place and two other inhabitants that he shall choose shall appoint. — Workmen wages.

296. It is agreed that the best sorte of labourers shall not take above 18^d a day if they diet them selves and not above 8^d a day if they have diet found them under the aforesaid penalty both to giver and receiver, likewise that the wages of inferior labourers shall be referred to the Constable and two other as aforesaid. — labourers.

297. Master Tanford shall not take above 12^d a day and the inferior sorte not above 8^d, if they be hired under the aforesaid penalty and for all other worke they doe at home proportionally and so for other worke that shall be done by the greate by any other Artificer. — Tanford.

298. Also it is ordered that all workemen shall worke the whole day allowing convenient time for foode & rest, this order to take place the 12th of this present month. — workemen. 75.

299. It is further ordered that no person householder or other shall spend his time idlely or improfitably under noe of such punishment as the Court shall think meete to inflicte, and for this end it is ordered that the Constable of every place shall use speciall care and diligence to take knowledge of offenders in this kinde especially of common roasters improfitable fowlers and tobacco takers and to present the same to the two next Assistants who shall have power to heare and determine the cause or if the matter be of importance to transferre it to the Court. — Idlenesse. A 25. 50.

299. In regard of many and extraordinary mercyes which the Lord hath bin pleased to vouchsafe of late to this Plantation viz a plentifull harvest Ships safely arrived with persons of speciall note — A day of Thanks. 77.

and qualities) it is ordered that wednesday the 16th of ffebruary present monethly shall be kept as a day of publicke thanksgiving through the severall plantations &c.

78. Lottrie to begin at one a clock

And whereas it is found by common experience that the drawing of lottries at the ordinaries 300.
houses now established in the forenoone to be diverse ways prejudiciall to the common goods both in the losse of a whole day and bringing other charges and troubles to the place where the lottrie is kept, It is therefore ordered that hereafter no lottrie shall begin before one a clocke in the afternoone.

It is ordered that there shall be 400li. levied out of severall plantations to defray publicke charges viz.

Boston	48li.	Saugus	36li.
Roxbury	48.	Salem	28.
New towne	48.	Winnetimet	8
Watertown	48.	Woburn	12.
Charlestown	48.	Aggawam	8.
Dorchester	80.		

Summe totall 412li.

A Court holden at Boston November 5th 1633. present

The Governor.	Mr Dudley.
Mr Endicott.	Mr Coddington.
Mr Nowell.	Mr Winthrop.

79. The fort.

It is ordered that when all the Plantations in the Bay shall have two dayes warke a peece 302.
at the fforte there shall order goe forth to Salem Aggawam and Saugus to fend in their
money for three dayes worke towards it for every man except Plantsmen and Millers.

80. Jurors.

It is ordered that jurors shall be divided by the Governor to the Bloodie for warning of 24. 303
jurors 14 dayes before the Court to be named by the Governor.

Boarde 6d p b.

It is likewise ordered that boarde of the Gombers shall passe at 6d the bushell till the next 303
Court.

Swine.

Further it is agreed that no man shall give his swine any roote but such as being viewed by two 305
or three neighbours shall be judged unfit for mans meate Also that every plantation shall agree
how many swine every person may keepe winter and summer about the plantation, this
order to take place 10. dayes hence.

81 Ferries.

Mr Richard Brown is allowed to keepe a ferry over Charles river against his house and 306
is to have 2d for every single person he so transported and 4d a peece if there be 2. or
more.

Ensigne Mortesam.

Ensigne Morris is discharged of his place of Ensigne and Mr Thomas Mortesam chosen 307.
in his roome.

Ensigne Stoughton.

Lieut Stoughton is chosen Ensigne to Captaine Mason. 308.

82. Bloodie his house.

It is ordered that Daniel Dion the Bloodie shall have allowed him by the Treasurer the summe 309
of 30li. to build an house which is to be for his use while he remained in the place of Bloodie and
after to be disposed of as the Court shall thinke meete.

83. Commodities for 4d in 1s.

November. 8th 1633. Whereas by order of Court holden in October last the wages of 310 74
workemen were reduced to a certainty in regard of the great extortion used by diverse persons
of little conscience and the great disorder which grew thereupon by reason and idle waste of
much precious time and expence of those immoderate gaynes in wine strong water and other
sweetliquors, Now least the honest and tractable workemen should be wronged or discouraged
by extreme rates of those commodities very necessary for their liferaine comforts, We have
thought it very just and equall to set order also therein, We doe therefore hereby order that

after publicke notice hereof no person shall sell to any of the Inhabitants within this Jurisdiction any provision victualling Cattle or other Commodities above the rate of 4d in a shilling more then the same cost or might be bought for ready money in England upon paine of forfeiting the value of the thing sold except those wt in regard of the long hazard in bringing of wine Oyle vinegar and strong waters wt in regarde of leaking may be sold at such rates — provided the same be moderate) as the buyer and seller can agree. And for linnen clothes tem= modified wt in regard of their short stayes and small hazard may be afforded at a cheaper rate wch doe addise all men to be a rule to themselves in keeping a good Conscience assuring them that if any man shall exceede the bounds of moderation wt shall pumiss them severely.

A Court holden at Boston March 4 Ho. 1633. present,

The Governor.	Mr Cradock.
Deputy Goburne.	Mr Howell.
Mr Ludlowe.	Mr Goddington.
Captaine Cudworth.	Mr Bradstreet.

381. It is ordered that all the swamps containing above 100. acres either belonging to any Towne or not shall lye in common for any free inhabitant to fetch wood at reasonable fined without requiring to the inhabitants where the same is (that swamp only excepted lying within the New towne pale towards the bay). Swamps. 84.

382. It is ordered that Mr Dummer shall have 8ac. to the publicke farme with 5ac. 10d. for his estate in Northfield and 1d. in Saugus the Cradock is to lose the rest that he had taken in Saugus. Mr Dummer.

383. The Court hath ordered that Mr Dillingham shall have rates for the cattle he is possessed of of Mr Downing. Mr Dillingham.

384. It is ordered that there shall be a market kept at Boston upon every Thursday the first day of the week. Market at Boston.

385. Mr Nathaniell Turner is chosen Captaine of the military Company at Saugus. Captaine Turner.

386. It is ordered that John Sayles shall be severely whipt for running from his Master Mr Coggeshall. Sayles.

387. It is ordered that 5th of the judgment against Joseph Witchwell shall be abated, it appearing to the Court that Joseph Wandering had not payed the same as was formerly — contrived. Witchwell.

388. Mr Richard Howard is chosen lieutenant to Captaine Underhill. Lieuten. Howard.

389. It is ordered that no person whatsoever shall buy any lands of any Indian without leave from the Court. Indian Land. 85. fol. 28. 25

390. Christopher Carling is to be whipt for stealing victuals from his Master and for running away. Carling.

391. Mr William Dennison is chosen Constable of Northfield. Northfield Constable.

392. John Chapman is fined xxs for selling boards at 8s. p. c contrary to an order of Court Committed upon promise of 300. of 4. inch plank towards the sea forte. Boards

393. Richard Williams is fined 40s. for drunkennesse committed at Norman house. Drunkennesse.

394. William Holden is fined 40s. for the like offence. fined.

395. Timothy Hawkins and John Vaughan fined 20s. a peece for misspending their time in company keeping drinking strong water and selling other contrary to an order of Court. Allowed to the witnesse bounde ober to the Court to give evidence against them 5s. Idle drinking.

396. Edward How is fined 20s. for selling strong water contrary to an order of Court. Strong water.

397. It is ordered that Robert Bolde for drunkennesse by him committed at Northfield — Bolde D.

shall be disfranchised, wears about his neke and so to hange upon his outward gurment a d made of wod cloth and sett upon wyte to continue this for a yeare and not to leave it off at any time when he commes amongst company under the penalty of xl.s for the first offence and x.s the second and after to be punished by the Court as they thinke meete cause he is to weare the d outwards and is enjoyned to appeare at the next generall Court and to continue heere till the Court be ended.

Harrid apprentice: Joshah Harrid is bounde as an apprentice wth ffrancis Weston for v. yeares from his day 320.
his said master finding him meate drinke and cloathes.

Boston & Northfleet bonds. Ensigne Clougston & thomas Foude William Pheebed and William Bayland are appointed 321
to sett out the bounds betwixt Boston and Northfleet wch is now in difference betwixt them.

86. Wistrike ware. The ware at Wistrike is granted to John Winthrop esqr present Governor and 330.
to mr Mathew Gradoke of London marchant to enjoy to them and their heires for ever.

87. A moving ffort. Upon consideration of the usefullness of a moving ffort to be built 40. foote long and 331.
21. foote wide for defence of this colony and upon the fues offer of some gentlemen — latch, come over to us of some large summes of money to be imployed that way it is thought fit that this matter shall be moved to such men of ability as have not borne their parte in the great charges of the foundation of this colony and for this end it is desired that Henry Vane assistant shall undertake the busines for treating wth such as are wthin the Ouned where they dwell and if they be fit then may desire some other of the assistants to joyne wth them. There is ye. promised mr Stebend for his care and expedition in this worke to be paide when the worke is finished.

Given and promised towards the Sea ffort. 332.

mr Haynes	x.s
Captaine Turner	x.s
mr Coxeall	x.s
Richard Wright 4 inch planke	400.
John Chapmin 4. inch planke	300.
mr Aspinwall	x.s
John Johnson	xx.s
mr Rowell	iij.s
Francis Johnson	xl.s
Joshah Wood	xx.s
James Eldon	xx.s
mr William Dennison	xl.s
mr Harding	iij.s
mr George Alcock	xl.s
mr Israel Stoughton to be paide wthin 9. or 10. monethes	xx.s
mr John Hogan	x.s
Thomas Foude	xx.s
mr Parker of Dorchester	l.s
mr Dummer	xxx.s
Philip Tabor 4 inch planke	200.
Robert Ewarts 4 inch planke	200.
mr John Wilson	iij.s

A Court holden at Boston April 1.st 1634. present

The Maiorne.
Deputy Maiorne.
Mr Ludlowe.
Mr Endicott.
Mr Coddinge.

Mr Howell.
Mr Coddington.
Mr Winthrop.
Mr Bradstreete.

333. The howse & thousand acres of land and a great pondes granted to John Haynes Esqr. fiber hundred acres granted to Thomas Dudley Esqr. Deputy Maiorne, Two hundred to Mr Samuell Dudley and two hundred acres to Mr Daniell Denison all lying & being above the falls on the Easterly side of Charles River to enjoy to them and their heires for ever. — Grants of lands to Mr Haynes, Mr Dudley, Mr Sam. Dudley, Mr Denison. 88.

334. The howse & two hundred acres of land granted to Mr Thurstan Howell lying & being on the west side of the Mouthes river otherwise called the three mile brooke. — Mr Howell. 89.

335. The howse & five hundred acres of land granted to Mr John Oldham lying neare Winnt ffoke on the northwest side of Charles river. — Mr Oldham. 90.

336. It is ordered that if any man that hath any great quantity of land granted him & doth not build upon it and improve it within three yeares it shall be free for the Court to dispose of it to whome they please. — Lands to be improved. 91.

337. The howse & two hundred acres of land granted to Mr John Wilson pastor of the Church of Boston next the land granted to Mr Howell on the South & next Meadfordon the Eastwarde. — Grant to Mr Wilson. 92.

338. It is ordered that John Lee shall be whipt and fined xx.s for calling Mr Ludlowe false hearted knave and hard hearted knave Scabby ffriends &c. — Mr Ludlowe agt Lee.

339. The homad ffoe is fined v.s for want of appearance being summoned to give evidence against John Lee. — ffoe default.

340 Robert Moulton is chosen Constable of Charlston and Roxbury. — Charlston Constable.

341. Mr Israel Stoughton hath liberty granted him to build a mill a wave and a bridge over Mayonsett river and is to sell the Mouldes he takes there at x.s the thousand. — Mr Stoughton — mill &c. 93.

342. It is ordered that if any boy that hath bin whipt for running from his Master be taken in any other plantation not having a note from his Master to testify his business there it shall be lawfull for the Constable of the said plantation to whip him and send him home. — Boyes runaways whipt. 94.

343. The howse is power granted to Mr Ludlowe and Mr Hogan to inventory and take into their keeping the goods & chattels of Mr John Tilly to satisfie sure debts as he owed in the Bay. — Mr Tilly's debts.

344 The price of rome is left at liberty to be sold as men can agree. — Price of rome free.

345. Mr Chester hath bonde himselfe in xl.li to appear at the next Court to be holden in June to answer to such things as shall be objected against him. Warrant Church & Philip Tabor have bonde themselves in xl.li a peece to appear then to give testimony against Mr Chester for selling commodities contrary to order. — Mr Chester. 94

346 A one ffland desire ffland and Hogg ffland are granted to Boston for 21.— pounds for the yearely rent of three pounds to be payd to the Treasurer upon the first day of the month commonly called April. — 3. ffland's demised to Boston. 95.

347. It was further ordered that every man of or above the age of twenty yeares — who hath bin or shall hereafter be resident within this Jurisdiction by the space of six monthes as an householder or sojourner and not infranchised shall take the oath — Oath to be taken by resients. 96.

hereunder written before the Governor or Deputy Governor or some two of the next Assistants who shall have power to convent him for that purpose and upon his refusall to binde him over to the next Court of Assistants and upon his refusall the second time he shall be banished except the Court shall see cause to give him further respit.

The Oath. Lib. 3 fol. 2

I doe heere sweare and call God to witnesse that being now an inhabitant within the limitts of this Jurisdiction of the Massachusetts I doe acknowledge my selfe lawfully subject to the Authoritie and government heere established, And doe accordingly submitt my person family and estate to be protected ordered and governed by the Lawes and constitutions heereof, And doe faithfully promise to be from time to time obedient and conformable heereto and to the Authoritie of the Governor and all other the Magistrates heere and their Successors and to all such Lawes ordered sentenced and decreed as now are or heere after shall be lawfully made decreed and ordered by them or their Successors And I will allwayes endeavour sad in duty I am bound to advance the peace and wellfare of this body politicke, And I will to my best power and meanes seeke to disturbe and detect what soever may tend to the ruine or damnage heereof or of the Governor Deputy Governor or Assistants or any of them or their Successors And will give speedy notice to them or some of them of any sedition violence treacherie or other hurte or ill wills I shall know heare or apprehend suspect to be plotted or intended against them or any of them or against the said Commonwealth or government established. So help me God.

97. Surveyors of lands to be provided.

It was further ordered that the Constables and some more of the chiefe inhabitants of every Towne to be chosen by all the freemen heere at some meeting heere with the advise of some one or more of the next Assistants shall make a surveying of the houses barnes and tomes fields moving ground and other lands improved or inclosed or granted by speciall order of the Court of every free inhabitant heere and shall enter the same in a booke fairely written in words at length and not in figures with the severall bounds and quantities by the nearest estimation and shall deliver a transcript heereof into the Court within six moneths now next ensuing and the same so entered and recorded shall be a sufficient assurance to every such free inhabitant his and their heires and assigns of such estate of inheritance or as they shall have in any such houses lands or franktenements.

Fee like for house ad.

The like tomes shall be taken for assurance of all houses and Towne lotts of all such ad shall be hereafter enfranchised and every sale or grant of such house or lotts ad shall be from time to time entred into the said booke by the said Constables and some inhabitants or their successors who shall be still supplied upon deaths or removall for which entry the purchaser shall pay six pence and the like summe for a copy thereof under the hands of the said surveyors or three of them.

Freemen made at the generall Court May 14. 1634.

Thomas Squire.
Robert Houlton.
John Wilson.
Roger Clapp.
Josiah Parter.
Thomas Talmage.
Richard Hamersbanks.
Philip Tabor.
Gregory Taylour.
10. John Chapman.
William Barnard.
Mr Thomas Hooker.
Mr Samuell Stone.
Edward Howe.
Bartholomew Owene.
Richard Wright.
John Steele.
Edmund Stebbins.
Andrew Warner.
20. George Cooke.
Richard Hutter.
Thomas Spenser.
Edward Rusle.
Richard Woodman.
John Pratt.
John Haward.
Andrew Ward.
Joseph Cutshwell.
Thomas Hatch.
30. George Whitefield.
Edward Hadden.
Joseph Peddings.
Anthony Colby.
John Rosworth.
Francis Plummer.
Humphrey Pimen.
Evan Williams.
James Hawkins.
Jacob Waundy.
40. Thomas Lawthrop.
Stephen Hart.
Jeffrey Crafty.
Richard Carterbury.
Thomas Hanpenshier.
William Hodges.
John Hosting.
Peter Wolfe.
William Chase.
William Talmage.
50. Mr John Cotton.
Nathaniell Willet.
Daniell Howe.
William Peddin.
John Cable.
Mr William Peirce.
Mr Thomas Mayhew.
Robert Walker.
Philip Drandell.
Thomas Hollrombe.
60. Thomas Danforth.
John Hoffing.
James Parker.
Walter Miller.
John Hardon.
Edmond Porter.
William Lawrence.
Stephen Freeth.
Christopher Passey.
Edward Randall.
70. John Litton.
Richard Drummond.
Jonathan Wade.
Thomas Goldham.
James Tomson.
Thomas Cubbard.
John Hall.
John Baker.
Mr William Brenton.
John Capen.
80. Francis Dent.
Henry Phelps.

Freemen made at the generall Court September 3. 1634.

Benjamin Hubbard.
Edmund Hubbard.
John Mousell.
William Baker.
William Glass.
Thomas Cobbs.
Gibber Wallwed.
Robert Chamberlyne.
90. Ralph Emmanway.
Jasper Fawlind.
John Crowe.
John Grunston.
William Throgbourne.
William Hurtind.
James Cheeill.
Jonathan Wood.
Kingsland Willust.
Alexander Porter.
100. Henry Judson.
Samuell Hammell.
Joseph Tadnapo.
Edward Richinson.
John Sibley.
Nicholas Willard.
Moses Maverick.
Mr John Spenser.
Robert Russell.
Henry Sporter.
110. Philip Fowler.
Simon Pendleton.
Abraham Finch.
Anthony Peirce.
John Bernard.
Martyn Underwood.
Samuel Smith.
John Browne.
John Eddy.
Robert Abbitt.
120. Robert Coe.
Nathaniell Foote.
Richard Davenporte.
Mr Thomas Blanberry.
John Moore.
John Hancock.
Ralph Hogge.
Robert Reynolds.
Robert Potter.
John Hardy.
Thomas Thornton.
Matthias Benson.
Mr Thomas Harter.
Mr Ingolad Easton.
Mr James Keiser.
Josiah Hubbard.

79

Freemen made May 4. 1634.

Captaine John Mason.	William Pantry.	Abraham Newell.	John Newgate.
Hugh Mason.	Thomas Miller.	Richard Popper.	Mr William Hutchinson.
10 George Newings.	John Hopkins.	Isaac Johnson.	Thomas Marshall.
John Wardisly.	John Bridge.	Christopher Peake.	Richard Hooke.
Samuell Hubbert.	William Kelsey.	Thomas Woodward.	William Rothwell.
Edward Dyer.	John Wennard.	Thomas Scott.	Thomas Nardall.
Thomas Warflett.	15 James Trisane.	Thomas Newman.	Richard Hutchinson.
George Himmer.	Samuell Greenhill.	Roger Sanford.	Francis Hutchinson.
Robert Abbott.	Timothy Stanley.	John Webster.	Emmanuel Weiss.
Richard Kettle.	Richard Ford.	Hugh Stewart.	Richard Truesdale.
William Johnson.	John Prime.	Joseph Metcalfe.	Edward Hitchin.
Thomas Wynd.	Edward Winship.	William Bartholomew.	Robert Walker.
15 Mr William Underwood.	Samuell Dunlin.	Thomas Dorman.	Joseph Cuson.
William Westwood.	Joseph Clarke.	Richard Kent.	John Talley.
Matthew Allyn.	John Wolcott.	James Dabyde.	Thomas Stanley.
Kim Wambridge.			

At a generall Court holden at Boston May 14 th. 1634. present

The Governor.	Mr Treasurer
Deputy Governor.	Mr Newell.
Mr Endicott.	Mr Coddington.
Mr Dudlowe.	Mr Bradstreete.

Mr Winthrop.	Mr Spencer.
Mr Talcott.	Mr Flint.
Mr Browne.	Mr Oldham.
Mr Sharpe	Mr Palmer.
Robert Moulton	Mr Coggeshall.
Edmond Quincy.	Captaine John Underhill.
John Johnson.	William Heath.
Mr Ellbrooke.	Mr Israel Stoughton.
William Pynchon.	George Hull.
Captaine Turner.	Mr Nowell.
Mr Edward Tomlins	Mr Holgrave.
Mr Gomant	Francis Nelson Cr.

98. Freemen. It was agreed and ordered that the former oath of Freemen shall be reviewed so farre as it is dissonant from the oath of Freemen hereunder written and that those that ministred the former oath shall stand bound no further thereby to any intent or purpose then this new oath tied those that now take the same. 352

The oath of Freemen.

The oath. Yo Cl. B. being by Gods providence an inhabitant and Freeman within the Jurisdiction of this Common wealth doe hereby acknowledge my selfe to be subject to the government thereof and therefore doe here sweare in the great and dreadfull name of the ever living God that I will be true and faithfull to the same and will accordingly yeilde assistance and support thereunto with my person and estate as in equity I am bound and will also truly endeavour to maintaine and preserve all the liberties and priviledges thereof submitting my selfe to the wholesome Lawes and orders made and 353 90

established by the same and further that he will not plott nor practise any ill-
against it nor consent to any that shall so doe, but will timely discover and reveale
the same to lawfull authority now here established for the speedy preventing thereof
wherunto he doe solemnely bynd myselfe in the sight of God that when he shall
be called to give my voyce touching any ensuing matter of this State wherein freemen
and to deale he will give my voyce and suffrage as he shall judge in mine owne conscience
may best conduce and tend to the publicke weale of the body without respect of person
or fashion of any man. So help me God in the Lord Jesus Christ. Further it is
agreed that none but the generall Court hath power to choose and admit freemen. Court generall. 99. ffreemen.

354. That none but the generall Court hath power to make and establish Lawes, Elect
to elect and appoint Officers as Governor Deputy Governor Assistants Treasurer
Secretary Captaines the tenants Ensignes or any of like moment or to remove
such upon misdemeanor as also to sett out the duties and power of the said Officers. 100. Lawes

355. That none but the generall Court hath power to raise moneys and treaties and to
dispose of lands right to give and confirme provided. Capes. 101.

356. Thomas Dudley Esq was chosen Governor for this yeare next ensuing and till a
new be chosen and did in presence of the Court take an oate to his said place belonging. Governor.

357. In like manner Roger Ludlove Esq was chosen to the place of Deputy Governor for
this yeare next ensuing and till a new be chosen and did take an oate in presence of
the Court to his said place belonging. Deputy Governor.

358. John Winthrop Junior John Humphrey John Haynes John Endicott Esquires Mr William
Pynchon Mr Gurdon Mr William Coddington Mr John Winthrop Junior Mr Simon
Bradstreet were chosen to the place of Assistants for this yeare next ensuing and
till a new be chosen and did in presence of the Court take an oate to the said place
belonging Mr Humphrey and Mr John Winthrop Junior only excepted who were absent. Assistants.

359. Mr William Coddington was also chosen Treasurer for this yeare next ensuing and
till a new be chosen. Treasurer.

360. In like manner Mr Simon Bradstreet was chosen Secretary for this yeare next ensuing
and till a new be chosen. Secretary.

361. The sentence of Court inflicted upon Robert Coles March 4th. 1633. for drunkenness
or by him committed is now released, upon his submission and testimony being given of
his good behaviour. Coles released.

362. It is agreed that there shall be xl. fine sett upon the Court of Assistants and Mr
Manthorp four bushels of in order of Corr against imploying Indian to choose with respect
the one halfe to be payd by Mr Pynchon and Mr Manthorp offending herein the other
halfe by the Court of Assistants then in being who gave leave thereunto. Indian. The fine was remitted by the Court.

363. It was further ordered that the Constable of Roxbury Plantation shall upon warre-
rrtibed from the Secretary give timely notice to the ffreemen of the Plantation where
he dwelleth to send so many of their said members as the warre shall direct to attend
upon publicke service, it is agreed that no tryall shall passe upon any for life or
banishment but by a Jury so summoned. Jury. 103.

364. It is likewise ordered that there shall be some generall Courts held yearely to be
summoned by the Governor for the time being and not to be dissolved without the con-
sent of the Major parte of the Court. Courts. Z 283. 104.

365. It was further ordered that it shall be lawfull for the ffreemen of Roxbury plantation
to choose two or three of their owne before Roxbury generall Court to consider of and
propound such publicke business as by them shall be thought fit to consider of at the next Deputyes. 105.

generall Court, Could that such person as shall be hereafter so deputed by the freemen of
generall plantations to deale in their behalfe in the publicke affaires of the Commonwealth shall
have the full power and voice of all the said freemen derived to them for the making and
establishing of Lawes granting of Lands &c and to deale in all other affaires of the common-
wealth wherein the freemen have to doe the matter of Election of Magistrates and other-
officers only excepted wherein every freeman is to give his owne voyce.

106. Swine. All former orders concerning swine are revoaked and it is agreed that every Towne 366.
shall have liberty to make such orders about swine as they shall judge best for themselves
And that if the swine of one Towne shall come within the limits of another, the owners
thereof shall be liable to the orders of that Towne where their swine so trespassed.

107. Nothing slayne. Upon a complaint made to Joshua Winthrop Esqr then Governor by a freeman of Sagus 367.
Nothing lately slayne at Rocksbery by one of Plymouth plantation desiring that justice
might be done upon the offender, the Court taking into consideration the same hath
ordered, that Mr Joshua Alden (being there present when the said Nothing was slayne
shall be detayned heere till answer be received from those of Plymouth whether they
will try the matter there or no or that sufficient security shall be taken that he the
said Joshua Alden shall not departe out of the limits of this Patent without leave from
the Court or Governor.

Mr Joshua Alden his reported of his death.

Bonds in recognizances &c. Mr Joshua Alden doth acknowledge to owe unto our Soveraigne Lord the King the summe 368
of two hundred pounds Mr Timothy Hatherley and Lieutenant Richard Morris an
hundred pounds a peece to be levyed of their goods & chattells &c.
The condition of this recognizance is that Joshua Alden shall not departe out of the 369
limits of this Patent without leave from the Court or Governor.

108. New towne. There is leave granted to the inhabitants of New towne to seeke out some convenient place 370
109. It was further ordered that Dorchester may shall remaine wth the Towne-Ship and not be may take out of England for wch for their habitation or have as an addition to that wth allready they have, provided they
do not take it in any place to prejudice a plantation allready planted settled.

110. Boston is to alter the lots Robert Way sing recognizance ad the Court shall limite meet. Furthermore the Court hath ordered that Boston shall have contentment in enlargement at Mount 371
Wollaston to be sett out by some indifferent men who shall draw a plott thereof and present it
to the next generall Court when it shall be confirmed, Mr Oldham Mr Spinnocke Mr Gregge
shall Ensigne Stoughton and William Hobson are chosen to view the place and to certifie
the next generall Court thereof.

111. Nimmot Scmot. It was further ordered that Nimmot Scmot and the houses there built and to be built 372
shall joyne themselves either to Charlestown or Boston as members of that Towne before
the next generall Court to be holden the first month in September next or else to be
layd upon to one of those two Townes by the Court.

112. Seaforts. Mr Thorpe Mr Vidner and Robert Moulton are desired to treate and bargaine wth 373
Mr Stebend and Mr Mayhew or wth either of them for the building of the Seaforts
by the treaty and the Court promisseth to performe what bargaine they shall make
for manner and time of payment.

113. Ordnance & Ammunition. Mr Edward Tomkins and Mr John Samford are intreated by the Court to take notice 374
of the ordnance & powder and shott and to make reports to the next Court in what
condition they are in.

114. Dorchester. It is ordered that Dorchester shall have three peeces of Ordnance to fortifie them 375
selves withall, One drake and two other peeces to be had from Charlestown.

115. Assistants deputyes. It was further ordered that if any Assistant or any man deputed by the freemen to 370
deale in publicke occasions of the Commonwealth doe absent himselfe without leave in

time of publicke business he shalle be fined at the discretion of the Court.

377. It was ordered that there shall be a warde of two kept every day at the ffort at Boston during the time of any Ships riding there to be bound by the publicke, and to be ordered by Captaine Underhill, and it is agreed that those plantations that by reason of their remotenesse are unwilling to send men shall pay iij.d. a day for a man to serve as Captaine Underhill shall hire when it comes to their turne. — A warde at the ffort. 116.

378. It is further ordered, that in all rates and publicke charges the Towne shall have respect to every every man according to his estate and with consideration of all other his abilities wherebyer and not according to the number of his persons. — Rates publicke. 117.

379. Mr Robert Harding William Hawlston and Ralph Sprague are chosen Sergeants to Captaine Underhill and John Dyer chosen Corporall to the said Captaine. Richard Dansford was chosen Ensigne to Captaine Traske. — Military Officers. 118.

380. It was further ordered that there shalle a watch of two a night kept in every plantation till the next generall Court. — Watch. 119.

381. The deputy Richard Mr Israel Stoughton and Mr Coggeshall are desired by the Court to take an account of John Winthrop Esqr for such commodities as he hath received of the common stocke. — Common stocke. 120.

382. There is 500. Acres of land granted to Mr Simon Bradstreet lying Northwest from the lands of John Haynes Esqr and above the falles of Charles river where he were provided there be not just reason shewed against it at the next Court when it may not be granted him. — Grant to Mr Sim: Bradstreet of 500. Acres. 121.

383. There is liberty also granted to Mr Israell Stoughton and Mr Nowlott to looke out ffarmes for themselves with promise to accommodate them. — Mr Stoughton Mr Nowlott.

At Court holden at Newtowne June 3. 1634. present,

The Governor. Mr Dudley.
Deputy Governor. Mr Pynchon.
Mr Winthrop sen. Mr Nowell
Mr Haynes. Mr Winthrop jun.
Mr Bradstreet.

384. Ellwood Plummery sworne Constable of Dorchester. — Dorchester constable.

385. Nehemiah Thomas Jane late servant to John Winthrop by the providence of God is fallen lame and impotent and hath since remained at Dorchester where he hath bin chargeable to that plantation and like to continue. It is therefore ordered that the Inhabitants of Massachusetts shall send to Dorchester for the said Thomas Jane and shall pay for all the charges they have bin at in keeping him during his abode at Dorchester. — Winthrop impotent settled at Massachusetts.

386. Mr John Winthrop jun being chosen an Assistant at the last generall Court did now take an oath to his said place belonging in presence of the Court. — Mr Winthrop jun: ass:

387. Upon consent of William Harlard administrator to John Russell and Robert ffibbin and 3. monethes service in New England It is ordered that in consideration of some service performed at sea by the said Robert ffibbin and 3. monethes service in New England that the said Robert ffibbin shall be sett free and have 1li 13s 4d forgiven him being he ought to his said master John Russell. — ffibbin.

388. Mr Thomas Mayhew is intreated by the Court to examine what hurt the swine of Charlestone have done amongst the Indian barnes of corne on the Northe side of Mistick and accordingly the Inhabitants of Charlestone promise to give them satisfaction. — Swine of Charlestone trespass Indians.

389. Mr Thomas Mayhew being administrator of Mr Walter Abbot hath now exhibited an — Mr Abbot intestate.

Inventory of the said estate into the Court there is therefore day given till the first Tuesday in August next for the Creditors of the said Ralph Stoker to make their demands of such debts as are due to them or old the said estate shall be divided between those that then come in, the other to be excluded.

A Court of Assistants holden at Newtowne July 1. 1634. present.

The Governor. Mr Endicott.
Deputy Governor. Mr Treasurer.
Mr Winthrop. Mr Pynchon.
Mr Haynes. Mr Nowell.
Mr Bradstreet.

Robert Ward. It was ordered that Robert Ward shall remaine wth the signes Dennison till he make it appeare to the Court that he hath lawfully assigned him to some other he confessing he was assigned to him by his Master Ward. 390

William Almy. William Almy is fined v[s] for not appearing at the last Court being summoned and is enjoyned to bring to the next Court an Inventory of the goods he received of Edward Johnson dutiefully prized by indifferent men. 391

Dorchester payd for Land. It is ordered that the Treasurer shall pay unto the Deputy Governor and some other the Inhabitants of Dorchester the summe of three pounds being charged they have bin at with Thomas Lane an important person. 392

Dennison agt Allerton. It is ordered that Mr Isaac Allerton shall pay the summe of xl[li] to Mr William Dennison for charged in Sent about a debt of one hundred pounds. 393

Newtowne. It is further ordered that the Inhabitants of Newtowne shall enjoy the meddow on the North side of the pond except that wch John Chapman hath alreadyes mowen and offer to be bounded by the generall Court to whome it shall belonge. 394

Tilly & others, Reference. By consent of Mr Mariyner his Company and John Tilly the difference betwixt them is referred to John Winthrop sen[r] Mr William Pynchon Mr Thomas Cooper Mr Charge also the difference betwixt Mr John Pogan and John Tilly for money payd by Mr John Pogan to the Shipp Company by their consent is referred to the partyes before mentioned as likewise the difference betwixt John Tilly and Henry Pogan is referred to the partyes aforesaid. In his reference there is a bill of 33[li] of John Tilly to be exepted. 395

A Court holden at Newtowne. August 5. 1634. present,

The Governor. Mr Endicott.
Deputy Governor. Mr Treasurer.
Mr Winthrop sen. Mr Pynchon.
Mr Haynes. Mr Nowell.
Mr Humfrey. Mr Bradstreet.

Day of Thanksgiving. It was ordered that wednesday the 20th of this month shall be kept as a day of publicke thanksgiving throughout the severall plantations for the safe arrivall of Shippes and passingers this Summer &c. 396

Fresh river. It is ordered, that Agawam shall be called Ipswich. 397

Rawlins for overcharge of wages. 5s. It was witnessed upon oath, that James Rawlins tooke xxx[ti] days and meat & drinke for 10. dayes worke for one of his servants for weeding corne contrary to an order of Court and therefore is to pay 5s. for every day he hath so transgressed. 398

Mr Humfrey inc. John Humfrey Esq[r] being chosen an Assistant at the last generall Court did now take in oath to his place belonging in the presence of the Court. 399

Joanna his wife. Richard Joanna hath bounde himselfe in c[li] for his wifes personall appearance at the Court to be holden in October next to answere to such things as shall be objected against her. 400

401. Francis Dodson hath bound himselfe in xl.li for his personall appearance at the Court to be holden in October next to answere for breach of an order of Court in taking two — Dodson wages textisive.
weak wages ex.

402. Samuell Foster chosen and sworne Constable of Waterton.

403. It was ordered that Katerine Bray shall be whipt for her filthie and unchaste behavio — Waterton Constable. Unchaste whipt.
with a bonad lettin.

404. Richard Hitchcocke hath bound himselfe in xxli to make his personall appearance at the Court to be holden the first Tuesday in October next to answere to such things as shalbe objected against him. Hitchcocke.

405. It was ordered that such moneys as shalbe layd out for the maintenance of Widdow = dowe Rosworth and her family shalbe payd againe by the Treasurer. Widdow Rosworth.

406. Whereas it was made knowne to the Court that Robert Way was lawfully assigned by Ensigne Dennison to Edward Linton, It was therefore ordered that the saide Linton shall keepe the saide Way according to covenant. Robert Way.

407. Sir John Humfrey Knt and Mr Francis Rowell were desired by the Court to take — depositions of the witnesses of Mr Aspinwall in a case betwixt Sr William Waverston Baronet and the saide Mr Aspinwall. Sr Wm Waverston against Mr Aspinwall.

At a generall Court holden at Newtowne September 3. 1634.

408. It was ordered that there should be a platforme made on the Northeast syde of Castle — Island and an howse built on the top of the hill to defend the saide platforme. Castle Island platforme. 122.

409. It was further ordered that warrants shalbe sent to the Constable of every Plantation to — send in money or workemen to make that way they have allready done three dayes a peece towards the ferry at Boston both of New towne and other for every hands able to worke except Magistrates and Ministers that are behinde to be delivered to Captaine Underhill before the next Court of Assistants. Boston ferry. 123.

410. It is ordered that in all ordinary publicke works of the Commonwealth the Overseer of the works with the helpe of an Assistant shall have power to send their warrant to the Con= stables of the next Plantations to send so many labourers and Artificers as the warrant shall direct, which the Constable and two other or more of the Freemen which he shall take to himselfe shall furnishe according for wages subsite the Assistant and Overseer shall have power to give such extraordinary wages as they shall judge the works to — deserve, Provided that for any ordinary works no man be compelled to worke from some more then a week at a time. And for all extraordinary publicke works It is ordered that the Overseer of the works and an Assistant shall have power to send their warrant to the Constables of any Plantation to send so many of any condition (except Magistrates and Officers of Churches and commonwealth) as the warrant shall direct, which the Con= stable and two or more that he shall chose shall furnishe send. Publicke works. 124.

411. It is further ordered that there shall be a fortification made at the point where Robert Mouldton at Charlestown and another either at the Deane Roberts or at more convenient place where the committees for that businesse shall judge most convenient for fortification and how many posts shalbe at every place is referred to the Committees and Overseers of the works this to be done by the publicke. Provided that if Salem shall fortifie themselves and satisfie the Court within those twelve moneths that then they shall — have such moneys returned them as they have contributed to the said forts of Castle — Island Charlestown & Dorchester. Fortifications at Charlestown. Salem.

412. Captaine Underhill Captaine Patrick Captaine Mason Captaine Cutshe Captaine & Mr Newman Lieutenant Stoke Lieutenant Morris are chosen Committees to finde out the — Committees.

For fortifications. Condescended & agreed for situation and also to lay out the generall works for fortification at Castle Island & Charlestown and Dorchester, and also the Deputy & General is chosen Surveyor for the works at Castle Island Mr Israel Stoughton for that at Dorchester and Mr Thomas Leverett for that at Charlestown.

Boston Fort. It is likewise ordered that the forenamed Committee shall appoint what further addition of works shall be done to the Fort at Boston. 113.

120. Trainings. It is ordered that the Captaines shall traine their bands once every month giving a — wecke warning before (except in July and August) and that the Captaines shall have liberty to traine all such musticall men as are at their owne hands so often as they please provided they exceede not three dayes in a week. 114.

127. Gunpowder & Wares. It is ordered that the present Governor and John Winthrop Senr John Haynes John Humfrey and John Endicott Esqrs shall have power to consider and give commands for the managing and ordering of any wares that may befall in for the space of a year not exceeding and till further order be taken herein. 115.

128. Ammition Adventurers. Mr Thomas Leverett Mr John Pynchon Mr Richard Dummer Mr Kinglad Easton Mr Israell Stoughton Mr John Oldham Mr Daniell Denison Mr John Holgrave and Mr Timothy Tomlins are chosen Adventurers of the powder & shott and all other Ammition in the generall Plantations where they live, Mr Oldham for Watertown & Roxbury. 116.

129. Ammition. It is ordered that all the muskets bandileirs and rest latch some other this year shall be equally divided amongst the generall plantations, and the Towns to have at all times so many in a readinesse as a Town stocke. 117.

130. Ammition. It is ordered that Mr Edward Tomlins or any other put in his place by the Commissioners for warres with the help of an Assistant shall have power to press men and teams for ordinary wages to help towards the making of such carriages and provisions as are wanting for the Ordinances. 118.

131. An oath about Armes. It is likewise ordered that there shall be an oath given to the Captt and another to the Adventurer of the Armes suitable to their place. 119

132. Gaoler. Mr John Sampson is chosen Gaoler for the Fort at Boston and it is ordered that for two years service that he hath allready done at the said Fort and for one year more he shall doe to be accompted from this day he shall have allowed him out of the Treasury the summe of xxl. 120.

133. Pyked & muskets. It is further ordered that every trayned souldier and well ayrsmen as others shall be furnished with muskets bandileirs and rest powder and shott according to the order for musketeers under the penalty of xs. 121.

134. Shooting at a mark. Further it is ordered that no trayned souldier shall make any shott upon any training days but with bullets at a marke by direction of the Captaines under the penalty of xxd for every such shott. 122.

135. Bounds of all Towns to be set out by a Committee. It is ordered that Mr Oldham Mr Daniell Denison Walter Sprague Edmond Grimes Mr Dummer Ensigne Stoughton John Kirman Peter Walker & Mr John Spencer or the major parte of them shall have power to set out the bounds of all Towns not yet set out or in difference betwixt any Towns provided that the Committees of those Towns where the difference is shall have no voice in that particular and the Committees are appointed to returne into the next Court in November what they have done herein. 123

136. Nimrod Neck of Boston. It is ordered that Nimrod Neck shall belong to Boston and to be accounted as parte of that Town. 124.

425. It is ordered that no person that keepes an ordinary shall take above iij.d a meale for a person and not above j.d for an ale quarte of beere out of meale time under the penalty of v.s for every offence either of drynk or beere. Ordinaries. 137. & 274 repealed

426. Likewise that Victuallers or keepers of an ordinary shall not suffer any tobacco to be taken in their howses under the penalty of v.s for every offence to be payd by the victualler and iij.d by the party that takes it. Tobacco. 138.

427. Furthermore it is ordered that no person shall take tobacco publickly under the penalty of iij.s. iij.d nor privately in his owne howse or in the howse of another before strangers and that two or more shall not take it together any where under the aforesaid penalty for every offence. Tobacco. 139.

428. The Court taking into consideration the great monstrous and unmeasurable expences occasioned by reason of some new and immoderate fashions as also the ordinary wearing of silver gold and silke laced girdles hatbands &c hath therefore ordered that no person either man or woman shall hereafter make or buy any apparell either woollen silke or linnen with any lace on it silver gold silke or threed under the penalty of forfeiture of suche cloathes. Also that no person either man or woman shall make or buy any slashed clothes other then one slash in every sleeve and another in the back, also all cutworks imbroydered or needle works tapped bands and ranges are forbidden hereafter to be made and worne under the aforesaid penalty also all gold or silver girdles hatbands belts cuffs beaver hats are prohibited to be bought and worne hereafter under the aforesaid penalty. Moreover it is agreed if any man shall judge the wearing of any the aforementioned particulars new fashion or long haire or any thing of the like nature to be unseemly or prejudicial to the common good and the party offending reforme not the same upon notice given him, that then the next Assistant being informed thereof shall have power to bynde the party so offending to answere it at the next Court if the case so required, Provided, and it is the meaning of the Court that men and women shall have liberty to weare out suche apparell as they are now provided of except the immoderate great sleeves slasht apparell immoderate great ranges long ringes &c This order to take place a fortnight after the publishing thereof. Apparell. 140.

429. The Tenement at Winnetsnet is granted to Mr Samuell Maberiche to enjoy to him his heires and assigns for ever And it is agreed that the Court shall from time to time appoint what shall be payd for the transportation of one alone and what for two or more both to Boston & Charlton. Grant to Mr Sam: Maberiche of Winnetsnet farm. 141

430. Haddocks Island is granted to the Inhabitants of Charlton to enjoy to them and their heires for the space of One and twenty yeares for the yearely rent of twenty shillings Provided that if there be a plantation in the meane time settled by the Court at Natasset then this present grant to be voyde. Grant of Haddocks Island to Charlton for 21. yeares. 142.

431. It is ordered that hereafter no man shall be liable to pay the forfeit of v.s for every Pounde ayded and giving more wages to workemen then the Court gathett also that if any person that hath bargained for any worke by the greate shall complaine to the Court at some meeting (either letter or tuter) that the bargaine proved not equall on his parte It shall be lawfull for the Court to appoint three men that shall sett an equall rate thereon Also it is agreed that 2.d a day for dyett shall be abated to all workemen and some shall allowed them more in their wages Worke by the great Arbitrators. 143.

144. Servants lotts. It is ordered that no servant shall have any lott of land allowed him in any plantation 432
till he hath approved his faithfulnesse to his Master during the time of his service.

145. Ensigne Yoderkind. Sergeant Yoderkind is chosen Ensigne to the Company at Portsmouth and Mr Winthrop is 433.
desired to give him possession thereof.

146. Allowance to the Comittees for bounds. It is further ordered that the nyne Committees appointed to sett out the bounds of Towns 434
shall have 2s 6d a day allowed every one of them out of the Treasury for so many days
as they expend in that service.

147. Captaines their maintenance. It is ordered that every Captaine shall be maintained by his owne Company and — 435.
where any Company consisted of two Townes or more the generall Towne shall contri-
bute to the maintenance of that Captaine proportionably to the number of Souldiers
each Towne.

148. Indians. It is ordered, that it shall be lawfull for any Englishman to imploy any Indian to shoote — 436.
with a peece that the generall court shall give leave unto.

149. Indians servants. The Court is leave granted to the Deputy Governor Mr John Winthrop Esqr and Mr John Win= 437.
throp Jun: each of them to intertaine an Indian a peece ad an houshold servant.

Indians to be throwne downe & shoote at fowle licensed. 2. Further there is leave granted to the Deputy Governor to have his Indian training with 438.
the rest of the Company at Dorchester and to shoote at fowle, Also there is leave granted
to Mr John Winthrop Jun: to imploy his Indian with a peece to shoote at fowle.

150. Fishing at Watertown. It is ordered that no man shall fish with a net neare the weire at Watertown then the 439
further parte of the Island in the river and there also neare to trosse the river
wholly with any net except it be at high water or after.

151 Salem market. The Court is leave granted to the Inhabitants of Salem to keepe a market weekly on the 440.
fourth day of the weeke commonly called Wednesday.

152. Roxbury Weire granted to Mr Thra: Stoughton. The Ferry at Roxbury is granted to Mr Thradd Stoughton to enjoy to him and 441.
his heires for ever after this manner right, to have the sole priviledge of the river
from the said weire to the bridge and also between the said weire and the salt=
water according to his agreement with the Towne of Dorchester And it is agreed
that Mr Stoughton shall make and keepe in repaire a sufficient horsebridge over
the said river and shall allwayes from time to time sell the aforesaid horsebridge
at 5s for thousands.

An horsebridge. Mentioned.

153. Newtowne weire. The Court is leave granted to the Inhabitants of Newtowne to build a weire upon 442
any place of Mindimmid river within their owne bounds.

154. John Winthrop Esqr. It is ordered that the Declaration Commit of John Winthrop Esqr late Governor 443.
now exhibited into Court shall be recorded.

155. Treasurer in England. It is ordered that there shall be letters written to these gentlemen hereunder mentioned 444.
and signed by the Court of Assistants right Mr George Harwood Mr John Dobell Mr
Thomas Andrewes Mr Richard Andrewes Mr Francis Kirby Mr Francis Webb Mr
George Fortescue and Mr Robert Keayne or to intreate them to make choice of a man
amongst themselves to be Treasurer for a year for this plantation ad also to give
them power to write an acquittance of Mr Harwood now Treasurer ad also to give
the said Mr Harwood a full discharge.

Letters of thanks to Benefactors. Also it is agreed that there shall be letters of thankfullnesse signed by the Court and 445
sent to the Governor of Warwick Mr Haynes Mr Wood & others that have bin
benefactors to this Plantation.

156. Intermission by members in Court. It is ordered that if any member of the Court shall begin any speeche while ano= 446.
ther is speaking to interrupt the former he shall forfeit 2s 6d for every offence.

447. It was the generall desire of the Court that the fourtie days of the next week — might be kept as a day of publicke humiliation throughout the severall Plantations. — 31. Day of humiliation. 157.

448. The Court is adjourned till this day fortnight the 24th day of this present — moneth. — Adjournment.

September 25th.

449. Mr Johnson is intreated to receive all such Ordinances goods and accompts as are now sent in the Shippe Darlin by Mr Haynes as parcell of Doctor Wilsons gifte to the plantation. — Parcell of Doctor Wilsons gifte. 158.

450. It is ordered that there shalle an ammition house built at Newtowne at the publicke charge. — Ammition house. 159.

451. It is ordered that Hamed Ydon shall have allowed him the summe of xxti for this yeare to be endd at the generall Court in May next his office to be Marshall of the Court. — Hamed Ydon Marshall. 160.

452. It is ordered that the Doborne shall have xlti allowed him for this yeare towards — his extraordinary charge. — Doborne's xlti. 161.

453. It is further ordered that there shalle five hundred pounde levyed out of the severall — plantations for publicke use the one halfe to be levyed forthwith the other halfe before the next generall Court viz t out of — At Levy of 600li. 162.

Dorchester	80li.	Ipswich	50li.
Roxbury	70.	Salem	45.
Newtowne	80.	Charlestown	45.
Watertown	60.	Weathersfield	26.
Sangud	50.	Wessagusset	10
Boston	80.	Marblehead	4.

Summ tot — 600li.

454. Mr William Goddington being chosen to the place of Treasurer at the last generall Court did now take an oath to his said place belonging in the presence of the Court. — Mr Goddington Treasurer inst. 163.

455. It is ordered that every person that desired to enter an action against another shall pay before the entry thereof the summe of iijd to the Treasurer for the time being. — Action 12d. 164.

456. It is ordered that it shalle lawfull for the Treasurer to pay to any three of the commissioners for martiall affaires or to any of the Overseers of fortifications — such money as under their hands they shall require which shalle be a sufficient discharge to the Treasurer for so much money disbursed by him the like for any money appointed by the Court to any particular person. — Fortification charges out of the Treasury. 165.

457. John Haynes Esqr is desired to oversee the Ammition house to be built at Newtowne. — Ammition house Overseer. 166.

458. Mr Wanton is likewise desired to oversee the house of correction to be built at Boston. — House of correction Boston. 167.

459. Mr Edward Gibbones is chosen Ensigne to Captaine Underhill. — Ensigne Gibbones. 168.

460. It is ordered that the Scottish and Irish gentlemen with intended to come hither shall have liberty to sit downe in any place up Merrimacke river not possessed by any. — Scotse Irish. 169.

461. It is ordered with the consent of Watertown that the meadowe on this side Watertown river containing about 30. acres be the same more or lesse and now used by the In= habitants of Newtowne shall belong to the said Inhabitants of Newtowne to enjoy to them and their heires for ever. — Watertown. Newtown. 170.

462. Also it is ordered that the ground about Muddy river belonging to Boston and used by Boston. — Boston. 171.

171. Newton. the Inhabitants thereof shall hereafter belong to Newtowne the wood and timber thereof growing and to be growing to be reserved to the Inhabitants of Boston, Provided, and it is
Hooker. the meaning of the Court that if Mr Hooker and the Congregation now settled there shall remove hence that then the aforesaid meadowe grounds shall returne to Watertown and the grounds at Muddy river to Boston.

172. Mr Stongeton 150. acres medowe. There is an hundred and fifty acres of medowe ground granted to Mr Israell — 465.
Stongeton lying about 8. or 9. miles up Naponsett river to enjoy to him and his heires for ever.

173. Salem Ammition. It is ordered that Salem shall have the use of two old Sakers lauded there by the — 464.
Sir Thoutune for wch they are to provide Carriages.

174. Ipswich. It is ordered that Ipswich shall have the use of two drakes to be had from Boston 465.
for wch they are to provide Carriages.

175. Ipswich. It is ordered that Ipswich shall have the use of two Sakers or a drake for wch they 466
are to provide Carriages wthin a moneth after they have them.

176. Boston. It is ordered that Boston shall have inlargement at Mount Wollison or Summer — 467.
Marsh.

177. Training. Lastly it is ordered that Lieutenant Morrid shall traine the Company at Portsmouth. 468

The Account of John Winthrop the late Governor.

178. John Winthrop the his Account declarative. Heard by order of the last generall Court Commissioners were appointed viz Roger Ludlow 469.
the Deputy Governor and Mr Israell Stongeton Gent to receive my account of my things as I have received and disbursed for publicke use in the time of my Gouernment I do make this declarative Account ensuing,

First I affirme that I never received any money or other goods committed to me in trust 470
for the Commonwealth otherwise then is hereafter expressed.

Item I acknowledge I have in my custody certaine barrells of common powder and some 471.
matts and drumheads wch some things belonging to the Ordnance, wch Powder being lauded at Charles Cove and exposed to the injury of the weather I took and bestowed first in a Tent wch I made of mine owne broadcloth being then worth viij^d the yarde but in that sorbine mixt wonder, After I removed it to my Storehouse at Boston where it still remaines save that some of it hath bin spent in publicke service and two barrells delivered to Dorchester and some to Portsmouth and three barrells I sold to some Shipes that needed them wch I will allowe powder or money for the rest I am ready to deliver up to such as shall be appointed to receive them. I received also some meale and pease from Mr Wise of Dorchester in England and from Mr Prior of London which was bestowed upon such as had nede thereof in the generall Court as also ye tiben by Mr Newson. I received also from Mr Humphry some mens freeze suits shoes and hose the certaine value whereof I must know from himselfe with letters of direction to make use of the greatest parte thereof as tiben to helpe bear out my charge for the publicke. I payd for the freight of those goods and disposed of the greatest parte of them to others, but how I cannot sett downe I made use also of two paire of carriages wheeled wch I will allowe for, I had not meddled wth them but that they lay useless for want of the Carriages which were lefte in England.

For my disbursements I have formerly delivered to the new Deputy a bill of parte of them 472.
amounting to neare 300^li which I disbursed for publicke service since for wch I have received in corne at 6^s the bushell and wch will not yeilde me above 4^s about 100^li or neare so much. I disbursed also for the transportation of Mr Phillips and

his family which was to be borne by the generall till he should be chosen to some particular Congregation.

473. Now for my other charges by occasion of my place of Deborrd It is well knowne I have expended much and somewhat I have contributed towards it wch I should have wished rather wishe but that being called to Chrount I must mention my disbursements wch my weakeness and in both shall referre my selfe to the relacione of the Court.

474. I was first chosen to be Deborrd without my seeking or expectation there being then diverse other gentlemen wch for their abilities otherwise were farre more fit. Being chosen I furnished my selfe with servants and provision accordingly in a farre greater proportion then I would have done had I come ad a priuate man or ad an Assistant only. In this Office I continued some yeares and were an halfe although I earnestly desired at every election to have bin freed. In this time I have spent above 500li. yearly of which 200li. yearly would have maintained my family in a priuate condition. So ad I can truely say I have spent by occasion of my late office above 1200li. — Towards this I have contributed by way of benevolence from some Towns about 50li. and by the last yeares allowance 150li. and by some provisions sent by Mr Humfrey ad is before mentioned about 50li. or it may be somewhat more.

475. I also disbursed at our comming away in England for powder and great shott 216li which I did not put into my bill of charges formerly delivered to the new deputy for because I did expect to have payd my selfe out of that parte of Mr Johnsons estate which he gave to the publicke but finding that it will fall farre short I must put it to this Accompt.

476. The last thing wch I offer to the consideration of the Court is that my longer continuance in the said Office hath put me into such a way of unavoydable charge ad will be still ad chargeable to me ad the place of Deborrd will be to some other

477. In all these things I referre my selfe to the wisdome and justice of the Court with this protestation that it concerneth me not of my cost or labor bestowed in the service of this Commonwealth but doe heartily blesse the God of heaven that he hath pleased to bind me so farre ad to call for any thing he hath bestowed upon me for the service of his Church and people, the prosperity whereof and his gracious acceptance shall be an abundant recompense to me.

478. I contribute with this one request (wch in justice may not be denyed me) that ad it stands upon record that upon the discharge of my office I was called to accompt so this my declaration may be recorded also least hereafter when I shall be forgotten some blemish may lye upon my posterity when there shall be nothing to cleare it off. September 4.th 1634. John Winthrop.

At a Court holden at Wroxton October 6th 1634, present

The Br. Broome	Mr Cudworth
Doctor Broome	Mr Johnson
Mr Wainthrop	Mr Howell
Mr Harnes	Mr Wainthrop Jun.
	Mr Bradshaw.

Ensigne Jonson & Tindall. It is ordered that Ensigne Jonson shall be fined the summe of xx^ti^ for upbraiding the Court with injurious uttering these words, I pray God deliver me from this Court professing that he hath wanted from Court to Court and could not have justice done him. &c. — 479.

Mr Bradford mistake. It is ordered that Lieutenant Clarke Mr Richard Browne Mr Pendleton and Ephraim Childe shall take an Inventory of the goods and chattells of Mr Bradford lately deceased and return the same into the next Court. — 480.

Some trespasses. It is ordered that Mr Hull William Hayward Edwards Pimmey Mr William Hall and Mr William Watterne shall have power to heare and determine the severall trespasses that hath bin done by the crime of severall persons in the Towne of Tomas Richards as also for the charge he hath bin at in keeping his Corne and for other charges incident thereunto. — 481.

Indian. Clement Rivigs is fined xx^ti^ for interteyning an Indian without leave and is enjoyned forthwith to departe himselfe of him. — 482

Costs, Nonsuit. John Newman tooke oath he was summoned by Richard Kent to appeare this day at the Court to answere him in an action of trespasse and now prosecuted not so the Court hath given him xx^ti^ Dammage. — 483

Lice whipt for scandal &c. It is ordered that John Lee shall be whipt and fined xx^ti^ for speaking opprobriously of the Roberns saying he was but a Conniard Clarke and what understanding had he more then himselfe also taxing the Court for making Lawes to pinch mens purses as also for abusing a maide of the Roberns pretending to be in the way of marriage with himselfe professed he intended none as also for intiteing her to goe with him into the Cornefield &c. — 484

Dumbe finds. Daniell Hall is fined x^s^ for dumbe mouthed by him committed a Spiteboard himselfe freely confessing his offence. — 485.

Lambert recognizance forfeited. Richard Lambert hath forfeited his bond of xx^ti^ binding him to appeare at this Court and it is ordered that Benjamin Witham and Robert Walker shall have x^s^ a peece allowed them being witnesses summoned to appeare. — 486.

Will Planner Item. John Humphry Esqr is deputed by the Court to take deposition of the witnesses to the will of William Planner lately deceased — 487.

Indian turne trespass Upon a complaint of the Sagamores of Nayaram for hurt done in his Corne by the Cowes of Charlotton It is ordered that Mr Howell shall heare his witnesses and appoint what satisfaction he shall have and who shall give it and to binder ober to the Court those that refuse payment. — 488

At a Court holden at Newton November 7th 1634. present,

The Roberts. Mr Treasurer.
Deputy Roberts. Mr Pynchon.
Mr Winthrop. Mr Howell.
Mr Haynes. Mr Bradshaw.

409. It is ordered that the goods and chattells of Christofer Ollyver now in the custody of Roger Williams and Thomas Cham or the proceeds thereof shall be sequestred and remaine in the hands of Mr Israell Stoughton till the said Christofer Ollyver shall satisfie such debts as are due from him to Mr Israell Stoughton and John Hosmer sen. — Sequestration agt Ollyver.

410. It is ordered that Henry Knight shall be sett in the bilboes for swearing. — Swearing, bilboes.

411. It is ordered that Ensigne Dumford shall be sent for by warrant with commaund to bring his bolbes with him to the next Court as also any other that hath defaced the said bolbes William Knoxe is bonde in £. to appear at the next Court and to abide the sentence of the Court. — Ensigne Dumford, Bolbes defaced. Knox.

412. Mr John Benjamin William Pantry and Henry Woldron are by reason of their age and infirmitie dismissed from training only they are to have in readinesse at all times sufficient armes for themselves besides for their servants. — Training. Armes.

413. Christopher Grant is fined xx s. for drunkenness by him committed. — Drunke fined.

414. Thew is 30s of John Webb's fine of 40s remitted him. — Webb fine mitigated.

At a Court holden at Newton March 3. 1634. present.

The Roberts Mr Endicott.
Deputy Roberts. Mr Treasurer.
Mr Winthrop. Mr Pynchon.
Mr Haynes. Mr Howell.
Mr Bradshaw.

415. The constable of Dorchester is fined xx s. for not returning his warrant for the last Court to the Court. — Dorchester constable fined.

416. The constables of Boston is fined xx s. for the like. — Boston constable.

417. It is ordered that Mrs Lothwood widdow shall bring all the writings that her husband left in her hands to John Cannock Esq and Simon Bradstreet on the third day of the next week who shall detayne the same in their hands till the next Court when they shall be disposed of to those to whome they belonge. — Lothwoods writings.

418. Edmund Hubbard son to the constable of Charlston for this yeare next ensuing and till a new be chosen. — Charlston constable.

419. It is ordered that the goods and chattells of Mrs Anne Cooman shall be inventoried by 3. or 4. of the ancients of Dorchester and returned into the Court when they shall be disposed in April next Mr Pynchon is desired to appoint the men that shall doe it. — Anne Cooman.

420. Whereas John Stanley dyed intestate in the way to New England and left three children undisposed of the youngest whereof is since deceased having also left an estate of Corpt in goods and chattells or It is therefore ordered with the consent of Thomas Stanley brother to the said John deceased that he shall have for benefit the summe of xxx li of the said estate put into his hands in consideration whereof the said Thomas Stanley shall educate or bring up John Stanley sonne of John Stanley deceased finding him meate drinke and apparell till he shall attaine the age of 21. yeares and at the end of the said terme shall give unto the said John Stanley the summe of fifty pounds. — John Stanley intestate. Tho: Stanley. Tutor of John Stanley an infant.

93

421. It is ordered by the consent of Timothy Stanley another brother of the aforesaid John — Timothy Stanley

Tenitor of Anty Stanlay. Stanlay deceased that the other moiety of the aforesaid estate shall be put into the hands of the said Timothy Stanlay in consideration whereof the said Timothy shall educate and bring up Anty Stanlay daughter of the aforesaid John Stanlay deceased finding her meat drink and apparell till she shall attaine the age of 21. yeares and at the end of the said terme or at the day of her marriage with Timothy Stanlay consent shall give unto the said Anty Stanlay the summe of thirty pounds.

Proviso. Provided if either of the said children shall dye before the expiration of the said termes then the party who lost the said child shall stands to the order of the Court for payment so much to the surviving child as the Court shall appoint.

Cockin sedition. It is ordered that Richard Cockar shall be whipt heere this day and on Tuesday day of the next weeke at Boston for inticing seaveral persons that were servants to run away to the Duty Plantation and to steale divers things to carry with them.

Johnson item. Also it is ordered that Samuell Johnson shall be whipt for the like offence.

Willis intestate. It is referred to Francis Imphey Esqr and John Endicott Esqr to heare and determine all matters of difference concerning the estate of Willis deceased wherein betwixt any that layed claime to any parte thereof.

A generall Court holden at Newton March 4th. 1634. present,

The Governor.	Mr Endicott.
Deputy Gouernor.	Mr Venner.
Mr Winthrop.	Mr Pynchon.
Mr Humphrey.	Mr Nowell.
Mr Haynes.	Mr Bradstreet.
Mr Bellingham.	Lieutenant Morris.
Captaine Turner.	Mr Abraham Palmer.
Lieutenant Floyd.	Mr William Gibbon.
Ensigne Gennison.	Mr Woodbridge.
Ensigne Lidonod.	Ensigne Stoughton.
Mr Richard Brown.	Mr John Porter.
Mr Hogeskill.	Mr Timothy Tomlyne.
Mr Talcott.	Mr Thomas Newberry.
Mr William Spenser.	John Firman.
John Sheffield.	Mr John Holgrave.
Mr William Dennison.	Charles Scott.
John Johnson.	Peter Palfrey.

Captaine Mason.

Two deputyes of Ipswich indulgently censured. Upon a Certificate of 5. Commissioners chosen by the Court to consider of the election of the deputyes of Ipswich it did appeare to the Court that two of them vizt Mr Easton and Henry Scarle were indulgently chosen who were forthwith dismissed so Mr John Spenser only stands legally elected in the opinion of the Court.

179. Mr Stoughton Booke burnt. Mr Israell Stoughton hath written a certaine booke which hath occasioned much trouble and offence to the Court the said Mr Stoughton did desire of the Court that the said booke might forthwith be burnt as being weake and offensive.

180. Castle Island fforts. It is ordered that the fforts at Castle Island now begun shall be fully perfitted for ordinance mounted and always other thing about it finished before any other fortification be further prosecuted in.

Mr Pynchon fined about the body. Mr Pynchon is fined the summe of 5^li. for refusing to pay his parte of the last rate for Portsmouth without discovering because as he alleaged that Towne was not equally rated with Ipswich.

Saugus item. The Towne of Saugus is fined the summe of xl^li. for refusing to pay their body according

511. The Towne of Salem is fined likewise the summe of xlⁱ. — Salem item.

512. The foure fines were remitted by the Court.

513. Jeremy Norton acknowledgeth to owe unto our Soveraigne Lord the King the summe of xxⁱⁱ. to be levyed of his goods and chattells. The condition is that he shall be of good behaviour towards all men till this time twelve moneth ex. — Norton bien porte.

514. It is ordered that the Deputyes mr Howell and mr Greenhill shall take the accomt of mr Pynchon late Deputyes and make returne thereof into the next Court. — Mr Pynchon late Deputyes acomt.

515. It is ordered that John Whitmore, John Emery and John Endicott Esqrs or any two of them shall have power to divide the lands at Reading within foure myles of the Towne to particular men and in equity they shall think meete. — Division of land at Reading. 181

516. It is ordered that mr Israell Stoughton shall be disabled for bearing any publicke office in the Commonwealth within this Jurisdiction for the space of three yeares for affirming the Christians were no Magistrates. — Mr Stoughton disabled for 3 yeares. 184.

517. It is ordered that there shall be no more Generall Courts before the 6th of May next notwithstanding the former order touching the keeping of Generall Courts. — Courts.

518. It is ordered that no person whatsoever shall goe aboard any shippe without leave from some one of the Christians untill he hath bin at Christ 24. howses at Nataschett or within some harbour that is inhabited nor then unlesse it be apparent that he is a friends under paine of confiscation of all his estate and such further punishment as the Court shall think meete to inflicte. — Boarding shipp. 183.

519. It is further ordered that no person whatsoever shall sell or buy any Tobacco within this Jurisdiction after the last of September next under the penalty of xⁿ a pound and so proportionably for more or lesse to be payde by buyer and seller and that in the meane time no person shall buy or sell any Tobacco at a higher price then it shall be valued at by the Governor for the time being and two other men he shall depute to goe under the penalty aforesaid. — Tobacco. 184. explained p. 297

520. It is ordered that there shall be fortyfyed a Beacon sett upon the Sentry hill at Boston to give notice to the Country of any danger and that there shall be a warde of one person kept there from the first of April to the last of September and that upon the discovery of any danger the Beacon shall be fired and an allarme given as also messengers presente sent by that Towne where the danger is discovered to all other Townes within this Jurisdiction. — Beacon. 185.

521. Whereas mr Gullimore Servant to mr Abraham Mellowes is necessarily imployed in publicke service of the Commonwealth in making carriages It is therefore ordered that John Humphrey Esqr and John Endicott Esqr shall have power to prosse any other Carpenter to supply the needs of mr Mellowes in lieu of the said Servant. — Carriages.

522. It was voted by the major parte of the Court that the Act of mr Endicott in altering the crosse in the Ensigne at Salem shall be referred for hearing and determining thereof till the next generall Court. — Crosse in Ensigne altered. 186.

523. It is ordered that hereafter farthings shall not passe for twenty pence. — Farthings. 187.
It is likewise ordered that musket bullets of a full bore shall passe twenty for a farthing a peere provided that no man be compelled to take above xⁿ. at a time in them. — Bullets for farthings.

524. John Winthrop Esqr and Richard Bellingham Esqr are desired by the Court to take a view of all orders allready made and to informe the next generall Court which of them they judge meete to be altered abrogated repealed reversed changed or explained. — Orders, Laws, reviewed.

188. Forfeitures military. It is ordered that all forfeitures for want of armes or not observing trayning dayes shall be distrayned by the officers of the band where the offence is committed wee together wee the Captaines and other Officers shall have power to bind theirselves and sure armes ad poore men want and are not able to provide themselves of. 525.

189. Resiants oaths. It is further ordered that every man of or above the age of sixteene yeares wee hath bin or shall hereafter be resident within this Iurisdiction by the space of sixe moneths as well Servants as others and not infranchised shall take the oaths of Residents before the Deputy Governor or two of the next Assistants wee shall have power to convent him for that purpose and upon his refusall to bind him over to the next Court of Assistants and upon his refusall the sonne time to be committed at the direction of the Court. 526.

190. Lands & lotts to freemen assurance. Further it is agreed that the order made in Aprill 1634 for the assuring of Lands and Towne lotts for freemen shall forthwith be sent in execution and that those white are not freemen that have taken or shall hereafter take their oaths respectively shall have the same assurance of Lands as in that order is provided for freemen. 527.

191. Commissioners & Controll of warres. It is ordered that the present Deputy Governor John Winthrop John Humphry John Haynes John Endicott William Coddington William Pynchon Increase Nowell Richard Bellingham Esqrs and Simon Bradstreet or the major parte of them who are deputed by this Court to dispose of all military affayres whatsoever shall have full power and authority to see all former Lawes concerning all military men and munition executed and also shall have full power to ordayne or remove all military Officers and to make and tender to them an oath suitable to their place to dispose of all Commanies to make order for them and to make and tender to them a suitable oath and to see that strict discipline and trayninge be observed and to commaunde them forth upon any occasion they shall make to make either offensive or defensive warre as also to doe whatsoever may be further beneficiall for the good of this plantation in case of any warre that may befall us and also that the aforesaid Commissioners or the major parte of them shall have power to imprison or confine any that they shall judge to be enemies to the Commonwealth and such as will not come under commaunde or restraint as they shall be required It shall be lawfull for the said Commissioners to put such persons to death this order to continue till the end of the next generall Court. 528.

192. Ammition house. The order for building an Ammunition house at Newton is revoaked. 529

193. Ammition in every Towne. It is ordered that every Towne in this Iurisdiction shall before the 8th of April next provide at their owne charges a safe and convenient place to keepe such powder and ammunition as the Commissioners for martiall affaires shall appoint them to fetch from Boston under the penalty of xx to be paid by the Towne as also shall at all times have so much in readinesse for publicke service under the aforesaid penalty. 530.

Mr Stoughton accomt. It is ordered that Mr Israel Stoughton shall forthwith give an accomt to the Treasurer of the 8th of the Generall Court of his receipts and disbursements for publicke use. 531.

194. It is ordered that there shall be 300 Rodds cut off the Generall Plantations for publicke use according to the last order of Court and that those Towns to be warned to the Treasurer before the first of May next. It is ordered that the Constables of every Plantation shall deliver to the Deputyes to be spent for the next generall Court a copye of their Towne Rates to be considered of by them to the end that those Towns which have bin overrated in the 900 Rodes may in the next Rates receive equall satisfaction for the time past and to come. 532.

195. Captaines maintenance. It is ordered that from this day forward the Captaines shall receive maintenance out of the Treasury and not from their companies. 533.

196. Freemens oaths. It is ordered that the freemens oaths shall be given to every man of or a boy of the age of 16. years and the Clause for election of Magistrates onely excepted. 534.

197. Castle Island fortification. It is ordered that the Deputy Governor Overseer of the fortification at Castle Island shall have power to press men for that worke for so long time as in his direction he shall 535.

thinke meete not withstanding the former order in September to the contrary.

536. The difference betwixt Boston and Dorchester about their bounds at Mount Wollistone is referred to Lieutenant Cloke, Mr Talcott and Mr Wolridge to view and determine as also the bounds betwixt Mount Wollistone & Massaguisnet with the Court enjoined them to performe before the 29th day of this present moneth under the penalty of 5li. a peece. Mr Isaac Cobbet and William Pelebed are appointed to goe along with them to shewe what grounds our Towne required all other persons are prohibited going along with them under paine of contempt.

Boston & Dorchester. 198. References. Mount Wollistone.

537. The difference betwixt Boston and Charlestown about their bounds of land at Dummer marsh and the land Heardbonts is referred to the final determination of John Haynes Esq. John Winthrop Esq. Captaine Turner and Mr Bozier and no other are allowed to accompany them.

Boston & Charlestown 199. References. Dummer marsh.

538. Deacon Island, Hogg Island, Long Island and Spectacle Island are granted to the inhabitants of Boston to enjoy to them their heires and successors that shall inhabite there for ever paying to the Treasurer for the time being the yearly rent of iiijli. and the former rent of iiijli. is remitted them.

4. Islands appropriate to Boston. 4li. 200 p annum.

539. The rent of xxli. to be payd by the Inhabitants of Charlestown for Peddocks Island is remitted them to xijd.

Peddocks Island to Charlestown for 1d. p annum. 201

540. Whereas the yearly rent of the Coborned garden was the 5th parte of all the fruit that shall growe there It is ordered by this present Court at the request of John Winthrop Esq. that the rent of the said Island shall be an hogshead of the best wine that shall growe there to be payd yearly after the death of the said John Winthrop and nothing before.

The Coborned garden. The hogs wine. 202.

541. The Composed Island is granted to the Inhabitants of Dorchester to enjoy to them their heires and successors which shall inhabite there for ever paying the yearly rent of vijd. to the Treasurer for the time being.

The Composed Island to Dorchester. 203.

542. The difference betwixt Newton and Waterton concerning all bounds of lands in differences betwixt them is referred to Mr Palmer Mr Colborn and John Johnson who are appointed to determine the same before the next Court of Assistants under the penalty of 5li. a peece Mr Bezeler and Ephraim Child are only allowed to accompany them.

Newton & Waterton References. 204.

543. It is ordered that Robert Coles shall not pay more of his fine of xli. for drunkenes then hath bin already levyed in strong water.

Coles fine mitigate.

544. Whereas at the generall Court in Mayo last there was five hundred acres of lands granted to Simon Bradstreet on the south side of Merrimack river upon a condition there expressed, It is therefore ordered by this present Court that the said Simon Bradstreet shall have the said quantity of 500. Acres of lands lying northwest of the lands of John Haynes Esq. to enjoy to him his heires and assigns for ever. And it is agreed that he shall take no parte thereof within a mile of Waterton weire in case the bounds of Waterton shall extend so farre on that side the river.

Mr Bradstreet 500. Ac. 205.

545. It is agreed that Mr Allerton shall be sent for by warrant to the next Court of Assistants to the intent that he may understand the desire of the Country for his removall from Marble harbor and so to be enjoyned to be at the next generall Court or otherwise to be dealt withall as the particular Court shall thinke meete.

Mr Allerton to remove from Marble harbor.

546. It is ordered that no person shall from henceforth transport out of any Indian Corne or meale out of this Jurisdiction till the next harvest under the penalty of viij.li. p bushell transported for any corne or meale that shall be so transported.

Corne not to be transported.

206. Absenteed from Church meetings on Lords days.

Whereas complaint hath bin made to this Court that diuers persons within this Iurisdition doe vsually absent themselves from Church meetings vpon the Lords day. Wherefore it is ordered to any two assistants to heare and censure vpon them by fine or imprisonment at their discretion all misdemeanors of that kinde committed by any Inhabitant within this Iurisdition provided they exceede not the fine of 5s. for one offence. 547.

207. Beaver.

The order of the 5th of June 1632. for paying 2d a pound for beaver traded with Indians is now repealed. 548.

Engl. & Indian. matrimony.

The matter of marriage betwixt English and Indians is referred to after consideration. 549.

208. Mr Waterhouse.

It is ordered that Mr Samuel Waterhouse shall before the last of December next remove his habitation for himselfe and his family to Boston and in the meane time shall not give entertainment to any strangers for longer time then one night without leaue from some assistant and all this to be done under the penalty of 5li. 550.

209. Hirome to victualle.

It is ordered that no person whatsoever shall keepe a common victualling house without licence from the Court under the penalty of xxs. a week. 551.

210. Beaver.

It is ordered that merchantable beaver shall passe at 5s. the pound. 552.

211. Course payed rate.

It is ordered that it shall be lawfull for any man to pay his rate to the Treasurer in merchantable corne of the Country at 5s. the bushell, this order to continue till the next harbest. 553.

212. Grant of Lands to Mr Gradone.

All grounds as well vplands as meadows lying and being betwixt the lands of Mr Howell and Mr Wilson on the east and the partition betwixt Mistrie Pounde on the west bounded with Mistrie river on the south and the woods on the North is granted to Mr Mathew Gradone merchant to enjoy to him and his heires for euer. 554.

213. Saugus, Salem, Marble harbor bounds.

It is ordered that Mr Howell and Mr Manthorp shall set out the bounds betwixt Saugus and Salem and betwixt Salem and Marble harbor as also betwixt Marble harbor and Saugus before the 22th of this present month vnder the penalty of 10li a peece John Humphrey and John Endicott Esqrs are allowed to goe along with them for Saugus and Salem and Mr Holgrave for Marble harbour. 555.

214. Grant of Lands to Mr Rowbery.

There is one hundred acres of vplands grounds and an hundred acres of meadowe grounds granted to Mr Thomas Rowbery lying next to the lands of Mr Iswell Stoughton about 8. or 9. miles vp Naponsett river on the North side of the said river to enjoy to him and his heires for euer. 556.

215. Gorgianwitte for Inland plantation.

It is ordered that the lands about Gorgianwitte shall be reserued for an inlands plantation and that whosoever will goe to inhabite there shall have three yeares immunity from all taxes lebyes publicke charges and seruices whatsoever, military discipline only excepted. 557.

A Committee therefor.

John Winthrop Richard Collington and William Coddington Esqrs are chosen Committees to treate with that they think meete to inhabite there and that it shall be lawfull for no person to goe thither without their consent or the major parte of them. 558.

216. Debt to Mr Winthrop.

It is ordered that sixe moneths of the 900li lately rated shall not be disbursed about publicke affaires of the Commonwealth shall be payd to John Winthrop Esqr as parcell of an old debt. 559.

Mr Pynchon 5li remit.

There is 5li remitted to Mr Pynchon of his agreement of 25li for his beaver trade. 560.

217. High waies.

Whereas there hath bin a complaint made to this Court that many highways in the Country are inconveniently layd out, It is therefore ordered that the Court of Assistants shall have power to lay out such highways as are wanting and rectifie those that are amiss. 561.

561. It is ordered that Mr Richard Dimmer and John Johnson shall build a sufficient Bridge over Muddy river before the next generall Court and that Boston Roxbury Dorchester Newton Watertown shall equally contribute to it. ed. — Muddy river bridge. 218.

562. It is ordered that noe person whatsoever either people of this Jurisdiction or strangers shall buy any commodities of any shipp or other vessell that comes into this Jurisdiction without licence from the Governor for the time being under the penalty of confiscation of such goods as shall be so bought or the value of them. Rep. — licence to trade with Shipps. 219.

563. Captaine Turner Mr Duncan Mr William Dennison Mr Hoggeshall Mr Goldridge Mr Manthorne Mr William Spencer Mr John Holgrave and Mr Bartholomew or any of them are authorized by the Court after any shipp or other vessell hath been 24. houres at Anchor and is discovered to be a friend to board her take notice of what commodities shee hath to sell consider about the prices thereof and after to acquaint their partners therewith who together or the major parte of them shall have liberty to buy all such commodities as they shall judge to be usefull for the Country for present payment or billes of exchange and at such prices as they can agree which goods being so bought shall be landed in by the said merchants in some magazin neere to the place where the shipp is anchored And the said merchants shall at any time during the space of twenty dayes after the said goods are landed and notice thereof given to the Generall Court sell to any inhabitant within this Jurisdiction such commodities as he needes after 5^t p. C. p. pentum profit and not above. Rep. — Merchants authorized. — Magazin. — 5^t p. C.

564. It is ordered that the charges for diet of the Governor Deputy Governor Assistants and deputyes of generall Courts during the time of every Court as also the diet of Commissioners for martiall discipline at the times of their meetings shall be paid out of the Treasury. — diet of Commissioners borne by the publicke. 220.

565. It is ordered that the bounds of Newton and Dorchester about Muddy river and so into the Country shall be set out by Captaine Dennison before the next Court of Assistants under the penalty of 5^t. Mr Daniell Dennison Mr John Cambell and William Davis and no other are allowed to goe along with them. — Newton & Dorchester bounds.

566. It is ordered that no Indian corne except seed corne shall be sold for above 6^s p. bushell under the penalty of forfeiture of such corne or the value of it, this order to continue till Harvest next. — Corne.

567. It is ordered that when the deputyes of generall Courts are met together before any generall Court it shall be lawfull for them or the major parte of them to hear and determine any differences that may rise about the election of any of their members and to order things amongst themselves that may concerne the well ordering of their body. — Deputyes Election. 221.

568. It is further ordered that at every generall Court there shall be six men appointed by the Governor for the time being out of the Towne where he lives to attend with halberds and swords upon the person of the Governor and the rest of the members of the Court during the space of the first day of every generall Court and that there shall be two men appointed by the Governor to attend in like manner at every particular Court at the publicke charge. — Guard. 222.

569. This Court doth entreate of the Elders and brethren of every Church within this Jurisdiction that they will consult and advise of one Uniforme order of discipline in the Churches agreeable to the Scriptures and then to consider how farre they are bound to indeavor for the preservation of that uniformity so found out of the Churches. — Churches Government. 223.

570. It is ordered that the Commissioners for martiall discipline shall take an oath suitable to — Commissioners martiall 224.

Oath. their places before they execute any parte of their commission.

Commissioners sworne. It here is power given to John Humphrey Esqr to give mr Endicott his oath, all the officers — 571.
Commissioned for martiall discipline did take their oathes respectively in the presence of the Court. ed

225. Two grand Juryes yearely. It is ordered that there shalle be two grand Juries summoned every yeare hereafter to — 572.
inform the Court in March, the other to inform the Court in September yearely of
the breaches of any order or other misdemeanors that they shall know or heare to be com-
mitted by any person or persons whatsoever within this Jurisdiction or to doe any other
service of the Commonwealth that they shalle be enjoyned.

At a Court holden at Newton Aprill 7th 1635. present,

The Governor.	mr Cotton.
Deputy Governor.	mr Hopkins.
mr Winthrop.	mr Nowell.
mr Haynes.	mr Bradstreet.

Howe & Knop. It is referred to John Haynes Esqr and mr Hobart & Coke to audit the accompts betwixt 573.
Edwards Howe and William Knop to swearr witnesses and examine them what they
can say in the case and to make return thereof into the next Court.

Ens: Hemisons fine remitted. Ensigne Hemisons fine of xxx is remitted him upon his submission and acknowledgment of 574.
his offence.

mr Blatchford & Mahanton. It is ordered that Mahanton shall give two swines of brawn to mr Blatchford for 575.
damage done him in his swine by setting of trappe &c.

Kirman & Company of Husbandry. Further it is ordered that Goodman Crafter shall pay to John Kirman out of the estate 576.
of the Company of husbandry the summe of fourteen pounds eleven shillings and
five pence being the remainder of the eight parts of the said estate wthin mad by order
of Court given the said John Kirman provided if hereafter it shall appeare that
there is not so much due to the said John out of the said 8th parts that then he shalle
accomptable for the same.

Edmond Lothrop & estate. It is ordered that the Elders of Malden with the consent of Robert Lothrop executor 577.
of Edmond Lothrop deceased may dispose of the children and estate of the said Edmond
Lothrop (given to them) to such persons as they thinke meete, wch if they performe not
wthin fourteene dayes it shall be lawfull for the Widowe John Haynes Esqr and
Simon Bradstreet to dispose of the said children and estate as in their discretion
they shall thinke meete, as also to take an accompt of the said Robert Lothrop and
give him a full discharge.

Griffin. It is ordered that Griffin Montague shalle sett in the Pillowes for stealing boards 579.
and clapboards from mr Willbore, and is enjoyned to remove his habitation from
Muddy river before the next generall Court under the penalty of v^li

Griffs servant lame. William Griffin promisseth to give yeldings towards the cure of his late servant being infirme 580.
of lame.

mr Goggeshall & Carpe & Lobend. It is ordered & referred to mr Cotton and mr Hopkins to examine and prepare 581.
the businesse betwixt mr Goggeshall & Carpe daughter of John Lobend and to
return the same into the next Court.

Swearing & stealing. Ordered that John Heywood shall be whipt for swearing & stealing. 582.

226. Northbury & Newton bounds. It has been betwixt Northbury & Newton its lands out to run southwest from Muddy river 583
neere that place wch is called mr Nowells bridge a tree being marked on Roxbr side and from
the mouth of the river to that place the south side is for Northbury & the north side for Newton, by me
William Hemison.

584. William Holbrean John Johnson & Abraham Palmer being appointed by the generall Court to lay out the bounds betwixt Waterton & Rowley Waterton & Rowley 227.
returned into the Court. It is agreed by and whose named and hereunderwritten
that the bounds betweene Waterton and Rowley shall stand as they are allready shewn
Charles River to the great pond, and from the tree marked by Waterton & Rowley bounds.
Rowleyonne on the southerne side of the pond, over the pond to a white poplar tree
no into the Country northwest & by west upon a straight line by a meridian compasse
and further that Waterton shall have one hundred rods in length above the Mill river and
one hundred rods beneath the weire in length and threescore rods in breadth from the
river on the south side thereof and all the rest of the ground on that side the river to
be to Rowley. William Holbrean. John Johnson. Abraham Palmer.

At the generall Court holden at Rowleyonne May. 6th 1635. present.

The Governor.	Mr Endicott.
Deputy Governor.	Mr Coddington.
Mr Winthrop.	Mr Pynchon.
Mr Haynes.	Mr Rossell.
Mr Humfrey.	Mr Bradstreet.

Together with the Deputyes assistants.

Captaine Turner.	Robert Coulton.
Lieutenant Foote.	John Johnson.
Mr Boyer.	Samuell Wakeman.
Mr Daniell Denison.	William Parker.
Mr Talbott.	Joshua Hilde.
John Cooke.	Edward Rose.
Mr Entrimson.	Mr Crowborry.
Mr Goggeshall.	Mr Gallowe.
Mr Holbrean.	William Pynchon.
Mr Nolgrave.	Mr Marshfoulmens.
John Woodberry.	Thomas Lynott.
Mr John Nobrott.	Mr John Spencer.
Pulse Sprague.	Thomas Smith.

585. John Haynes Esq was chosen Governor for this yeare next ensuing and till a new Governor.
be chosen and did take an oath to his place belonging in the presence of the Court.

586. Richard Bellingham Esq was chosen Deputy Governor for this yeare next ensuing and till Deputy Governor.
a new be chosen and did accordingly take an oath to his place belonging.

587. John Winthrop and Thomas Dudley John Humfrey William Coddington William Pynchon Assistants.
Increase Rossell Simon Bradstreet & John Winthrop Junr Atherton Hynge & Richard
Dummer were chosen Assistants for this yeare next ensuinge and did take an oath to
their place belonging in the presence of the Court, John Winthrop Junr only excepted,
who was absent.

588. Mr Roger Ludlow at his owne request was dismissed from the charge of observing the Mr Ludlow.
fortification at Castle Island.

589. Mr Thurston Richard Gallicott William Heath Abraham Palmer Edward Ebbond Mr Committee about
Oldham Timothy Tomlyne Francis Norton Humfrey Bradstreet Mr Woodman Mr Chiver Mr Endicott & Staring
Mr Glover Mr Spencer were chosen Committees to consider of the Act of Mr Endicott the Governor.
in defacing the Colours and to report to the Court how farre they judge it consonant.

590. Liberty is granted to the Inhabitants of Waterton to remove themselves to any place they Waterton. 228.
shall think meete to make choice of provided they continue still under this Government.

Mr Endicott censured. The Commissioners chosen to consider of the act of Mr Endicott concerning the Colonel at Salem did report to the Court that they apprehend he had offended divers many ways in rashness, unseasonableness, indiscretion and exceeding the limits of his calling, whereupon the Court hath censured him to be sadly admonished for his offence, which accordingly he was and also disabled for bearing any office in the Commonwealth for the space of a year next ensuing. 591.

229. Pessipscot, Sheepscot, Bomeds. Nequasarunton is allowed by the Court to be a Plantation and it is referred to Mr Humfrey, Mr Endicott, Captaine Turner & Captaine Traske or any three of them to sett out the bounds of Pessipscot and Nequasarunton or Sommers Towne as they can and the name of the said Plantation is changed and hereafter to be called Newberry. 592.

Newberry. Whether it is ordered that it shall be in the power of the Court to take order that the said plantation shall receive a sufficient company of people to make a competent Towne. 593.

230. Portsmouth. The Inhabitants of Portsmouth have liberty granted them to remove themselves to any place they shall think meete not to prejudice another plantation, provided they continue still under this Government. 594.

231. Mr Dummers farme. It is referred to Mr Humfrey, Mr Endicott, Captaine Turner & Captaine Traske to sett out a farme for Mr Dummer about the fall of Newberry not exceeding the quantity of 100. Acres, provided also it be not prejudiciall to Newberry. 595.

232. Commissioners for Martiall affayres. The Governor Deputy Governor Iohn Winthrop Thomas Dudley Iohn Humfrey Roger Ludlow Esqrs and Mr Thomas Stoughton or the major parte of them (who are appointed by this Court to dispose of all military affaires whatsoever) shall have full power & authority to set all former Orders concerning all military men and munition repealed, and also shall have full power & authority to ordeyne and remove all military officers, to appoint the generall Captaines their allowance to be payde out of the Treasury and to instruct all Officers wth power and to make and tender to them an oath fitable to their place to dispose of all companies to make order for them to make and tender to them a fitable oath and to see that all strict discipline and training be observed and to commande them forth upon any occasion they think meete to make any defensive warre as also to doe whatsoever may be further beneficiall for the good of this plantation in case of any warre that may befall us. And also that the aforesaide Commissioners or the major parte of them shall have power at any time to imprison or confine any that they shall suspect to be enemies to the Commonwealth and to bring in either alive or dead such as shall refuse to come under commande or restraint as they shall be required and after any alarme it ceased till the companies are dismissed it shall be lawfull for the said Commissioners or the major parte of them to put any offender to death by a martiall tryall this Commission to continue till the end of the generall Court that shall be held in or after the moneth of September next. 596.

Allerton & Blaberiff. Memorandum that Mr Allerton hath given to Moses Blaberiff his Comon in Hewsall his howses buildings and staged that he hath at Marble head to enjoy to him and his heirs for ever. 597.

Marble head. It is ordered that there shall be a Plantation at Marble head and that the Inhabitants now there shall have liberty to plant and improve such grounds as they standin need of and that as the said plantation increaseth the Inhabitants of Salem shall partake wth such grounds as shall be improved by them thereabouts being paydfor their labour and cost also it is agreed that none shall goe to inhabite there without leave from the Court or two of the Magistrates. 598.

599. Furthermore it is ordered that the land betwixt the Cliffe and the Forrest under neare Marblehead shall for the present be improved by Mr John Humfrey Esq and that as the inhabitants of Marblehead shall stand in need of it the said Mr John Humfrey shall part with it, the said inhabitants allowing him equall recompence for his labour and cost bestowed thereupon, Provided that if in the meane time the inhabitants of Salem can satisfie the Court that they have time right into it that then it shall belong into the inhabitants thereof. — Marblehead. Salem.

600. There is 400. Acres of land and a fresh pond with a little Island contayning about two acres granted to Mr John Humfrey Esq lying betwixt Rowe and Neff from Saugus provided he take no parte of the 400. Acres within 5. miles of any Towne now planted, Also it is agreed that the inhabitants of Saugus and Salem shall have liberty to build fire-howses upon the said Island and to lay in such provisions as they judge necessary for their use in time of need. — Grant to Mr Humfrey of 400. Acres ed. 233.

601. The Worrs Deputy Governor John Winthrop and Mr Thomas Dudley Esqrs are deputed by the Court to make a draught of such Lawes as they shall judge needfull for the well ordering of this Plantation and to present the same to the Court. — Committee for Lawes. 234.

602. Mr Thomas Venner is chosen Captaine of the Fort at Castle Island. — Captaine Venner.

603. Mr Thomas Clowberry is chosen Overseer of the worke at Castle Island in the roome of Mr Roger Ludlow Esq and it is ordered that he shall have the same power to press men for the worke that Mr Ludlow had and also to press Carts for such allowance as he thinks meete. — Mr Clowberry Overseer of fortification at Castle Island.

604. It is ordered that there shall be a ferry sett up on Boston side by the windmill hill to transporte men to Charlestown and Winnetsemet upon the same rate that the ferryman at Charlestown and Winnetsemet transporte men to Boston. — fferry at Boston. 235.

605. It is referred to Mr Holgrave Mr Colbran and Eliant Sprague to sett out the Bounds of land betwixt Boston and Charlestown on the Northeast side of Mistick river. — Boston & Charlestown bounds.

606. The Accompt of Mr Pynchon late Treasurer hath bin perused by the present Treasurer and Mr Nowell and upon their reporte to the Court that it is a true Accompt the said Mr Pynchon is discharged. — Mr Pynchon quitte ffr.

607. It is ordered that it shall be lawfull for Mr Greenidge to transporte ten bushells of corne out of this Jurisdiction notwithstanding any former order to the contrary. — Corne transported by licence.

608. The Court is adjourned till the first wednesday in June. — Adjournm.

June 3. 1635.

609. It is ordered that Mr Holgrave shall have power to press men to help make the Salte at Marblehead and such Corne as is to be brought into the Bay and him shall be discharged to discharge the same. — Salt.

610. It is ordered that no person whatsoever shall keepe any pigge for longer time then a moneth that shall fall betwixt the last of July and the first of January under the penalty of xs for every pigge halfe to be paide to the informer thereof and the other halfe to goe to the Treasury. Furthermore it is agreed that there shalle no corne given to any swine betwixt the last of July and first of January except corne brought from other parts and refuse corne of the Country to be judged to be so by the Constable of the Towne under the penalty of xs for every offence. — Swine.

611. There is leave granted to Mr Hilton to transporte 30. bushells of corne out of this Jurisdiction notwithstanding any former order to the contrary. — Corne of Corne transported.

236. Weights & measures. It is ordered that every Towne within this Jurisdiction shall provide a yerde and a bushell as also for weights a quarter halfe a pound. 1. 2. 4. 7. and 14.lb. as also a meete yarde all to be made by the standard at Boston and sealed by James Luce the Marshall before the generall Court in September under the penalty of fourty shillings for every defect. 612.

237. Dorchester. Sommerscott. The Howse is like leave granted to the Inhabitants of Dorchester for their removeal as — Waterton hath granted to them, Also there are three peeces granted to the Plantations that shall remove to Sommerscott to fortifie themselves withall. 613.

The Court is adjourned till the first wednesday in July next. 614.

July 8th 1635.

238. Boston & Saugus bounds. It is ordered that Mr Holgrave shall sett out the bounds of Boston and Saugus about Pimmen marsh William Phesebourge and Thomas Smith are allowed to accompany him. 615.

239. Canford Island granted to Mr Hutchinson. The Canford Island is granted to Mr William Hutchinson to enjoy to him and his heires for ever. 616.

Scope & rattle at Newberry. It is ordered that there shall be a convenient quantity of lands sett out by Mr Dummer and Mr Bartholmew within the bounds of Newberry for the keeping of the Scopes rattell that come over in the Dutch Shipp this yeare and to belong to the owners of the said Cattell. 617.

Swine. Mr Treasurer Mr Dummer Mr Newberry Mr Weeter and Robert Houlton are chosen as committees to consider of and draw up an order about swine and return the same into the Court. 618.

Repeal about trade with Shipped. The order that prohibited the buying of commodities of Shippes or other vessells but by such as were authorized by the Court is now repealed. 619.

Massagusett. The Howse is leave granted to 21. ffamilyes to sett downe at Massagusett. 620.

Barrowe Constable. Joshua Andrewes Sworne Constable of Barrowe. 621.

Massag: & Barrowe bounds. Mr Newberry and William Hubbard are appointed to sett out the bounds betwixt Massagusett and Barrowe. 622.

Mr Maberick & Mr Mansfield Mr. Samuell Maberick & Mr Thomas Mansfield are enjoyned to bring to the next generall Court their accomts for publicke business wherein they were imployed. 623.

Tobyes fine mitigate. The Howse is bill of Tobyes fine of xl.s remitted him. 624.

240. Newberry mill & weire. The Howse is liberty granted to Mr Dummer and Mr Spenser to build a mill and a weire at the ffalls of Newberry to enjoy the said mill and weire with such privileges of grounds & timber as is expressed in an agreement betwixt them and the Court to enjoy to them and their heires for ever. 625.

200.li Lotty. It is ordered that there shall be fifty.li lotyed out of the generall Plantations for publicke use the one halfe to be lotyed presently the other halfe before the next generall Court. viz.t 626.

Dorchester 2	27.li 6.s 8.d	Salem 2	16.li — o — o
Boston 2	27. — 6 — 8.	Saugus 2	16 — o — o
New Towne 2	27 — 6 — 8.	Ipswich 2	8 — o — o
Roxbury 2	20 — o — o	Newberry 2	8 — o — o
Watertown 2	20 — o — o	Massagusett 2	4 — o — o
Charlestown 2	16 — o — o	Medford 2	10 — o — o
			200.li

627. It is ordered that there shall be a pound made in every Plantation within this Jurisdiction before the 8th day of this moneth, and that such swine as shall be found in any corne field shall be impounded, and notice given to the owner thereof, if he can be knowne or otherwise to be made knowne at the next lecture, and if within three dayes after notice given they be not owned it shall be lawfull for the party who had the harme done to gett the swine prized by two of his neighbours, and then he shall have liberty to sell the said swine and pay himselfe double dammages being judged by two indifferent men, & the like recompence is to be made for such swine as are owned before publicke notice given thereof, & this order to extend to all ffarmes but not to little smale parcells of roome of an acre or lesse planted remote from Towns & inhabited. ffurther as for such swine as cannot be impounded it shall be lawfull for the party to get the harme done to kill the said swine and pay him selfe for harmes and so to return the remainder thereof to the owner of the swine, and if any swine shall escape out of the pound or be taken out, the owner thereof shall notwithstanding be liable to pay dammages as before mentioned, if he can be knowne. Pounds. Swine.

628. The bounds between Boston and Charlestowne are from the Creeke along in the Creeke northward in the same till we come to a little neck of land that comes from the east side of the same neck there the first stake stands a little on the east side of it and from thence to a marked tree at the foot of the marsh against noon of all sydes, and from that tree to another that lyes right opposite over an hill, and from thence to an high fall pine that stands upon a point of a creeke on the side of the highway to mistake the sydes of Mummys marsh & from — out sydes to outsydes by a straight line. John Holgrave. Boston & Charlestown bounds.

629. ffreemen made at the generall Court May 6th. 1635. ffreemen.

Philemon Pormorte. Thomas Swiffe.
Henry Elkins. Robert Nuttall.
Christopher Martiall. Thomas Posner.
Edmund Rinkley. William Butler.
Edward Bivorne. John Arnoll.
Garrett Bourne. George Storrin
William Poll. Nathaniell Eby.
Benjamin Gilham. 30. Robert Day.
Thomas Mrorke Jeremy Adams.
10. Edmond Jarkling. Joseph Waggott.
John Stebbe. John Hall.
Thomas Pitere. Samuell Allen.
Mr Zacharias Symd. Humphry Wradshew.
Barnabas Heyned. Thomas Jeyne.
Geffery ffenid. John Day.
John Reynolds. George Change.
Henry Wright. Nathaniell Dimton.
Thomas Hastings. 40. Thomas Wharsall
John Lofthouse. Thomas Hosted.
20. John Rathgeller. Richard Lombell.
John Tomson. Robert Andrewes.
John Clarke Henry Wright.
Robert Golty.

Jonathan Hollet. 70. September 2. 1635.
Thomas Grun. William Bhmfield.
Robert Dibell. Joseph Hull.
Henry Sewkes. William Peade.
50. Thias Plaistman. Richard Adams.
John Blatchleaf. John Upham.
Damell Morse. Robert Lobell.
Joseph Morse. William Smith.
Edward Warfield. Richard Woodward.
Richard Bivorne. Peter Hubbard.
William Woodes. Mr George Lindett.
Christopher Osgood. Mr Cornelius Bishop.
Thomas Brickland Philip Deane.
Richard Farch. Mr John Fawne.
60. Aron Crooke. Thomas Stranges.

George Hobbed. Marrtis. 1635.
Bomford Linton. Mr Clement Phipplaine.
Robert Bootefisse. William Mosse.
Robert Driver. William Dyar.
William Edmonds Joseph Welds.
John Bradsdale. John Hogeswell.
John Logue. 80. Richard Dutter.
George Ffaure. Robert Rood.
Mr Edwin Rathgeller.

William Walton.
Thomas Jennings.
Edmund Bates.
John Ashwood.
Thomas Walsby.
William Norton.
George Nudin.
George Nauls.
10. John Ellis.
Nicholas Baker.

Nicholas Harob.
David Phippin.
Edmond Butter.
Philemon Dolton.
John Whitney.
William Swayne.
Henry Kingman.
Thomas White.
110. Angell Holland.
John Kingsbury.
John Tobot.

Thomas Fawlind.
Roger Harlakenden Esq.
Mr Joseph Cooke.
Mr George Cooke.
Mr Nicholas Danforth.
Thomas Mawnott.
Mr Samuell Shepheard.
120. William Thorney.
Simon Crosby.
Thomas Goodholme.
John Russell.

Wassell Browne.
Mr Hugh Peter.
Thomas Bloyett.
Edmund Frost.
Mr Thomas Shepheard.
Henry Wade Esq.
130. Thomas Lover.
Thomas Bridden.
Nicholas Kaskow.
Joseph Underwood.

Att the Court holden in June 1635 present.

The Governor. Mr Pynchon.
Deputy Governor. Mr Howell.
Mr Winthrop. Mr Hunt.
Mr Dudley. Mr Dummer.
Mr Bradstreet.

Wade vs Norton. It was ordered that warrant shall be sent to Norton to bring into the next Court 630.
a bill of 5.li made by goodman Yeardley to Thomas Wade that it may be safely kept till it appeare to whome it is due, the money being given (as the Court is informed) to Jonathan Wade his brother.

Mr Humphrey finedfor resome. Mr Humphrey is fined xl.s for his absence from the Court. 631.

King vs Estate. There is administration granted to Richard Bishop in the behalfe of his wife of the goods 632
and chattells of Richard King deceased.

Eortwood vs Stifford. In the cause of the children and widdowe of Edward Eortwood (the Elder and other 633.
of the Ennemyes of Walterton being present) and upon consideration of the Order of Court in April last made in the cause wch was found not to have bin observed, because the state was not computed & apportioned. It is now ordered wth consent of all partyes, viz the Ennemyes of Walterton the widdowe of the said Edmond living and the Executor having consented to the former order that the present Governor & the Executors shall have power to call partyes and witnesses for finding out the true estate and having consideration of the imbezelmentes of the will & the debts and other circumstances to apportion the remainder of the estate to the wife & children according to their best discretion, And then the Ennemyes of Walterton is to dispose of the elder children and their portions as shall be best for their Christian education and the preservation of their estate.

Mr Gogan Tilly vs Goford, Deferrent. It is ordered wth the consent of John Gogan John Tilly William Hill Henry Wulcott 634.
and Humfrey Timmes that the Arbitrators chosen by them viz, Mr William Hatherd, William Halford, Roger Williams and Richard Gallicott shall have full power to make a finall end of all differences and attempts betwixt the said partyes touching the Shippe Thunder, which the Court enjoyned them to performe before this day sett
wch and to retorne into the next particular Court what they have done herein and 106
in the meane time all execution touching the Shippe Thunder to be respited, Also it is ordered that the Arbitrators shall have power to examine witnesses upon oath.

At the Court holden at New Towne July 7 th. 1635. present,

The Governor.	Mr Winton.
Deputy Governor.	Mr Nowell.
Mr Winthrop.	Mr Hewett.
Mr Dudley.	Mr Bradstreet.
Mr Cosmo.	Mr Dummer.

635. Stephen Day was sworne Constable of Dorchester for a yeare and till a new be chosen. It is ordered that Ensigne Jenison and Mr Holridge shall require the Indian that now possesseth his habitatabut upon his sold certaine land about Massachusetts to Mr Winton or knowe what it will be to sett out the severall bounds thereof and to retourne the same to the Governor before the last day of this month. Mr Smith and goodman Wright are allowed to goe along with them.

Dorchester constable. Land improvd of habitatabut.

636. In consideration of money disbursed by Mr Henry Seawall for the transportation of Edward Bosworth and his family It is ordered that Jonathan Bosworth shall pay unto Seawall the summe of 5li upon the 29th of September next William Rutland 5li on the said 29th day of September Nathaniell Bosworth 20s. at the said day and 50s more that day twelve moneths and Benjamin Bosworth 30s. on the said 29th day of Septr. and 3 ½ 10s at Midsomer next, all those summes to be payde to the said Mr Seawall. Also it is agreed that the forenamed parties shall be bound one for another for the payment of the said summes at the severall dayes of payment.

Mr Seawall & Bosworth.

637. Ordered that Francis Coby for misdemeanor by him committed shall be bound to his good behaviour and shall put in sureties for the same or else to remaine in hold.

Coby bon bon porte.

638. John Cobb is fined vs for drunkennesse.

drunkes fined.

At the Court holden at New Towne August 4 th. 1635. present

The Governor.	Mr Winton.
Deputy Governor.	Mr Nowell.
Mr Winthrop.	Mr Hewett.
Mr Dudley.	Mr Dummer.
Mr Cosmo.	Mr Bradstreet.

639. William Wayland and William Cortwell executors of John Russell have exhibited into Court an Inventory of the goods and chattells of the said John Russell deceased.

Russell Testam.

640. John Holland being at the Castle affirmeth that Mr Thomas Womarton threatened to smite his boate if he would not pay him a debt that Henry May owed him and called him rogue and knave and said they swore all so in the Bay and that he hoped to see all their throats cutt and that he could find in his heart to begin with him and throwe him upon shinke him upon the heads and when the said Holland told him if May ought him ammy he might recover it by law Thomas Womerton answered that they had no law for him but to starve him. The like Wm Williamson and Robert Elliott witnesse against Womerton. Whereupon it was ordered that the said Womarton should put in sufficient sureties for his good behaviour and in the meane time to remaine in durance.

Womarton bon porte.

641. There was Administration granted William Stilson of the goods and chattells of Robert White deceased and it is ordered that all his creditors shall repayre to the Deputy & Cosmo before the next Court who shall have power to examine witnesses &c and such debts as they shall find due they shall give warrant to the said Administrator to pay and those that are doubtfull shall be transferred to the Court.

White intestate.

Excessive wages. Mr Hutchinson witnessed upon oath that Christian Holbidge tooke 2s. 6d. a day of him for 30. dayes work. Richard Vinegar 6. dayes. Thomas Hunt 9. dayes and James Hawkins 36. dayes. all at 2s. 6d. a day and so hath all forfeited 5l. a day according to the order of Court. 642

Cheese. Mr Egan witnessed upon oath that James Hawkins tooke 2s. 6d. a day of him for 14. dayes. 643.

Hyde. The howse is yet granted to John Hyde for his charges being brought from Fosning ad a witnesse against John Mustlenwite. 644.

Hallowy. The Court hath enjoyned William Neill to pay to Cyprian Gibbs the summe of xlvjs for fellowes his him committed. 645

Mr Humphry Coffard resident. With the consent of Mr Humphry Mr Howell and Richard Wright the differences about two howses that Richard Wright kept is referred to Mr Winthrop Mr Dudley and Mr Howell who hath power given them to examine witnessed upon an oath and so put an end to the differences. 646.

Holbidge bon perdu. It was ordered that Christian Holbidge shall put in sureties for his good behaviour for contempt by him committed and in the meane time to be imprisoned. 647.

Forfeits levyed. Ordered that James Hawkins forfeits shall forthwith be levyed and in case he hath no goods his body shall be taken and imprisoned. 648.

Russell Testament mutuatibus. John Russell merchant deceased at Dorchester August 26th 1633. and before his death being of a disposing understanding did make his last will in the presence of Mr John Warham Pastor of the Church of Dorchester Thomas Moore John Moore and Thomas Dewey in the words following or to the same effect, Halfe of my estate I give to the Church of Dorchester and halfe to my brothers Henry Russell and Thomas Hyatt except my mans tyme wch I give to my man and he desired that in the disposing of his goods to Dorchester there should be speciall respect had to old Dorchester people naming goodman Fuxing. John Warham.— The marke of Thomas Moore. The marke of Thomas Dewey. John Moore. This was testified upon the oathes of the said witnesses taken in Court September 3. 1633. 649.

At the Court holden at Newtowne September 1st 1635. present,

The Governor — Mr Dudley
Deputy Governor — Mr Winthrop
Mr Winthrop — Mr Howell
Mr Dudley — Mr Bradstreet.

Mr Dummer.

Whipt Swan. It was ordered that Andrew Swan shall be whipt for running from his master. 650.

Starlet whipt. Ordered that Robert Starlet shall be whipt for running from his master. 651.

Dixon forfeit retrain: William Dixon hath forfeited his recognizance of 20li Edward Gomersall and James Browne xli a-peece being bound for Dixons appearance at the Court. It was ordered that the goods and chattells of William Dixon shall be attached and kept safelye to satisfie the Court for the forfeit of his recognizance. 652.

Forfeits payd. Ordered that Richard Vinegar Thomas Hunt James Hawkins & Christian Holbidge shall pay 3s. a peece weekely to the marshall towards the discharge of their forfeits. 653.

Maids servant whipt. It is ordered that Mary servant to Mr Bartholomew shall be whipt for running from her master and shall serve him 6. weeke after her terme is ended. 654.

Mr Aborn intestate. The Court is Administration granted to Mr Anthony Thatcher of the goods & chattells of Mr Joseph Aborn deceased wch he is to inventory and returne the same into the next Court and the said goods are to remaine in his hands till further order be taken therein. 655.

656. An Indenture of the goods and chattells of Joseph Abery deceased due to him from John Enery Bayeniter 7.t. Item from Robert Underwood of Epsomes white yet confessedly to be due to be payd fortnightly 2.t. Item from Mr William Hilton 2.t. 16.s. or a cowe and pigge to that value for his Orchard Rent. From Richard Kent of Epsomes ten bushells of Indian corne which he acknowledgeth. Johnenery demed his debt but Richard Knight Nicholas Holt and John Knight all three of Lambeth tan and will testifie and prove it to be due, only he was by condition to pay the said 7.t. in his worke which he was to doe so soone as Mr Abery did call upon him for it, out of which said 7.t. there is something payde in labour allready as he can make to appeare. p Mr Chiffond Clatter. Abery intestate.

At the Court November 3. 1635. present,

The Coborne.	Mr Treasurer.
Deputy Coborne.	Mr Pinton.
Mr Winthrop.	Mr Honges.
Mr Dudley.	Mr Dummer.
Mr Humphry.	Mr Bradstreete.
Mr Howell.	

657. It was ordered that the Deputy Coborne and Mr Winthrop sen shall have power to examine all witnesses upon oath touching an action of the case brought by Mr Honges against Mrs Mabrite. Mr Honges & Mrs Mabrite.

658. Whereas Thomas Coleman hath contracted with Sr Richard Saltonstall and Divers other gents in England and heere for the keeping of certaine horses bulls and steeres in a generall stocke for the space of three yeares and now since his comming hither hath bin exceeding negligent in discharging the trust committed to him absenting himselfe for a long time from the said cattell and also neglecting to provide housing for them by reason whereof many of the said cattell are dead allready and more damnage like doth lie to arise to the said gentlemen, It is therefore ordered that it shall be lawfull for the said gentlemen to divide the cated and hay provided for the said cattell amongst themselves and so every one to take care of their owne cattell for this winter. Coleman.

659. Ordered that John Pease shall be whipt and bound to his good behaviour for striking his mother Mrs Winton and deriding of her and for divers other misdemeanors & evill carriages. Pease whipt.

660. Therein the dammages granted Robert Goled to be payd by Mr Affanow who summoned him to appeare at this Court and prosecuted not against him. Goled & Affanow. Non suit.

661. Ordered that John Cole shall be whipt for stealing a sperre and a paire of shoes. Cole whipt. theft.

662. Ordered that Nicholas Frost shall be imprisoned till the next Court when a hangall is to passe upon him for comming into this Jurisdiction being formerly banished. Frost banishmt.

663. Therein administration granted to Isabell Barkett of the goods & chattells of her husband latelye deceased. Barkett intestate.

664. Ezra Carroll hath forfeited xx.d. for selling 2. quarts of beere at 2.d. a quart. Forfeit.

665. Mr Howell is fined 3.s. 4.d. for selling wine. margine. It was left in trust with & by a friend to sell for him.

At the generall Court holden at Newtowne September 2. 1635. present,

The Governor.	Mr Cradock.
Deputy Governor.	Mr Howell.
Mr Winthrop.	Mr Hough.
Mr Humfrey.	Mr Gunner.
Mr Nowell.	Mr Bradstreet.

Deputyes.

Mr Talcott.	Gyrshom Bryan.
John Steele.	Mr Duran.
Mr Daniell Denison.	Captaine Mason.
Mr Browne.	William Gaylard.
Ensigne Jenison.	Joseph Mottahe.
Mr Howe.	Humfrey Bradstreete.
Mr Huttchinson.	William Bartholmew.
Mr Bloodge.	Captaine Turner.
Mr Holman.	Edward Tomkins.
Mr Newton.	Thomas Stanley.
Mr Mortle.	Captaine Traske.
Mr Porter.	John Woodbridge.
William Parker.	Jacob Bauny.
John Moussell.	Mr John Exenter.

Atway. Massagisud. — The Howard Clapolate was hirenred to keepe a ferry betwixt Massagisud and Momit Mollasses for which he is to have 1d for every person and iiijd an horse. 666

Bartrove Hingham. — The name of Bartrove is changed and hereafter to be called Hingham. 667.

Massagisud Weymouth. — The name of Massagisud is also changed and hereafter to be called Weymouth. 668.

Adjournment. — The Court is adjourned till 8. a clocke to morrowe. 669.

241. A new plantation. — It is ordered that there shalbe a plantation settled about two myles above the ffalls of Merrimack upon the Northeast syde thereof to have ground lying to it on both sydes the river both upland and meadowe to be layd out hereafter as the Court shall appoint. 670.

242. Mr Coffe. Hay. — It is ordered that there shall be 5s. for every wolfe and 12d for every foxe payd out of the 671.
Treasury to him that killed the same.

Letter of reproach from Salem. — It is ordered that the deputyes of Salem shall be sent backe to the ffreemen of their Towne 672.
that sent them to fetch satisfaction for their letter sent to the generall Court wherein they have expressedinge reproacht and bilifyed the Magistrates and deputyes of the generall Court or else the argumentes of those that will defende the same with the subscription of their names.

Mr Endicott committed. — It was voted and by generall tuition of handes confirmed that Mr Endicott should be committed 673
for his contempt in protesting against the proceedinge of the Court. Chid upon his submission and full acknowledgment of his offence he was dismissed.

243. Muskatequid — It is ordered that there shalbe a plantation at Muskatequid and that there shall be 6. myles 674.
of land square to belong to it and that the Inhabitants thereof shallhave liberty reserved
mmmmitted from all publicke charges except trayninge ffurther that when any that plant
there shall have occasion of trayning of goodes thither they shall repaire to two of the next
Magistrates where the Canoes are who shallhave power for a yeare to procure drauge that
reasonable rated to be payd by the owners of the goodes to transporte their goodes thither
at seasonable tymes and the name of the plant is changed and hereafter to be called —
Contoocook. — Contoocook.

244. Neuse salt a mile from the meeting house. — ffurther it is agreed that hereafter no dwelling house shall be built above halfe a myle from 675.
the meeting house in any new plantation granted at this Court or hereafter to be granted —
without leave from the Court except mill houses and ffarmehouses of suche as have their

dwelling howses in some Towne, Ipswich, Hingham, Newbury, & Weymoth to be inserted in his order.

676. Ordered that Weymoth shall have a Deputy this Court. — Weymoth Deputy. 245.

677. It is ordered that when sobre any servants shall run from their masters or any other inhabitt shall peaceably goe away with suspicion of ill intention it shall be lawfull for the next Magistrate or the Constable and two of the chiefe inhabitants where no Magistrate is to goe ye men and — boated or primaed at the publike charge to pursue yt persons by sea or land, and bringe them backe by force of armes. — Servants or inhabitants departing with suspicion. 246. A 33.

678. It is ordered that after the last of May next there shall be paid a peere pound bestowed damaged and ranged of swine for every swine that shall be taken without a keeper within one myle of any plantation or farmes improved by tillage to be payd by the owner of the said swine to any that shall impound the same and also that such swine so impounded shall be kept out the two next Courtes and if they be not owned within three dayes it shall be lawfull for the party that hath impounded them to get them pricked and then to sell them and deliver the overplus of the money into the next Court. — Swine.

679. It is ordered that there shall be forty marks given to Mr Hatcher out of the Treasury towards his late great losses. — Mr Hatchers losses.

680. It is ordered that hereafter the Deputyes to be chosen for the generall Courts shall be elected by paper ad the Commons is chosen. — Election by papers. 247.

681. It is ordered if the major parte of the freemen of Salem shall distrayne the Lotteries — ately from the Inhabitants of Salem to severall Plantations it shall then be lawfull for them to send Deputyes to the generall Court. — Inhabitants of Salem, Lotteries.

682. The Deputy Governor hath leave from the Court to intertaine an Indian into his family. — Indian.

683. It is ordered that Mr Wenton shall finish at the publike charge all that whing is necessary to be done at the prison at Boston. — Boston prison.

684. Ordered that the petition whing Captaine Underhill tooke up of Mr Keayne in England to pay, hitherto shall be committed him. — Captaine Underhill. 26.

685. It is ordered that Captaine Underhill shall have power to send his warrants to the — Constables of the severall plantations to send in money or worke for three dayes or somme ad is behind for the fforte at Boston for everymen (except Magistrates and Officers of Ministrye and Schoolemasters that were dwellers heere before the third of September 1634. and that the Constables shall returne their warrants into the next particulars Courtes after they were them at their perill. Provided that those Towns be required to their — worke finish that are most behind according to a former order. — Boston fforte.

686. Mr Thomas Dudley, Mr Bourger, Mr Waltham, Mr Denton, Mr Tilley and Mr Weare, those forenamed gentlemen or any three of them whereof Mr Dudley allways to be one shall have power to consult advise and take order for the setting forwards and after maintaining of a fishing trade and upon their accomt all charges of dyet or otherways at the times of their meeting to be allowed out of the fishing stocke. — fishing trade.

687. Captaine Mason is authorized by the Court to press men and carts to help towards the finishing of the fforte at Castle Island for all manner of worke that is to be done there. — fforte at Castle Island.

688. Mr Treasurer and Mr Newell are deputed by the Court to take an accomt of Mr Endicott for all sums summed of money that he hath received of the Treasurer for the fforte at Castle Island and to returne the same into the Court. — Cos fforte.

689. Mr Dummer is to buy Lead for the covering of the fforte at Castle Island. — Cos fforte.

690. Ordered that there shall be fifty lotteryes out of the severall Plantations to be payd to the Treasurer before the next Session of this Court. viz. Roxbury 7 = 10s. Ipswich 14 = Salem 16 = Saugus 11 = Charlestowne 15 = Weymoth 4 = Newtowne 26 = 5s. Watertown — — fifty lotteryes.

19th – 10d. Boston 25th 10d. Portsmy 19th – 5d. Dorchester 26th 5d. Hingham 6th Wendford 9 – 15d.

Yeswith & Newberry. bonds. — John Winthrop Esq and John Humfrey Esqrs are intreated by the Court to view the bonds of Yeswith and Newberry and to informe the next Court how they may be rendrediy bonded. 691.

Mr Humfrey Commissr. — The Deputy Governor and Mr Dunton are deputed by the Court to take Mr Humfreys accomt of his withdrawing he hath received, and disbursed for the publique except surs monies ad he hath — received of the present Treasurer. 692.

Mr Wlaberiffe. — The order that enjoyned Mr Samuell Wlaberiffe to remove his habitation to Boston before the last of December next is repealed. 693.

Gemertiott Constable. — William Westwood is sworne Constable of the Plantation at Gemertiott till some other be chosen. 694.

248. Ordinaries licensed. — Samuell Gale John Masted Robert Cheeseman Mr Stickman & Francis Plummer are licensed to keepe severall Ordinaries in the Plantations where they live during the pleasure of the Court. 695.

249. Gemertiott. — The Generall power granted to any Magistrate to swearre a Constable at any Plantation at — Gemertiott when the inhabitants shall desire the same. 696

250. Turnyd. — Ordered that the grand Jury shall have their charges of Dyett allowed them out of the Treasury and that the petty Jury shall have 3d allowed them for every tryall they passe upon to be payd by him that vexeth the suit. 697.

Adjournment. — The Court is adjourned to the Munday after the next particular Court. 698.

251. Henry Dorchester. — It was ordered that John Holland shall keepe a ferry betwixt the Captaines Point at Dorchester and Mr Newberyes towne for which he is to have 4d a peece for every single person he transported and 3d a peece if there be two or more. 699.

Robert Ewing. — Ordered that Mr Colbran shall have 5th allowed him out of the Treasury to build an house for Robert Ewing in Boston and to be accomptable to the Court for the same ad also that sure further charges ad shall be occasioned by the said Ewing or his wife shall be borne by the publike. 700.

John Smith opinions banished. — Ordered that John Smith shall be sent with those six wedged out of this Jurisdiction for divers dangerous opinions wch he holdeth and hath divulged if he in the meane time he removed not himselfe out of this plantation. 701.

Newberry Constable. — The like power given to Mr Dummer to swearre a Constable at Newberry. 702.

252. Mr Long ordinary. — Mr Longe is licensed to keepe an house of entertainment at Charles Towne for Gentlemen. 703.

253. Portsmy bonds. — Ordered that the bonds of Portsmy shall be viewed on both sides and a plott thereof drawne and so returned into the next generall Court. 704.

Ensigne Jemison and Mr Upham are appointed to doe it.

Rip Pirates. praised. wages. Stopp. military officers. — The Lawe that prohibited taking above 4d in the shilling profitt for commodities and that wch restrayned workemens wages to a certainty ad also that wch restrayned men for going aboard shipps till a certaine time and that wch ordered military officers to bee their maintained out of the Treasury are repealed. And it is agreed that every company shall maintaine their owne officers. 705.

Charlton Nedalerton companies. — Whereas it was agreed that Charles Towne and Nedalerton shall be two distinct companies and to have officers of their owne. 706.

Hingham. — Ordered that the hingham betwixt Yeswith and Saugus and betwixt Yeswith & Newberry shall be mended by the inhabitants of the Townes where they are before the next particular Court. 707.

Ipswich Hingham. — Agreed that Ipswich shall be aided with men and munition to supplant the Frenchmen at — Hingham. And it was ordered that Captaine Gallaudra shall be sent for to conferre with about this business and recompensed out of the Treasury for his paynes if he be not imployed. 708.

Rates. — It is ordered that there shall attachments goe out against all those Constables that paynot in their last rates to the Treasurer before this Court breaked up. 709.

710. Mr Winthrop inn being formerly chosen an Assistant did now take the oath to his said place belonging. — Mr Winthrop inn'd.

711. It is ordered that there shall be two drakes lent to the Plantation at Connecticott to fortifie themselves wthall as also 6. barrells of powder 2. out of Walerton. 2. out of Dorchester, and 2. out of Portsmouth. also 200. shott wth other implements belonging to the peace that may conveniently be spared all wch are to be returned again upon demand. Captaine Underhill and Mr Keayser are to deliver these things. — Connecticott. 254.

712. Whereas two former Lawes the one concerning the wages of workmen the other concerning the prices of commodities were for diverse good considerations repealed this present Court now for avoyding sinnes misrifiles as may follow thereupon by sinfull disposed persons as may take liberty to oppresse and wronge their neighbours by taking excessive wages for works or unreasonable prices for sinfull necessary merchandises or other commodities as shall passe from man to man It is therefore now ordered that if any man shall offend in any of the said cases against the true intent of this Lawe he shall be punished by fine or imprisonment according to the quality of the offence as the Court upon lawfull tryall and conviction shall adjudge. — Wages. prices. 255. Imprisonment.

713. It was ordered that every Towne upon Connecticott shall have liberty to choose their owne constables who shall be sworne by some Magistrate of this Court. — Connecticott. 256.

714. Whereas Mr Roger Williams one of the Elders of the Church of Salem hath broached & divulged diverse new and dangerous opinions against the Authority of Magistrates as also writt Letters of Defamation both of the Magistrates and Churches here and that before any conviction and yet maintaineth the same without retraction It is therefore ordered that the said Mr Williams shall depart out of this Jurisdiction within six weeks now next ensuing wch if he neglect to performe it shall be lawfull for the Governor and two of the Magistrates to send him to some place out of this Jurisdiction not to returne any more without licence from the Court. — Mr Williams. banishment.

715. Mr Samuell Shaw is enjoyned to appeare at the next particular Court to answer for the letter that came from the Churches of Salem as also to bring the names of those that will justifie the same or else to acknowledge his offence under his owne hand for his owne particular. — Mr Shaw.

716. It was ordered that the Commission for martiall discipline shall continue till the end of the next generall Court and in the roome of Mr Ludlow who is dismissed Mr William Pynchon is chosen Onely further it is agreed that the said Commissioners shall have full power to assist one neighbour at Watertown for the supplanting of the offence at Newtown or else where in any other business of that nature that may be occasioned thereby. — Commission Martiall.

717. Lastly it was ordered that none but freemen shall have any vote in any Towne in any election of Authority or necessity or that was belonged to them by reason of their freedome as providing of inhabitants and laying out of lotts &c. — freemen. 257.

718. The bounds laydout between Hingham and Weymouth by the order of the generall Court by Mr Edward Denison and William Pynchon. The River between Hingham and Weymouth running on the East side of Weymouth to be their bounds unto a tree on the East side of the river that tree being their bounds to the head of it to an oake marked and so their line to run into the Country upon the same point that bounds Braintree and Weymouth also we appointed Weymouth to make use of all the timber on Hingham side from a tree called Tobias towards the River halfe a mile in breadth and three quarters of a mile in length for the space of forty yeares Also we prohibited Weymouth for making any improvement of the ground. Rymes William Pynchon. This Record is verbatim according to the writing they delivered into Court. — Hingham & Weymouth 258. bounds.

249. Rhoson & Ffallton bounds.

The 28th daye of the first month 1636. Agreed by us whose names are underwritten — 719.
that the bounds between Rhoson and Ffairlesbrowne on the Rhee east side Mistrike river
shall run from the marked tree upon the Porthy hill above Pennoyr marsh neare the
written tree north northwest upon a straight line by a meridian compasse up into the
Homtry. Abraham Palmer William Greestwood William Spenser.

260. Dourfoster & Rhoson bounds.

The bounds of Dourfoster is to run from the outside of Mr Rossford ffarme next the sea to the — 720.
foote of the great hill from a marked tree to a second marked tree in a straight line to the topp
of the blew hill next Rhaponsett southwest and by west halfe a point westerly. And all the —
marsh grounds from the southeast side of Mr Flowberrings house along Rhaponsett river to Mr
Youngsons mill to the to Dourfoster. And all the rest of the Upland and marsh from Mr Rossford
ffarme to the sea and so to the mouth of the River beyond Menotiquid River running into the
Homtry southward and to the west to the to Rhoson only excepting such lands as they have right
to by grant of the Homt formerly. Robert ffoke John Talcott.

At the Homt holden at Newtowne October 6th 1636. present,

The Governor. Mr Cwasmer
Deputy Governor. Mr Pinton.
Mr Winthrop. Mr Hooker.
Mr Ludlow. Mr Newell.
Mr Bradstreete.

Six servants whipt for running away & theft.

It was ordered that Clement Cole Peter Pyford Simon Ruth William Baker William — 721.
Downes and George Willby shall be whipt for running from their master and for stealing
a boate and divers other things with them and also shall give satisfaction to the Country for their
charges in sending to fetch them home and likewise shall serve their said Master twice so
long at the end of their time as they have bin absent from their Master serving by reason
of their running away, and for Cole and Pyford the Homt will consider of some further
punishment for them.

Nicholas whipt, theft.

Ordered that Daniell White shall be soberly whipt and fined 5s for stealing a gold ring 721.
and in handkerchiefs out of which time shall satisfaction be made to those that have bin at
charges in keeping him after he was apprehended.

Scarlet whipt banisht. theft.

Whereas Benjamin ffelton hath brought into this Country one Robert Scarlett a Irishman 722.
theife who sinne his coming hither hath committed divers ffellonyes as appeareth
by his examination It is therefore ordered that the said Scarlet shall be soberly whipt
and branded in the ffore head with a T and after sent to his said master whome he got
enjoyned to send the said Scarlett out of his Jurisdition and in the meane time to be —
bayled to satisfie for such dammages as his said servant shall doe to any person and
also shall pay ye to Mr Shileman the Constable for his charges in keeping him and bring-
ing of him to the Court.

Long fined.

It was ordered that Richard Long shall be fined 5s for contempt of Authority and for 723.
wasting divers good wood into chipboards and selling of them from Windmill Coome the
wch wood he was appointed to fell for singles for the ffort at Castle Island and
that the said money shall be given to the Coome of Windmill towards the making of a
bridge there.

Seawall & his wife Alimony.

With the consent and at the desire of Henry Seawall and Ellen his wife the Court hath 724.
ordered that his said wife shall be at her owne disposall for the place of her habitation
and that her said husband shall allowe her her wearing apparell and xxs ye annum to
be payd quarterly as also a bed wth furniture to it.

Hugges fourfeit.

Thomas Hugges hath forfeit 5s for tipped and 4d - 6d for a sythe wch he sold for above 4d in 725.
the shilling profitt.

720. Edward Eylet was fined xl.s for knowing his wife carnally before marriage. — Incontinent fined.

727. John Calloy was fined xx.s for his life offense.

At the Court holden at Newtowne March 1. 1635. present,

The Governor. — Mr Winton.
Deputy Governor. — Mr Nowell.
Mr Winthrop. — Mr Longe.
Mr Dudley. — Mr Dummer.
Mr Cradock. — Mr Bradstreete.

720. It was ordered that all the bills and writings about one Robert Nay shall be delivered into the Court and that Ensigne Jenison Edward Winter and Gammell Hosier shall pay xxs a peece to William Almy as also that the said Robert Nay shall be taken from Mr Cringstone where now he is and put to the said William Almy and him shall serve till he hath satisfied the summe of 3.li nihil if he doe he shall pay xx.s a peece barre against to Gammell Hosier. — Nay servant.

720. Whereas in a suit betwixt David Johnson and William Almy concerning one Hannah Nudam sometimes servant to either of them there was a judgment of x.li granted to William Almy against David Johnson but upon some consideration operation was respitted and nowbeyond all partyes it was agreed that the said x.li shall be borne equally betwixt them David to say that the widdow Johnson shall pay five nobles and Hannah Nudam the summe of five nobles to the said William Almy and he to loose the rest. — Nudam servant.

730. Richard Wheelock was fined xs. for drunkenness. — drunke fined.

731. Christopher Cooper forfeited his recognizance of xl.li for not appearing. — Recognr. forf.

732. The difference betwixt Mr Dummer and John Winter about Mr Dummers swine spoyling his corne is by their consent referd to the final determination of William Hawke goodman Potter and goodman Porter. — Mr Dummer & Winter referrence.

733. Thomas Fossbin and John Pitkin and Nicholas Street all of Hartfordshire have forfeited their recognizance of xxl for not appearing at this Court. — Recognd. forf.

734. Christopher Montague forfeited his recognizance of xxl.li for not appearing. — Recognd forf.

735. Hannah Nudam was fined xs for drunkenness and it is ordered that Knight the witnesse shall be payed out of it. — Nudam drunke fined.

At the generall Court holden at Newtowne March 3. 1635. present,

The Governor.	Mr Washam.
Deputy Goffe.	Mr Pynchon.
Mr Winthrop sen.	Mr Nowell.
Mr Humfrey.	Mr Hough.
Mr Cradock.	Mr Dummer.
Mr Bradstreet.	

Mr Richard Saltonstall	Mr Nathaniell Allen.
Mr John Spenser	Mr William Spencer.
Mr Samuell Dennison.	Mr John Talcott.
Mr Townsend Bishop.	John Johnson.
Captaine Wasse.	George Clarke.
Mr Thomas Struggs.	Lieutenant Morris.
Captaine Turner.	Mr Dimton.
Mr Roger.	William Garlard.
Walter Sprague.	George Minot.
Thomas Sand	Ensigne Jennison.
Mr William Hutchinson.	Lieutenant Poole.
Mr William Holbran.	Mr Nembleton.
Mr William Trenton.	Mr William Bartholomew.
	Mr William Woods.

Weymouth ferry. Thomas Applegate was discharged of keeping the ferry of Weymouth, and Henry Kingman — 736
licenced to keepe the said ferry during the pleasure of the Court.

Wendalls losse. Ordered that there shalle be xx^ti^ given Edward Wendall out of the Treasury towards the 737
losse of his barter.

Mr Endicotts Accomt. Mr Washam and Mr Nowell being deputed to take the accompts of Mr Roger Endicott for 736
moneys that he hath received and disbursed, for the publicke hath now exhibited the said
account into Court under their hands and it appeared that the Country owed him the summe
of 3^li^. 7^s^. 3^d^. and for losse in beaver 5 mnths ad mated the said summe up xx^ti^ nobles, the Court
appointed the Treasurer forthwith to pay him.

Mr Simkins accomt. Mr Hutchinson and Mr William Spenser are deputed to take the Accompts of Mr Simkins 739.
and to returne the same into the next Court.

Short Lieutent. Lieutenant Morris is chosen Lieutenant of the Shorte at Castle Island in the roome of 740.
Mr Gibbones who is dismissed.

Boston platforme. It is ordered that the Inhabitants of Boston shall have the use of fifty pounds of ordinance 741.
and that there shalle xx^ti^ in money given them towards the making of a platforme at the
foote of the Shorte hill at Boston and the Inhabitants of the said Towne are to finish the said
worke at their owne proper charges before the generall Court in May next.

Charlestowne platf. Ordered likewise that there shalle xx^ti^ given out of the Treasury to the Inhabitants 742.
of Charlestowne to make a platforme and bridgeworke for three pounds of Ordinance at
the hill foote there and the Inhabitants of the said Towne are to finish the said worke at their
owne proper charges before the generall Court in May next.

261. Marble necke Salem. It was ordered this Court that Marble necke belonged to Salem. 743.

262. Debts by, & to the Country. Ordered that there shall be x^li^. payde to Mr Bradstreet and 50^s^. to Mr Chipman also — 744.
that whosoever owed any moneys to the Country or that the Country owed moneys to
shall bring their accounts into the generall Court in May next and also that every Towne
and person that have any goods or shorte belonging to the Country shall doe the like.

Ensigne Perkins. Ensigne Perkins is discharged of his office of Ensigne. 745.

746. Ordered that the Commissioners for military disciplines shall appoint every company what colours they shall have. — Colours. — 263.

747. Further it is ordered that there shall be ~~[illegible]~~ 4 towns out of the generall Plantations for publike use viz. Roxbury 11 t. 5 s. Ipswich 25 t. Saugus 15 t. 10 s. Salem 24 t. Charlestown 23 t. Newbury 3 t. 5 s. Newtown 42 t. Watertown 30 t. Boston 37 t. 10 s. Dorchester 37 t. 10 s. Hingham 6 t. Medford 15 t. — ~~[illegible]~~ towns.

748. Ordered that there shall be 12 men sent weekly to work at the fort at Castle Island by the Constables of Dorchester Roxbury Boston New Towne Watertown and Charlestown that is to say two out of every Towne who shall be paid out of the Treasury. — Castle Island fort.

749. Further it is ordered that the generall Court to be holden in May next for election of Magistrates and shall be holden at Boston and that the Townes of Ipswich Roxbury Salem Saugus Newbury Hingham shall have liberty to stay so many of their freemen at home for the safety of their Townes as they judge needfull and that the said freemen that are appointed by the Towne to stay at home shall have liberty for this Court to send their voices by Proxie. — Court of election. — Proxie.

750. Also it is agreed that all other Townes that are nearer shall send ten of their members out of every Towne to the said Court completly armed with muskets swords & c. — Armed.

751. Further ordered that no person shall buy any commodities of any Shipp till the master of the said Vessell hath given an inbeare of all the commodities he hath to sell to the Governor or Deputy Governor ~~[illegible]~~ for the time being and that none shall buy any provision of victuals till the Governor or Deputy Governor or some two of the other Magistrates have given liberty to some person to buy, this order to continue for the space of foure moneths next ensuing. — Shipped commodities. — Rem. 744 — continuance

752. Also it is ordered that no person whatsoever shall buy any provisions of victuals to sell againe or to carry out of this Jurisdiction of any Shipp or other Vessell that shall come into the Bay till further Leave be given by the major parte of the Magistrates of Boston and Charlestowne under paine of such punishment as the Court shall thinke meete to inflicte. — Victuals.

753. For explanation of an order made at the generall Court in 117 May 1634. it is ordered that hereafter all men shall be rated in all rates for their whole ability wherefoever it lies. — Rated. — 264.

754. Agreed that Newe Towne bounds shall run 8. miles into the Country from their meeting-house. — Newtowne bounds. — 265.

755. Ensigne Jemison Mr Damsell and Mr Willm Spencer are deputed to set out the bounds of the New Plantation above Charles River against all other Townes that joyned upon it and every Towne is permitted to send one of their members to accompany them, also they are to view the meadowe about the Blewe hills and to informe the next generall Court to what Towne it may most conveniently be layde. — Bounds of a new Plantation. — 266. — Meadow about Blue hills

756. Further ordered this present Court that the generall Court to be holden in May next for election of Magistrates and so from time to time as occasion shall require shall elect a certaine number of Magistrates for terme of their lives as a standing Counsell not to be removed but upon due conviction of crime insufficiency or for some other weighty cause the Governor for the time being to be allwayes President of this Counsile and to have like power out of Court as the generall Courts shall from time to time indue them withall. — Standing Counsell. — 267. — Repealed vol. 6. 430

757. Ordered that there shall be a plantation settled at Winnimmet and that Mr Dummer Winnimmet and Mr John Spencer shall have power to prosse men to build a house forthwith in some — 268.

convenient place and what money they lay out about it shall be repayd them again out of the Treasury or by those that come to inhabit there.

269. Magistrates planted. Ordered that the major parte of the Magistrates shall have power from time to time to dispose of the sitting downe of such in any new Plantation and that none shall goe without Leave from them. 758.

270. Wakerton Bounds. & Richard Saltonstall. 100. ac meadowe. Ordered that the bounds of Wakerton shall run 8. miles into the Country from their meeting house within the lynes allready sett out and it is agreed that Mr Richard Saltonstall shall have one hundred acres of the meadowe to be sett out indifferently by John Pratt & William Pierce. 759.

271. Salem & Ipswich. Ipswich & Newbury bounds. It is referred to John Humphrey Esqr and Captaine Trevor to sett out the bounds betwixt Salem and Ipswich and betwixt Ipswich and Newberry before this summer next ad also to view and informe the next generall Court if there may not be another Towne conveniently settled betwixt them, and it is agreed that the bounds of the said Towns shall run the nearest a peere into the Country. 760.

272. Portsmouth & Dorchester bounds. Wthin the consent of the Deputyes of Dorchester and Portsmouth it is referred to Captaine Traske Mr Palmer and William Throckmorton or any two of them to sett out the bounds betwixt Portsmouth & Dorchester wch they are appointed to doe before Midsummer next. 761.

Shawsin. The Generall Court and John Winthrop sen Esqr or any two of them are entreated to view Shawsin and so to informe the next generall Court whether or no it may not be a fitt place for a plantation. 762.

273. Concord. It is agreed that the Inhabitants of Concord for three yeares shall begin the first of October next and that none shall have benefitt therein but those that live there and wth respect only to the stocke they have there. 763.

274. Ordinances. The order that restrayned Ordinances to a certaine price for Corn is now repealed & 137. 764.

Lieutenant Mouris. Ordered that there shall be 10li given to the inhabitants of Portsmouth out of the Treasury towards the maintenance of Lieutenant Mouris. 765.

275. Mr Gardners lands. Ordered that the land formerly granted to Mr Mathew Gardner merchant shall explead a mile into the Country from the River side in all places. 766.

276. Charlestowne bounds. Ordered that Charlestowne bounds shall run 8. miles into the Country from their meeting house if no other bounds interest restrayning the proprietyes of Farmes granted to John Winthrop Esqr Mr Nowell Mr Gardner & Mr Wilson to the owners thereof ad also three musketts expense for the servants & cattell of the said Govr and Common for their cattell on the backside of Mr Gardners farme. 767.

277. Prated. Agreed that hereafter all men that live within this Jurisdiction shall be rated only in the place where they live to all publicke rates and those that live out of this Jurisdiction shall have their goods stocke & lands rated in the place where they are in being. 768.

278. Houses built without the Townes leave demolist. Ordered that such ad builds houses in any Towne liberties prejudiciall to the Towne without leave from the Towne the inhabitants of the Towne shall have power to demolish the said houses and remove the peasons. 769.

Commission military. Another ordered that the Commission for military Discipline shall continue to the end of the next Generall Court and that they shall have power to take such summons out of the Treasury ad they judge needfull for the present occasion and in the roome of Mr Pierce who is dismissed Henry Adams Esqr is chosen. 770.

279. Millers. Toll. Ordered that no miller shall take above the 16th parte of the corne he grinds and that every miller shall have allwayes weares in his mill weights & sealed provided at his owne charge. 771.

280. Gathering of Churches. Forasmuch ad it hath bin found by sad experience that much trouble and disturbance hath happened both to the Churches and civill State by the Offices & members of some Churches which have bin gathered wthin the limits of this Jurisdiction in an indiscreet manner and not wth such publicke approbation as were meet, It is therefore ordered that all persons are 772.

to take notice that this Court doth not nor will hereafter approve of any such companies of men as shall henceforth joyne in any pretended way of Church fellowship without they shall first arquaint the Magistrates and the Elders of the greater parte of the Churches in this Jurisdiction with their intentions and have their approbation herein. And further it is ordered that no person being a member of any Church not shall hereafter be gathered without the approbation of the Magistrates and the greater parte of the said Churches shall be admitted to the freedome of this Commonwealth.

773. Imprimis it is ordered that there shall be foure Courts kept every quarter 1. At Ipswich to wch Newbury shall belonge 2. At Salem to wch Saugus shall belonge 3. at Newtowne to wch Charlton Concord Meadford & Andover shall belonge. 4 At Boston to wch Dorchester Weymouth and Hingham shall belonge. Every of these Courts shall be kept by such Magistrates as shall be dwelling in or neare the said Townes and by such other person of worth as shall from time to time be appointed by the generall Court so as no Court shall be kept without one Magistrate at the least and that none of the Magistrates be excluded who can and will intend the same, yet the generall Court shall appoint wch of the Magistrates shall specially belong to every of the said Courts. And such person as shall be joynted ad assistants to the Magistrates in the said Court shall be chosen by the generall Court out of a greater number of such as the generall Townes shall nominate to them so as there may be in every of the said Courts so many as with the Magistrates may make five in all. These Courts shall try all civill causes wherein the debt ordammage shall not exceede 40li. And all criminall causes not concerning life, member or banishm^t. And if any person shall finde himselfe grieved with the sentence of any of the said Courts he may appeale to the next great quarter Court provided that he put in sufficient Caution to prosecute his appeale with effect and to abide the sentence of the Magistrates in the said great quarter Court who shall see that all suits that shall bringe any appeale without just cause be exemplarily punished.

Inferior Courts. 4. 281.

These generall Jurisdictions.

Every Court hath Judge.

wherein is a Magistrate at the least.

* 2. 290.

Their power.

Appeale to the Quarter Court.

774. There shall be foure great quarter Courts kept yearely at Boston by the Governor & the rest of the Magistrates the first, the first tuesday in the fourth moneth called June, the second, the first tuesday in September, the third, the first tuesday in December, the fourth, the first tuesday in the 1st moneth called March. The inferior Courts shall be kept, the first the last tuesday in June and the rest the last tuesday in every of the said moneths.

Quarter Courts 4.

The times of all.

775. All Actions shall be tryed at that Court to wch the defendt belonged. 4. 2507

Tryall where. 282.

776. All Offenders wch shall be in the prison at Boston at the time of any Court there holden shall be tryed at that Court except in the warrant of his commitment he be reserved to the great quarter Court, And it shall be lawfull for the Governor or Deputy Governor or any two Magistrates upon speciall and urgent occasion to appoint Courts to be kept upon other dayes then in this order are appointed.

And when besides. And on occasion offenders.

777. And whereas the most weighty affayres of this body are now by this present order and often formerly made brought into such a way & method as there will not henceforth be neede of so many generall Courts to be kept as formerly, It is therefore ordered that there shall be hereafter only two generall Courts kept in a yeare vizt that in the third moneth called May for election and other affayres and the other the first wednesday in October for making Lawes and other publicke occasions of the Commonwealth. Provided that the Governor may upon urgent occasion call a generall Court at any other time besides the two Courts before mentioned. And whereas it may fall out in some of these generall Court to be holden by the Magistrates and Deputyes there may arise some difference of judgment in doubtfull cases, It is therefore ordered that no Lawe order or sentence shall

Generall Courts. 283.

Two yearely in May & October.

And on occasion more.

Negatives voyce 4. 1642

Voice of the major parte. Magistrats. Deputyes. Committee. Umpire.

passe ad an act of the Court without the consent of the greater parte of the Magistrates on the other parte and the greater number of the Deputyes on the other parte, and for want of such accord the ranke or order shall be shifted, and if either party thinke it so materiall they shall be forthwith a Committee chosen one halfe by the Magistrates and the other halfe by the Deputyes and the committee to chose an umpire who together shall have power to heare and determine the ranke in question.

A Commission granted to severall persons to govern the people at Comertirot for the space of a yeare now next comminge an exemplification whereof enseuth.

284. Comertirot Commission. } Wee seriad upon some reason and grounds heare are to remove from this our Commonwealth ye and bodies of the Plattaqusitts in America dwelling of our loving friends Neighbourhoodmen and members of New Towne Dorchester Watertown and other places who are resolved to transplant themselves and their estates into the River of Comertirott there to reside and inhabite and to that end dwelling are there allready and dwelling shortly to goe, Wee in this present Court assembled on the behalfe of our said members and John Winthrop Esq Governor appointed by certaine noble personages and men of quality interested in the said River wee are not in England on their behalfe have had a second consideration thereof and thinke it meete that where there are a people to sit downe to inhabite there will follow upon occasion some ranke of difference as also dwelling misdemeanors wch will require a speedy redresse and in regard of the distance of place this state and government cannot take notice of the same as to apply timely remedy or to dispatch equall justice to them and their affayres as may be desired and in regard the said noble personages and men of quality have something ingaged themselves and their estates in the planting of the said river and by vertue of a Patent doe require Jurisdiction of the said place and people and neither the minds of the said personages (they being wanting to us as not knowne nor any manner of government is yet agreed on and there being a necessity as aforesaid that some present government may be observed) wherefore thinke meete and doe order that Roger Ludlow Esq William Pynchon Esq John Schole William Swayne Henry Smith William Pynchon William Westwood Andrew Warner or the greater parte of them shall have full power and authority to heare and determine in a judiciall way by witnesses upon oath examine wthin the said plantation all those differences wch may arise betweene party and party and also upon misdemeanor to inflict corporall punishment or imprisonment to fine and levy the same if occasion so require to make and decree such orders for the present that may be for the peaceable and quiet ordering the affayres of the said Plantation both in trading planting building Lotts military discipline defensive warre if need so require as shall best conduce to the publicke good of the same And that the said Roger Ludlow William Pynchon John Schole William Swayne Henry Smith William Pynchon William Westwood Andrew Warner or the greater parte of them shall have power under the governor parte of their hands at a day or Dayes by them appointed upon conveniencie to convent the said Inhabitants of the said Towne to any convenient place that they shall thinke meete in a legall and open manner by way of Court to proceede in exercising the power and authority aforesaid and in case of present necessity wee from joyning together to inflict corporall punishment upon any offender if they see cause and warrantable grounds so to doe Provided allwayes that this Commission shall not extend any longer time then one whole yeare from the date thereof, And in the meane time it shall be lawfull for this —

Court to vrall the said presents if they see cause and if so be there may be a mutuall and settled government condescended unto by and with the good liking and consent of the said noble personages or their Clergy the Inhabitants and the Commonwealth provided also that this may not be any prejudice to the interest of those noble personages in the said River and confined thereof within their severall limits.

At the Court holden at Newtowne April 5 1636. present,

The Governor.	Mr Winthrop.
Deputy Governor.	Mr Nowell.
Mr Dummer.	Mr Dudley.
Mr Bradstreet.	Mr Pynchon.
Mr Nowell.	Mr Dummer.
Mr Bradstreet.	Mr Bradstreet.

779. Upon the appearance of Nicholas Frost at this Court and his showing just cause why he was detayned from the last Court the said Nicholas Frost Henry Josselyn Gent and John Pitman are discharged of their Recognizance of 40li and the said Nicholas Frost hath bound himselfe in 20li to appear at any Court hereafter upon summons to answere to such things as shall be objected against him. Nicholas Frost.

780. Ordered that William Shepheard servant to William Dummer shall be whipt for stealing virtuall from his Master and bound from the Indians. Shepheard whipt.

781. Ordered that William Fortune shall for drunkennesse and other misdemeanors by him committed stand at the next generall Court one houre in publicke view with a white sheete of paper on his breast having a great D made upon it and shall attend the pleasure of the Court till he be dismissed. Fortune D.

782. Ordered that George Hoppe shall be severely whipt twice this present Court and again after some convenient time at Salem at some publicke meeting there, for striking his Master Mr Richards throwing him downe and spurning him with his feete being downe and the Court hath entreated John Endicott Esq to see his correction given. Hoppe whipt.

783. Ordered that William Wake shall be whipt for stealing Baron Trosse of from Walter Compting. Wake whipt.

At the generall Court holden at Newtowne March 3. 1635.

784. Ordered particular Townes have many things wch concerne only themselves and their ordering of their owne affayres and disposing of businesses in their owne Townes It is therefore ordered that the freemen of every Towne or the major parte of them shall only have power to dispose of their owne lands and woods with all the priviledges and appurtenances of the said Townes to grant lotts and make such orders as may tend to the well ordering of their owne Townes not repugnant to the Lawes and orders here established by the generall Court as also to lay mulcts and penalties for the breach of those orders and to levy and distraine the same not exceeding the summe of xxs. Also to choose their owne particular Officers as Constables surveyors for the highways and the like. And because many businesses is like to ensue to the Constables of severall Townes by reason they are to make distresses and gather fines Therefore that every Towne shall have two Constables where there is need that so their Office may not be a burden unto them and they may attend more carefully upon the distraynes of their Office for wch they can be liable to give their attendance to this Court when they shall be called thereunto. Power to particular Townes. 285.

At the xiiij of the second moneth. 1636.

785. Those whose named and underwritten being appointed by the generall Court to set out the bounds of the Towne upon Charles River do agree that the bounds of the Towne shall run from the mouth of Charles River on the Northwest side of Charles bounds one mile Towne upon Charles River, bounds.

and halfe a Northeast and from thence twoe miles Northwest and so from thence five miles southwest and on the southwest side parted over from the southeast side of the bounds to an fouer miles on a southwest line reserving the propriatie to ye wall — reserved granted by speciall order of Court. — William Spencer Nicholas Danforth — William Jemison.

The ninth of the second moneth Anno 1636.

Dorchester chosen bounds. — Wee whose named are hereunderwritten being appointed by the generall Court to view the medow grounds by Ravenshill over neare the blew hills and returne into the next Court what towne it may best belong unto, we certifie that we conceive that the meadowe on the west side of the river may lye best to Dorchester and the meadowe on the east side to that parte of Roxbury called Dorchester which now belonged to Boston Provided nevertheless no mans proprietie granted by speciall order of Court hinder he same. The — Court reserving power to sett downe the extent. William Spencer. Nicholas Danforth. William Jemison.

Roxbury bounds. — Ordered that all the rest of the ground lying betwixt Dorchester bounds and Boston bounds shall belong to the Towne of Roxbury Roxbury of Charles River except the proprietie of the aforesaid Towne which they have purchased of particular persons. Roxbury not to extend above eight miles in length from their meeting house.

At the generall Court holden at Boston May 25th 1636. present,

The Governor.	Mr Winthrop.
Deputy Governor.	Mr Hoggs.
Mr Winthrop.	Mr Cowell.
Mr Dudley.	Mr Dummer.
Mr Humfrey.	Mr Bradstreet.
Mr Nowell.	George Hull.
Mr Gibbons.	William Vaughan.
Ralph Mousell.	George Minott.
Mr Clarke.	Mr Saltonstall.
John Johnson.	Mr Daniell Jemison.
William Parke.	John Martin.
Mr Chaplaine.	Mr John Spencer.
Mr George Cooke.	Captaine Turner.
Mr Talcott.	Lieutenant Jones.
Mr Hutchinson.	John Upham.
Mr Coggeshall.	John Humfrey.
Mr Wenton.	Captaine Traske.
Lieutenant Fiske.	Mr Bishop.
Ensigne Jemison.	Mr Blackleach.
William Swaine.	Joseph Underwood.

Nicholas Baker.

Mr Dudley. — Henry Vane Esqr was chosen Governor for this yeare next ensuing and till a new be — 786 chosen and did take an oath to his place belonging in the presence of the Court.

Deputy Governor. — John Winthrop Esqr was chosen and sworne Deputy Governor for this yeare next 787 ensuing and till a new be chosen.

Assistants. — John Haynes Richard Bellingham Thomas Dudley John Humfrey William Goddington Richard 790. Dummer Increase Nowell John Winthrop and Simon Bradstreet John Endicott William Pynchon and Roger Harlakenden Esqrs were chosen Assistants for this yeare next ensuing & till a new be chosen and did all take an oath to their place belonging except Mr Pynchon & Mr John Winthrop who were absent.

791. John Winthrop Esqr was chosen to be one of the standing Counsell for the term of his life. In like manner Thomas Dudley Esqr was chosen to be one of the standing Counsell for the term of his life. — Standing Counsell. 286. 287.

792. The freemen of Newbury are fined 6^s a peece for choosing and sending to the Court a deputy, which was no freeman. — Newbury deputy no freeman.

793. The Court vpon the desire of Mr Rowe are deputed to joyne with Mr Spenser and Mr Hutchinson to take a view of Nicolas Simkins vpon the first day of the next week, take one and so to returne what they have done to the Generall within one moneth. — Simkins Chirurgeant.

794. Whereas it is ordered that the act of the last generall Court that prohibited burning of tommodiues of Sheepes till leave be granted, shall be repealed. vol. 746. — Sheepes tommodiues. Rep.

795. The Generall deputy Governor Thomas Dudley, John Haynes, Richard Bellingham Esq^rs, Mr Hutton, Mr Hooker and Mr Stoughton are intreated to make a draught of Lawes agreeable to the word of God, wch may be the fundamentalls of this Commonwealth, and to present the same to the next generall Court. And it is ordered that in the meane time the Magistrates and their Assistants shall proceede in the courts to heare and determine all causes according to the Lawes now established and where there is no Lawe then as neare the Lawes of God as they can and for all business out of Court for wch there is no certaine rule not set downe, those of the standing Counsell or some two of them shall take order by their best discretion that they may be ordered and ended according to the rule of Goodness and to take care for all military affaires till the next generall Court. — Lawes. 288.

796. Mr Israel Stoughton by order of Court is restored to his former liberties and made capable of bearing any office in the Commonwealth as he shall be called unto. — Mr Stoughton.

797. The named of such gentlemen Magistrates and other gentlemen as are deputed to keepe the Courts particular Courts ensue. For Salem and Saugus Mr Humfrey and Mr Endicott Captaine Turner Mr Stungs & Mr Lisson. For Ipswich and Newberry Mr Dudley Mr Dummer Mr Bradstreet Mr Saltonstall and Mr Spenser. For Newtowne Watertown Charlestown Meadford and Concord Mr Haynes Mr Harlakenden Mr Newell Mr Cooper and Mr Stow. For Boston Roxbury Dorchester Weymouth and Hingham Mr Bellingham Mr Coddington Mr Israell Stoughton Mr William Hutchinson & William Heath. — Courts. Salem. Ipswich. Newtowne. Boston. 289.

798. Ordered also that in the absence of one or two of the great belonging to any of those particular Courts the Court shall be kept by any three of them provided there be one Magistrate amongst them. — The three Judges Quorum one.

799. Whereas it is ordered that in all the aforesaid places of Judicature the Kings Matiesties Armes shall be erected so soone as they can be had. — Kings Armes. 290.

800. Mr Dummer is chosen Treasurer for this yeare next ensuing and till a new be chosen. — Treasurer.

Ordered that there shall be ffifteene out of the Generall Plantations for publicke vse Captaine Turner Captaine Traske John Johnson Walter Savage Mr Daniell Denison Mr Eaton Mr Wheeler Mr Spenser Mr Hogersall Mr Dunton Thomas Loring Ensigne Denison and Mr Mayhew these forementioned great or the major parte of them are deputed and committed and power granted them to require the last rates of each Town in the Plantation and to finde out thereby and by all other meanes they can according to the best of their discretion the true value of each Towne and so to make an equall rate for the ffifteene now granted to be levyed. And they are enjoyned to meete and determine the same vpon the 15th day of the 4th moneth called June under the penalty of 5^li a peece, the meeting to be at Boston the rate to be delivered to the Treasurer. — ffifteene.

128

At a Quarter Court held at Boston the 7 th of the fourth month 1636.

present,

The Ld Robert.	Mr Roger Hartakenden.
Deputy Robert.	Mr Richard Dummer.
Mr Thomas Dudley.	Mr Francis Howell.
Mr Richard Bellingham.	Mr John Humphrey.
Mr John Haynes.	Mr John Endicott.
Mr William Coddington.	

Tobye. John Hobson Shoemaker undertake and bound himselfe in Assumpsit of 10li to answere for Francis Tobye any damage not exceeding 10li. 801

Bendall committed. Edward Bendall was fined 40s to the Commons and 10s to the Secretary and to returne to prison till he acknowledge the justice of the Court and pay his fine. Yet after acknowledged his sin payd his fine and was discharged. 802

Drunke whipt. John Webster William Longstone and Timothy Walcot were censured to be whipt for swearing a oaste for drunkenne. 803

Constable Constable. John Phillips was chosen constable of Dorchester and tooke his oath to that place belonging. 804

Bloodied Island. Mr Maverick payd the Robert 40s rent for Bloodied Island. 805

Miller sedition. Thomas Miller Pilott and Mate to Mr Sherred in the Hartar was committed for certaine sediticus and opprobrious speeches saying we are all robbed and Crayford and he would justify it to the Robert's face and that he had him twice at the Counsell Table and would goe againe and doubted not but to bring some to stronge end. 806

At a Quarter Court kept at Boston the 6 th day of the 4 th month 1636.

present,

The Ld Robert.	Mr John Winthrop jun.
Deputy Robert.	Mr Roger Hartakenden.
Mr John Haynes.	Mr Thomas Dudley.
Mr Richard Bellingham.	Mr John Humphrey.
Mr William Coddington.	Mr Richard Dummer.
Mr William Pynchon.	Mr Simon Bradstreete.
Mr Francis Howell.	

Lands assigned by Mr Coggeshall. It was ordered that John Oliver and Robert Wharton should view the land beyond Weneto quid for Oliver and bring a plott of the same.

Fornication sup. James Clarke and Joane Clarke were supported of fornication but no cleare proofe. 808.

Swearing a staff strike. Robert Shortehose for swearing by the bloud of God was sentenced to have his tongue bored out into a staff strike and to stand so by the space of halfe an houre. 809

Dillingham in strife. It was ordered that Mr Dudley Mr Endicott and Mr Bradstreete or any two of them shall examine the Controuersie between Mr Angier Saltonstall and Edward Dillingham & report to the Court how they finde the estate of John Dillingham and his wife deceased. 810.

Mr Oldhams estate. Ordered that Mr Haynes Mr Hartakenden and Mr Howell or any two of them shall examine the business touching Mr Oldhams estate and debts and Mr Hutchinson and Mr Maverick to gather up the debts and estate and to be accountable to the Court. 811

124

Recognizance forfeited. John White being bound upon recognizance forfeited 10li. 812.

Drunke. Scandall. fined. whipt. Peter Vinsaker was censured for drunkennesse to be whipt and had 20. stripes stayed, instructed and fined 5li for slighting the Magistrates or what they could doe saying they could but fine him. 813

Rape attempted. whipt &c. Edward Woodley for attempting a Rape swearing and breaking into an house was censured to be soberly whipt 30. stripes, a yeare imprisonment and kept to hard labour, coarse diett and to weare a collar of iron. 814.

815. Thirdly the wife of Thomas Chapgate was enjoined to stand with her tongue in a cleft stick for swearing cursing and railing.

At the generall Court holden at Boston September. 8th. 1636.

present.

Thos Dudlye.	Mr Eddington.
Deputy Dudlye.	Mr Winthrop.
Mr Dudlye.	Mr Dummer.
Mr Haynes.	Mr Carlebenden.
Mr Nollingham.	Mr Bradstreete.
Mr Winthrop.	Mr Imanuell Nowell.

Mr Spencer.	Mr Danforth.
Mr Woodman.	Lieutenant Poole.
Mr Richard Saltonstall.	Mr Hutchinson.
Mr Nowman.	Mr Coney.
Mr Traske.	Mr Newton.
Mr Bishop.	Mr Goodrich.
Mr Stangers.	Richarde Betts.
Lieutenant Howe.	Josu Cousen.
Mr Tomlins.	Joseph Mills.
Mr Webster.	Mr Dimran
Thomas Mudd.	George Minot.
Lieuant Sprague.	Richard Collicott.
Mr Cooke.	William Smith.
Mr Spencer.	Mr Walcham.

Joseph Andrews.

816. It was ordered that hereafter now towne in the Plantation that hath not 10. ffreemen resident in it shall send any deputy to the generall Courts, those that have above 10. and under 20. not above one, and 40. not above two, and those that have above 40. three, ffifty will but not above. Deputyes. How many. 291.

817. Wheereas the inhabitants of Concord and purposed to abate the fallen in the River upon with their Towne standeth whereby they contribute such Towne as shall be hereafter planted above them upon the said River shall receive benefit by reason of their charge and labour. It is therefore ordered that such Towne or ffarmes as shall be planted above them shall contribute to the Inhabitants of Concord proportionable both to their charge and adventure and according to the benefit that the said Towne or ffarmes shall receive by the drayning of their meadows. Concord. 292.

818. Wheereas Thomas Willards having given out most false and reproacfull speeches against his Majesties most loyall and faithfull subjects dwelling in the Massachusetts Bay in Omnibus saying that they were all traytors and rebells he doth confesse and so doth desire it may be entered it did proceede from the rashnesse and distemper of my owne braine wherein I am just grieved or cause so to think or speake ffor with my unworthy and sinfull carriage being called in question he doth justly stand committed, My humble request is upon this my ffault and ingenuous retractation of my grosse fancies It would please the Worshipfull and the rest of the Assistants to accept of this my humble submission and to passe by my fault and dismisse me from further trouble And this my free and voluntary confession I subscribe with my hands this 9th of June. 1636. Thomas Willard. Willards submission.

125

819. Wheereas the Towne of Weymouth hath sent 3. deputyes to this Court being a businesse Towne at the request of the said deputyes two of them were dismissed by the Worshipfull Mr Winthrop of Ipswich. Weymouth.

293. Paied. Constables. It is ordered that if any Constable shall neglect to pay in such money to the Treasurer as his 820.
warrant shall direct for publicke use within one moneth after the receipt thereof or returne such
an answere as shall give satisfaction to the Treasurer it shall be lawfull for the Treasurer to
Marshall. appoint the marshall to levy the rate upon the constables goods together with such other charges
as shall be occasioned therby.

294. Indians. Ordered that the standing Committee or any two of them shall have power to let to ffarmer 821.
Tobacco trade. all trading wth the Indians for wampom tobacco or any other fruites to such persons as they
ffruites. wampom. shall thinke meete for the terme of three yeares and for such rent to be payd to the —
Treasurer as in their distractions they judge equall. And it is agreed that after the letting of the
said Trade and one moneth after the publishing thereof no person whatsoever of this Jurisdiction —
except the ffarmers shall trade wth any Indian either directly or indirectly for any of the com=
modities before mentioned under the penalty of 10^s. a poundes for fruites and as much for every peck
of wampom. Provided and it is the meaning of this order that any person may sell wampom or
fruites to the Indians for any commodities they want.

Accounts. Mr Gravate Howell Mr Porter and Mr Duncan are chosen committees to examine the 822
accounts of all such persons as the country owes monies unto as also to make inquiry after
such debts as are owing to the country and to make report to the next Court what they
have done therein. To this order is added the examination of the Accounts of the Marshall
and Mr Clinton.

294. Pioneer. Ordered that Mr Samford shall have 10^s allowed him for his service for the publicke in the 823.
Office of Pioneer for this yeare last past, And Mr Samford is chosen surveyor of the Ar=
Embroyd. mure and other ammition and it is referred to the next generall Court to consider of a
meete recompense for him.

Gallop. 12. ac. There is 12. Acres of land granted to John Gallop upon Rixes Island to enjoy to 824.
him and his heires for ever.

Plymouth 3. houses. Ordered that William Holmes Daniell Hopkins and Martha Hutting shall enjoy their 825.
houses and lands on the south side of Charles river without disturbance till they doe re=
ceive satisfaction for them from the Inhabitants of Plymouth.

290. Dedham. Ordered that the plantation is to be settled about the falls of Charles River shall have 826.
three yeares immunity from publicke charges as Concord had to be accounted from the
first of May next and the name of the Plantation is now called Dedham to enjoy all
bounds. that land on the south side and easterly side of Charles river not formerly granted to
any Towne or particular persons and also to have five miles square on the other side
of the River.

Rutlishm bounds. Mr Damforth Mr Allott and Mr Allen are deputed to measure and sett out the bounds of 827.
Rutlishm and such farmes as have leave to the aforesaid Plantation.

Watertown & Roxbury bounds. Mr Cheimall is deputed to view the bounds of Watertown and Roxbury on both — 828.
sides the river to make a draught thereof with an expression of the nature of the
grounds in both Townes and to make returne thereof at the next Session of this Court.

1200^{li} to stay. Ordered that there shall be 1200^{li} lotted out of the generall Plantations Rates to 829.
be payd at three moneths and the other at the time that shall be judged appointed at the next
Session of this Court, And it is agreed that merchantable corne shall passe for payment
in this rate at 5^s the bushell to be sufficiently dressed at Boston at the appointment of the
Treasurer to be called for when the Treasurer pleases And it is ordered that the debtes
debt shall be payd to him in money or Tobacco Mr Coggeshall Mr Weeper Mr Woodman
John Johnson Mr Joseph Cooke Mr Saltonstall George Minott Mr Timothy Tomkins Mr Mayhew
Mr Tyler Joseph Underwood Mr Smith these forenamed gentlemen or the greater parte
of them are deputed committees and power granted to them to require the last rated of
earth Towne in the Plantation and to finde out therein and by all other meanes they can

to the best of their discretion the true value of every Towne and so to make an equall rate for the first 600.li now granted to be levyed and they are enjoyned to meete and determine the same upon the 20th daye of this present month under the penalty of 5.li a peece the meeting to be at Boston the retourne to be made to the Treasurer.

030. For explanation of an order of Court Mayre 7 K. 1634. against the bringing of Tobacco, It is agreed that it shall be lawfull for any person to bring or sell three tobacco boxes ready ad shall be transported to other parts out of this Jurisdiction without incurring of any penalty. — Tobacco. 297.

031. William Parker and Abraham Palmer are deputed to view the bounds of land in differences betwixt Boston and Dorchester and to make report thereof to the next Generall Court. — Boston & Dorchester bounds. 298.

032. Mr Timothy Cornyng is licensed to keepe an house of intertainment at Sangus. Thomas Clements is licensed to keepe an house of intertainment at Plymouth. — Sandwich. Sangus Plymouth. 299. 300

033. It is ordered that the order of Court against building of dwelling howses above halfe a myle from the meeting howse shall extend to all the Townes in this Jurisdiction. — Meeting howses in Townes. 301.

034. Mr Goddington Mr Flowell Mr Spencer and Mr Hutchinson being deputed to peruse the Accompt of Richard Emptrind did returne to this Court that they found him indebted to the Country in the summe of fourtyfoure pounds eight shillings and foure pence. — Emptrind debt to the Country. 44li 8s 4d.

035. Shawsop the Indian of Marthas Iland being imprisoned was tormented and for the present was adjudged to be sent to the Iland and there to be kept as a slave to worke for his maister, vntill he further ranse. — Shawsop. Indian. slave.

036. Crispamaker upon his desire was yielded, as many guns as shot of powder, to kill himselfe some fowle. — Crispamaker.

037. Concerning the difference betwixt Boston and Weymouth at Mount Wollaston the Court did appoint Mr Sayer to take Mr Ffoxe Mr Gibones and such others as might give him light to make a draught of that place in difference against the next Court in the Springe to demonstrate where the limits are. — Boston & Weymouth bounds.

038. Nathaniel Edwards Rendall had 20li yielded towards the losse of the lighter and that the lighter was retarded the Court allowed him 12li of that 20li towards his charge and hinderance. — Rendalls lighter.

039. Lieutenant Morrid is to have yielded him yearely by the Towne of Portsmouth 10li so long as he shall at the Castle and Dorchester to the Towne of Portsmouth. — Lieutenant Morrid. 302.

040. Lieutenant Gibones had yielded him 10li for his overall imployments wherein he was exercised in being a month besides the danger. — Lieutenant Gibones.

041. John Ingerson had given him fourty shillings for his paynes and danger vnderygon. — John Ingerson.

042. Mr Wellingham Mr Goddington William Smith Mr Hutchinson Mr Newton Mr Walconstall Mr Hathorne being absent at 9. of the Clocke were fined at 5.s a peece. — Absent fined.

It was ordered that the last 600.li shall be paid between this and the first of the eighth moneth called Januarye ad the Treasurer shall appoint. — Levy.

043. Upon a generall Complaint of the great Damnigge wch the Commonwealth doth sustayne by Swine going at liberty notwithstanding all former Lawes wch have bin made in this behalfe. It is now therefore ordered that after the last daye of the next month if any swine shall be found abroad out of any mans yarde or enclosure or out of some Iland except some person have them in restraint by some line or other meanes such swine shall be accounted ad wilde swine and it shall be lawfull for any man to take them either alive or dead or ad he may. And for the better — Swine. 303.

execution of this Lawe there shall be chosen yearly in every Towne some one discreete
person who shall tell the hogwardes who shall have power to seize on all such swine
and to take account of all such swine not shall be seised by any other and every swine
so seised upon shall be valued by two neighbours and sold and the money arising therof
shall be delivered one halfe to the Commonwealth and the other to the Tresurer and
out of which the Tresurer shall allowe the hogwardes the tenth part of every such
swine as he shall give notice to the Tresurer to have bin seized upon by any other
person and the one halfe of such swine as he shall seize himselfe Clause that after
the said day all former Lawes against swine shall be voyde and that a copyes of
this order shall be sett up at every meeting howse.

Mr Poddingtons. Mr William Poddington who was Tresurer for the two yeares last past presented his 844.
Account. Account and the same being examined was allowed the County owing him 25li. 14s. 6d.

Mr Brentons Account. Mr Brenton Account was also excepted and the money due by him was remitted. 845.

Absentes fined. Mr Courlandes, Mr Callowshall and Mr Blackowe being absent till after 9. of the clocke — 846.
were fined at 5s. the peece.

Secretary free of wages. The Secretary Gurwise Clerke was to have his wages barre and to be free of wages 847.
hereafter.

304. Clewton Records. Clewtowne presented a booke of their Records under the hands of William Cudrowes Constable 848.
John Benjamin and William Spenser.

Goods intestate. The inventory of Robert Bills who deceased about the 15th of the 10th moneth 35s. 849.
in the howse of Edward Garrington of Charlestowne in whose hands his estate was left
mothes.

Absentes. Mr Thomas Blackson was fined 10s. for absence being called. 850.

Pensioners. The order for Pensioners to have liberty to passe taxes is renewed for a yeare longer. 851

Marshall. Spend. pens. The Marshall Lawes Elder was granted to have his spending pens his fees made up 852.
40li. p annum and every one committed is to pay 5s. for their commitment.

Chanoniers. Mr John Sampson is chosen Chanoniers for Boston and surbeyd of the Churches and — 853
ammition for this to have 30li. for his owne and his mans payne herein.

Crackbit to stay. Wheereas Benjamin Skelton was injoyned to send away Robert Crackbit for his misdes- 854.
meane and since having hope of amendment he is admitted to stay.

Blemings reward for maynem. Edwarde Blemmings is granted 5li. in regard of the losse of his eye in the voyage to Block 855.
Island.

Gunter lame. Thomas Gunter in regard of his long sickness and lamenesse and weaknesse the Deacons 856.
of Charlestowne were wished to be him and afforde such helpe as is needfull and
bring in their bills and the Tresurer to pay the same.

305. Cobelled Island. Cobelled Island is granted to Charles Towne provided they imploy it for fishing 857.
Charlestowne. by their owne Townesmen or hinder not others.

306. Bone lace. That no person after 1 moneth shall make or sell any bone lace or other lace to be 858.
worne upon any garment or linnen upon payne of 5s. the yarde for every yarde
of such lace so made or sold or sett in neither shall any Taylor sett any lace —
upon any garment upon paine of 6d. for every offence provided that binding or small
edging laces may be used upon garments or linnen.

Taylors. 128

307. Workmen wages. It is ordered that the Officers of every Towne shall from time to time as occasion — 859.
shall require agree amongst themselves about the prices and rates of all workemen
Labourers and Servants wages and every person inhabiting in any Towne whether
workmen Labourer or Servant shall be bound to the same rates wch the said Officers
for the greater part shall binde themselves unto and who soever shall exceede shall be
punished by the distraction of the Court according to the quality and measure of the —

offence. And if any Towne shall have cause of complaint against the freemen of any other Towne for allowing greater wages or wages themselves the Quarter-Court at Boston or the Governor and Counsell shall from time to time set order therein.

360. The Commission for military affayres is committed to the standing Counsell till the Court in May next and so forward untill the generall Court shall take further order. — Counsell Military. 308.

361. That at the next quarter Court Nicholas Simpkins be summoned to give satisfaction for his misbehaviour. — Simpkins.

362. That the change of the deputies of the Townes be borne by the Townes wth they come from to ease the publicke. — deputies expt. 309.

363. The Court agreed to give 400li. towards a schoole or colledge whereof 200li to be payd the next yeare and 200li when the worke is finished and the next Courte to appoint where and what buildings be fitted of this worke are agreed to be given to Deane Nunnings wife lost his eye in the Countyes service and this to be added to the 50li given before. — colledge. Nunnings.

364. Entreate Nowell Mr Dunster and Mr Spenser being deputed to peruse and examine all accounts what any did owe to the Country and what was owing to any from the Country did returne what they had done. — debts to be by the Country. 310.

A Quarter Court holden at Boston the 6th day of the 10th moneth 1636. present,

The Governor.	Mr Endicott.
Deputy Governor.	Mr Goddington.
Mr Thomas Dudley.	Mr Dunster.
Mr Haynes.	Mr Winthrop.
Mr Bellingham.	Mr Bradstreete.
Mr Humfrey.	Entreate Nowell.

365. The same order was renewed wth was formerly agreed upon between Mr Richard Saltonstall Mr Charleton and Mr Edward Dillingham and the same grant to whome the house did belong was referred to have power to determine or to reporte to the Courte. — Mr Saltonstall & others referrent.

366. William Clarke being convict of severall theftes was sentenced to be severely whipt and committed to prison till he be able returne and to be sent home. — Clarke whipt & theft.

367. Christopher Robinson being convicted of fornication committed by him twice tried by his owne confession was sentenced to be whipped and to have 20. stripes swaych stayde on the was also enjoyned to appeare at the next quarter Court after the expiration of his time and the meane while to be of good behaviour. — Robinson whipt. fornication. Bon Houre.

A generall Court holden at Boston the 7th day of the 10th moneth 1636. present.

The Governor. — Mr John Endicott.
Deputy Governor. — Mr William Goffe.
Mr Thomas Dudley. — Mr Roger Harlakenden.
Mr John Haynes. — Mr Winthrop jun.
Mr Richard Saltonstall. — Mr Simon Bradstreet.
Mr John Humphrey. — Mr Nicholas Danforth.

Deputyes

Elliot Walter Sprague. — Mr Ch[illegible]ington.
Abraham Palmer. — Mr Hawthorne.
Mr Joseph Cooke. — Mr Leade.
Mr Richard Dansey. — Mr Lyman.
Mr Robert Cole. — Captaine Traske.
Mr Jones. — Mr Stragge.
Simon Wollard. — Mr Richard Saltonstall.
Mr Gorgesall. — Mr Denison.
Mr Colburn. — Mr Spencer.
Mr Brenton. — Mr Walton.
Mr Wollis. — John Johnson Bitt of Marke by oath.

Robert Dover for England.

The Governor declaring unto this Court the occasion of their assembling at this present 869. some letters lately received out of England wch he had imparted to those of the Counsell wth him did not thinking it fitt to approvve to move publicke wch his owne private affaires and both by himselfe and them declaring to be of such present and pressing necessitie for his taking a voyage into England wch yet he thought not fitt to resolve upon without the Counsell and advice of the Court. This Court now taking into Consideration the said proposition and after some debate about sundry objections ad hoc in generall and some respitt taken for answere herein. The Court after sundry serious advise and consultation declared that it was judged to them to heare of the said proposition for the departure of Governor whose wisdome, loue and faithfullnesse they haue so good experience of and in a time now especially when there is so great need of such a Ruler. Yet being not willing that his abilities and readinesse to doe the Country service should be so prejudiciall to himselfe, said they doe leave from the credit wch they give to his owne and the vote of the Counsell desiring for wch they rest satisfied in this point his resignation be accepted from himselfe of his serious resolution upon the settling of his affaires in England.

The Court agreed that it was needfull at this time to give warr to his departure and because there might be a timely supply for the discharge of the related of the Governor and Deputy. It was wthall ordered that a generall Court should be called to assemble the 14th of this present and that in regard of the season it shall be lawfull for any of the freemen to send their votes in writing if they think not fitt to come in person.

311. Ballast.

It was ordered that no ballast should be taken from any shore without leave from the 869.
Townesmen under the penalty of 6d for every foote full unlesse such shoes as they gave land there before.

Mr Hutchinson.

Mr William Hutchinson was discharged from assisting at the particular Courts at the request. 870.

Adjournment.

The Court is adjourned till the 13th in the afternoone.

312. Immoderate expence.

For preventing the immoderate expence of provisions brought from beyond the Seas It is 871.
ordered that whosoever after three moneths from the date hereof shall buy or receive out of any Spiner any fruit spice sugar wine strong water or tobacco shall pay to the Treasure

one sixth parte of the value or price thereof, and every person who shall buy or receive any of the said commodities with intent to retayle the same to others shall pay to the Treasurer one third parte of the value or price thereof. And for the due execution of this order there shall be one Officer chosen by the Governor and Counsell who shall be also sworne to be faithfull, who shall have power by himselfe to make search in all warehouses or in other places of stowage for discovery of such provisions also to surveye all vessells within ye harbor for discovery, and if any person being demanded if he have any of the said provisions shall deny the same or the quantity thereof and any such summe so imposed or forfeited be not payde to the said Officer or to the Treasurer within one moneth after it is lawfully demanded, if he be taken carryeng the said provisions it shall be lawfull for waraunt from the Treasurer by way of distresse with all charges thereby growinge. And the said Officer shall have a third parte of all such benefitt as shall come to the Commonwealth by his service therein.

Exp. 1. 12. 1638. 370.

Exp. 349.

872. Provided that this order shall not extende to such wine as the Governor worthie bona fide for the generall publicke use.

873. Provided also that this order for so much as concerneth fruit sugar and spice shall not be in force till the first of the seventh moneth next comming.

874. Provided also that none of the said commodities wch shall be landed heere to be sent to other parties to be included in this order nor shall any of the said commodities wax more then once throughe theyr passe throughe diverse handes.

Servants. 313.

875. It is ordered that no servant shall be sett free or take any lott untill he have served out the time covenanted under penalty of such fine as the Quarter Court shall inflict unlesse they see cause to remitt the same.

Single persons. 314. Married.

876. It is ordered that all Townes shall take care to order and dispose of all single persons and married within their Townes to service or otherwise and if any be grieved at the order of a Towne the party to have liberty to appeale to the Governor & Counsell the Court.

Appeal.

877. It is ordered that all militiamen in this Jurisdiction shall be ranked into three regiments. Boston Roxbury Dorchester Weymouth Hingham to be one regiment whereof John Winthrop sen Esqr shall be Collonell, and Thomas Dudley Esqr Lieutenant Collonell. Charlestowne Newton Watertown Concord and Dedham to be another regiment whereof John Haynes Esqr shall be Collonell and Roger Harlakenden Esqr Lieutenant Collonell. Sagus Salem Ipswich & Newberry to be another regiment whereof John Endicott Esqr shall be Collonell & John Winthrop junior Lieutenant Collonell. And the Governor for the time being shall be chiefe Generall, and each severall regiment shall make their choice of such men as they think most fitt and safe for the service and trust of those placed of Collonell and Lieutenant Collonell and present them by their Deputyes to the next Session of this Court, and for the Captaines and Lieutenants to the severall companies the severall Townes shall make choice of some principall man or two or three in each Towne and present them to the Counsell who shall appoint one of them to the said office in every company. And each Regiment shall have one master master who shall have yearely maintenance out of the Treasury viz. [illegible] to be payde quarterly to every of them, the said three master masters for the present shall be Captaine Traske for the East Regiment Captaine Underhill for the South Regiment and Captaine Patrick for the North Regiment. The power and imployment of all the said Commanders and master masters shall from time to time be ordered by the Governor and Counsell or by the Counsell of warre when any shall be established.

Three Regiments. 315.
Three Collonells.
Three Lieutenant Coll.
Governor.
Captaines.
Lieutenants.
Three master masters.
Counsell or.

878. Christopher Davies and Thomas Robinson bound in 5li for the appearance of John Davies at the quarter Court to be held the first Tuesday in March.

Davies Thomas. appearance.

Swine.

The execution of the order against swine made the 7th monethe last past was agreed 879.
to be suspended till the first of the first monethe provided they be ringe or yll ymy be-
fomed ymynge the former order to stand in force.

Generall fast.

It was agreed that there should be a generall fast the 19th day of the 11th monethe being 880.
the 5th day of the weeke Thursday to monethe.

Flequids waste.

The Court did inveate the Steward and Counsell to consider about the prosecution 881.
of the wastes against the Flequids and Clerke Stands against the next Session of this
Court.

Adjournment.

The Court is adjourned till the 5th day of the weeke wherein the Quarter Court is 882
to be holde the first tuesday of the first monethe at Boston.

The 9th day of the first monethe.

Deputyes dyet.

The Order for ye Towne to beare their owne deputyes charge was reversed and the 883
former order for the charge of the deputyes to be borne by the Country is established.

316. For Clerke Stands bonage.

Whereas complaint hathe bin made to this Court that diverse of those souldiers who 884.
were imployed to Clerke Stands are not able to beare the losse of so much time and some
others some not willing to bestowe their service freely. It is therefore ordered that
Richard Willingham Esqr William Goddington Mr Roger Marlakenden Mr Coughton Mr
Palmer Mr Sparrer and Mr Wroton or the greater parte of them shall meete at Boston
upon ye 5th day of these 4 weekes next and shall take notice of the complaints of
all such persons who were sent forth in the late expedition to Clerke Stands who shall resorte
to them upon any of those dayes or otherwise bee wellny debarred. And upon due consi-
deration of their condition and service to allowe them such recompence as they shall thinke
equall as also for any special losse or damage susteyned by any of them without their
owne default. And also shall inquire of all such as did any way misbehave themselves
and certifie the Counsell therefore and upon a note under the hands of the said com-
missioners or the greater parte of them of any summe allowed to any such person
the Treasurer shall make payment therefore accordingly. And if any dwell so farre
remote as they cannot conveniently repaire to the said Commissioners they may ap-
point some other lawfully authorized to demand the same.

317. Presidents oath.

All persons of any training bands both freemen and others who have taken the oath 885
of Presidents or shall take the same and being no servant servant in houseold nor
any other sue have their voice in nomination of those persons who are to be appointed
Captaines or other inferior Officers of the same bands provided they nominate none
but such as shall be freemen: for it is the intent and order of the Court that
no person shall henceforth be chosen to any office in the Commonwealth but such as is
a freeman. Any one Magistrate may administer the oath.

Voyce in Elecc of ye Officers

Officers freemen.

one magistrate

318. Elections.

Provided.

Ye manner.

Deputyes

Balles superscribed

Open rolle.

And this Court taking into serious consideration the great danger and dommage that may 886.
arrive to the State by all the freemen leaving their plantations to come to the place
of Elections have therefore ordered that it shall be lawfull for all freemen to send
their voice for elections by Proxie the next generall Court in May and so forwardes
which shall be done in this manner, The deputyes wee shall be chosen shall truste the
freemen of their Towne to be assembled and then to take such freemen voice as shall
to send by proxie for every Magistrate and seale them up severally subscribing the
Magistrates name on the backe side and so to bring them to the Court sealed with an open
rolle of the names of the freemen that so send by proxie.

319. Swyne.

That all swine shall be kept up in yards Stands or committed to keepers under 887
the penalty of xii for every swine not so disposed of or found at liberty and that
what boare swine shall be taken in corne or meadowe grounds shall forfeit 5s voice
to those that shall impound them and the owners of the said swine shall ~~double~~

to treate wth their neighbors at Plymouth about sucr ayde as they will send wtsud and also wth our friends upon Connecticott and shall have power to proceede wth them in the said treaty as occasion shall require. And they shall make choise of a fitt man to be steward for making and dispensing of provisions who shall have 40s. the moneth for wages besides diett. Captaine Traske shall have the commaunde of all the souldiers and Lieutenant Davenporte who shall be allowed his Captaine 6li. p moneth and his Lieutenant 4li. p moneth. And the next Court will take order for fitt other Commander or Commanders as they shall thinke fitt to sonne to them.

105. The power of the military Commission is confirmed in the hands of the Counsell till further order be taken. — Commission military. 327.

A quarter Court holden at Boston the 7th day of the first moneth 1636. present,

The Governor. — Mr Bellingham.
Deputy Governor. — Mr Coddington.
Mr Dudley. — Mr Hartlebonde.
Mr Haynes. — Mr Humfrey.
Mr Nowell.

106. In regarde the imprisonment of Edward Woodley does prove prejudiciall to his Master the Court (if the maydes shall professe her freedome from service before Mr Haynes) does release the said Woodley to his master. — Woodley released.

107. Nicholas Tobell wife of Captaine Tobell being presented to the Grand Jury for light & wanton behaviour was sharpely admonished to repent and walke humbly, chastely and holily. — Mrs Tobell susp: admonished.

108. John Emerson being arrested by Edith Pitts forfeited 100li. to George Kendricke and William Watts forfeited 50li. a peece for want of John Emerson appearance. — Emerson forf. 100li. forfeited 50li. a peece.

109. James Hadon was admitted to be free Brauns of his master his former promise before the Crt of the Court made against it. — Hadon free.

110. It is thought equall that the Towne of Salem should repay Robert Moulton the money taken of him for the Lest 1200li. rate. — Moulton rate restored.

111. William Fimed being presented for intinimency knowing his wife before marriage was sentenced to be sett in the bilboes upon the next Court day at Boston the 1st in the afternoone and in the stocks at Salem upon the next Court day and bound in 20li. — Fornicatiment sentt.

112. The power formerly granted to Mr Dudley Mr Endicott and Mr Bradstreete is granted to Francis Nowell and Thomas Mayhew to examine the controuersie betweene Mr Saltonstall Mr Appleton & Edward Dillingham. — Mr Saltonstall & others reference.

113. Captaine Tobell was admonished to take heed of light carriage. — Capt Tobell admonisht.

114. Timothy Tomlins was contented to take oath of John Stretton. — Tomlins & Stretton.

115. Thomas Gaviad was granted to John Stretton to bring Tibbes and Tillnell before the Deputy. — Gaviad Tibbes &c.

116. Thomas Pettit for suspition of slander idlenesse and stubbornesse is confined to be seriously strict and to be kept in hold. — Pettit restrict.

117. Attachment was ordered for William Nowell to appeare the 28th present for contempt and to answere to the accusation of Thomas Pettit. — Nowell & Pettit

118. John Trumble was fined 20li. to the Commonwealth resting till the next Quarter Court and bound in 40li. to appeare the first Tuesday in the 4th moneth Anno 1637. — Trumble fined.

119. Henry Bowler was adjudged to make double restitution for the things stolen by her from Geoff double restit: others.

A generall Court at Newtowne the 17th of the third month 1637. present

The Governor.	Mr Roger Harlakenden.
Deputy Governor.	Mr John Winthrop.
Mr John Humfrey.	Captaine Israell Stoughton.
Mr Richard Bellingham.	Mr Nathaniell John Endicott.

Increase Nowell.

Governor. John Winthrop Esqr was chosen Governor for the yeare ensuinge and in presence of the 920.
Court did take the oath to his place belonging.

Deputy. Thomas Dudley Esqr was chosen Deputy for his yeare and did take an oath to his 921.
place belonging in the presence of the Court.

Assistants. Richard Bellingham John Humfrey John Endicott John Winthrop and Roger Harla= 922
kenden Increase Nowell Simon Bradstreete Israell Stoughton Richard Saltonstall
Esqrs were chosen Assistants for his yeare next ensuinge and till a new be chosen &
did take the oaths to their place belonging except Mr Saltonstall who was absent.

Treasurer. John Endicott Esqr was chosen to be one of the standing Treasurer for the terme of 923.
his life.

Boston deputyes vnder election. The election of the deputyes of Boston being apprehended by the deputyes to be 924.
vnduet, order was given for a new warrant to be sent out from the Court for a
new election.

Pequids warre. Warrant was given to Sergeant Richard Gallirott Edward appointed to make provisi=925.
ons for the expedition against the Pequids to require aide of any constables or others wch as
it may conteine to press carriages or horses and to make provisions and upon bills to the
Governor & Treasurer warrant shall be given to make payment.

Committed. Captaine Traske Captaine Jennison Captaine Turner and Sergeant Richard Gall=926.
rott were appointed & committed for the present expedition four men ammition and
provisions.

Lieutenant Woodman. Mr John Spenser is discharged from being Captaine at Newberry and Edward Woodman 927.
is chosen Lieutenant.

John Woodbridge. Surveyor of Armes. John Woodbridge is appointed Surveyor of the Armes at Newberry. 928.

Treasurer. Richard Bellingham Esqr was chosen treasurer for this yeare. 929.

Mr Wilson minister to the ffort. Mr John Wilson and Mr John Eliott being sent to Lott wth souldiers for fortifying wth the 930.
souldiers against the Pequids Mr Wilson was chosen.

Captaine Stoughton Generall. Mr John Winthrop imi Mr Simon Bradstreete and Captaine Israell Stoughton =931.
being sent to Lott wth souldiers for fortifying wth the souldiers, Captaine Stoughton was
chosen.

50. men more. Captaine Stoughton Captaine Jennison Lieutenant Howe & John Johnson were = 932.
appointed deputyes to lay a proportion upon every Towne for raising 50. men more
to be sent forth wth Captaine Stoughton Mr Wilson Captaine Traske and others.

Wm Wiggs for selling a pistell & powder to the Indians w^th^out. Clopender Wiggs was accused for selling powder to the Indians, confessed to 933.
have sold a pistell and to have given 1.^lb^ of powder. It was ordered that he should be=
whipped for this offence.

Indians. Sonnoards heads leave granted them to purchase the ground w^th^in their limitts of the Indians 934.
to wit Ottawaud and Equaw Sachem.

Mr Ironsmith. It was ordered that Robert Ironsmith should before the next Court give satisfaction 935.
to the Elders & deacons and pay his fine and forfeiture so much at the next Gaolle
or else to forfeit his bond.

Mr Nobolomight. Mr John Nobolomight was enjoyned to appeare at the next Session of this Court to 936.
answer further as to receive such sentence as the cause shall require.

937. The late Treasurer Mr Dummer was ordered to write all the last Rates of Whitehaven Rates.
rotten parts.

938. Mr Timothy Hatherley and Mr Tylden with Mr William Spinnall and Joseph Chadwood Plattaquattes
were appointed to view the bounds between us and Plymouth and make return. Plymouth bounds.
how they find them up to both Courts.

939. It is ordered that no man within this Jurisdiction shall directly or indirectly amend Indians to have 328.
repaire or cause to be repaired any guns small or greate belonging to any Indian no gunnes from us.
nor shall endeavour the same nor shall sell or give to any Indian directly or indirectly
any sort gunne or gunpowder or shott or lead or shott mould or any military
weapons or armour upon payne of ten pounds fine for every offence at least and
that the Court of Assistants shall have power to increase the fine or to impose
corporall punishment where a fine cannot be had at their discretion.

940. It is ordered that no Towne or person shall receive any stranger resorting hither Strangers to inhabit 329.
with intent to reside in this Jurisdiction nor shall allowe any sett or habitation to any to have liveing.
above three weeks except such person shall have allowance under some one of the
Counsell or of two other of the Magistrates their hands upon payne that every Towne
that shall give or sell any sett or habitation to any such not so allowed shall forfeit 100li
for every offence And every person receiving any such for longer time then is heere expressed
or then shall be allowed in some speciall case as before or in case of intertainment of friends
resorting from some other parts of this Country for a convenient time shall forfeit for
every offence 40li and for every month after such person shall there continue 20li provi-
ded that if any inhabitant shall not consent to the intertainment of any such person and
shall give notice thereof to any of the Magistrates within one month after such inhabitant
shall not be liable to any parte of this penalty. This order to continue till the end of — Confirmed 3.2.1638.
the next Court of Elections and no longer except it be then confirmed.

941. For avoiding the evill and inconveniences which have risen by trading with the Indians Indian trader. 330.
of other parts this ordered from henceforth no person of this Jurisdiction shall trade out of — Dec. 9.15.1637.
the limits of the same with any Indian upon payne of such fine and other punishment as the Court 347.
wherein it shall be tryed shall see cause to inflite according to the power of the Court and ma=
nner of the offence.

942. Mr Edward Howe and Captaine Nathaniell Turner with Mr Roger Conant and William Salem Court
Trattoune were chosen to assist in the particular Court at Salem. Assistants.

943. Captaine Daniell Dennison and Mr Samuell Appleton were chosen to assist at the particular Ipswich Court Assists.
Court at Ipswich.

944. Lieutenant Daniel Savage Mr Richard Browne and Mr Joshua Cooke were chosen to assist Newton Court Assists.
at the particular Court at Newtowne

945. The Counsell with Mr Richard Bellingham Mr Roger Harlakenden and Increase Nowell Pequid warre. 331.
or the greater parte of them shall have power to send forth the souldiers which are
more to be sent against the Pequids and to furnish out all necessaries both of Armes —
provisions vessells and other things meedfull therunto and to increase any vessells and
other heads of men and carriages and to take care that they may be sent forth when —
ever dayes if possible. These to take care of the Castle at the Ilands till the next
Session of this Court according to their discretion. 332.

946. Lieutenant Howe to goe Lieutenant to Captaine Mahieu. Lieutenant Dabenocke Officers military.
to have charge of the Armes and ammition. Serjeant Cornlyne to be Ensigne —
William Phillips Smith. Comfort Starr Ensigne.

947. The Court is adjourned till the first tuesday in August unless the Governour see Adjournment.
cause to call it sooner and to continue to be kept at Newtowne.

Persons made free the 17. of the third month called May. 1636.

Jasper Simme.
Thomas West.
Samuell Appleton.
Isaac Hatt.
Philip Flint.
Adam Mott.
William Webbe.
Edward Woodman.
Thomas Fidge.
10. John Knight
Richard Knight.
Anthony Mosse.
Robert Longe.
Robert Hankins.
Edward Harrington.
Bernard Saxon.
William Sanford.
John Sandford.
Robert Keayne.
Mr Daniel Maude.
20. Isaac Hudson.
Thomas Horsford.
James Johnson.
John Davy.
George Cate.
Nahaniel Eaton.
William Ramsey.
William Connistand.

Persons made free the 7. of the 10. month. 1636.

James Bate.
Edward Glover.
John Smith.
Edward White.
20. David Pierce.
George Aldridge.
Oliver Purchase.
John Wolle.
Alexander Winthrop.
Robert Croft.
Stephen Winthrop.
William Bodhowe.
Gilbert Graffham.
Samuel Hastings.
30. Thomas Brooke.
William Witherson.
William Bradley.
Alexander Knolled.
Thomas Atkinson.
John Holland.
Walter Ritzold.
Richard Bratfott.
John Higgenson.
Thomas Savage.
Mr Henry Flint.
30. William Somerset.
James Browne.
Richard Bosworth.
Nathaniel Eud.
William Nelson.
William Salter.
Anthony Parker.
Edward Goffe.
Richard Hammond.
Edmond Lewis.
40. John Howard.
John Smith.
John Eaton.
Edmond Sharman.
John Goldidge.
Bridgeman Stone.
George Hobmore.
William Ringe.
Augustine Clement.
Richard Sander.
50. John Witam.

Persons made free the 18. of the 10. month. 1636.

Mr Thomas Fenner.
40. Francis Ligtfoote.
Edward Jones.
John Hoover.
John Moore.
Thomas Veale.
Edward Letham.
Richard Foote.
Joseph Clarke.
John Hasse.
Richard Wotton.
Anthony Fames.
Samuel Wade.
Thomas Hamond.
Thomas Underwood.
Ringlead Hudson.
50. John Wingfield.
Abraham Shaw.
Robert Cotwood.
William Harrison.
Richard Board.
Edward Watts.
Jenkin Dand.
Nathan Wolf.
Edward Spencer.
Thomas Tylstone.
Henry Collins.

Persons made free the 9. of the first month 1636. 1637.

Thomas Dymott.
John Coborn.
William Wilcox.
Edward Bennet.
Thomas Wotton Jun
Henry Simmison.
60. Edmund Jackson.
Hannah Devisall.
Robert Sedgwicke.
James Hayden.
Thomas Samford.
John Strong.
Thomas Baxter.
Joseph Armitage.
Richard Wayte.
William Symms.
70. Thomas Mekind.

The 18. of the 2. mon: 1637.

100. Thomas Parisse.
Thomas Higgham.
William Cutter.
William Crowe.
John Bore.
Robert Sober
John Pugsled.
Lawrence Whitmore.
John Scrabo.
Giles Passon.
110. Edward Kings.

The 19. of the 2. month. 1637.

Christopher Foster.
Thomas Bridgeringe.
Simon Eyre.
William Dodge.
Francis Smith.
Nathaniell Porter.
Edward Dymmy.
William Dymoly.
Francis Cast.
120. Nathaniel Woodward.
John Smith.
Edward Ramsford.
Thomas Wheeler
John Lawrence.
Thomas Olney.
Thomas Gaudner.
Joseph Powe.
William Bounde.
Henry Bartholomew.
Joseph Crafton.
Francis Keeny.
Edmond Marshall.
130. Henry Seawall Jun
Henry Bull.
Thomas Smith.
Ringlead Foote.
Ringlead Noise.
Nicholas Woodman.
James Browne.
John Bartlett.
Robert Pike.
Thomas Coleman.
140. Matthew Grassy.
George Bruden.
George Hume.
George Porter.
Thomas Willett.
Thomas Dibble.

Phillip Drinker. 150.
John Greene.
John Norton.
John Sydenes.
Thomas Noldo.
John Norbind.
William Hampson.
Thomas Kingsar.
Edmund Porter.
James Howe.
Thomas Pogard.
John Sherman.
John Bogue.
Hilyard Hutte.
James Olmer.
Richard Johnson.
Thomas Parker.
John Hanyatt.
John Gibson.

The first of the 4. month. 1637.

Mr Richard Saltonstall being chosen an assistant by the generall Court his Day took his oath to that place belonging.

The 2. of the 9. month. 1637. made free.

Nathaniel Nalad.
Edward Bale.
William Paskop.
Mr John Fisher.
Mr John Harbard.

A Quarter Court held at Boston the 6th day of the 4th month 1637.

Present

The Governor. — Mr Winthrop mag.
Deputy Governor. — Mr Humfrey.
Roland Cudworth. — Mr Dudley Saltonstall.
Mr Richard Bellingham. — Mr Coddington.
Humphrey Newell.

943. John Sutton being presented by the Grand Jury for stealing a wolfe dogge of Rolland Cudworths in Rolland Cudworths owne yarde was fined 5s. and to be imprisoned during the pleasure of the Court. — Sutton. misdemea.

944. Robert Anderson for his contempt was fined 40s. and sent to prison till he shall give satisfaction. — Anderson contempt.

945. John Hathaway being accused of Adultery with Margaret Seale wife of Edward Seale — fined John and Sammell Gold testified that he confessed it to them, soe the Grand Jury found the bill of Indictment to be true. — Hathaway. Adultery. Seale.

946. Robert Allen and Margaret Seale being accused of adultery confessed the facte, soe the Grand Jury found the bill of Inditement to be true. — Allen. Adultery. Seale.

947. Mathew Bridge being accused of the untimely death of John Abbott the said Mathew and John Bridge his father were bound in 40s. for his appearance at the next quarter Court to be held at Boston. — Bridge. murder-suspe.

948. An indian Phebe Sealed was by order of Court put Apprentice to John Coggeshall of Boston merchant who at the instant request of the Court accepted the same and for that the said girle hath proved over burdensome to him the Court ad formerly so now hath thought fitt to ease him of it And upon the said girle was put by the said John Coggeshall to John Coggins of Portsmouth to be kept at a certaine, It is now ordered that Mr Dennis calling to him Mr Brenton and William Harford chosen by the said two parties shall have power to end the said differences between the said parties and to set downe such order for the ease and discharge of the said John Coggeshall and disposing of the said Phebe Sealed as they shall think equall. — Phebe Sealed.

949. John Palmer was granted 20s. costs against George Woodward for not prosecuting his suit having summoned the said John to appear his Quarter Court. — Palmer. Woodward. Non prosc.

950. John Crumble being formerly fined 20s. 15s. of the said 20s. is remitted and the other 5s. he hath a yeaned time granted him to satisfie the same. — Crumble.

951. Richard Osborne was enjoyned to give an answer to the Constables when Rolly how he doth improve his time and if he neglect further order to be taken by putting him to the Gaole. — Osborne idle.

952. Charles Davis was ordered to be sent home to his wife to England and the two Gentlemen committed to Salem. — Davis.

953. Whereas John Benefield dyed leaving two children indistituted of the charge of the one was ordered to be delivered by Mr Gardiner he having the goods of the deceased the other child being disposed of by the Countrey. — Benefield. Graphaud.

954. Edward Seale for his boastfull drumbemesse was censured to be set in the Stocks till the end of the Court and then to be seberly reprimed. — Seale drunke reprim.

955. George Plummings was fined 20s. for selling beere and keeping an house of entertainment without licence. — Plummings.

Cole. Samuell Cole was fined xx^s. for selling a quarte of beere at 2^d. and was licensed to sell sucr claret and white wine as it sont for. 962.

Longe. Robert Longe was fined 20^s. for selling a quarte of beere at 2^d and was licensed to sell sucr claret or white wine as it sont for. 963.

Baulstone. William Baulstone was fined xx^s. for selling beere at 2^d. the quarte. 964.

Browne. Samed Browne was censured to be set in the bilboes for drunkennesse two howes upon the market day at Boson. And the said Samed Browne was fined 40^s. for selling strong water to the Indians without license. 965.

Hubbard. Benjamin Hubbard was also sicormely admonished of his fayling for being in company with Samed Browne and the rest and often drinking strong water with them and not reporting them. 966.

Woodward. Godwell. Edward Woodward was ordered to give Richard Godwell 6^s. 8^d. because he called him from Lyme to be a witnesse by warrant. 967.

Knight. Ordinary. John Knight of Newberry was licensed to keepe an howse of intertainement of strangers until 968.

Knapp. William Knapp was enjoyned upon payne of 100^li. and imprisonment to bring in sureties within 8. dayes for his appearance at the next Quarter Court to answere what shall be objected about speaches of Mr Wane our late Governour. 969.

Mr Wane.

Anderson fine. Mr Samuell Wakeman was enjoyned to keepe in his hands the goods of Robert Anderson to the value of 50^li. sterlings for his fine for his contempt offered and to deliver him the rest of his goods. 970.

Day of Thanksgiv: The last day of the next week being the 15th of the ~~the next~~ this moneth was appointed to be kept a day of thanksgiving in the Generall Churches. 971

Williams, Ordinary. William Williams is licensed to keepe an howse of intertainment and is licensed to sell sucr claret or white wine as it sont for. 972.

Crocker. Order is given to the Constable of Newberry to apprehend Crocker dwelling beyond Merrimake river to appeare at the Court at Ipswich or before the Magistrates to take further order as they shall see cause. 973.

Kingman. Ordinary. Henry Kingman at Weymouth is licensed to keepe an howse of entertainment. 974

The first of the sixt moneth called August 1637. The Generall Court by adjournt from 3.17.

Present
The Governor.
Deputy Governor. &c.

Straight this session in stead of Captaine Cassie lieutenant Gardiner George Alyard Richard Gallicott and Mr Henry Dane that were chosen Mr William Hawthorne Mr Thomas Gardiner lieutenant Dimon William Gayland and William Chenimall.

Corne. In regard there hath lately fallen upon many by the reason of receiving corne at 5^s. p bushell from the hamlets these five gentlemen Mr Nathaniell Duman John Johnson Isaac Holden Mr William Chenimall and Abraham Palmer are appointed Commissioners for them or any other of them to consider what may be equall and to set order therein according to equitye. The former order for selling corne att 5^s the bushell for the time to come is reverted and the price of corne is set at liberty. 975.

333.

Mr Browne. Mr John Browne of New Providence having spoken against the Magistrates contemptuously stands bound over in 40^li. to appeare at the next quarter Court to be held the first tuesday of the 9th moneth ensuing. 976.

Chamberlin. Captaine Hamlin and lieutenant William Spencer were appointed to view Chamberlin to consider wether it be fit for a Plantation and if not to certifie why they think be fit for Captaine Walker. 977.

978. The Court consented that Captaine Underhill should have his maintenance continued for three months wth he was at Sabrooke. — Captaine Underhill.

979. Robert Swansmith being called three times forfeited his Recognizance for not appearing. — Swansmith.

980. Mr Richard Browne and William Heath have power to examine Swiffe touch about his man. — Swiffe.

981. The Court did intreate the Magistrates to treate wth the Elders about a day of thanksgiving upon the returne of the souldiers and the souldiers to be feasted by their owne. — Thanksgiving.

982. Robert Swansmith because he had forfeited his recognizance and paid not his fine and for his neglect and contempt was committed untill the Court take further order. — Swansmith.

983. Mr Whitewright appearing was deferred to the next Session of this Court. — Mr Whitewright.

984. Ordered that the Towne and Mr Dunton should take the last Towne Accompt. — Accompt Towne.

985. For the raising a rate of foure hundred pounds Mr William Chipman, John Browne, Mr Chapman, Dunton, Mr Samuell Appleton, John Johnson, Mr Richard Browne, Timothy Tomkins, Edward Woodman, Mr William Hawthorne, William Smith, Joseph Underwood for rates Towne did agree as followeth, Boston 59£ 4s. Newtowne 29£ 12s. Watertown 30£ 8s. Portsmouth 30£ 8s. Salem 45£ 12s. Ipswich 34£ 12s. Newberry 16£ 18s. Weedsford 24£ 12s. Dorchester 42£ 6s. Weymouth 6£ 16s. Hingham 8£ 10s. Glocestowne 42£ 16s. Lynne 20£ 18s. Tot. 400£. — Rate 400£.

986. It was referred to the Comittee to take order about the Indian Squaw. — Captive Squaw.

987. The Court did agree that the souldiers should be called home ad the Moderne and Comittee and sure other of the Magistrates ad they should call to them shall appoint for time and manner. — Souldiers returne.

988. The Court did expresse that the next river to Monotoquid river is that wth goeth up the same place to the mouth of Monotoquid and that is the bounds between Mount Wollaston and Weymouth. — Mount Wollaston of Weymouth bounds. 334.

989. Wolba Sagett Squa Sachem Tahatawants Platon Quatiche alias Goldmans — Paate alias Woodmans did expresse their consent to the sale of the wood at Concord river against the Towne and all the planting ground wch hath bin formerly planted by the Indians to the Inhabitants of Concord of wch there was a writing wth their marks subscribed given into the Court expressing the price given. — Concord purchase of the Indians. 335.

990. Squa Sachem and Wolba Sagett did acknowledge in Court that they had received of Mr Gibbones for the Towne of Glocestowne thirty five shillings for the lands between Monotoquids river and Charles Towne wth they acknowledge themselves satisfied for. — Glocestowne purchase of the Indians. 336.

991. It was questioned whether Townes have liberty to withdraw particular men from sale of their lands and houses. — Townes lands. 337.

992. That some course be taken to cause men to improve their lands or to fine them that doe neglect. — Lands improve. 338.

993. The Court is adjourned till the 5th day of the ~~[illegible]~~ week after the Quarter Court. — Adjournment.

994. Christopher Stimpson did acknowledge to have received of Mr Woolridge ten shillings for his clearing a rood wthin the bounds of Charlestowne wth he acknowledged himselfe satisfied for. — Charlestowne of Christopher. 336.

The fifth day of the 7th moneth 1637. present

The Woborne.
Deputy Woborne.
Mr Richard Bollingham.
Mr John Winthrop.
Mr Saltonstall.
Mr Israel Stoughton.
Thomas Dowell.

Synod. The Quarter Court was adjourned till the 19th of this present moneth, because of the Synod 995.
kept at Plimtowne for the settling of things in differences amongst vs.

The seventh day of the 7th moneth 1637.

Adjournment. The generall Court by the generall consent of all present was adjourned to the 26th of the 996.
7th moneth, and the particular Courts in the severall places to be kept the last Tuesday of the
8th moneth.

Freemen. Mr George Morgan and Mr Timothy Dalton were made free this 7th day. 997.

The 19th day of the 7th moneth 1637. present

The Woborne. Mr Richard Bollingham.
Deputy Woborne. Mr Israell Stoughton.
Collonell John Endicott. Mr Roger Harlakenden.
Mr John Humphrey. Mr Richard Saltonstall.
Thomas Dowell.

Synod. A Quarter Court held at Boston and Plimtowne because of the Synod. 998.

William. murder of Hobbey. John Williams being indicted about the death of John Hobbey confessed that he killed the 999.
said Hobbey, so the Jury found him guilty of murder.

Stycoler. murder of Stycoley. William Stycoler being indicted about the death of Mary Stycoley the Jury found him — 1000.
guilty of murdering the said Stycoley.

Osborne. Fonorand. Mary Osborne the wife of Osborne being indicted about the death of her daughter the — 1001.
grand Jury found the bill Fonorand.

Hathaway. Adultery. John Hathaway being indicted for adultery was found guilty. 1002

Allen. Adultery. Robert Allen confessed adultery and was found guilty. 1003.

Beale. Adultery. Margaret Beale the wife of Beale confessed adultery and was found guilty. 1004.

Grand Jury.	The grand Jurymen.		The Jury of life & death.	
	John Holgrave.	Samuell Gibbons	Walter Hudson.	John Holland.
	Daniell Fage.	Henry Lingman.	Samuell Ames.	Kingsland Wade.
Petitio Jury.	William Parker.	Kingsland Adams.	William Hunted.	John Gorom.
	Harke Morrell.	Edmund Hubbardson.	William Harsham.	Elizabeth Richardson.
	Jonathan Wade.	Thomas Hamond.	John Smith.	Thomas Squire.
	William Bartholomew.	Abraham Palmer.	John Hollman.	Richard Wittombe.
	Richard Francis.	Brian Pendleton.		
	Robert Harding.	Thomas Patches.		

Brumfield whipt. Theft. William Brumfield being examined about the theft confessed that he had stolen about 5th 1005.
from his Master and about an ell of Cloath, and for his stealing plotting to run
from his Master being dishonest idlenesse was ordered to make double restitution to be
bounded and severely whipt.

Spenser whipt. George Spenser who received 6d of the said Brumfield was ordered to make double 1006.
restitution and be whipped.

1007. George Barlowe for his idlenesse was censured to be whipt. — Barlowe whipt.

1008. John Hogge being accused of Drunkennesse confessed it and was fined 3s. — Hoggs drunk.

1009. Jacob Smith was discharged upon his imprisonment for want of evidence. — Smith discharged.

1010. Mathew Bridge appearing and no evidence comming against him was quit by proclamation. — Bridge quit by pro:

1011. Mr John Throgmorton of New Providence was fined 20li and committed untill the fine of 20li be payd and enjoyned not to come into his Jurisdiction upon payne of fine or imprisonment at the pleasure of the Court for speaking contemptuously of the Magistrates. — Mr Throgmorton fined & banisht.

1012. Mr John Stretton was fined 10s. for lending a gun to an Indian some dayes. — Stretton.

1013. It was ordered that Mr Joseph Weldo and Mr John Benjamin being authorised should make sale of Mr Dorlings lands for satisfaction of the Creditors in proportion if it come too short and if an overplus be that to remaine in the hands of Mr Benjamin. — Dorling intestate.

1014. The 13th of the 7th moneth Mr Hugh Peter delivered into the Court a Deed of Mr Robert Saltonstall making over all the estate that he hath or shall have to satisfye his Creditors. — Robert Saltonstall indebted.

At the generall Court holden at Newtowne the 26th of the 7th moneth 1637. Present,

The Governor.	Mr John Winthrop.
Deputy Governor.	Mr Nicholl Knatchbull.
Mr John Humfrey.	Mr Simon Bradstreet.
Mr Richard Bellingham.	Jurnagan Rossell.

Deputyes.

Mr John Coggs.	Samuell Appleton.
Hugh Peake.	Joseph Medcalfe.
John Johnson.	Edward Woodman.
Thomas Lynde.	John Woodbridge.
John Mousall.	John Upham.
Nicholas Danforth.	Anthony Dame.
William Spencer.	William Goddington.
Captaine Jenison.	Atherton Hough.
Mr Richard Brown.	Joseph Underwood.
Mr Thomas Mayhew.	William Hawthorne.
Lieutenant Willard.	Thomas Gardiner.
Lieutenant Howe.	Lieutenant Duman.
Timothy Tomlyne	William Aspinwall.

1015. The Law against buying and selling tobacco is repealed. — Tobacco. 339.

1016. Mr John Throgmorton of New Providence is referred to the Magistrates at Boston the 5th day of the week upon a new petition for satisfaction to be dismissed. — Mr Throgmorton.

1017. The 12th of the 8th moneth was ordered to be kept a day of publike thanksgiving to God for his great mercyes in reducing the Pequots bringing the Souldiers in safety the — mercyes of the Gouernour and good newes from Virginia. — Thanksgiving.

1018. The Accompt of the late Treasurer Mr Dummer was accepted and approved there resting due to Mr Dummer 23li-2s-9d. he not having allowed the 50li rent was promised. — Treasurer Mr Dummer Accompt.

141

1019. Mr Wheelewright appearing was dismissed untill he should be sent for by the Court or Courts next shall meeter. — Mr Wheelewright.

1020. The present Court was dissolved untill a new be called and to be kept at Newtowne after the next particular Court. — Court dissolved.

A generall Court held at Newtowne the 2nd day of the nineth month 1637. Present,

The Governor.	Mr Nowell.
Deputy Governor.	Mr Hutchinson.
Mr John Endicott.	Mr Stoughton.
Mr Winthrop.	Mr Bradstreet.

Assistants Present.

Deputyes.

Captaine Daniell Denison.	Mr Richard Browne.
Lieutenant Woodman.	Captaine Gennison.
Mr John Woodbridge.	Mr Thomas Marshall.
Mr Bartholmew.	Lieutenant Willards.
Mr Hanforne.	Thomas Underwood.
Mr Bishop.	Thomas White.
Edmond Batter.	Richard Adams.
Lieutenant Greene.	Mr Dunton.
Timothy Tomkins.	Mr Richard Collicott.
Captaine Robert Sedgwicke.	Mr Gibber.
Lieutenant Sprague.	Ensigne Wolcott.
Ensigne Palmer.	Mr George Alcock.
Mr Cooke.	Mr William Parker.
Richard Fairfield.	Mr William Goddington.
John Bridge.	Mr William Colburn.

Mr Aspinwall. Mr William Aspinwall being questioned in regard his hand was to a petition or remonstrance and he justified the same maintaining it to be lawfull the Court did discharge him from being a member heereof. 1028.

Mr Coggeshall. Mr John Coggeshall affirminge that Mr Wheelwright is innocent and that he was wrongfully for the truth was in his sorte dismissed from being a member of this Court, order giben for two new deputyes to be chosen by the Towne of Boston. 1022.

340. Ordinaries. In regarde of the greate abuse in Ordinaries It is ordered that no Ordinary Keeper shall sell either sacke or strange water. 1023.

Freemen. Nathaniell Ward Edward Bate William Chesley Mr John Fiske and Mr John Harbard were made free and tooke the oaths of freemen. 1024.

Generall Constables. Robert Fletcher was chosen and sworne Constable of ~~the~~ Generall. 1025.

Mr Winthrop. Indian. Mr John Winthrop inn had leave to imploy an Indian to shoote in a peece to fowle for him. 1026.

341. Fowle. Fowle is sett at 3d the bushell for the payment of Rates being merchantable. 1027.

342. Tobacco. All former Lawes against tobacco are repealed, and tobacco is sett at liberty. 1028.

343. Commodities. The order about taking the third of the value of wine strange water and tobacco of strangers sell it against p. 6 the parte of others. Lieutenant Greene is authorised to take the arrise due by the sale of wine strange water or tobacco by the order wch was formerly repealed the 7 the day of the 10th month 1636. 1029.

142

Newberry. The inhabitants of Newberry having bin moved to leave their plantation they have granted from Winnetimmet or any other plantation belonge Merrimake the first filled and to have six miles square, and those that are now inhabitants and shall remove within one yeare shall have three yeares immunity as Generall Court the three yeares beginning the first of the first month next. 1030.

Winnetimmet.

1031. Abraham Shaue is graunted halfe of the benefitt of Golde or iron stone wch shall be founde in any common grounde wch is in the Countyes disposinge. — Golde iron stone.

1032. The Deputy Mr Dudley hath a thousande Acres of lande graunted him where it may not prejudice any Plantation graunted nor any Plantation to be graunted without limitting to time of improvement. — Mr Dudley 1000. Ac. 344.

1033. The Lye Mr John Winthrop sen hath graunted him a thousande Acres of land upon the same termes as Mr Dudley hath his. — Mr Winthrop 1000. Ac.

1034. Mr John Endicott hath 40. or 50. Acres of meadowe graunted him where it may not prejudice a Plantation. — Mr Endicott 40. or 50. Ac.

1035. Edgeant Oliver justifying the seditious libell called a Remonstrance or petition was dismissed from being a Deputy in this Court. — Edgeant Oliver Remonstrance.

1036. Edward Tedwell upon his petition being dismissed before the Lawe against dismission of Serjts was made and his Sertior being approved was admitted to have a Lott. — Tedwell Servant Lott.

1037. William Holdworde was in like sorte admitted to have a lott. — Holdworde Lott.

1038. John Bamsfield is graunted 13 ℔ 6 s 8 d for the yeare past and so he is discharged upon deliberacy of an inquire to another that shall be appointed Planter. — Bamsfield Planter discharged.

1039. Waterton is graunted fifteene hundred Acres of meadowe if it be their conveniente at the new Plantation upon the river wch Pontoud is upon. — Waterton 1500. Ac.

1040. Mr Israell Stoughton hath liberty to take his 150. Acres of meadowe formerly graunted him on both sides of Mawsett River. — Mr Stoughton. 150. Ac.

1041. Mr John Wheelewright being formerly convicted of contempt and sedition and now justifying himselfe and his former practise being to the disturbance of the civill peace he is by the Court disfranchised and banished having 14. dayes to settle his affayres and if wthin that time he departe not the Planter he promisethe to render himselfe to Mr Stoughton at his house to be kept till he be disposed of and Mr Hugg undertooke to satisfie any charge that Mr Stoughton or the Country should be at. — Mr Wheelewright banisht disfranch.

1042. Mr John Coggeshall being convented for disturbing the publicke peace was disfranchised and enjoyned not to speake any thing to disturbe the publicke peace upon paine of banishment. — Mr Coggeshall. disfranchised.

1043. Mr William Aspinwall being convented for having his hand to a petition or remonstrance being a sedition libell and justifying the same, for wch and for his insolent carriage he is disfranchised and banished yeilding in searcha for his departure before the end of the first monethe next ensuinge. — Mr Aspinwall disfranchised. banisht Remonstrance libell.

1044. Mr John Coggeshall and Mr Aspinwall are bayle of them bonde in 100 ℔ a peece for Mr Aspinwalls departure by the time limitted. — his Recognizance to depart.

1045. Mrs Hutchinson the wife of Mr William Hutchinson being convented for vauenting the Ministers and their Ministery in this Country she declared volintarily her abolationd and that she should be delivered and the Court rimed wth their posterity and thereupon was banished and the meane while was committed to Mr Joseph Weldes until the Court shall dispose of her. — Mrs Hutchinson. banisht.

1046. Mr Simon and Thomas Rowell were appointed to take Mr Pelerd Accomt betweene him and the next Court. — Mr Pelerd Accon.

143

1047. Mr Samuell Hutchinson upon his suit had leave to stay until the first opportunity after winter. — Mr Samuell Hutchinson.

1048. The Court is adjourned until the 15. of this present. — Adjournment.

Sergeant Boston. disfr. et Remon. — Sergeant Boston being rentented for having his hand to the seditious libell called a Remonstrante or petition is disfranchised fined 20li and discharged from bearing any publicke office. 1049.

Sergeant Hutchinson disfr. et Remon. — Sergeant Hutchinson being rentented for having his hand to the seditious libell justifying the same and using contemptuous speeches the Court did disfranchise him fine him 40li put him from office and commit him during the pleasure of the Court. 1050.

Bridley disfr. & Rem. — Richard Bridley being rentented for having his hand to the seditious writing or libell and not acknowledging the same as a fault is disfranchised. 1051.

Marshall disfran: & Rem. — Thomas Marshall being rentented because his hand was to the said seditious writing and defended the same and he would not acknowledge a fault he is likewise disfranchised. 1052.

Dyer disfr. & Rem. — William Dyer being rentented because his hand was to the said seditious writings and he would not acknowledge a fault he is likewise disfranchised. 1053.

Dypeley disfr. & Rem. — William Dypeley being rentented because his hand was to the said seditious writing and he would not acknowledge a fault he is likewise disfranchised. 1054.

Captaine Patrick discharged. — The Court did ordered to Captaine Patrick upon to his suing discharging him from any further service and gave him a quarters pay for a gratuity. 1055.

Captaine Underhill discharged. — The Court did discharge Captaine Underhill from any further service and gave him a quarters pay for a gratuity. 1056.

Disarmed persons. — It was ordered that such as are disarmed should be freed from trainings and from carrying Armes with them and from watches. 1057.

Colledge. — The Colledge is ordered to be at Newtowne. 1058.

Wampom. 6. 1d. — It was ordered that wampompeage should passe at 6. a penny for any summe under 12d. 1059.

345. Mrs Ames. 40li — The Court gave 40li to Mrs Ames the widdow of Doctor Ames of famous memory who is deceased. 1060.

346. Ferry. — The Ferry is referred to the Ordered and Treasurer to lett it 40li p annum beginning the first of the 10th moneth and from thence for three yeares. 1061.

Benison. — It is ordered that no man shall have leave to buy any benison but by leave from the Comm:. 1062.

Trading. — The last order that prohibited all from trading is repealed And the former order of referring it to the Generall Court Anno 1636. is wellestablished. 1063.

Captaine Underhill disfr. — Captaine Underhill being rentented for having his hand to the seditious writing is disfranchised and put from the Captaines place. 1064.

Cammell Gold. fined 30li. — Cammell Gold being rentented for having had much disorder in his house selling wine contrary to order and beare above the wine ordered his due for wine was adjudged 10li and he was further fined 20li which is together 30li. 1065.

Faulston fined. 15li — Goodman Faulston his due was adjudged 5li and he was further fined 10li which is together 15li. 1066.

Mr Long fined. 7li 10d — Mr Robert Long his due was judged 2li 10d and he was further fined 5li which is together 7li 10d. 1067.

Larnet. submission. — William Larnet acknowledged his fault in subscribing the seditious writing and desiring his name to be crossed out, it was yielded him and crossed out. 1068.

Ordinary. — Mummings of Watertown is put downe from keeping an ordinary or house of entertainment. And it is referred to Watertown to choose another. 1069.

Dedham & Dorchester bounds. — Mr Nicholas Danforth Mr George Alcrofte Mr Allen and Mr Gallicott are appointed to sett out the bounds between Dedham and Dorchester. 1070.

Dedham meadfals. — And Mr Nicholas Danforth and Mr George Alcrofte and Mr Allen are appointed to sett out the meadfalds lands belonging to Dedham. 1071.

Monsall. submission. — Walter Monsall acknowledged his sin in subscribing the seditious writing and desired to have his hand crossed out wch was yeelded him. 1072.

1073. Georgill Richardson Richard Sprague Edward Carrington Thomas Lover Benjamin Hubbard William Baker Edward Mellowes and William Throckingham did all acknowledge their sin and desire the same and it was yelded them that their hands should be crossed out. — Divers submitt them.

1074. It was further ordered that the Courts both the generall and the Quarter Courts should be kept at Newtowne untill this Court doe take further order. — Courts at Newton. 348.

1075. It was ordered that Mr Endicott should give power to seize the goods of the Indians — neare Mr Hawthorns farme untill they discover who stole his goose and worrie satisfaction or deliver the party. — Indians trespasse Mr Hawthorne.

1076. It was ordered that every Towne should have power to keepe away all strange Indians and to restrayne Indians by them from prowlaing the Lords Day. — Indians. 349.

1077. The Court is adjourned untill the 20th. present. — Adjournment.

1078. It was ordered that some of the order made the 10th monthe Anno 1636. ad tonsuring — sugar spice and fruit should be repealed the rest of the order to stand in force but not to extende to new commers for what they bring for their owne provision. — Commodities. 7.

1079. It was ordered that the powder and ammition of the Country now at Boston should be delivered halfe to Newtowne and halfe to Dorchester to be appointed by Mr Dudley and Mr Hawthorne. — Ammition taken from Boston. 350.

1080. It was ordered that 1000li should be levyed to pay the Country debts and Mr Cooke Lieutenant Sprague Mr Browne William Parker Mr Duran Mr Colman Mr Woodbridge Samuell Wade and Thomas White were appointed to order the proportion of each Towne. The proportions agreed upon by this Court. for Boston 149li for Newtowne 72li for Dorchester 78li for Watertown. 72li for Salem 120li for Newbury 45li for Weathersfield 25li for Ipswich 95li for Hingham. 24li for Charlestowne 92li for Rowley 72li. Soe — 980li Mr Eaton. 20li — 1000li levy.

1081. Mr Humfrey rate for this 1000li is remitted by order of Court because he hath bin formerly very observed. — Mr Humfrey rate herein remitted.

1082. It was ordered that trayning should be kept 8. times in a yeare at the discretion of the chiefe Officer. Magistrates and Teaching Elders are allowed. each of them a man free from trayning And the deacons of the severall Churches are freed in like manner. — Trayning 8. times a yeare. 351.

1083. It was ordered that Mr Duran should trayne at Wayemouth and have xii a time and so per is Hingham be provided of Officers and if not he to supply. — Mr Duran trayne at Wayemouth &c. Hingham. Charles.

1084. The order for bringing Armes to the meeting house is repealed.

1085. Whereas a great parte of the Inhabitants of Watertown have petitioned this Court — that in regarde of their straitnesse of accommodation and want of meadowe they might have leave to remove and settle a Plantation upon the River very ruined to Concord, this Court having respect to their necessity doth grant their petition. — Watertown inlargement.

1086. It is hereby ordered that Lieutenant William Spencer Mr Joseph Weld &c Mr Jackson shall take view of the plated upon the said river and shall sett out a place for them by bounded and markes sufficient for 50. families taking care that it be so sett out as it may not hinder the settlinge of some other Plantation upon the same river if there be meadowe and other accommodations sufficient for the same. And it is ordered further that if the said Inhabitants of Watertown or any of them shall not — have removed their dwellings to their said new Plantation before one yeare after the said Plantation shall be sett out then the interest of all such persons not so removed to the said Plantation shall be voyde and void and it shall be lawfull for such as are removed — The bounds of that inlargement. 352.

145

and settled there or the greater number of them being ffreemen to remaine the rest to
Inhabite in their roomes in the said New Plantation Provided that if there shall not be 30.
this Court or the Court of Assistants or two of the Councell shall dispose of the said —
Plantation to any other And it is further ordered that after the place of the said Planta=
tion shall be sett out the said Petitioners and such other ffreemen as shall joyne with them —
shall have power to order the situation of their Towne and the proportioning of lotts and all
other libertyes as other Townes have under the proviso aforesaid.

And it is lastly ordered that such of the said Inhabitants of Watertown as shall be arrivedd 1087.
dated in their new Plantation may sell their houses and improved grounds in Watertown but all
the rest of the Land in Watertown not improved shall remaine freely to the Inhabitants wch
shall remaine behind and such other as shall come to them.

And the said persons appointed to sett out the said Plantation are directed so to sett out the 1088.
same as there may be 1500. Acres of meadowe allowed to it, if it be there to be had —
with any conveniency for the use of the Towne.

The hope that are to view the New Plantation of Watertowne are desired to view the place 1089.
with Mr Spencer desiryng and if it be convenient to certifye the Court.

Mr Atherton Robert Mauren and Servant Anthony Eames were appointed to measure 1090.
the way lyeth Southward from the Southermost part of the Bay and arm the East hymd into
the Sea.

Salem & Saugust bounds.

Hymn.

Salem & Saugust — The same Mr Minor Richard Wright Mr Servant & Mr Woodbury are appointed to certifye wth 1091.
the bounds between Salem and Saugust wth they did formerly agree upon.

Saugust is called Hymn. 1092

353. Detayned. It is ordered that every man shall within three dayes give notice to the Constable of the Towne 1093
of any stayed taken up and for every dayes neglect to forfeit three shillings some penc.

354. Order for disarming divers — persons at Boston disposed by reason of dangerous opinions to be against the — Peace.

Whereas many offensives as the opinions and Rebellions of Mr Wheelewright and Mrs Hutchinson have — 1094
stirred and led into dangerous errors many of the people here in New England, In so much
as there is just cause of suspition that they as others in Germany in former times may
upon some Rebellion make some invasion upon those that differ from them in judgment for
prevention whereof It is ordered that all those whose names are underwritten shall upon —
warning given at their dwelling howses before the thirtyth day of this monethe of November
deliver in at Mr Keynes howse at Boston All such armes pistolls swords powder shott
matches as they shall be owners of or have in their custody upon paine of ten pounds for
every defaulte to be made thereof, wch armes are to be kept by Mr Keyne till this
Court shall take further order therein. Also it is ordered upon like penalty of xx^ti that
no man who is to render his armes by this order shall buy or borrowe any armes —
swords pistolls powder shott or matches until this Court shall take further order therein.

The names of Boston men to be disarmed. Captaine John Underhill. Mr Thomas Oliver.
William Hutchinson. William Aspinwall. Samuell Cole. William Dyer. Edward Rainsford. John But=
ton. John Sampford. Richard Cooke. Richard Fairbanke. Thomas Marshall. Oliver Mallowes.
Samuell Wilbore. John Oliver. Hugh Gunnison. John Wiggin. Richard Birdsey. Edward
Bates. William Dyneley. William Aspinwall. Matthew Grant. Henry Elins. Zachary Bosworth.
Robert Fire. William Townsend. Robert Hull. William Hall. Richard Hutchinson. Samuel —
Johnson. Thomas Babage. John Daby. George Munden. John Odlem. Samaliel Wayte. 146
Edward Hutchinson. William Wilson. Charles Crosse. Richard Gaudee. Robert Harding.
Richard Wayte. John Porter. Jacob Eliot. Samuel Newman. Thomas Marshall. Thomas —
Watson. William Ranelson. John Compton. Mr Parker. William Aspinwall. Henry Bull. John
Walker. William Salter. Edward Rendall. Thomas Mayhew. Mr Clarke. Mr John —
Page Senr.

1095. The like order is taken for other Townes touching the names of those who shall deliver their Armes and keepe them. — The like for other Townes.

1096. The names of Salem men to be disarmed, mr Strynger mr Allsbrook mr Jemmins Robt Moulton John King to deliver their Armes to Lieutenant Danforth. — Salem.

1097. The names of Newbury men to be disarmed are mr Dummer mr Eason mr Spenter to be delivered to the Constable of the Towne. — Newbury.

1098. The names of Portsmouth men to be disarmed are mr Edward Denison Richard Walker Richard Vulgar William Denison & Philip Sherman to be delivered to John Johnson. — Portsmouth.

1099. The names of Ipswich men to be disarmed are mr Fisher and Samuell Sherman who are to deliver their Armes to mr Bartholomew. — Ipswich.

1100. The names of Charlestown men to be disarmed are mr Bourne Winter and James Downes who are to deliver their Armes to Thomas Lynde. — Charlestown.

1101. It was ordered that if any that are to be disarmed acknowledge their sin in subscribing the seditious libell or doe not inscribe it but acknowledge it a bill to two Magistrates they shall be then freed from delivering in their Armes according to the former order. — Proviso of submission touching the libell.

1102. The two Magistrates have power given them to excuse and exempt ~~rebelles~~ from trainings any wch they shall think meete. Any that are excused from trainings are to pay to the use of the Company as two magistrates shall think meete. — Trainings 355.

1103. Lieutenant Howe or Lowe being enjoyned to traine the Company at Hynne is permitted to have the fines wth all olde arrearages of fines behinde Howe. — Hynne. Lieutenant Howe.

1104. The Towne of Portsmouth is required to take order for the safe keeping of mr his Hutchinson and if any things arise to be demanded by her husband. — mr his Hutchinson committed to Portsmouth.

1105. The Court being sensible of great disorder growing in this Commonwealth through the contempt wch have bin of late put upon the civill Authority and intending to provide remedy for the same in time doth order and decree that whosoever shall hereafter openly or willingly defame any Court of Justice or the sentence or proceedings of the same or any of the Magistrates or other Judges of any such Court in respect of any act or sentence thereon passed and being thereof lawfully convicted in any generall Court or Court of Assistants shall be punished for the same by fine imprisonment or disfranchisement or banishment as the quality and measure of the offence shall deserve. — Defamation of Courts or Magistrates to be punished. 346.

1106. And whereas it may fall out sometimes that some of the Magistrates or other Judges, or members of the Courts may transgresse the limits of their liberty and Authority. It is therefore ordered that if any Magistrate or other member of any Court shall use any irreverend or unbecoming speeches or behaviour towards any of his fellowes Magistrates or other Judge or member of the Court in the face of the Court he shall be sharply reproved by the Governor or other principall judge of the same Court for the time being and if the quality of the offence shall be such as shall deserve a further censure, or if the person so reproved shall speake again without leave the same Court may proceed to punish any such offender by fine or imprisonment according to their best discretion. — Disorder in Courts to be punished.

1107. Provided allwayes that some the best Judges may over through ignorance or misinformation wch if none should have liberty to acquaint them of might be very prejudiciall both to their owne persons and also to the Publike weale, It is not therefore the intent of this Court to restraine the free use of the way of God by petition or other private acquaintement nor the free use of any lawfull publike meanes wherewith private shall not prevaile for the reformation of any sins fayling in any Court or member of the same. — Proviso.

Ordinances. 357. Whereas it hath appeared unto this Court upon many sad complaints that many drunken- 1108.
nesse, waste of the good creatures of God misspent of precious time and other disorders
have frequently fallen out in the Inns and common victualling Houses within this Juris-
diction whereby God is much dishonoured and the profession of Religion reproached and the
wellfare of this Commonwealth greatly impaired, And the true use of such houses —
being the necessary use of travellers perverted, for redresse hereof It is now or-
dered that after the last day of this present month It shall not be lawfull for
any person that shall keepe any such Inne or common victualling house to sell or —
have in their houses any wine or strong waters or any beere or other drinke, but
ad mary be sold at 1d the quarte at the most and for this end none of those persons
shall (other then in such townes as for want of a common brewer shall be allowed by this Court
or by the Court of Assistants or by two of the Commissioners) shall brewe any beere to sell
but shall take the same of some common brewer upon paine to forfeit for every offence
against this order 10s.

wine. strong waters.

Beere at 1d a qt. rep. vid & 417. 417. 1479

Brewers. And it is further ordered that no such common brewer shall sell or utter to any Inne- 1109.
or common victualling house within this Jurisdiction any beere or other drinke of any stronger
size then such as mary and shall be afforded at the rate of 8s the barrell upon payne
of 20s for every offence against this order.

No inhabiting in Inns. And it is further ordered that no single man or other person inhabiting in this Jurisdiction 1110.
shall lodge or remaine in any such Inne or common victualling house longer then for
their necessary occasions upon paine of 20s. for every offence both for the housekeeper
and the person there abiding contrary to this order.

Constables to present the said offenders. And for the better discovery and punishing of the said offenders, It is ordered that the 1111.
Constables of every Towne shall make diligent search and inquiry of all the said —
offenders and present the same to the next Court and for this end they shall
be sworne therewith in their oathes.

Ordinances. 358. And whereas complaint hath bin made also that diverse poore people who would willingly 1112.
content themselves with meane diet are forced to take such diet at 12d the meale or
more, It is now ordered that every keeper of such Inne or common victualling —
house shall sell and allowe unto every of their guests such victualls as they shall call
for and not force them to take more or other then they desire be it neber so meane
and smale in quantity and shall afforde the same and all other diet at reasonable —
prices upon paine of such fine as the Court shall inflicte according to the meanes
quantity of the offender.

Brewers. Provided that it may be lawfull for any such Innekeeper or victualler to haue in their 1113
houses some smale quantity of strong water for their owne priuate and necessary use,
And because the Common brewers may the better be holden to the observation of this order
it is likewise ordered that no person shall brewe any beere or other drinke to sell in gross
or by retayler but only such as shall be licensed by the Court or Court of Assistants upon
paine of 100s. And whereas Captaine Cudworth hath before this time sett up a brew-
house at his private cost and charge and very commodious for this parte of the —
Country he is freely licensed to brewe beere to sell according to the size before licensed
during the pleasure of the Court.

Ripsal 4. 417. 246.

Cakes & bunnes. 359. It is ordered that no person shall sell any cakes or bunnes either in the markets or vic- 1114
tualling houses or else where upon paine of xs fine Provided that this order shall not extend
to such cakes as shall be made for any bridall or marriage or such like speciall occasion.

All former orders against swine are revoaked. Swine.

1115. Every Towne within this Jurisdiction shall have power to make orders for the preventing of the harmes wch may come by swine in corne meadows pastures or gardens and shall have power to impose penalties to any reasonable value according to their best discretion, whilst any damages be done by any swine the owner of the Towne shall be liable to the partyes action to make full satisfaction and to make fine according to the greatnesse of the trespasse by the distruction of the Court. Swine. 360. 360.

1116. And wherear Townes doe border upon any other so as the swine of one Towne doe trespasse in the other Townes want of Ringing or yeating, the Towne to wch the swine shall belonge shall make satisfaction and answere the fine but if the swine be well ringed and yeaked then the Towne where the trespasse is done for want of sufficient fencing shall be liable to all.

1117 Provided allwayes that upon any such occasion of trespasse where the Towne shall be put to pay any satisfaction or fine the Towne may lay it upon the party offending if they can prove them.

1118. No man shall recover any satisfaction for damage done by great cattell except their fence be sufficient and so the damage come by the unruliness of the cattell. Fence against great cattell. 361

In all Corne fields wch are inclosed in common every party wch is interessed shall make good his parte of the fence and shall not put in any cattell so long as any corne shall be upon any parte of it upon paine to answere all the damage wch shall come thereby. Common fence. 362 Cattell. 4 Ma 40

1119. It is ordered that the 15.t wch is due from the present Gouernor of Mr Freeborn returne to the Gouernor together wth 25.t more to be payd him out of the Treasury shall sett off for the losse he had in Corne in former payments. And it is further ordered that he shall be allowed for his publicke charge this yeare of his gouernment One hundred pounds. And the same allowance to be given to the succeeding gouernor as a sett off shpend. Gouernor to be allowed and shpend.

1120. Mr Stoughton is granted to be spared from rates for this yeare for his service against the Pequits and the yeare to be from May 1637. to May 1638. Mr Stoughton reuwarded for service against the Pequits. Exonerated ffree. 363.

It is ordered that the Secretary shall have 18.d for the entry of observation and 2.d for the making of every exertion and that in every Towne there should be a copy of the Lawes and the Constables to pay for them and for the copy of every private order to have 6.d

1121. It was ordered that Mr Wilson should have 20.t given him for a gratuity for going wth the souldiers against the Pequits. Mr Wilson for service against Pequits reuwarded.

A Declaration wherewith the copy was sent to Connecticott about the Pequits Combat and Conquest.

1122 Wee heard it hath pleased the Lord of his great mercy to deliver into our hands our Enemies the Pequits and their Allies and that thereby the lands and place wch they possessed are by just title of conquest fallen to us and our ffriends and Confederats upon the river of Connecticott and wherear by subduing those our Enemies not only ourselves and our said Confederats have obtained rest and safety but opportunity is also given for peaceable habitation to all sucb as shall hereafter inhabite the lands of our said Enemies both at Pequit and Quinipiake and the parts beyond the Dutch we doe hereby declare the just right and title wch our selves and our said Confederates upon Connecticott have to all the said lands and Territories. And wthall it is our desire Declaration of Title to the Pequits Combat & Quinipiake. page. 89

149

that our said Associate according to the Articles of confederation agreed upon behoueth will be pleased to appoint two committees sufficiently authorized to give our committees a meeting at Newtowne so soone as the season of the yeare will permit to consult & determine of the disposing and planting the said lands and of setting downe an equall & ratable proportion towards the charges expended in the said warres to be payd by all such as shall be admitted to plant and inhabit the same And that they will please to give vs a conuenient notice of the time of their comming and consent of joyning with vs in this consultation. 1. 7 Mo: 1645. Per. Rd. Secretario.

To the Edward and Robert of the Ground of God. 1123

Maintenance of Ministers. Whereas complaint hath bin made to this Court that a different course is holden in the 1124.
Countries of this Iurisdiction for raising of a treasury for maintenance of Ministers and
whereupon some ministers are not so comfortably prouided as were fitting, It is desired
that the seuerall Countries will speedily inquire hereinto and if need be to conferre together
about it and send some to advise with this Court at the next Session thereof that some
order may be taken herein according to the rule of the Gospell. Per Curiam Rd. Secretario.

204. Newberry Towne Changed. Whereas it appeareth unto this Court that the Inhabitants of the Towne of Newberry 1125.
are indebted to diverse persons the summe of 60li. which hath bin expended upon publicke
and needfull occasions for the benefit of all sorts as doe or shall inhabite there as building
of houses for their Ministers And whereas sorts as are of the Countries are not able
to beare the whole charge and the rest of the inhabitants there doe or may enjoy
equall benefit therein with them yet they doe refuse against all right and justice
to contribute with them, It is therefore ordered that the freemen of the said Towne
or sorts of them as upon publicke notice shall assembled for that end or the greater num=
ber of them shall raise the said summe of 60li. by an equall and proportionable
rate of every inhabitant there taking report both to lands and other personall estate
as well of sorts as are absent as of those that are dwelling there present and for
default of payment shall have power to levy the same by distresse and sale thereof
by such persons as they shall appoint and the same being so collected shall satisfie
their said debts and if any remainder be the same to be imployed upon other occasions
of the Towne.

Do Contributions faciendo.

205. Dorchester Diffentions. Forasmuch as this Court hath bin informed of great dissentions growen in the Towne of 1126.
Dorchester through the procurement of some contentious persons for the speedy redresse
thereof, It is ordered that the Deputy or Deputy being assisted with some other of the
Magistrates shall forthwith call before them such parties as they shall think fitt
and shall take such course for the peace of the Towne and the well ordering of
all affayres there as to their wisdomes shall seeme most expedient.

206. Edward Mingelson Marshall, his fees. Edward Mingelson being appointed Marshall of the Court is appointed to have for 1127.
an exemption 12d. in the pounde for the first ten pounds and 6d. in the pounde to
40li. and after 3d. in the pounde to an 100li. and 1d. in the pounde for all above 100li. to
be payd out of the estate with the exemption is sorbed upon. For every attachment
of goods or persons the marshall is to have 2s. 6d. if he goeth any way he is to
have 12d. a mile besides. And the Marshall is to have 2s. 6d. for every committi
m Court and 10li. for his paines to come.

207. Richard Brackett keeper of Prison. Richard Brackett is appointed to keepe the prison and he is to have 13li. 6s. 8d. pounds 1128.
and his paies and the house so soone as framed upon can be otherwise prouided for. And
if he doe not accept it, it is in the power of the Countrell to prouide another,

for which he is to be attendant and at the commandement of the Magistrates for any
Boniall seruice.

1129. For the College the Reuerend Mr Nowthrop the Deputy Mr Dudley the Treasurer Colledge.
Mr Wellingham Mr Humfrey Mr Hurlakenden Mr Stoughton Mr Cotton Mr Wilson Mr
Davenporte Mr Nowell Mr Cheeseman and Mr Peter Hoar or the greater parte of them
whosoever Mr Nowthrop Mr Dudley or Mr Wellingham to be allwayes ordered to take order
for a Colledge at Newtowne.

1130. Mr Abraham Palmer or Richard Wright Captaine Turner and Captaine — Mr Humfreys
Traske or three of them are appointed to lay out the bounds of Mr Humfreys — Farmes.
Farmes.

1131. Momt Nollaston is to be bounded by the blew hilles and the west is to be to- Momt Wollaston & Dorchester bounds.
Dorchester to goe to the bounds of Jphymouth.

1132. It is ordered that there shall be 20s a peece allowed for sixe wolves as are— Wolves. 368.
killed.

1133. It is ordered that there shall be 2s a peece allowed for sixe foxes as are killed. Foxes.

A quarter Court held at Newtowne the 5 Tuesday of the
10. Moneth 1637. present

The Governor. Mr Hurlakenden.
Deputy Governor. Mr Stoughton.
Mr Wellingham. Francis Nowell.

1133. Whereas there came into this Court Richard Browne of Watertown on the behalfe Wolcott & Gurdid.
of John Wolcott and William Gurdid of Portsmouth and by mediation of the Court
the said William Gurdid was willing and did agree to pay unto the said Richard
Browne 5li 10s. wch he was indebted to one Foxe now out of this Jurisdiction
in satisfaction of 5li 10s due by the said Foxe to the said John Wolridge, this
Court doth order that upon payment of the said 5li 10s by the said Gurdid
the said John Wollcott and the said Richard Browne and their Executors shall be
allwayes liable to save harmless the said William Gurdid against the said Foxe
for the said 5li 10s till a sufficient discharge be otherwise had from him.

1134. Luke Hanbury being convicted of theft was censured to be sherely whipped and for Theft.
running away.

1135. The Inventory of Henry Harwood of Charlestowne was presented to this Court being Harwood intestate
46li 17s. and the debts 4li. Edward Converse Robert Longe and Robert Hallowes
the Appraisers.

1136. The Inventory of Joane Drake with a Copyes of her will was presented to the Court Drake Testam.
being 28li 1s 5d. William Chesebrough James Hemmman and William Hyett were
the Appraisers. She gave 1/4 of her goods at Boston in New England to John
Pratt to her Sister Douglas 2li. To her Nephew to whome she was a mi=
nister 20s. to buy him a bible. The rest of her goods in New England to Samuell
Willingham and all my goods in Old England she gave them equally betweene her
two Sisters there. The disposing of these she leaveth to her Master as Executor.

1137. There is 5s granted to George Woodward to be payd by William Dymoke who summo= Dymoke Non prosq.
ned him to appeare at this Court urging him to attend did not prosecute against him.

1138. There is 15s-7d granted to Samuell Freeman to be payd by John Gray who summoned Gray Non prosq.
him to appeare at this Court and urging him to attend with two witnesses prosecuted
not against him.

A quarter Court held at Newtowne the 6th of the first moneth 1637. present,

The Bodrand. Mr Hartakenden.
Deputy Bodrand. Mr Stoughton.
Mr Willingham. Firmage Nowell.

Habor. wine. Joseph Habor complayned of for selling wine without order was fined 10s. for selling a gallon. 1139.

Viell. Ingell Pollard being presented for a libell acknowledged his fault bolmtarily of himselfe and was fined 20s. 1140.

Briggs. Clement Briggs is bonnd in 20li. for his good appearance at the next quarter Court. 1141.

Warren. The presentment of Arthur Warren for keeping Company with Clement Briggs his wife was found to be true. Lieutenant Howe is bonnd in 20li. for his appearance next Court. 1142. 1143.

Mr Underwood. The sale of Mr Winthrop's land by Mr Benjamin and Mr Joseph Woolds to Mr Underwood is confirmed and is appointed to be layd out by Mr Dumfort Mr Colbran and John Bridge.

Mr Woolridge. John Woolridge appearing upon the indictment of the grand Jury confessed his foulde of drunkenness in England for wch he was sharply reproved and seriously admonished. 1144.

Grant. Christofer Grant appearing upon presentment for being in company and drinking more then was convenient was fined 5s. 1145.

Wright. Henry Wright was dismissed. 1146.

Wallinder. Wallinder appearing was dismissed. 1147.

Winslow. Winslow not appearing an attachment was granted against him to appeare at Boston the 22th present. 1148.

Smith. John Smith not appearing attachment was granted against him to appeare at Newtowne 22. present. 1149.

Stowe & Randall. Thomas Stowe being urged for speaking against the order of Court against Irwine and the Lines provided that he and the Lord was against Gods Lawe and he would not obey it, he was committed and enjoyned to acknowledge his fault the 14th at the generall Court and was fined 20li. and to give security for his fine or pay the same before his releasement. 1150.

Attachment against Heale. Attachment was granted against Richard Heale to appeare the 4th moneth. 1151.

Lambe. Attachment was granted against Edward Lambe to appeare the 4th moneth. 1152.

Bennet. Attachment was granted against John Bennett. 1153.

Deane. Attachment was granted against Philip Deane. 1154.

Charlestown Constable. Thomas Ewer was chosen Constable of Charlestowne and took his oath to his said office the 24th of the first moneth. 1155.

A generall Court held at Newtowne the 12th day of the first moneth 1637. present,

The Governor. — Mr Roger Harlakenden.
Deputy Governor. — Mr Israell Stoughton.
Mr John Endicott. — Mr John Winthrop jun.
Mr Richard Bellingham. — Mr Richard Saltonstall.
Mr Humphrey. — Mr Simon Bradstreet.
Treasurer Newell.

Deputyes.

Mr John Woodbridge. — Ensigne Woldo.
Mr William Bartholomew. — Mr William Parkes.
Mr Robert Lord. — Mr Nathaniel Duntan.
Mr Edward Howe. — Mr John Oliver.
Mr Timothy Tomkins. — Captaine Cogswell.
Mr Richard Browne. — Lieutenant Sprague.
Mr Thomas Manthow. — Mr Palmer.
Mr Nicho Danielson. — Mr Freeman.
Mr William Spencer. — Richard Adams.
Mr Joseph Cooke. — Samuell Maude.
Mr Richard Carson. — Anthony Howard.
Mr Joseph Clarke. — John Woodberry.
John Johnson. — Edmond Batter.

1156. The Constables of Boston Dorchester and Hingham are fined ten shillings a peece for not returning their warrants with their Deputyes named under the Constables hands. — Constables fined.

1157. It is referred to Mr Leyne Captaine Stoughton Captaine Cooke Mr Duntan and John Johnson those or any foure or three of them to take care to fetch the Ammition from Castle Island and dispose of it to do what else they thinke meete about the selling of wines there by the last of the second moneth called April and for the assisting of this those aforementioned have power granted them to press men and boates for that purpose. — Castle Island. 309.

1158. The freemen of Concord and those that were not free with had hand in the undue election of Mr Phist were fined 6s 8d a peece. — Concord undue election Deputy.

1159. The order for allowance to be made for losse in corne formerly referred is to be voyd within 14. dayes and no allowance to be made after 14. dayes for any damage sustayned thereby. — Corne damage. 370.

1160. The lawes for impositions to be payd upon wine and strong water is repealed and it is ordered that in every Towne one man be allowed to sell wine and strong water made in the Country and no other strange water is to be sold. — Wine & strong water. 371. Repealed 1644

1161. Those undewritten are allowed to sell wine and strong water for Boston Roxbury Salem Watertown for Roxbury Charles. for Ipswich Edmonds for Newbury Woodman. for Newtowne Mr DampORT. for Concord Lieutenant Willards for Watertown Roberton Roberell. for Dorchester Duntan. for Hingham Lorenge. No man else is to sell by retayle either sacke or strong water without license from the Counsell. — Licence to draw wine & strong water to one in a towne.

158

1162. Mr John Russell was chosen & sworne surtyed of the Armes of Newtowne the 14th of the first moneth. — Armes surtyed.

1163. Concerning the remove of Watertown the Court thinkes fit they should have liberty to sell their allotments and they are to give their full answere his next Court whether they will remove to the new Plantation, Child John Oliver is put in the roome of Richard Carson to lay out the said Plantation, wch they are to doe before the next Court. — Waterton remove.

372 Cattell. It is ordered that all great cattell shall be herded and they that plant are to serve their turne in the day time but if the cattell doe hurt in the night the owners of the cattell are to make good the dammages. 1164

Military Commission. The request of the military Commission is referred to the Counsell. 1165.

James Eden. 20s. 10d. allowed him. Ralph Mousall and Robert Hall was desired to value the house wch James Eden hath lived in what it is worth more then the 30li. allready payde wch they valued at 10li. wch with the bill of the dyet amounting to 20li. 10s. was ordered to be allowed — James Eden. 1166.

Hillman. Ezechiell Hollman appearing upon summond because he did not frequent the publicke assembly and for scouring many he was referred by the Court to the Ministers for conviction. 1167.

Stanne. The time of Thomas Stanne was moderated to 5li. wch is to be discounted out of his wages for the voyage against the Pequits. 1168.

Plymbery & Swanall. Mr Henry Swanall businesse and difference wth the Owner of Plymbery is referred to Mr John Winthrop Junior Mr Richard Saltonstall and Mr Simon Bradstreete to heare and certifie how the case standeth the next generall Court. 1169.

Captaine Patrick. The Court upon Captaine Patrick's petition gave him 7li. to make his allowance equall with Captaine Trussed for the time of three monethes wch he was imployed against the Pequits. 1170.

Mr Gradocke 1000. Ac. Also there is granted 1000. Acres of land granted to Mr Matthew Gradocke where it may be his without prejudice to a plantation or former grants in the judgment of the Court. 1171.

And 500. Ac. for his servants. Also there is granted to Mr Gradocke 500. Acres of land more for sixe servants ad he shall appoint it into twenty myles from any Plantation without prejudice to any Plantation. 1172.

Sr Richard Saltonstall. 1000. Ac. Also there is 1000. Acres of land granted to Sr Richard Saltonstall where it may not prejudice any plantation granted or to be granted. 1173.

373. Grants. All grants are to take place as they are granted. 1174.

374. Laws. For the well ordering of those Plantations now in the beginning thereof it being found by the little time of experience we have been had that the want of written Lawes have put the Court into many doubts and unto troubles in many particulars, taxes & the Court hath therefore ordered that the freemen of every Towne or some parte of them chosen by the rest within their limitation shall assemble together in their severall Townes and collect the heads of sixe necessary and fundamentall Lawes as may be suitable to the times and placed where God by his Providence hath cast us, and the heads of sixe Lawes to deliver in writing to the Governor for the time being before the 5th day of the 4th monethe called June next to the intent that the same Governor together wth the rest of the standing Counsell and Mr Richard Collington Esqr Mr Dudley Mr Phelpes Mr Pelatiah Mr Shephard Elders of severall Churches Mr Nathaniell Ward Mr Willm Pynchon and Willm Hawthorne or the major parte of them may upon the surveying of sixe heads or Lawes make a compendious abbridgment of the same by the generall Court in Autumne next adding yet to the same or detracting therefrom what in their wisdomes they shall think meete that so the whole worke being perfitted to the best of their skill it may be presented to the generall Court for confirmation or reportion as the Court shall judge. 154

And it is also ordered that the said persons shall survey all the Lawes and orders allready made and reduce them into ad sixe heads as they shall and present them unto the generall Court for approbation or refusall as aforesaid. 1176.

1177. Whereas there hath bin diverse complaints made touching oppression in wages in parts of commodities in sundry works in excessive prices for the works of draught and teames and the like to the great disease of Gods and the scandall of the Gospell and the grieve of diverse of Gods people both heere in this land and in the land of our Nativitie. The Court taking into consideration the same hath ordered that it shall be duly considered by Mr Endicott Mr Nollingham Mr Hartlebridge Mr Winthrop Mr Cutchinsall Mr Bradstreet Mr Stoughton Mr Peter Mr Weire Mr Rogers Mr Norton Mr Cobbett Mr Cymd Mr Shepheard Mr Phelps Mr Bentley Mr Wilson Mr Eliott Mr Mather Mr Gibbards Mr Hall Mr Woodman Mr Edwards Hope lieutenant Cranfield Mr Browne Mr Spencer — Heathe Heathe William Smith and Samuell Wauder whome the Court hath desired in that particular and to bring into the next generall Court their thoughts touching the same. Wages expired.

1178. It is ordered that at every generall Court the Court being called there shall be a Committee first chosen out to heare and determine of all particular petitions and suits and of other private businesse unlesse the Committee so chosen shall see cause to bring it before the whole Court. Committee in the generall Court. 375.

1179. Mr William Eddington Mr John Coggeshall William Hallsen Edward Hutchinson — Samuell Wilbourne John Porter John Pompton Henry Bull Philip Sherman — William Chesbourne and Richard Gardner these having license to departe summoned to goe out for them to appeare if they be not gone before at the next Court the Eldes moneth to answere such things as shall be objected. Diverse removed about the Ionoshame.

The forme of the summond or warrant.

1180. Whereas you have desired and obtayned license to remove yourselves and your families out of this Jurisdition and for that information hath bin given to the Court that your intent is only to withdraw yourselves for a season that you may avoyde the — tension of the Court for some things that may be objected against you the Court doth therefore signifie unto you that you may departe according to the license given you so as your families be removed before the next generall Court But if your families — be not so removed then you are to appeare at the next Court to abide the further order of the Court herein.

1181. This Court Wollaston Gardell Henry and John Johnson Mr Goddingtons man, of Newbury Mr Easton of Salem Francis Wolston Richard Waterman Thomas Owen and Stentley Wastcoater are to appeare also if they be not removed before the next Court.

1182. The Marshall taking with him a fewer shall with convenient speeddy give notice to the Constables of every Towne to warne all the inhabitants there to bring their — measures and weights to a certaine place and at a certaine day and then with the assistance of the said Constables he shall try all the said measures and weights and make them even and so set a seale upon them and for his payne he shall have of the owner of the weight or measure two pence for every measure and a penny for every weight and yarde that is defective or too yeards and if any weight or measure be so defective that he cannot amend it he is to breake or deface it and whosoever shall sell by any other weight or measure he shall be punished by the discretion of the Court where it shall be complained of. Weights & measures. 376.

156

1183. Whereas a Letter was sent unto this Court subscribed by John Throgmorton dated from Rho Providence and brought by one of that Company wherein the Court is charged with usurping the power of Christ over the Churches and mend Consciences Mr Throgmorton letter

notwthstanding he had formerly acknowledged his fault in such speeches by him before used, It is now ordered that he said John Browne shall not come into this Jurisdiction upon paine of imprisonment and further censure And because it appeared to this Court that some others of the same place are confident in the same corrupt judgment and practise, It is ordered that if any other of the Inhabitants of the said Plantation shall come wthin this Jurisdiction they shall be apprehended and brought before some of the Magistrates and if they will not disclaime the said corrupt opinion they shall be commanded presently to depart And if such person shall after be found wthin this Jurisdiction they shall be imprisoned and punished as the Court shall see cause.

Committee for Petitions cr. It is ordered that the Reverend Mr Saltonstall Mr Dunran Mr Mayhew & 1184.
John Ellibee shall be committed to consider of and lay petitions other tribial matters.

Oakbward. Ensigne Oakbward appearing satisfied the Court and was discharged. 1185.

Hawkins wife. banished. Anne Hawkins the wife of Richard Hawkins had liberty till the beginning of the 1186.
third moneth called May And her Magistrate if she did not depart before to — dispose of her, in the meane time she is not to meddle in surgery or physicke drinke plaister or ointment nor to question matters of Religion except wth the Elders for satisfaction.

Robert Potter. deposed. Robert Potter appearing had liberty till the next Court in the beginning of the 1187
third moneth called May being bounde in 20li to appeare then and referred the meane while to the Elders of Roxbury.

Mr Blackleary. There is due from Mr Blackleary to the Country for wine bought and sold by him 1188.
foure pounds three shillings foure pence.

Wdymotes ferry. Henry Kingman the ferryman of Wdymotes is granted for this yeare to take 1189.
two pence a peece for transportation of people.

Mr Holgrave. There is due from Mr Holgrave to the Country for wine bought and sold forty 1190.
one shillings and eight pence.

Goates & Chimed. Captaine Cudworth John Johnson Mr Robert Kempe are desired to speake wth 1191.
Mr Potter & Mr Doiere about the prices of the Goates and Chimed wch the Country had last summer.

15000li Levy. It was ordered that a levy of 15000li should be levyed wth convenient speede, 1192.
to raise the said levy these are the proportions agreed upon. Dorchester 140li
Hingham 36li Ipswich 180li Lynne 105li Charlestowne 138li Boston 223li 10s
Glocester 106li Watertown 110li Salem 172li Newberry 75li Medford 52li
Wdymotes 27li Mr Theophilus Eaton 20li The total 1500li This was
agreed upon by Mr Mayhew Mr Cooke Lieutenant Sprague Mr Clongate John
Johnson Mr Dunran John Woodbury Anthony Eames Richard Adams Mr Edward Jewe
Robert Coder. Lieutenant Edward Gibbonds.

Lieuten. Gibbonds. Lieutenant Edward Gibbonds appearing satisfied the Court and was discharged. 1193. 156

Mris Hutchinson. Edward Hutchinson inn is bounde in 40li that none but such as the Commissioners — 1194.
shall give leave unto shall come to Mris Hutchinson and she is to remaine at
Mr Cotton untill further order.

Thomas Hawkins Submission. Thomas Hawkins acknowledging his fault in his unreverent speeches in the Court 1195.
to a member of the Court is discharged.

1196. It is ordered that the three adulterers John Hathaway, Robert Allen and Margaret Scale shall be soberly whipped and banished never to return again upon paine of death. — Adultery wright banisht.

1197. The law against adultery made by the parliament court in October last is confirmed that whosoever hath wife another mans wife both shall be punished by death and this to be promulgated. — Adultery death. 378.

1198. It is ordered that a committee shall be chosen to sipplyman that want lands and have deserved it. — Lands.

1199. Mrs Mrs Hutchinson that she shall gone by the last of this month and if she be not gone before she is to be sent away by the constable without delay by the first opportunity, and for the charge of keeping Mrs Hutchinson order is to be given by the constable if it be not satisfied to lery it by distresse of her husbands goods. — Mrs Hutchinson.

1200. The court desired that the 12th day of the second month being the 5th day of the week should be kept a day of humiliation to intreate the help of God in the weighty matters we are in hand and to direct any ebill plotts wes may be intended and to prepare the way of friends wes we hope may be upon coming unto us. — Humiliation. A day.

1201. Captaine Jemison appearing satisfied the court and was discharged. — Captaine Jemison.

Mr Robert Long had the 7th admitted wes was put upon him the last court. — Mr Long.

1202. It is ordered that the Marshall shall have 3d for every execution that is under 3s. — Marshall fees. 379.

1203. Jonas Pemberton is referred to the committee of the next court for the ground — wch he had at Watertown. — Pemberton.

1204. Mr Samuell Gold time is respited till the next court and he hath liberty to sell his house for an time. — Mr Gold.

1205. Ensigne Harding had liberty granted him till the next court the third month called May. — Ensigne Harding.

1206. It is agreed that Mr Humfrey shall enjoy the whole Plaine on the East side of the pond and the plaine also at the northsend to the length of half a mile full, or more, if the said Plaines further not exceeding a mile that we intend also three quarters of a mile on the westerly side of the pond because the meadows there lying may be when Mr Humfreys owne ground and on the southside of the pond to enjoy the upland and meadows wch that meadow wch is called by the name of Stonod meadow, and the said upland wch is a hill not very broade beyond Stonod meadow so called to part the said grounds of Mr Humfreys from Lynne towne meadowed lands out to the inhabitants thereof. All wch said grounds to be his owne as plained verby grounds meadowed or swamped. William Traske. Nathaniell Turner. Richard Wright. Abraham Palmer. — Mr Humfreys Plaine et bounds.

1207. It is agreed that Mr Humfreys his grounds shall begin at the cliffe in the way to Marble head wch is the bound betwixt Salem and Lynne and so along the lyne betweene the said towns to wch is the bound betwixt Salem and Lynne and so along the lyne betweene the said towns to the wch one mile by estimation to a great red oak marked from wch the said marked tree all under and over those wch upon a straight lyne to the running brooke by Thomas Smiths house all the wch said grounds we allowe him for his owne and so from Thomas Smiths to the sea in trade the grounds appeared to be Mr Humfreys upon wch Thomas Smith and William Witted house stands wch the grounds wch they have taken up by their house by the joynt agreement of William Traske. Nathaniel Turner. Richard Wright. Abraham Palmer. — Mr Humfreys grounds bounds.

A generall Court held at Newtowne the second day of the third moneth 1638. for elections. present.

The Governor. — Mr Harlakenden.
Deputy Governor. — Mr Saltonstall.
Mr Ludlow. — Mr Bradstreet.
Mr Willingham. — Mr Stoughton.
Junior Nowell.

Deputyes.

Mr Atherton Hough. — Mr William Bartholomew.
Mr Robert Keayne. — Mr Abraham Dimon.
Mr John Oliver. — Mr John Glover.
Captaine Robert Sedgwicke. — William Manlard.
Lieutenant Falle Spencer. — John Upham.
Ensigne Abraham Palmer. — Henry Kingman.
Mr Richard Browne. — Mr William Heyborne.
Mr Thomas Mayhew. — Edmond Porter.
Mr Brian Pendleton. — Mr Edward Howe.
Isaac Heath. — Timothy Tomlins.
John Johnson. — Mr Thomas Flint.
William Parke. — Lieutenant Willard.
Joseph Cooke. — Mr John Wollridge.
Richard Fuller. — Mr Edward Finson.
John Bridge. — Mr Joshua Chidwood.
Mr Samuel Symonds. — Nicholas Walker.

Election of Governor. — Mr John Winthrop sen. was chosen Governor for the yeare ensuinge and did take the oath to his place belonging. 1208

Deputy Governor. — Mr Thomas Dudley was chosen Deputy for the yeare ensuinge and did take the oath to his place belonging. 1209

Assistants. — Mr Richard Willingham Mr Roger Harlakenden Mr Richard Saltonstall Mr Simon Bradstreet 1210.
Mr Israell Stoughton and Junior Nowell were chosen Assistants for the yeare ensuinge and each of them tooke the oath to their place belonging.
Mr John Humfrey and Mr John Winthrop iun. were chosen Assistants for the yeare ensuinge 1211.
and each of them tooke the oath to their place belonging

Dedham & Dorchester bounds. — Mr John Oliver was appointed in stead of Mr Danford who is dead to sett out the bounds — 1212.
between Dedham and Dorchester the 14th of the third moneth 1638. and to sett out the 300.
acres for the farmes which Dedham men did purchase.

Watertown, Cambridge, Newton, Dedham bounds. — Mr John Oliver Mr Abraham Palmer and John Bridge were appointed to sett out the — 1213.
bounds between Watertown and Cambridge and between Watertown and Dedham and to make the
bounds between Watertown and Newtowne and to lay out Watertown their right unless granted
them, or if they cannot enjoy their right unless to allowe them satisfaction which upon
their promise to rest fully satisfied and never to meddle more about the difference between
them and Newtowne.

Mr Humfrey Search. — Mr John Humfrey is remitted his rate to the last 1500li. levyes. 1214.

280. Mr Exeter. A grant. — Mr William Spenser is granted 300. acres of ground beyond Cambridge by the Charlies river. 1215.

Watches & wards. — The order made the tenth moneth 1636. about watches and a ward on the Lords day is 1216
renewed and confirmed to be for continuance from yeare to yeare all but the last clause
about tarrying armed to the meeting house, wch is referred to the particular towns.

281. Licence to inhabit. — The order against intertaining any aboode three weeks without licence made the third moneth 1217.
1637. is confirmed from henceforward for a constant rule.

Newtowne 100li. — The 100li. debt to our brethren of Newtowne is appointed to be payd by the Rate of Ipswich and Salem so farre as they will goe. 1218.

1219. It is ordered that every Towne shall beare the charges of their owne Magistrates and Deputyes and to allowe for a Magistrate 3s. 6d. a day, and for a Deputy, 2s. 0d. a day from the time of their going out to the Court untill their returne for their diett and lodging. — charges of Magistrat and Deputyes. 382.

1220. It is ordered that henceforward Newtowne shall be called Cambridge. — Cambridge.

1221. It is ordered that all fined with stand upon verdict attachment to be granted and given to the Marshall to distraine for them. — fines. 383.

1222. Cannell Peter Robert Youge and William Hauldsen are fined 20s. a peece for selling beere at 2d. — Sale of beere fined.
a quart.

1223. Whereas the major parte of this Court have expressed themselves unwilling to change the Country finger with the finishing and maintaining the ffort at Castle Island and not understanding that there are many in the Country willing and desirous that the said ffort should be upholden and mannid, It is therefore ordered that if the aforesaid parties that are so willing and desirous that the said ffort should be not upheld shall satisfie the Countrie within 8. dayes that then willbe at such charges for the manning and maintaining of the said ffort till the next generall Court as shall be disbursed hereupon and at the Countrie shall see cause to appoint that then the said ffort shall be disposed of. And if the next generall Court shall see cause to maintaine and upholde the said ffort longer then this charge and that way shall be after shall be borne by the publicke. But if particulare men will not undertake the defraying of the charges of the said ffort upon the consideration before expressed, then the order of the last Court for the fetching away ordinance & shall immediatly be executed by Mr Stoughton Captaine Cooke Ensigne Palmer John Johnson & Mr Glover. — Castle Island ffort.

1224. It was ordered by this present Court that John Winthrop Esqr the present Governor shall have one thousand two hundreds acres of land, whereof one thousand was formerly granted him and Thomas Dudley the Deputy Governor his thousand acres granted to him by a former Court both of them about six miles from Concord northwards, The said Governor to have his thousand two hundreds acres on the southerly syde of two great stones (which stones were lately named the two brothers) the Deputy Governor is to run a line easterly from the said stones so that he may take in a meadowe on the other side of a hill and so to extend his thousand acres as farre northerly as he will and as his thousand acres will beare and the Governor to joyne in the said line running easterly and to extend his lott as farre southerly as his twelve hundreds acres will beare which two thousand two hundreds acres are by this Court established to the said parties severally and their severall heires. — Mr Winthrop 1200. ac. Mr Dudley 1000. ac. two Brothers.

1225. There is ten acres of land granted to James Plomberton parte of it the land formerly planted by him and the rest joyning to it at Plantastott. — Plomberton Plantastt. 383.

1226. The towne of Roxbury is granted foure thousand acres of land where it may be layde out without prejudice to any plantation or former grants because Dedham Dorchester then. — Roxbury 4000. ac.

1227. Robert Potter appearing was enjoyned to appeare at the next Session of this Court unlesse Robert Potter. he be with his ffamily removed out of the plantation before.

1228. The Court is adjourned to the 7th of the 4th moneth being the 5th day of the same week in which the quarter Court is. — Adjournment.

1229. The xi noteenth of the 3d moneth 1638. Mr George Timber being chosen one of the Constables of Charlestowne tooke his oathes to that place belonging before me Thomas Dudley. — Charlton Constable.

1230. The twentieth of the 6th moneth 1638. William Trautenborow being chosen Constable of Charlestowne in the roome of Thomas Eyre did take his oathes to that place belonging before me Thomas Dudley.

The 8th of the 4th monthe 1638.

Absentes fined. — The 4. of Gentlemen afternamed Mr John Lymsey Mr John Winthrop and Mr Atherton Hough and Mr Edward Rawson were fined 1231
xs. a peece for their absence when the Court was called.

Mary fined. — Mary fined was consented to be taken away by the Countrey and at her Countrey charge. 1232

Hissing. — The 100th 1633. was expended about furthering the hissing the Court in courtesie considered to 1233
leave it.

Oaths. — The 4 that had their bilbo signed in Ipswich and Salem before the last order may stand their 1234
oaths in their owne hands.

Goodwife Harry. — Edward Goodwife appearing was admonished to be more carefull of the Harry and enjoyned to 1235
man two boates one to hye on the one side and the other on the other side except the winde were
so high that they were forced to put fower men to man one boate and then one boate to suffice,
only he is enjoyned to pay Mr Rawsons fine and so is discharged.

384. Waterton Commons & Dedham bounds. — For a final end of all differences between Waterton Commons & Dedham touching the bounds — 1236.
between the said Towns it is ordered that Watertowne tight mylles shall be extended upon the
hye betweene them and Cambridge so farre as Commons bounds will give leave and that their bounds
by the river shall run eight mylles into the Country in a straight line also as the river doth for
the most parte run, and so to take in all the land of that side of the river wherewill not fall into
the quiver of five mylles granted to Dedham and that the north on the same side of the river —
neare to Dedham Towne shall be cast into the said square of 5. mylles to make up the same so as
the said square is to be accounted by the quantity and not by the situation because the place will
not beare it and that their eight mylles from Watertowne meeting house shall be by a line between both
the other bounds.

385. Roxbury & Dedham bounds. — The 16th of the third monthe 1638. Vide whose named are underwritten being appointed by this 1237.
Court to retrive the bounds between Roxbury and Dedham together with the lands purchased by
Dedham have fully agreed touching them by drawing an equall line of division by marked trees
and stakes which is directed from the southeast side of Roxbury bounds by a straight north-
west line running till it comes upon Charles river. Furthermore in consideration of
some straightness at the Northermost end of Roxbury bounds by reason of the course of
the river, it is mutually agreed that a portion of meadow shall belonge unto Roxbury —
wee joynes towards the Northeast upon Roxbury and is bounded towards the southeast
by certaine marked trees from the line of division aforesaid comprehending a narrowe slip
of upland unto a point of upland on the browes of the marsh and from thence by the
northermost point of a little hillocke of upland in the marsh straight on to the River.
Edward Allyn. Edward Allcock. John Oliver.

386. Dedham & Dorchester bounds. — The 17th day of the 3d monthe 1638. Vide whose named are underwritten being appointed by 1238.
this Court to retrive the bounds between Dedham and Dorchester have agreed to strike the head-
line of Dorchester from a marked tree by a fresh brooke (now commonly called Pigeon brooke)
to a certaine stake upon Dorchester plaine towards the top of the great blowe hill. Chub to run
from the stake aforesaid upon a straight line southwest to another stake at the entrance of the —
great ragged plaine and there set off towards the southeast ten rodds unto another stake,
from whence it runneth againe upon a straight southwest line to a smale tree marked standing
about the middle of the plaine aforesaid and from thence the line is varied one point southerly
to a certaine stake upon the browes of a little hill in sight and so to run as the line of partition
between the said Townes of Dorchester and Dedham to extend to Wymouth bounds. Edward
Allyn. Richard Pollcock. John Oliver.

166

387. The Horse. — The Court agreed to allowe 100li p annum for the maintayning of the Horse but not to exceed, 1239.
to be ordered by the Counsell and the Magistrates of the Plan.

388. Military Company. Paxtaine. — The military Company of Boston may present two or three to the Counsell to choose 1240.
a Paxtaine out of them if the Counsell like them.

Easton & Jeffery. — It is ordered that the Magistrates of Ipswich shall have power to discharge Mr Easton and 1241.
Mr Jeffrey from building att Winnacunnet and if they will not take warning to release the place of

1242. The Counsell have power to dispose some small quantity of powder to suty Towns ad necess. — Powder.

1243. Captaine Cayne and the military Company have power to exercise when they please and to make use of so many of the common Chimed as they need, And a warrant from any of the Counsell is sufficient for the delivery of them into Captaine Cayne or suty ad he shall appoint. — Military Company. 389.

1244. Salem is to keepe their particular Courts wth the Magistrates and suty ad were before appointed only mr Willard is chosen in the roome of Captaine Turner. — Salem Court.

1245. Ipswich to have wth the Magistrates mr Symonds mr Woodbridge and mr Hubbard. — Ipswich Court.

1246. It was ordered that there should be 200li levyed out of the Generall plantacion and did according to the proportion of the last rate to be payd within a moneth and the Constables to have power to send out warrants and take the accomts. — 200li levy.

1247. Robert Potter appeared. — Potter.

1248. It was agreed that the measures should be made according to the water measure, that is according to the bottom of the norris in the brasse standard. — Measures. 390.

1249. The Court are transferred to Boston. — Courts at Boston.

At a Court of Assistants held at Cambridge the 4th day of the 4th moneth 1638. being a quarter Court. present.

The Governor. — mr Eaton Staff.
The Deputy Governor. — mr Stoughton.
mr Endicott. — mr Winthrop.
mr Bellingham. — mr Hartlebridge.

Intrease Nowell.

1250. It was ordered wth the consent of Mris Ragsterley that the intrease of mr Skelton rattle should be divided according to mr Skelton will and that the goods and household stuffe wch belonge to the three eldest children should be divided by some of the Ministers of Salem and committed to the Ministry of Salem. — mr Skelton Testam.

1251. Richard Collicott and John Busin were fined 6s 8d a peece for absence when they were sate in the afternoone being Jurymen. — Absentees fined.

1252. mr Willard and mr Exeter are joyned wth Richard formerly appointed about mr Durkins lands. — mr Durkin.

1253. mr Richard Bellingham Intrease Nowell and mr Mayhew are appointed they or any two of them to examine witnesses upon oath and to heare and examine all things concerning mr Nightingale and mris Wolcott and to doe it wthin 14. dayes and Mris Wolcott is to bring in a perfitt inventory and distinguish the goods inventoried betweene him and the Children, leaving to her dowr to give order about them. — Wolcot intestate.

1254. Samuel Jackson and Edw. Pitts did appeare and give in their evidence against John Emerson of Situate about his abusing the said Edw. — Emerson formication.

1255. Henry Seawall being presented by the grand Jury for beating his wife is referd to the Court of Ipswich to examine and he to appeare wthout any new summond. — Seawall.

1256. Robert Wartlett being presented for cursing and swearing was enjoined to have his tongue cut in a cleft stick. — Cursing & swearing. punished.

1257. Katherine the wife of Richard Gurnish was found suspitious of incontinency and was seriously admonished to take heed. — Katherine Gurnish admonition.

1258. Clement Briggs his wife is injoyned not to come into the Company of Christen Marven. — Marven & Briggs. suspition.

1259. William Busby being presented for drunkenness it was found the falling sinnesse. — Drunkenness.

1260. Y. Auverett Walford wife was enjoyned to give John Finch 18d and Nicholas Cheale to give John Finch 18d and Edward Yambe to give him two shillings, and Yambe was fined 15s 0d for his contempt and all of them were admonished to avoyd dancing. — dancing.

161

1261. John Bennet and Philip Deane were referd to Salem for their drunkenness. — drunkenness.

1262. The Towne of Rowbury was fined 6li 8s 8d and enjoyned to repaire their defects before the Court in September. The Towne of Ipswich is fined 6li 8s 8d and hath liberty till the 7th moneth to repaire their defects. The Towne of Lynne is fined 20s and enjoyned to mend their wayes before the next Court. The Towne of Charlestowne is fined 6li 8s 8d and hath liberty till the 8th moneth. Thomas Grear is fined forty shillings for the beating his wife or — defects mend. fined.

a child was drowned — well oven in which a child was drowned.

fined. — The Towne of Cambridge was fined five shillings to prepare before the next Court. 1263.

Cambridge fined. — The Towne of Boston traverse their presentment. 1264

Boston traverse. — Pit oven drowning fined. Edmond Ingbard was fined 40s for leating a pit oven wherein a child was drowned. 1265.

Westford wife bibbowed. — Francis Westford wife was ordered to be set two howes in the bibbowed hoe and two howes at Salem upon a Lecture day. 1266.

Marred deserted fined. — The Towne of Southhampton was fined 6l. 8s. and hath liberty till September next. The Towne of Northampton was fined 6l. 8s. and hath liberty till the 7th month. The Towne of Hingham was fined 6l. 8s. and — 1267.

hath a month's liberty. 1268

Holgrave. — John Holgrave is referred to Salem.

Ivey wife banisht. — Thomas Ivey was ordered to be sebarch whipped and the former execution of banishment to be inflicted. 1269

Hoe Edmonds & Hoe. — John Hoe bounde in 40li and William Edmonds bounde in 40li to carry their wifes to Salem Court, and Robert Hoe bounde in 20li to appeare. 1270

Pole. — Robert Pole was enjoined to pay the witnesses 10s. and so was discharged. 1271.

Emerson bonrotte. — John Emerson is bounde to the good behavior for twelve monethes, and bounde in 40li to appeare at the quarter Court in this Jurisdiction the 4th monethe 1639. 1272

Pye. — Edward Pye a more was to remaine with Mr Frederick Mitill advise from England and advise to bee sent from Pye. 1273.

Morgan, Hall, Lambert. — Robert Morgan Edward Hall and Richard Lambert are referred to Salem. 1274.

A Court of Assistants held at Boston the 4th of the 7th monethe 1638.

present,

The Governor.
The Deputy Gov.
Mr Endicott.
Mr Bellingham.
Mr Hartlebridge.
Mr Winthrop.
Mr Stoughton.
Mr John Winthrop jun.
Simpson Dowell.

Constables fined. — The Constables of Cambridge and the Constables of Boston are fined ten shillings a peece for not returning their warrants in time with the named of the Jurymen. 1275.

Hollind fined. — Henry Hollind is fined five shillings for not appearing when he was called to serve upon the grand Jury. 1276

Katherine Hinks-wifist. — Katherine the wife of Samuell Hinks being arrested for speaking against the Magistrates — against the Ministers and against her Husband was ordered to be whipped and committed till the generall Court. 1277

Holloway. — Holloway is bounde in 20li to appeare at the next Court. 1278.

Crosse. — John Crosse being warned to appeare about his servant Clement Flamming who miscarried the said Crosse was discharged. 1279.

Horne fined. — George Horne is fined ten shillings for disorder with drinke which his master William Dome undertooke to see satisfied. 1280.

Smith. — John Smith bounde in 20li to appeare at the next Court. 1281.

Coutt whipt banisht. — William Coutt is ordered to be sebarch whipt and shot to the generall Court, by reason he was banished to returne no more upon paine of death. 1282.

Mr John Winthrop jun. Assistant. — Mr John Winthrop junior took the oath of Assistant. 1283.

Captaine Dodd deceased. — The business of Captaine Dodds is referred to Mr Roger Hartlebridge and Edward Howell to examine all things about it both estate and debts. 1284.

Wilsons inventory. — The inventory of Edward Wilson amounting to 48li 2s. was delivered into the Court, 1285.

third & the day of the 7. & monthe by Thomas Wilson Executor of the aforenamed Edward and was verified by the Court.

1286. It was ordered with the consent of Mr Richard Bellingham that the said Mr Bellingham should deliver Willm Hyde Woodes for John Root 6li in satisfaction for his ¼ parte of all the goods and chattells given him by his Cunt Joane Drake this to be delivered presently and the said Mr Bellingham to be discharged thereof upon the delivery of the same. Drake testament.

1287. By the agreement betweene Mr John Fisher and his brother William made by Mr John Endicott William Hathorne John Woodberry and Goodman Massey was approved in Court with the consent of parties, that the said John shall returne 200li of the estate in his hands to his brother William and William shall bonde to give unto his said brother John if he dyed unmarried before he comming to the age of 24. yeares the summe of 100li and the said William did release to the said John in Court all interest in the land. John ffisher & William ffisher Agreement.

1288. John Knowles having married the widdow of Abraham Downes who was sister to Robert Billes administration of the estate of Robert Billes was granted administration of the estate of Robert Billes. Billes intestate.

1289. The will of Silvester Baldwin was presented into the Court and his wife Sarah and some Kinsfolk were allowed Executors according to the will. Baldwin testament.

At a generall Court held at Boston the sixte day of the seventh monethe 1638. present.

The Governor. Mr Hartlebridge.
Deputy Governor. Mr John Winthrop jun.
Mr Endicott. Mr Bradstreet.
Mr Bellingham. Mr Coddington.

Assistants of Newtown.

Deputyes.

Mr Joseph Hull. Joseph Cooke.
Anthony Eames. John Bridge.
Robert Ffenwy. Gregory Stone.
William Leader. Richard Brown.
Nathaniel Duncan. Thomas Marshall.
John Wheeler. William Denison.
Humfrey Atherton. Thomas Ffletcher.
Mark Heath. Simon Willard.
John Johnson. Edward Howe.
William Parke. William Hathorne.
Atherton Hough. John Woodberry.
Robert Keayne. Jacob Barney.
John Newgate. William Hubbard.
Ralph Sprague. Samuell Symonds.
Abraham Palmer. Richard Kimbing.

Edward Tawson.

1290. The Generall Court being assembled a Commission was granted to make Mr Nathaniell Rogers free at Ipswich by taking his oath upon Record before two of the Magistrates. Mr Natha. Rogers a ffreeman.

1291. Walter Mousall being questioned about speeches formerly spoken by him in approbation of Mr Mousall dismist.
Wheelwright was dismissed from being a member of the Court.

1292. Whereas Samuell Downing Esqr hath brought over at his great charges all things fitting for taking wilde fowle by way of Duck poys, this Court being desirous to incourage him and others in such designes as tends to publicke good, doe give him full liberty to place the same Duck poys in some convenient place within the bounds of Salem at Cornfield and he can agree, and that it shall not be lawfull for any person to shoote in unsyen within halfe a mile of the ground where such Duck poys shall be placed nor shall any— Mr Downing his Duck poys.

other meanes for disturbance of the foule throw, And if any man shall offend against this order, he shall be fined or otherwise punished by the discretion of this Court as shall habe hearing of the paise and if any person shall be taken shootinge or going about to shoote within the said limitts and being not knowne to the said Emanuell Downing or his servants which shall offend the said Duck Goys it shall be lawfull for them to make seizure of his veere and detayne the same till the cause be heard and determined.

Duck Goys. The same order shall extend to all other placed where any Duck Goys shall be owned by licence from the Court.

Dimarumott. The Court grants that the Petitioners Mr Steven Bardiol Christopher Hussey Henry Hussey widdow Thomas Grummell Samuell Stullard John Dygoes John Grosse Samuell Greenfield John Molton Thomas Molton William Easton William Palmer William Sargeant Richard Swayne William Sandford Robert Cutter with divers others shall habe liberty to begin a plantation at Dimarumott, and Mr Richard Foster Mr Winthrop inn and Mr Dawson or some two of them are to assist in setting out the plat of the Towne and apportioning the severall quantity of lands to every man so as nothing shall be done therein without allowance from them or two of them.

391. Nourimatte. Mr Richard Foster Mr Dudley inn Captaine Denison Mr Floyd of Roxbury Mr Woodbridge Mr Batty Mr Batter Mr Winsley Henry Biler Stephen Richards Robert and John Sandford are allowed upon their petition to begin a plantation at Nourimatte and shall have liberty to associate to them such others as they can agree upon and if any difference fall out amongst the planters about the rates of their Towne or retaining of their Cattell or allotment of lands that then the Court or the Counsell shall sett order in it.

Mr Underhill. Mr John Underhill was committed for abusing the Court by his grosse and valiable dissimulation and equiboration or mentall reservation in his petition and after hearing his fayling was order in the namer.

Lieutenant Morrid. Lieutenant Morrid had leave to depart having offended in subscribing the petition or remonstrance being advised to forbeare meddling with some people in the matter of opinion least they be further dealt with and was advised not to sitt downe within our limitts and was wished to warne the rest not to sitt downe within our limits.

Lieutenant Dabenport. Lieutenant Dabenport for his paines and attendance about restoring Gatsman his armes — 1298.
since the returne of the Souldiers from the Pequits and before had granted him ten pounds.

Mr Underhill banisht. Mr John Underhill is banisht to goe out of this Jurisdiction within fourteene dayes and not to returne 1299.
and more exact it be to take his passage in the Ship of Salem now bound for England.

392. Mr Underhill 200. ar. Mr John Underhill had promise of his two hundred acres of ground besides what he hath had — 1300.
before.

Lieutenant Morrid. 100. ar. Lieutenant Richard Morrid had promise of his hundred acres of ground besides what he hath had 1301.
before.

Mosse Abbotts wine. Mosse Abbotts is permitted to sell a tun of wine at Marblehead and not to exceede this yeare. 1302.

Dedham. The Towne of Dedham is desired to speare two that are most fit to goe with Goodman Woodward 1303.
and Goodman Johnson if he can spare time or another to be got in his roome to lay out the most southermost parte of Charles river and to habe xx^d a daye a peece.

Dimarumotte. Goodman Woodward Mr Josh Scruton with an Indian and two other appointed by the — 1304.
Magistrates of Newing are to layout the hyne three miles northward of the most northermost parte of Nourimatte for which they are to habe xx^d. a day a peece.

Aromtants. Mr Eaton and the Secretary with Mr Hoarne and Mr Dunton, they or any three of them were 1305.
appointed a Committee to examine the claimes of Mr Nathan Gaddock Mr John Humfrey and Lieutenant Gardiner.

Tanning hides. To remember to provide barke the second monetes for the tanning of divers hides to come. 1306.

393. Brewer in Armes. The Amerciaments or ordinary Record habe liberty to brewe the beare which they sell in — 1307.
their howses or to agree with the brewer as they can. Vid. p 367

Turner 30^s. Richard Turner had granted him 30^s for losse by imprisonment formerly in serving Corne at xx^d the bushell. 1308.

1309. Letters were appointed to be written to Mr George Harwood to desire him to send his Account. — Mr Harwood Account.

1310. Mr Richard Browne Mr William Holman and John Bunder are appointed to lay out Mr Cumlings Land at Faulbridge. — Mr Cumlings Land.

1311. Mr William Hosier appearing was informed that we conceive him not fit to bee wch he was wished to depart before the generall Court in March next. — Mr Hosier.

1312. Thomas Cornell was licensed upon triall to keepe an Inne in the roome of William Paulston till the next generall Court. — Cornell Inne.

1313. Mr Cornell was ordered to keepe 11li 10s of the estate of William Paulston. — Paulston 11li 10s.

1314. The Petitioners Mr Pendleton Mr Roys Mr Browne and Company are allowed to goe on in their Plantation and sing as are associated unto them. And Lieutenant Willard Thomas Brown and Mr John Oliver are to sett out the bounds of the said Plantation and they are allowed 4s a day apiece of them and Mr John Oliver 2s a day to be borne by the new Plantation. And the Petitioners are to take care that in their allotments of lands they have respect as well to mend estate and abilities to improve their lands as to their number of persons and if any difference fall out the Court or the Counsell shall order it. — Mr Pendleton &c — 394. others their Plantation.

1315. Peter Prescott Mr Samuell Nabarits man was examined to be sworn respected. — Prescott respect.

1316. It is ordered that whatsoever swine shall be found within two miles of any meeting house except within a mans own land without a sufficient keeper or else be found within any towne field garden or pasture being any other mans property or meadowe shall be forfeited and whatsoever person of the same Towne where such swine shall be taken shall take up any such swine alive or kill them shall by two freemen of the same towne make the same aide the damages being first satisfied the remaining parte of all swine so taken shall goe one halfe to the party aide the other halfe to be delivered to the Constable or to some man chosen by the Towne to be imployed as a common store for the goods of the Towne where it is taken, Provided that no swine shall be forfeited till the first of April next, unlesse they be found in Cornefield gardens medowes or pasture being any other mans property. And this Court doth intend that all men shall be carefull to see to the execution of this order, And whosoever shall reproach or finde fault with any for seizing or killing any swine according to this lawe shall be liable to punishment. Provided also that till April next it shall be lawfull for swine to goe and feede upon single lotts or pasture grounds being not inclosed as hee in or adjoyning to the commons of any Towne. This order to bee of force within one week after the end of this Court. All former Lawes against swine are repealed. — Swine. 395.

1317. Whereas diverse persons who are indebted to the Country for their parte to publicke rates and other fines who for avoiding the payment thereof have sold away their houses and lands and sent away their goods intending to remove to other plantations, It is therefore ordered that the Treasurer shall graunt warrants to the Marshall to attach the bodies of such persons as are to pay any fines if they have not any lands or goods to be distrained shall have their bodies attached to make satisfaction, Provided that any Court or the Counsell may discharge any such person from imprisonment if they shall find them indeede unable to make satisfaction. — Rates & fines arrear. 396. — Men till they make satisfaction for their rates or fines, and all such persons

1318. For avoyding of the Countreys charge by burning smale ranges to the Court of Assistants It is ordered that any Magistrate in the Towne where he dwelleth may heare and determine by his discretion all causes wherein the debt or trespass or damage cr doth not exceede 20s. and in such towne where no Magistrate dwelleth the generall Court shall from time to time nominate three men two whereof shall have like power to heare and determine all such actions under 20s. and if any of the partyes shall finde themselves grieved with any such end or sentence they may appeale to the next quarter Court or Court of Assistants cr. And if any person shall bring any such action to the Court of Assistants before he hath endeavoured to have it ended at home as in this order is appointed he shall loose his action and pay the defendant cost. If no appeale be sent in the days of the sentence upon such smale action the Magistrate or the said two men shall grant execution. — Smale causes under 20s. 397.

for Waterton Mr Thomas Mayhew Captaine William Fermison and Mr Richard Browne are chosen.

for Hingham Mr Joseph Hill Edmond Hubbardson and Christofer Ames were chosen.

for Newberry Mr Edward Benson Mr John Woodbridge and Mr Edward Woodman were chosen.

398. Lands granted to diverse persons.

The Court granted these proportions of Land to Joshua Johnson two hundred and fifty acres. 1319
to Mr Richard Browne two hundred acres. to Captaine William Fermison two hundred acres.
to Mr William Hubbard 300. acres. to Mr George Burnham 50. acres. to Mr Abraham —
Palmer 200. acres. to Mr Abraham Mellowes 200. acres, to Richard Bellingham Esq. 700.
acres. to be considered of by Mr Hawthorne Lieutenant Davenporte Lieutenant Howe and
Mr Ballard or any two of them being one of each Towne and to informe the Court.

A Committee for disposing of lands.

For avoiding the troubles of this Court about granting of lands and the more equall proceeding 1320.
therein, It is ordered that Mr Bellingham the Treasurer Mr Israell Stoughton Mr Richard —
Browne John Johnson and Abraham Palmer or any foure or three of them shall have power
to take the names of all such as will demand allowance of lands and shall consider of the grounds
and reasons of their demands and thereupon shall set downe the names of all such as they shall finde
fit to have lands granted them and what quantities of land they shall see fit to be allowed to
them having regard to their adventure in the Common or joynt stocke and their ability to improve
Lands and also to such lands as have bin allreadyes granted them either by the Towne or by the Court
and that the Company at large be not hindered to provide Lands for the inhabitants of such Townes
as have land enough to supply them except other Considerations require it, And that they consider
that towns the first planted were allowed fifty acres for each person yet this benefit is not
to be allowed to all others and what they shall doe herein to make certificate thereof to the next
Court: they are withall to consider that men cannot have their full proportions at the present.

399. Contributions tribill & Ecclesiastike.

This Court taking into Consideration the necessity of an equall contribution to all common 1321.
charges in Townes and observing that the greate occasion of the defect herein arisith from hence
that many of those who are not freemen nor members of any Church doe take advantage thereby to —
withdraw their helpe in such voluntary contributions as are in use.

It is therefore hereby declared that every inhabitant in any Towne is liable to contribute 1322.
to all charges both in Churches and commonwealth wherein he dwell or may receive benefit and
withall It is also ordered that every such inhabitant who shall not voluntarily contribute
proportionably to his ability with other freemen of the same Towne to all common charges as were
for upholding the ordinances in the Churches as otherwise shall be compelled thereto by assessment
and distresse to be levied by the Constable or other officer of the Towne as in other cases.

400. Fasts at Salem.

It is ordered that there shall be two fasts at Salem in the yeare the one the last wed- 1323.
nesday in the third moneth called May the other the last Wednesday of the seventh moneth called
September. Also it is ordered that there shall be two fasts at Watertowne the one the
first Fridayes of the fourth moneth the other the first Friday of the seventh moneth. Also
it is ordered there shall be two fasts at Dorchester the one the first wednesday of the
third moneth the other the last wednesday of the sixth moneth.

401 William Tracy.

Tracy William hath liberty to set up an house and keepe a ferry over Naponsett river and 1324
to have a penny a person to be directed by Mr Stoughton and Mr Glover.

Witnesses examined.

Mr John Hall bound himselfe in twenty pounds for his servant John Winnowe that he shall not 1325.
solicite any man nor move questions to that end, nor question with any other except with the Magistrate
or teaching Elders.

166

Warr. attachmt.

An attachment is to goe out to the Constable of Hingham to attach Oldam Mott and to bring 1326.
him before the Governor or some one of the Council.

Days of Thanksgiving.

Intimation to be given to the Elders of each Congregation of the desire of the Court to keepe the 1327.
last thursday of the eight moneth a day of thanksgiving for the safe coming of so many
ships this yeare and the seasonable weather in the springe and now to injoy the harvest.

1328. It was ordered that the Constables should informe of Newtommers if any be admitted without licence and to that end warrant to be sent out to the Constables of Saresdowne to informe the Comte of Assistants wch is to consider of the fine whether to take them or to mitigate them, onely Nathll Kingsbury and Abraham Shaw are appointed for Oldham towardsing notice Constable of Rosen Rear. — Newtommers licence. 402.

1329. There is a ferry appointed from Boston to Winmesmet Rodill Stand and the Shipped, the person to be appointed by the Magistrates of Boston. — Boston to Winmesmet Rodill Stand ferry. 403.

1330. It was ordered that the Commissioners in Saresdowne should see towns be well grounds and to see to weights and measures in milles and stopped and the Corne at milles to be weighed both to and from the milles is men desire it. — Corne grinding &c. 404.

1331. Edward Nidwell for stealing was sentenced to give double restitution. — Nidwell theft restitution.

1332. Luke Hanbury was censured to be scarsh whipped and kept in prison till the Comissell can dispose Hanbury subject &c of him or else to be banished upon paine of death.

1333. The Court finding that smte the revealing of the former lawes against tobacco the same is more abused then before, It hath therefore ordered that no man shall take any tobacco in the fields except in his journey or at meales timed upon paine of twelve years for every offence nor shall take any tobacco in or so neare any dwelling house barne roome or hayricke as may likely endanger the firing thereof upon paine of v.s for every offence, nor shall take any tobacco in any Inne or common victualling house except in a private roome there, so as neither the Master of the same house nor any other guests there shall take offence thereat wch if they doe then such person is forthwith to forfeare upon paine of 2.s 6.d for every offence. No man shall kindle fire by gunpowder for fayring tobacco except in his journey upon paine of 12.d for every offence. And if any servant or workeman taking wages shall offend in any of the premises his master shall stopp so much of his wages as the penalty amounteth to. All the said forfeitures wch the charges of prosecution shall be levied by any of the Magistrates upon conviction of the party by oath or else sufficient witnesse by distresse &c and imployed for the benefit of the Crowne where the offence was committed. — Tobacco. 405.

1334. We heard it is found by sad experience that diverse persons who have ben justly cast out of some of the Churches doe prophane contemne the same sacred and dreadfull ordinance by speaking prevailed abberoldly in other Assemblyes and speaking hatefull their censures to the great offence and grafe of Gods people and encouragement of still minded persons to contemne the said ordinance, It is therefore ordered that whosoever shall stand excommunicate for the space of five moneths without labouring what in him or her lyes to be restored, such person shall be presented to the Comte of Assistants and there punished wth by fine imprisonment banishment or further for the good behavior and their contempt and obstinacy upon full hearing shall deserve. — Excommunication — Assistants. Rexteald. 5. 1666 — 406.

1335. It is ordered that the New Plantation to be settled upon Pontoud river shall joyne to Pontoud and have power mylls upon the river according to the platt given in and if any difference arise between the inhabitants there the Comte or the Comissell shall order the same. — Plantation by Pontoud. 407.

1336. There is a rate of 400.li granted but the warrants not to be sent out untill the other Armes be cleared and that to be done wthin eight weeks and these affermanded are to meete the first tuesday in November and to take the Treasurers accomt and then to appoint the warrants to be sent out. The Committee are Mr Nathaniell Saxton Comission Mr Cooke Lieutenant Sprague John Johnson Mr Rayner Mr Duncan Mr Hubbard Mr Dawson Mr Hull Mr Ballard and William Deane. — Lotty 400.li

1337. It was agreed that the Comte of Assistants should take order for the Indians that they may have satisfaction for their right at Nymes and at Mdaferchu. — Indians 408.

1338. The Comte did discharge the fines underwritten wchs doe stand recorded before in his booke. The thirtieth of November 1630. Edward Salconstall being then fined 5.li is discharged of the said 5.li 1. March 1630. Thomas Stoughton being fined 5.li is discharged of the said 5.li Mr Andrews Mr Pointon and Mr Possitor are discharged of 6.s 8.d a peece. Edward Salconstall is discharged of 4. bushells of maulte. Nicholas Knox being fined 5.li part was payd and the rest was admitted. 3. Maij 1631. Thomas Walford being fined 40.s. he — Fines discharged &c. 409.

pay it by shilling a week. Dito. John Plowman senr was fined 6d, which this Court remitted him. 18 of May Daniell Abbott was fined 5s was remitted him by this Court. 16. August Mr Edward Robert Gold and Edward Ribbond were discharged of those fines by this Court. Dito Edward Ribbond and Alexander Wignall were discharged by this Court. 6. September Alexander Wignall being fined 40s is discharged by this Court. 27. Sept Josiah Plaisowe being fined 5s is discharged by this Court. 6. March Robert Gold being fined 5s is discharged by this Court. 3. July 1632. James Platter being fined 40s it was remitted him by this Court. Dito Thomas Dudley being fined 40s it was remitted him by this Court. 4. September John Stirland being fined 3s he is discharged of he same. 3. Dito Edward Wilton being fined twice 7s is discharged of he same. Dito Winchcod Frost being fined 5s is discharged of he same. 4. March Thomas Dyer being fined 40s he was 30s of it remitted him. 2. July 1633. James White being fined 30s he was discharged of it by this Court. 6. August John Wolcitt being fined 50s this Court remitted 40s of the said fine. 3. September John Shottswell being fined 40s. the Court remitted 20s of it. Dito. Robert Gold being fined 10s is discharged of he same. Fortune John Stone being fined 100s is discharged of he same. Mr Abraham Palmer being fined 10s is discharged of he same, Alexander Wignall being fined 10s is discharged of he same. 4 March Richard William being fined 40s is discharged of he same. Timothy Hawkins being fined 20s is discharged of he same. John Vaughan being fined 20s is discharged of he same. April 6. Oct 1634. John Lee being fined at twice 40s he is discharged of all to 5s 1. Apr Thomas Shop being fined 10s is discharged of he same. Frist Enby William Allen being fined 10s is discharged. 5. May James Tuchins being fined 40s is discharged of he same. 6. Oct Ensigne Thomson being fined 20s the Court did remit her same. Dito Clement Wiggs being fined 10s is discharged by the Court. Samuell Hall being fined 5s is discharged by the Court. Richard Lambert forfeiting 10s 9d of it is remitted him. 1635. Francis Toby being fined 10s he is discharged of he same. 2. Juny. Mr John Humfrey being fined 10s is discharged of he same. 4. August. Arthur Holbedge forfeiting 7s 10d. it was remitted to 30s. Dito Richard Wedgar forfeiting 30s. it was remitted him to 5s. Dito Thomas Blunt forfeiting Northshire shillings it was remitted to 7s 6d. Dito James Hawkins forfeiting 11s 5d. it was remitted him to 50s. First September William Dixon forfeiting 20s. Dito Edward Gon: bord forfeiting 10s it was remitted him to 40s. Dito James Browne forfeiting 10s it was remitted him to 40s. 3. November Samuell Cook forfeiting 5s it was remitted to 10s. Increase Howell being fined 3s 4d. it was remitted him by this Court. 1. March Richard Hobbed being fined 40s he is discharged of he same. Anthony Cooper forfeiting his weyghtyarre of 40s. Griffin Montagne forfeiting 20s it was remitted him to 20s. 1636. 7. of 4 month: John Hobson undertaking for Tobyas 10s is discharged of it. 6. 7 of monthes Peter Russaker being fined 5s it is remitted to 20s. 1636. 7 of 10 of monthes Christopher Dabies being bonded in fined 5s for John Robinson apprentiare. Thomas Robinson bonded in likesoure in 5s. 6. first mon: 5s Robert Greensmith being fined 40s payment was acknowledged and he is discharged. John Tremble being fined 20s it was remitted him to 20s. 6. 4 of monthes 1637. John Sweete being fined 5s it was remitted him. Robert Anderson being fined 50s it was remitted. George Hemmings being fined 20s. it was remitted to 10s. James Browne being fined 40s is remitted to 10s. 19 of 7 of monthes John Hoggs being fined 3s is remitted to 2s. John Browne being fined 20s he is. John Stretton being fined 10s is remitted to 10s if he goe to Newmarke. 2. 9 of monthes. William Paulson being fined 20s it was remitted him. Edward Hutchinson being fined 40s it was remitted him. Samuell Coles being fined 25s and owing 10s more it was remitted him to 15s. William Paulson being fined 10s and owing 5s more it is remitted to 10s. 6. first monthes Joseph was fined 10s wch was remitted him. Thomas Stairre being fined 20s that was remitted to 15s and that to be discomited out of his wages. 5. 4 of monthes 1638. Thomas Fuer being fined 40s it was remitted to 10s. Edmond Ingbard senr being fined 40s. it was remitted to 10s.

A quarter Court holden at Boston the 4th day of the 10th moneth 1638.

present.

The Governor. — Mr Simon Bradstreet.
The Deputy Governor. — Mr John Winthrop jun.
Mr John Endicott. — Mr Israell Stoughton.
Mr Richard Saltonstall. — Increase Nowell.

1339. Edward Walton was fined 10s for swearing and cast it in Court. — Walton swearing.

1340. John King William Ketted and John Dabiel averring were distrained till further information be given about the mutiner they tooke from the Island. — Mutiner.

1341. Robert Shorthose was committed for saying if the Magistrate had any thing to say to him he might come to him he was released binding himselfe in 20li to appeare at the next Court and to be of good behavior the meane time. — Shorthose contempt.

1342. James Ingsford and Benjamin Hubbard are bound in 10li a peece for the appearance of Robert Shorthose. — Son, bond.

1343. The Indian white had bin kept in prison was released being required to send or bring satisfaction for the Gowe or else satisfaction should be taken from Nauiguiset. — Indian trespasse.

1344. Thomas Holloway averring was distrained. — Holloway distrained.

1345. John Hollowate being presented by the grand Iury for drawing wine against an order of Court was dettained to have forfeited ten pounds and for tayling his daughter to deliver a paper to a Iury man out of Court he was fined 20s. he was also by the Iury found guilty of contempt and to have broken the rule of hospitality and the wears white were remitted him. — Holowate fourfe. fined. ed.

1346. Thomas Wilson for taking above double toll was fined 5li and being presented for standing abated six moneths excommunicate he was enjoyned to appeare at the next Court. — Wilson excessive toll.

1347. Samuell Wasse for his contempt was fined 5li. — Wasse contempt.

1348. Richard Turner for being notoriously drunke was fined 40s. — Turner drunke.

1349. William Blanton averring was enjoyned with all the men that were in the Pannoe wth him and Apphegate which owned the Pannoe out of which the three persons were drowned. — Pannoe drowning. 3. persons.

1350. And it was ordered that no Pannoes should be used at any ferry upon paine of 5li nor no Pannoes to be made in our Iurisdiction before the next generall Court upon paine of 10li — Pannoes at ferryes prohibited.

1351. Also order was appointed to be given to Richard Wright to stabe that Pannoe out of wch those persons were drowned. — Pannoe stabed.

1352. Dorothy the wife of John Talby being by her owne confession guilty of the murtherall ~~crime~~ and intimeth death of her daughter Difficult Talby was by the Iury found guilty and so was condemned to be hanged. — Dorothy Talbes murder. hanged.

1353. William Underwood having made an assault upon his Master Henry Gorgan shrunke him diverse blowes and wickedly conspired against the life of his said Master and not only so, but did conspire also against the wears and welfare of this whole commonwealth was censured to be severely whipped and delivered up as a slave to whome the Court shall appoint. — Underwood contempt conspiracy whipt, slabed.

1354. John Hasellwood being found guilty of severall theftes and breaking into severall howses was censured to be severely whipped and delivered up a slave to whome the Court shall appoint. — Hasellwood theft whipt. slabed.

1355. Nicholas Player being found guilty of severall theftes and breaking into howses was censured to be severely whipt and delivered up for a slave to whome the Court shall appoint. — Player theftes whipt. slabed.

1356. John Bitterstaffe was censured to be severely whipped for committing fornication with Chrie Rumwood. Chrie Rumwood was censured to be whipt for yielding to Bitterstaffe whipt ringing out and concealing it 9. or 10. dayes. — fornication whipt.

1357. Katherine Gorniss is respited untill the Court the first moneth. — Katherine Gorniss.

1358. Attachment to be sent out for Hiwoke and False Smith. — Hiwoke, Smith.

1359. Robert Abell for want of sufficient witnesse was dismissed. — Abell.

1360. Edward Briggs was not found guilty of extortion and was dismissed. — Briggs.

1361. The Governor of Nanemoy was fined 10s for desert in their hire wages and day was given them till the next Court. — Nanemoyes.

Dorchester fined. The Towne of Dorchester for a defective highway was fined xx^s. and had day given them untill the next Court. 1362.

Boston fined. The Towne of Boston was fined 10^s for their defective highways and want of a water house and day was given till the next Court. 1363.

Fuller. Attachment was to be sent out for Edward Fuller. 1364.

Webb. Henry Webb was discharged for want of sufficient witnesse. 1365.

Concord fined. The Towne of Concord was fined x^s. for want of a paire of stocks and a water house. 1366.

Waterton fined. The Towne of Watertowne for want of a paire of stocks was fined x^s. and had day till the next Court. 1367.

Sturnes & Page fined. Jacob Sturnes and John Page were fined x^s for truninge the way about and day was given till the next Court. 1368.

Cornell. Thomas Cornell appearing and being hirtised was discharged. 1369

Morris. The wife of Joshua Morris was referred to Salem. 1370.

Richards. An attachment to be sent out for George Richards. 1371.

Ballard. William Ballard hirting no other but such as had lotte was discharged. 1372.

Rebbants. John Pogan was in like sorte discharged because those with her hinds were other mens servts. 1373.

Cambridge fined. The Towne of Cambridge was fined xx^s for want of a water house pounds & stocks & time was given them till the next Court. 1374.

Betts. John Betts appeared and was discharged there being not evidence sufficient to prove his oder selling. 1375.

Charlestowne, fined. The Towne of Charlestowne was fined x^s for want of a water house and time was given till the next Court. 1376

Hooke. John Hooke for abusing his servant was fined x^s. 1377.

Cooper. John Cooper inn was committed to his father for correction. 1378.

Ffrancis Ffolmingham & Hester. Francis Ffolmingham and William Hester appearing for want of witnesse were discharged. 1379.

Mr Cooke. Mr William Cooke is respitted untill his retorne. 1380.

Mary Oliver son wife. Mary the wife of Thomas Oliver for disturbing the Church of Salem was committed to prison untill she sends finde securitie for her good behavior and appeare at the Court. 1381.

Quarelling & fighting. Richard Ocard and Peter Wasater for quarelling and fighting are referred to the Court at Salem. 1382.

Prophaning the Sab. sorte. Richard Hollingsworth for prophaning the sabboth in travelling was ordered to be sett in the stocks uxon a Lecture day at Salem. 1383.

Ipswich fined. The Towne of Ipswich was fined 10^s for defective highways and time was given them till the next Court to repaire them. 1384.

Henry Bonds bears fined. Anthony Crosy was fined 20^s for a pound bears and enjoyned to give Thomas Coleman 13^s. 4^d. for his charges. 1385.

Newbury fined. The Towne of Newberry was fined x^s for want of a paire of stocks and time was given them untill the next Court to make them. 1386.

Lying. Thomas Sadowes for his grosse lying was referred to the Court at Ipswich. 1387.

Tenny. Thomas Tenny was enjoyned to appeare at the next Court to answere further. 1388.

Mudge. An attachment was granted for Barbara Mudge to appeare at the next Court. 1389.

Dedham Constable. John Haward being chosen Constable for the Towne of Dedham did take his oath 1°. 10° 1638. 1390.

Concord Constable. Thomas Brooke being chosen Constable for the Towne of Concord did take his oath the 8th. 10 th month 1638. 1391.

Ewer testament. The widdow Ewer was allowed Executrix of her husband Thomas Ewer deceased. 1392.

Mr Harrison attachmt. An attachment was granted for John Harrison gent. 1393.

A quarter Court held at Boston the fift day of the first month 1638.
Ore 1639. x vesent

The Governor. — Mr John Winthrop mid.
Deputy Governor. — Mr Richard Saltonstall.
Mr Endicott. — Mr Israell Stoughton.
Increase Nowell.

1394. John Davies for grosse offences in attempting lowdness with Diverse women was fined to the Court V. — Davies V.
Sixpence, which was both heere and at Ipswich, and to weare the letter V upon his breast upon his uppermost garment until the Court doe discharge him.

1395. John Browne dying in the house of Daniell Wisewor administration was granted to the said Brewer. — Browne intestate.

1396. William Blanton, William Potter, Robert Howe, Henry Veale, John Pitts, and Thomas Marble — Boated.
gate appearing were discharged with an admonition not to adventure too many into a boate.

1397. Thomas Bonse having attempted a rape with Sarah Fusall was fined to give the maid 5s. and to be whipped and imprisoned a time. — Bonse whipt.

1398. William Hudson appearing was discharged. — Hudson.

1399. Sarah Desbiny was committed and fined 5s. for stealing at Detroit out of ye house where witnesses are to have 5s. a peece, and the prosecutor 10s. — Desbiny theft. fined.

1400. Ralph Smith appearing was discharged. — Smith.

1401. Priscill Throcke for tempting two or more maids to mischeiffe was fined 5s. to the Country and 20s. a peece to the two maids Debora Phinxen and Mary Marsh. — Throcke fined.

1402. Thomas Applegate was appointed to have 29s. for his Pannoes when he returned which he borrowed are returned backe as good as they were when he borrowed them. — Applegate.

1403. James Medtalfe not being returned from Pastataque Mr Samuell Maverick had granted him libertie till the next Court to bring him in. — Medtalfe.

1404. Edward Saunders being sent at Pastataque Nicholas Davison had libertie till the next Court to bring him in. — Saunders.

1405. John Hoggs for swearing Godsfoote and tearing his servant wishing a pox of God take you was fined 5s. — Hoggs swearing & tearing fined.

1406. John Harrison wife not appearing a new attachment was granted. — Mr Harrison.

1407. The wife of Robert Chauffley not appearing attachment was granted for her to appeare at the next Court. — Chauffleyd wife.

1408. Richard Silbester was fined 12s. for selling strong water into the Court. — Silbester.

1409. Robert Shortiose was sett in the bilboes for slighting the Magistrates in his speeches. — Shortthose sett.

1410. James Nudd had granted his 10s. against Nutthamarke who warned him to appeare and did not come to prosecute. — Nutthamarke. non suit.

1411. Edmond Chidley is granted administration of the goods of Francis Dent deceased upon the testimony of John Wings and Servant Davies upon oath. — Dent intestate.

1412. An attachment was granted for John Harrison. — Mr Harrison.

1413. An attachment for the wife of Robert Chaffley. — Chaffley.

At a generall Court holden at Boston the 13th of the first month 1638.

Present,

The Gouernor.	Mr Winthrop inu.
Deputy Gouernor.	Mr Israel Stoughton.
Mr Endicott.	Mr Simon Bradstreet.
Mr Saltonstall.	Nicholas Norrice.

Deputyes.

Joseph Hull.	Joseph Cooke.
Anthony Eames.	Samuell Sheppard.
John Upham.	Richard Jackson.
Stephen Greene.	Richard Browne.
John Glover.	William Jemison.
Thomas Francis.	Thomas Marshfield.
John Spare.	Thomas Flint.
William Heath.	Edward Tayson.
Edward Porter.	Edward Woodman.
Griffin Crafts.	Richard Smith.
Atherton Hough.	William Bartholomew.
Robert Keayne.	William Hawthorne.
Edward Gibbons.	John Woodberry.
Robert Sedgwicke.	Geoffrey Mason.
Walter Swaine.	Edward Hoyle.
Thomas Lyndee.	Timothy Tomlins.
	Edward Allen.

Mr Downing a freeman.

Mr John Endicott and Mr John Winthrop inu had order to give Mr Emanuell Downing the oath of freedome at Salem. 1414

Order for the Military Company made by the Gouernor and Counsell and confirmed by the generall Court.

409. Military Company Ordered.

Whereas diuerse gentlemen and others out of their care of the publicke weale and safety by the ordinance of the military Chiefe and experience of Armes have desired liberty of the Court to joyne themselves in one Company and to have liberty to exercise themselves at such times as their occasions will best permit and that such other liberties and priuiledges might be granted them as the Court should think meete for their better encouragement and furtherance of so useful imployment, which request of theirs being referred by the Court to ye of the standing Counsell, we have thought fit upon serious consideration and conference with diuerse of the principall of them to set down order herein as followeth. 1415.

Incorporate.

1. Imprimis we doe order that Robert Keayne Nathaniell Duncan Robert Sedgwicke William Spencer gentlemen and such other as are allready joynd with them and such as hereafter from time to time take into their Company shall be called the Military Company of the Massachusetts. 1416.

Election of Officers.

2. That ye greater number of them shall have liberty to choose their Captaine Lieutenant and all other Officers (their Captaine and Lieutenant to be allways such as the Court or Counsell shall allowe of) and no Officer to be put upon them but of their owne choice. 1417.

Time of exercise.

3. The first mondays in every moneth is appointed for their meetings and exercise and to the end they may not be hindered from coming together we doe hereby order that no other trainings in the particular townes nor other ordinary town meetings shall be appointed on that days and if that day prove unseasonable for exercise of their Armes then the next of the same week is appointed for ye same, this not to extend to Salem or the Towns beyond nor to Ipswich Newbury Dedham nor Roxbury. 1418.

Power to make orders.

4. They have liberty and power to make orders amongst themselves for the better managing of their military affaires (which orders are to be of force when they shall be allowed by the Court or Counsell) and they may appoint an Officer to levy any fines or forfeitures wch they shall impose upon any of their owne Company, for the breach of any such order so as the same exceed not twenty shillings 1419.

for any offence.

1420. 5. The said military Company are to have one thousand acres of land in some fitt place as many not be judiciall to any plantation to be granted by the Court to some of the said Company for the use of the present Company and such as shall succeed in their same to be imployed by them upon a time convenient for providing of necessaries for their military exercises and defraying of other charges that may arise by occasion thereof. — 1000. Ac. granted to the Company.

1421. 6. The said Company shall have liberty at the times before appointed to assemble themselves for their military exercises in any towne within this Jurisdiction at their owne pleasures. — Place of exercise.

1422. Provided allwayes that this order or grant or any thing therein contayned shall not extend to free the said Company or any of them their servants or affrayed from the civill government and Jurisdiction here established. John Winthrop Governor. Thomas Dudley Deputy. — Proviso.

1423. Captaine John Underhill had granted him safe conduct to come to answere the Charge of Boston witnesse this and the generall Court the 22th of the third moneth next. — Captaine Underhill safe conduct.

An oath to be administred to every Constable by order of this Court.

1424. Wee heereat you are chosen Constable within the Towne of N for one yeare now following and untill other be sworne in the place, you doe heere sweare by the great name of Almighty God that you will truelyfully intend the preservation of his peace the distroyen and prohibiting all attempts against the same, you shall duelyfy execute all warrants wch shall be sent unto you from lawfull authority here established and shall faithfully execute all sing orders of Court as are committed to yo taxe and in all these things you shall deale seriously and faithfully while you shall be in office without any sinister respect of fabo or displeasure to hee you ever. — Oath of Constables. 410.

1425. The lands for money to be given for the killing of wolves and foxes are repealed. — Wolves & foxes.

1426. John Smith for disturbing the publicke peace by combining wth others to hinder the order heere established and the constant practise of our Churches and for undue procuring hereafter of many to a blanke for that purpose, is fined 20s. and committed during the pleasure of the Court or the Counsell. — Smith disturbance of gathering a Church fined & imprisoned.

1427. Richard Silbester for going wth Smith to get hands to a blanke was disfranchised and fined 40s. — Silbester for the same disfranchized & fined.

1428. Mr Ambrose Marten for calling the Churches Covenant a stinking Carrion and a Hymnes invention, and saying he wonders at Gods patience feared it would end in the Sewer, and said the ministers did debarre Christ and set up themselves, he was fined 10li. and committed to goe to Mr Mahoar to be instructed by him. — Mr Marten fined.

1429. Mr Thomas Makepeace because of his noble disposition was informed he were weary of him unless he reforme. — Makepeace.

1430. Liberty was granted to mend the power of the Sagamore of Cogawam wth the Governs Indian powder mend man brake.

1431. The Governor had leave to give the said Sagamore some small quantity of gunpowder to kill fowle and deere. — Powder to Cogawam.

1432. Mastanomet the Sagamore of Cogawam acknowledged that he had received 20s. of Mr John Winthrop jun for all his Land in Ipswich for wch he acknowledged himselfe fully satisfied. — Mastanomet satisfied for Ipswich.

1433. William Gurtis had leave to build upon his lott his other dwelling being seated so inconvenently. — Gurtis.

1434. Johnnue Ipsland is to remaine in the Countrey onely for the present Ipswich Newberry and the new plantation between them may make use of it till the Court shall see cause otherwise to dispose of it. — John Ipsland.

1435. Mr Cutler and Sergeant Hooker are desired to view the bounds of Newberry together two mile square may not be granted more to Newberry without hinderance to any new plantation. — Newberry inlarged.

Spenter ffeny at Hyme.

Garrett Spenter is granted he ffeny at Hyme for two yeares taking 2d for a single person to the finchest place and but a penny a peece for more to the finchest place and but a penny for a single person to the neawest place. — 1436

Salem & Hyme bounds.

It is ordered that the bounds betwixt Salem and Hyme shall begin at the Cliffe by the sea where the water runneth up the way lyeth from Hyme to Marble head and run upon a straight line to the long pond by the old path that goeth to Hyme at the south side through next to Hyme, and the whole pond to be in Salem bounds and from that pond to run upon a — to Hyme, and the whole pond to be in Salem bounds and from that ffland to run upon a — straight line to the ffland in Mr Humfreys pond and from that ffland to run upon a — straight line to the great pine tree marked called by those ffishermen that layes out the bounds the ffishmend bounds and from those trees to run upon a straight line unto an — other little pine tree marked by the side of a little hill beyond the tree and to run upon the same line to fare ad our bounds shall waye into the Country. Nathaniell Tenner — William Ballard Witness — Walker John Woodbury. — 1437

Day of Humiliation.

It is the opinion of the Court this month was thought fit for a day of humiliation to seeke the face of God and reconciliation with him by our Lord Jesus Christ in all the Churches. Robberies — oppression Atheisme extreme worldlinesse idlenesse contempt of Authority and troubles in other parts to be remembred. — 1438

Harbard Colledge.

It is ordered that the Colledge agreed upon formerly to be built at Cambridge shall be called — Harbard Colledge. — 1439

Mr Eatchell Roger Plantation.

Mr Eatchell Roger Mr John Philip and their company had granted them eight miles every way into the Country where it may not trench upon other plantations allready settled. — 1440

Mr Endicott Cape Cod.

Mr Endicott was willed to send three to view Cape Cod whether it may not be cut through, and to certifie how they find it. — 1441

Coaled.

It was ordered that a Challop should be sent to the Eastward to get coled wish they get the Smiths are to beare the charge and take the coaled, if they get not coled the Country to beare the charge. — 1442

Clabed.

It was ordered that 3li 8d should be payd Lieutenant Davenport for the present for charge disbursed for the clabed wherein they have earned it he is to repay it back again. — 1443

Mr Holliocke for the Lord Brooke.

Mr Edward Holliocke had present power given him to manage the estate of the Lord Brooke untill the Lord Brooke doe otherwise dispose of it. — 1444

Brittains contempt wisht.

James Brittaine for his not appearing was committed and for his grosse lying dissimulation and contempt of Ministers Ministry and Covenant was enjoined to be wisht. — 1445

Mr Lenthall.

Mr Robert Lenthall upon his ffree acknowledgment under his hand given into the Court was appointed to appeare at the next Court and enjoyned to acknowledge his fault and give satisfaction to the Church at Waymouth and to give a Copy of that he gave into the Court to the Church of Waymouth. — 1446

41c. Hyme inlargement.

Hyme was granted liberty into the Country and Mr Hawthorne and Lieutenant Davenport to bisiter and informe how the Land beyond Ipswich whether it may be fit for another plantation or no. — 1447

Watertown & Cambridge bounds.

It was ordered that the bounds between Watertown and Cambridge shall stand as they were marked by Mr Heather so fare as he marked and from the last marked tree to be run out by Mr John Oliver according to the order agreed upon by John Johnson Abraham Palmer and William Cobbran northwest and by west by a meridian compasse in a straight line. — 1448

Weymouth & Hingham bounds.

Goodman Marren and goodman Underwood are appointed to run the lines between Weymouth and Hingham formerly agreed upon. — 1449

Haines committed.

Thomas Haine was committed for his abusiveness and carriage on Shipboard. — 1450

Boston & Hyme bounds.

Mr John Oliver Mr Robert Keayne and Richard Cadler are appointed to run the bounds between Boston and Hyme. — 1451

Hewmt Wollaston bounds.

Hewmt Wollaston is to be bounded as formerly to the tox of the great blew hill west Raponett by a line running southwest and by west halfe a point westerly and from thence by — 1452

a square line extending to the other side of Mr Mollaston bounds.

1453. Mr Cotton was desired to agree with the Indians for the lands within the bounds of Marcuton Cambridge and Boston. — Indians.

1454. The Court at Ipswich had order to examine and settle all things belonging to the estate of Mr Humfry Wiffe and also for the lands sold and unsold. — Wiffe Humfry. intestate.

1455. John Smith and John Spur are bound in 40li to pay 20li the first day of the next Court being the 22th of the third month next. — Smith & Spur.

1456. It was ordered that no Towne should send more then two deputyes to the generall Court. — Two deputies a Towne. 411.

1457. Mr Endicott and Mr Stoughton were appointed to meete with some brethren of Plymouth to agree with them about the bounds of their Patent. — Plymouth bounds.

1458. It was ordered that letters should be written to Captaine Higgen Captaine Champernoone Mr Williams Mr Wannerton Mr Edward Hill Mr Tomworthy and their neighbours and Mr Bartholomew to carry the same and have instruction. — letters to the Easterd. 412.

1459. It is ordered that Salem and Ipswich shall have carry of them two barrells of gunpowder Rowley Hymes Hingham and Weymouth carry of them shall have one barrell of gunpowder wch shall be sold out to those that finde muskets at 2s the pound wch money shall be returned to the Treasurer and for want thereof the Treasurer shall keep it of the Towne and Mr Keayne shall have three or foure barrells of the best powder to sell out ad lib. at 16d the pound the money to be returned to the Treasurer, All this is to be of the oldest and most decayed powder and every Towne is to see that there shall be allowed so much powder in the Towne either in the store or in severall howses, and if the default be in the severall howses the Inhabitants of the armes shall answere for all that are defective, the powder is to be delivered by order from Mr Keayne and if the money for the powder be one payd into the Treasurer the Towne shall be then discharged therefore. It is ordered that in every Towne where no Magistrate is the Officers of the Band have a moneths liberty in ye first case ad hoc judgeth weighty before he distraine. — gunpowder in Towne. 413.

1460. The order for the forfeiture of swine is repealed. — Swine.

1461. Thomas Parker by order of Court was granted a lott upon his petition his master dissenting his good sisters. — Parker lott.

1462. John Pluffe upon his petition was granted a lott with his master allowance and consent having sixteen former yeares allready. — John Pluffe lott.

1463. Richard Stower being chosen one of the Constables of Charlestowne did take his oath the 9th of the 3d month 1639. before Mr Increase Nowell. — Stower Constable of Charlton.

At the generall Court holden at Boston the 22th of the 3.d moneth called May 1639. present

The Governor.	Mr Richard Saltonstall.
The Deputy Governor.	Mr John Winthrop jun.
Mr John Endicott.	Mr Israell Stoughton.
Mr John Humfrey.	Mr Simon Bradstreet.
Mr Richard Bellingham.	Increase Nowell.

Deputyes.

Mr Joseph Hewes.	Thomas Mayhew.
Edmond Hubbardson.	Edward Allen.
Edward Tuttle.	Thomas White.
James Parker.	Simon Willard.
John Skelder.	Edward Hallicke.
Humfrey Atherton.	Timothy Tomlins.
John Stowe.	William Traske.
William Heath.	William Hawthorne.
Robert Keayne.	Edward Tomson.
Edward Gibones.	Edward Woodman.
Robert Sedgwicke.	William Hubbard.
Hatte Sprague.	Richard Limpkind.
Joseph Cooke.	Mr Edward How
Cammell Shepard.	was sent after in Boston of
Richard Browne.	Richard Browne.

Election of Governor. John Winthrop Esq.r was chosen Governor for this yeare ensuing and in presence of the Court did take his oath to that place belonging. 1464

Deputy Governor. Thomas Dudley Esq.r was chosen Deputy Governor and did take his oath to that place appertayninge. 1465

Assistants. John Endicott Esq.r was chosen an Assistant for this yeare and tooke an oath to that place belonging. 1466

Richard Bellingham Esq.r was chosen an Assistant and tooke his oath. 1467

John Humfrey Esq.r was chosen an Assistant and tooke his oath. 1468

Mr John Winthrop jun was chosen an Assistant for this yeare and tooke oath. 1469

Mr Simon Bradstreet was chosen an Assistant for this yeare and tooke his oath. 1470

Mr Israell Stoughton was chosen an Assistant for this yeare and tooke his oath.

Mr Richard Saltonstall was chosen an Assistant for this yeare and tooke his oath.

Increase Nowell was chosen an Assistant for this yeare and did take his oath.

Gonrold Surbeyd of Arms. George Foule was allowed and sworne Surbeyd of the Armes for Gonrold. 1467

94. Fishing plantation at Cape Ann. For incouragement of Mr Maurice Thompson merchant and others who intend to promote the fishing 1468 trade, It is ordered that a fishing plantation shall be begun at Cape Ann and that the said Mr Thompson shall have place assigned for building of howses and stages and other necessaries for that use and shall have sufficient lands allowed for their occasions both for their fishing and for their keeping of cattell and for tyllage. And that such other fishermen as will joyne in that way of fishing and inhabite there shall have such lands and other libertyes there as shall be needfull and fit for their occasions, And for this end this Court doth give power to Mr Endicott Mr Humfrey Mr Winthrop jun Mr William Peirce and Joseph Simpson or any 3. of them to sett out the said Plantation and all lands and other accommodations to such as shall be planted there and none to be settled there but by their allowance.

95. Watertown bounds. For explanation of a former order made the 8th of the 4th moneth 1638. It is now declared 1469 that the inhabitants of Watertown shall run to a certain point and so upon the same point still till it be from their meeting howse eight miles and that from thence their northerly bounds towards the new Plantation shall be a right line drawne to the furthest point of their middle line

which is in our by Gomond bounds and from the said middle line by a line drawne to a point upon their northerly line eight miles from their meeting house and that the said southerly line shall be the bounds between Dedham and Wabaterown and Dedham line to run on upon the same point till they have taken in their five miles square so as it shall not run within two miles of Roxbury ponds and so to be sett out by Mr Oliver who hath allreadyes begun.

1470. Forasmuch as Robert Seaver Abraham Howe John Caman and Peter Cain upon their petition had leave granted them to continue in the houses wch they have built and doe dwell in houses lieuenced above halfe a mile from the meeting house.

houses lieuenced above halfe a mile from the meeting house.

Houses lieuenced above halfe a mile from the meeting house.

1471. John Elford appearing had further respit for further tryall.

Elford.

1472. Mr John Oliver and Robert Martin were appointed to sett out the bounds between Roxbury and Mr Wollaston and Weymouth were to be run from the high water marke in the river mentioned in the last order in an ordinary tide and so to run south halfe a point westerly.

Roxbury Mr Wollaston & Weymouth bounds. 1647. 143

1473. Mr Bradford is freed of rates to the Country by agreement of the Court for the yeare ensuing from this day in regard of his charge in building the bridge and the Country is to finish it at the charge of the publike. Mr Dudley and Lieutenant Sprague to see it done and to bring in their bill of charges.

Mr Bradforth bridge.

1474. Whereas this Court did take order for a meeting to be had between our Commissioners and our neighbours of Hingham for setting out the bounds between us and that nothing hath bin done therein in regard that their Commissioners had not power to conclude any thing And for that it appeareth unto this Court that our people of Hingham stand in great need of hay. It is ordered that they may make use of so much of the grounds neare Cohasset as lyeth on this side the river wherewith the bridge is, wch lands are undoubtedly within the limits of our grant, untill some further order be taken for a finall determination of the difference between us untill the Court shall make other disposition therefore.

Hingham & Weymouth bounds.

1475. For further incouragement of men to sett upon fishing, It is ordered that sure shipped and boatts and other sorts as shall be properly imployed and adventured in taking making and transporting of fish according to the course of fishing voyages and the fish it selfe shall be exempt for seven yeares from homefortis from all Country charges, Provided that this order shall not extend to any other shipped vessells or other sorts but only such as shall be ordinarily imployed in the usuall and safe season for fishing through the yeare, Provided also that this order shall not extend to sure merchandize and commodities not properly belonging to the fishing trade as shall be returned upon the sale of any such fish.

Fishing trade incouragement. 416.

1476. And it is forbidden to all men after the 20 of this the next moneth to imploy any goods or bassfish for manuring of ground upon paine that every person being a fisherman that shall sell or imploy any such fish for that end shall loose the said priviledge of exemption from publike charges, and that both all fishermen or others who shall use any of the said fish for that purpose shall forfeit for every hundred of sure fish so imployed for manuring of ground twenty shillings and so proportionably for a lesser or greater number, Provided that it shall be lawfull to use their heads and offall of sure fish for yeare this order notwithstanding.

Goods & bass not to manure ground.

Sure their heads & offall.

1477. All fishermen while they are abroade during fishing season shall transported wch follow that taling and milled shall be exempted from training yet they are to be furnished wth armes.

fishermen training free in season.

1478. Mris Fuse being interteined by Mr Bartholomew Crooke for a yeare to keepe wthout charge is the same healthy, but is to provide site the charge to be borne by the publike.

Mris Fuse.

1479. It is ordered about restraint of beere and wynes both in respect of the brewer and ordinaries and the ordinaries are permitted to sell beere at two pence a quarte. vol. 4. 357

Beere. 417.

1480. It was ordered that those that are permitted to retayle wines should not sell any to be drunke in their houses. 4 Feb 1621

Wines. 418.

1481. Thomas Cooper of Hingham is permitted to sell wine and strange water not suffering it to be drunke in his house.

Cooper of Hingham wine.

1482. Mr Joseph Weld of Roxbury is permitted to draw wine.

Mr Weld wine.

Newbury Ordinary. Edmond Greenley of Newbury is permitted to keepe a house of intertainment. 1483

Smith. John Smith for contempt is fined five pounds and ensuinge to be imprisoned till he have payd 1484
body, his fines.

Smith submission. Discharged. John Smith, upon his submission and bringing in of his money had ten pounds remitted him and 1485
of 15li only was taken and he wth his sureties are discharged.

Mr Dummer Pet. The petition of Mr Richard Dummer was to pay iii remitted to Mr Westfield Together and his company. 1486

Howe his state. Elizabeth the wife of Edward Howe of Hymes deceased is graunted Administration of her husbands 1487
estate.

Judith Smeader testament. Mr Israel Stoughton is graunted administration of the estate of his Sister Judith Smeade for 1488
the goods of her children according to the will of the said Judith.

Bridley restored to freedome. Richard Bridley, upon his acknowledgment of his fault and giving satisfaction to the Court was 1489
readmitted again to the freedome of his body.

Mr Spearhawke wine. Mr Nathaniel Sparhawke was admitted to draw wine and strange water for Cambridge. 1490.

Mr Holgrave. Mr John Hollgrave was admitted 9li 3s. 4d. only 2li 10s remaining to be payd by him. 1491.

Adjournement. The Court was adjourned to the 6th of the 4th moneth. 1492.

Mr Browne fined. Mr Richard Browne being gone to Gomersheth without leave is fined 1li. he neither argum=
tings the Court nor Counsell. 1493

Day of humiliation. The thirteenth day of the fourth moneth was desired might be kept a day of humiliation — 1494
in all our churches for the want of raine and the hoper of brethren in distresse.

Indians Damages. It was ordered that should be taken to prevent dammage to the Indians and procure
them satisfaction for any dammage done unto them. 1495.

Mr Mollowes. Mr Edward Mollowes his rate of 5s 6d was remitted him in regard of his losse sustayned by 1496.
fire.

Captaine Mason. Rewarded. Captaine Mason had graunted him ten pounds for his good service against the Pequits of 1497
otherwise.

Smale causes at Ringham. Mr Joseph Pete Edmond Hubbard sen and Anthony Eames were authorised to end smale Busnesses 1498.
under twenty shillings at Ringham.

419. Dimettimmet a Towne. Dimettimmet is allowed to be a Towne and hath power to choose a Constable and other Offi= 1499.
ters and make orders for the well ordering of their Towne and to send a Deputy to the Court, and Christopher Hussey, William Palmer and Richard Swayne to end all Busnesses under twenty shillings for this yeare, the laying out of Land to be by those appointed in the former order.

Salt peter matts. Mr Peter is desired to write to Holland for five hundred pounds worth of peter and forty 1500.
pounds worth of matts and to give order upon the receipt of the salt peter and matts there in good condition to draw bills upon the Adventurers and the Company doth promise to save the Adventurers harmless.

Mrs Harding. Mrs Harding is respitted till the next Court the mean while to be dealt wth by Mr Potter 1501.
Mr Wilson and the Ministry to see if she may be conducted and give satisfaction, if not wit=
nessed to be then produced against her.

Mount Woll: ordinary. Richard Sandred is allowed to keepe an house of intertainment at Mount Wollaston. 1502

Dorchester & Boston bounds. Mr Thomas Mayhew Lieutenant Talbe Sprague and John Johnson are desired to view 1503
the differences between Dorchester and Boston by Mr Posteres farme wth his marsh ground
belonging to Dorchester and to give their advise wherein it satisfie not may be referred
to the Court, and if either party be grieved to protest his mit and have it taxed by a
jury and this committee to give evidence.

Rates 1000li. It was ordered there should be a Rates of one thousand pounds raised forthwith. Boston — 1504.
144li 10s 1d. Dorchester 74li 12s 6d. Salem 111li 13s 11d. Weymouth 23li 2s. Ringham 33li 12s 5d.
Hymes 79li 19s 6d. Cambridge 91li 19s 9d. Waterton 81li 17s 1d. Newbury 67li 8s 3d. —
Dorchester 93li 7s 9d. Ipswich 111li 18s 11d. Charlestowne 85li 15s 10d. Totall 1000li.
Of this 1000li there is 250li appointed and allowed to build an house and repaire the battery at Castle Island.

The Maiorne the Deputy Maiorne with Mr Isaack Stoughton are appointed to agree with Christiane Gibbones how to bestowe his 240li. and what men to keepe at his charge for the 100li p annum after it is expiyred.

Captaine Robert Keynes lieutenant Evanges Mr Hawthorne Mr Joseph Cooke William Gates Humfrey Atherton Richard Humphrey Mr Mayhew Mr Hollioke Mr Fawson Edmond Hubbard sen and Edward Bates are appointed a committee to lotty the housed pounds.

1505 Edward Palmer for his extortion taking one pound thirteene shillings seven pence for the plank and woodworke of Boston stocks is fined 5li. and ordered to be sett on horse in the stocks. — Palmer extortion fined & stocks.

1506 It was ordered that if the salt peter tome not Mr Fawson shall be considered according to such dammages as he shall sustayne. — Mr Fawson salt-peter.

1507 Richard Bracklett his stipend was granted to be twenty pounds per annum upon his petition. — Bracklett 20li stipend.

1508 Thomas Gournhill is abated 10li of his fine and allowed a moneth to sell his beere wch is upon his hands and then to cease keeping entertainment and he is owne to provide another. — Mr Gournell favoured.

1509 Thomas Gournell fine is respited till the next sitting of the next generall court. — his fine respited.

1510 Thomas Plumber upon his petition was ordered to have a lott at Mr Rogers Plantation and the Grange of Charlestowne to be borne by the publicke. — Plumber lott.

1511 Mr Marke Peirce and William Parkes are appointed in stead of Mr Allcorke and Mr Davenport to goe with Mr Allen and Mr John Gilliver to lay out the farmes, view Dedham and to settle the bounds betweene Dedham & Boston. — Dedham & Boston bounds. 420.

1512 The Court granted to John Winthrop Esqr the present Maiorne a parcell of meadow contayning about 60. acres or more by estimation lying within a myle or two of his farme towards Roxbury towards the sunne rise of the said farme to have to him and his heires Provided that it be not within the bounds of any towne formerly granted. — Grant of 60. acres to John Winthrop Esq.

1513 For Salem particular Court Mr Samuell Downing Mr William Hawthorne Mr Edward Holliokes and Mr Thomas Gilliid with the Magistrates. — Salem Court.

1514 For Ipswich particular Court Mr William Hubbard Mr Samuell Symonds and Mr Clarke with the Magistrates. — Ipswich Court.

1515 It is ordered that those of Hymes shall have 50li from the Country towards the building of a Partbridge over the river there when the bridge is finished to be allowed them. — Hymes bridge.

1516 It is ordered that the fayre of Dyet of the Magistrates and deputyes shall after this Court be borne by the fines. — Magistrates & Deputyes Dyet by fines. 421.

1517 Christopher Gibson Constable of Dorchester in the yeare 1637. had the fine of ten shillings remitted him. — Gibson 10s remitted.

1518 It was ordered that all writes shall be sett open from the last day of the week at noone till the second day in the morning. — Writes. 422.

1519 It was ordered that one of the Deputyes of each Towne shall sett up a note upon the meeting house doore that all whome the Country is indebted unto tome in and make demand of their debts within 6. weeke after this is sett up of the Constable of the Towne. — Country debts to be demanded. 423.

1520 Mr William Bartholomew was granted to have 40s. for his journey to Plastataque. — Mr Bartholomew reward.

1521 Goodman Nathaniell Woodward was ordered to have three pounds for his journey to Distroder Wecunimache discovery & Woodward rewarded. the running up of Wecunimache 10s. more was added by order of the Governor and Deputy.

1522 Child they with went with him Thomas Howder Sergeant Jacob Thomas Clarke and John Manning to have 50s a peece for their 10. dayes a peece according to the former order. and John Clarke to have for going with them and staying for them till their returne. — Hoyder, Jacob, Manning, Clarke rewarded.

1523 Thomas Wilgerby was fined 10li for his contempt and threatening the marshall but upon his submission 5li was remitted and he payd in the other 5li and was discharged. — Wilgerby fined. contempt.

1524 Thomas Prance appearing having bin imprisoned 10. dayes for his wowardfull speaches of the Minister was dismissed with an admonition to take heede of the like practise and his offensiull expressions. — Prance.

All the Islands in the bay indisposed of are granted to them that keepe the passe to take wood and make use of during the pleasure of the Court. — Woods for the passe. 424.

Lawes. It is ordered that the Marshall shall give notice to the Committee about the body of lawes to send into the next generall Court such draughts of Lawes as they have prepared for the Court to take order about them what to settle. 1526.

Hayden. John Haydon fine for intertaining a servant unlicensed being done ignorantly is remitted him. 1527

Bushrodes. Thomas Bushrodes mad to be sent for by an attachment. 1528.

Marshall. 10li. The Court gave the marshall ten pounds more allowance for his paines in regard of his great troubles. 1529

Grant of lands to diverse persons. The Court granted Mr Henry Potter 500. Acres of land. to Mr Simon Bradstreete 300. acres of land to Mr John Endicott Esqr 500 acres of land. to Mr Thomas Waldo 200. acres of land, to Mr Jonathan Wade 200. acres of land to Mr William Hawthorne 250. acres of land to to John Tod for Mr Young 100. Acres of land. to Mr Thomas Allen 500. acres of land in regard of Mr Harbards gift. to Mris Glover 600. Acres. to lieutenant Falsgrave 100. Acres having bourne difficulties in the beginning, to Captaine William Trasks 200. Acres in regard of his many services, to Captaine Edward Gibones 300. acres in regard of his and long service to Captaine Robert Sedgwicke 200. Acres. to Ensigne Nowell 500. Acres, to Captaine Robert Keayne 400. Acres. to Mr Peter Prittlow 300. Acres, to Mr William Peirce 200. Acres, to lieutenant Pingrid Babemorte 150. Acres. to Mr Nathaniell Eaton 500. Acres if he continue his imployment wherein for his life to be to him and his heires. 1530. 1531

Mr Harding. Mr Robert Harding upon his submission and acknowledgment to Mr Wilson is dismissed of the Court being satisfied.

425. Estate in England vaccable. It is ordered that estates in England should pay and they are valued worth for the present and if there be losse the next Court to abate what may be thought fitt. 1532

Mr Wilson 1000. acres at Pequit. Mr John Wilson pastor of Boston is granted 1000. Acres of land at Pequit in any place so as it may not hinder a Plantation. 1533.

Mr Benson. 500. acres at Pequit. Mr Edward Benson is granted 500. Acres at Pequit so as he goe on with the business of powder if the Salt peter come. 1534.

Mris Glover. 600. Ac. It is ordered that Mr Maynard and Mr Flint shall sett out Mris Glover 600. Acres where it may not prejudice any Plantation on the west side of the river of Pequod. 1535.

426. Secretary. Ensigne Nowell is chosen Secretary for this yeare. The Secretary is ordered to write all times towards naming for the Court of the Magistrates and Countyes. 1536.

Charlestowne Boston & Hymes bonds. Mr John Oliver Mr Abraham Palmer and Mr Timothy Tomlind are appointed a Committee to settle the bounds between Charlestowne Boston & Hymes above Pennimes marsh if they can and if they cannot agree to certifie the Court how they finde it. 1537.

427. Charlestowne battery. It is ordered that the battery at Charlestowne should be repaired at the generall charge so it exceede not 30li and not to be payd out of this rate unless it be loste after the debt are payd and the 250li allowed for Castle Island. 1538

Mr Bradstreets 4li remitted. Mr Mathew Bradstreet is remitted his fine of foure pounds. 1539

Mr Howes 20s. remitted. Mr Edward Howe is remitted his fine of twenty shillings. 1540.

Hyn mingam. Mr Hawthorne and Mr Tomlind are appointed to view the place by Hyn to see if it be fitt for a plantation. 1541.

Dedham smale causes. In Dedham to order smale businesses under 20s. Mr Edward Allen John Kingsbury and John Wilson are authorized. 1542

Wymouth smale causes. In Wymouth John Wymouth Edward Bates Mr Thomas Warder and William Smith are authorized to end smale businesses. 1543

Waterton smale causes. In Waterton Mr Thomas Mayhew Captaine Hamison and Mr Richard Browne are authorized to end businesses under 20s. 1544

Mr Bollingham Farme bonds. Mr Timothy Tomlind is bound in a band of 100li with Mr Hawthorne lieutenant Drakemour and lieutenant Howe are to sett out Mr Bollingham farme and to certifie the Court thereof.

1646. It was ordered that a letter should be sent to mr Humfrey to send in the 100l. wheiche he in his hands to further the Gilledge house. — Gilledge. 428.

1647. Mr Underott mr Downing and mr Hawthorne are to dispose of the house wch mr Peterd bought as they ten and returne the money for the Gilledge. — Gilledge.

1648. Goodwith hath liberty to authorize goodman Tinkin goodman Hirman or goodman Tredwell to draw wine and strong water. — Tinkin wine.

1649. The Towne of Newtownetty have liberty to build a weare where it may not prejudice any mans property. — Newtownetty weare.

1650. It is ordered that the Court or any two Magistrates out of Court shall have power to determine all differences about a lawfull setting and providing for poore persons, and shall have power to dispose all unsettled persons into such townes as they shall judge to be most fit for the maintenance of such persons and families and the most ease of the Country. — Setting poore. 429.

1651. Whereas at the generall Court holden at Newtowne the third of the first moneth 1635. it was ordered that a certaine number of Magistrates should from time to time be elected for terme of their lives as a standing Counsell or by custom it hath bin taken by some as if the Court had erected a new order of Magistrates contrary to the same and intent of his Mats grant. This Court doth now declare that the intent of the said order was not to make any such order of Magistrates not warranted by our Charter, but that such Counsellors were to be chosen out of those who had bin formerly chiefe Magistrates, and accordingly we doe now order that no such Counsellor so chosen or hereafter to be chosen shall be accounted a Magistrate nor that any acts of power to be done by any such shall be of force and warrantable except he or they shall be chosen to some place of Magistracy here by annuall election according to the tenor of the Patent and that no Counsellor shall have power of judicature as a Counsellor but as a Magistrate and that all orders wch appoint any of the Counsell to doe any act shall be intended that they shall doe such things as Magistrates and not as Counsellors. — Standing Counsellors not Magistrates. 430. 50.

1652. For the more speedy dispatch of all causes wch shall concerne strangers who cannot stay to attend the ordinary Courts of Justice it is ordered that the Governour or Deputy being assisted with any two of the other Magistrates whome he man call to him to that end shall have power to heare and determine by a Jury of 12. men or otherwise as is used in other Courts all causes wch shall arise betwen such strangers or wherein any such stranger shall be a party and all records of such proceedings shall be transmitted to the Secretary (except himselfe be one of the said Magistrates who shall assist in hearing such causes) to be entred as records in the Court at the charge of the partyes. This order to continue till the generall Court in the 7th moneth come twelve moneths and no longer. — Dispatch of Strangers causes. 431.

1653. It is ordered that ten barrells of powder shall be brought back to Boston from Cambridge or Roxbury. — Powder to Boston.

1654. For Contrary mr Whit Richardson Willard and Richard Griffin to have the ending of small matters for this yeare. — Contrary small causes.

1655. Mr Richard Bellingham is now chosen to continue Treasurer for the yeare ensuinge. — Treasurer.

1656. Jurors made free the 22th day of the 3d moneth 1639. mr William Sergeant mr Thomas Hunting mr Samuell Freeman Thomas Marten Nicholas Eny mr Samuell Winsley Steven Dummer John Hood John Coffe John Russell Steven Kent John Pimmington Thomas Browne John Widdon Willing Richard Waterd Thomas Knagles Joseph Shand Francis Moore Walter Edmonds William Bonsteele Joseph Hosier Thomas Stott William Aldand Thomas Gay John Alderman Griffin Bowen John Spur Richard Gilledge John Clarke Giles Firman Joshua Todd Benjamin Felton Barbage Warford Edward Burke William Clarke Edmond Viscyer William Thorne John Miller George Holmes Matthew Boyse Samuel Ostwood John Robert Richard Peterke Edward Wedge Walter Blackborne Joseph Jewett Roger Porter Thomas Firman Nathaniell Sparrell John Stott Samuel Burke Henry Austin. John Smith Henry Swan. The 23th of the 3d moneth mr Cythiell Pogeed mr Nathaniel Pogeed Robert Saunders mr Nathaniell Swarhouse out Thomas Nelson. The 6th of the fourth moneth made free Steven Paine Samuel Sawell. The 6th day of the 7th moneth 1639. mr Thomas Cromer mr Benjamin Keayne Job Swimerton William Heard Lawrence Southcote John Grosse John Coffe John Elston Luke Head Antony Sadler Thomas Blake. The 7th Edmond Lindge Richard Mellen Robert Luke Robert Samderson. — Jurors made free.

A quarter Court held at Boston the 4th day of the 4th month 1639.

Present,

The Robarts.	Mr Richard Saltonstall.
The Deputy Roberts.	Mr Stoughton.
Mr Endicott.	Mr Bradstreet.
Mr Wallingham.	Increase Nowell.

Silvester scandal. fined. — Richard Silvester for speaking against the Law about hoggs and against a particular Magistrate was fined ten pounds upon the oyes witnessed to have 6d 5d a peece. 1557.

Lawrence & Captain Won: — Mr Lawrence was for the present discharged about Captaine Wonito his servant. 1558.

Mr Blaberiffe recogn: forfit. — Mr Samuell Blaberiffe being bound in ten pounds for the appearing of Edward Saunders forfeited his recognizance. 1559.

Mr Davison recogn. forfit. — Mr Richard Davison being bound in ten pounds for the appearing of Edward Saunders forfeited his recognizance. 1560

Stretton bon poute discharged. — John Stretton upon evidence of his repentance was freed from his bond to the good behavior with an admonition. 1561.

Emerson recogn. disch. — John Emerson appearing was discharged of his recognizance. 1562.

Mr Bradstreet non suit. — Thomas Bradstreet having warned David Hopper Joseph Underwood and Henry Pogin to appear at this Court and himselfe not appearing to prosecute the Court gave judgment for 10s a peece to be allowed them and if payment be not made execution to be granted them. 1563

Norman scandall. whipt &c. — Samuell Norman was committed for want of security and was censured to be whipped for saying if Mr Winthrop were come will but rayle against England some would weep them. 1564

Katherine Smith. — Katherine the wife of Samuell Smith promised to goe to the ordinances and to carry her selfe dutifully to her husband. 1565.

Mr Harrison gaming. — Mr John Harrison appearing was fined 10s for his former not appearing and admonished not to use gaming. 1566.

Halfin fined. — John Halfin for was fined 20s and upon his submission he was remitted 10s and payed in the other 10s. 1567.

Osborne fined. — John Osborne for was fined 10s by the Robarts Deputy said Treasurer payed it. 1568.

Bartlet fined. — William Bartlett for disformedness in drinke and lying was fined 20s by the Robarts Treasurer. 1569.

Helen Deare fined. — Helen Deare was fined 40s for cursing and witches imprecation and to pay the 2. witnesses 2s a peece. 1570.

Eliz: Chandler washt. — Elizabeth Chandler of Charlestowne was enjoyned to give double restitution for the eggs and things were stolen. 1571.

Lands transpiers. — All towns had respit to bring in the transripts of their lands untill the next Court. 1572

Mr Bonny fined. — Mr Bonny of Newbury for selling strong water without leave was fined 10s. 1573

Yanke. Indian. — John Yanke was fined 5s for bringe lands of the Indians without leave with condition if he yeild up the land to be remitted. 1574.

Greenliffe. — Edmond Greenliffe was referred to Ipswich Court. 1575.

Hall. — Thomas Hall was also referd to the Court at Ipswich. 1576.

Ipswich wayes. — The presentment of Ipswich for defective highwayes was accepted for want of witnesses for uncertainty 1577.

Ffosser & Choyer. — Goodman ffosser and Henry Choyer are referd to Ipswich Court. 1578

Clarke. — Daniell Clarke is referd to Ipswich Court also. 1579.

Norr. — Francis Norris is referd to the Court at Salem. 1580

Ffreed & Hamed. — John Ffreed & William Hamed had respit till the next Court. 1581.

Gunsey & swearing fined. — The wife of Hugh Hunt was fined 40s for cursing and swearing. 1582.

Howard. — Adam Howard is referd to the Court at Salem. 1583.

Chubby. — Edmond Chubby is referred also to Salem. 1584.

Haul. — John Haul about correcting his boy was discharged. 1585.

Hymet wayes. farry. — Hymet was fined 10s for their bad wayes and to mend them by the next Court and to lay the ferry in a convenient place. 1586.

Long. — Robert Long was discharged for want of proofe. 1587.

Wolcott & Bartlett. — Mr John Wolcott and William Bartlett had respit till the next Court. 1588.

Howdend lott. — Charlestowne was discharged about Richard Howdend lott. 1589.

1590. Thomas Gournell was fined 30s for several offences selling wine without licence and brewe at 2d a quarte he had warning the 10th of the 4th monethe. — Gournell. fined.

1591. Robert Turner was discharged for want of proofe. — Turner.

1592. Boston was fined 20s for defective highwayes and enjoyned to repaire them upon the penalty of xs the — Boston highways.
sixth nowe ready to make.

1593. The widdowe Hudson was discharged her husband being dead. — Hudson.

1594. Foxberry was fined 10s for damming up the wayes from Boston to Dourgester and had liberty till the — Foxberry fined.
next Court to make the way so as a loaden horse carrying a sacke of grome may passe.

1595. Foxberry was fined 2s 6d for his defectiuenesse of the bridge at Bladdy river and had liberty to amend it — Foxberry fined.
till the next Court.

1596. The presentment of the bridge at Dourgester brooke is discharged for want of proofe. — Dourgester bridge.

1597. William Dennison and Thomas Willson had liberty till the next Court. — Dennison & Willson.

1598. Dourgester had liberty to use Sergeant Collints house for a watch house. — Dourgester watch house.

1599. The presentment of Dourgester highwayes and bridges were discharged for want of proofe. — Dourgester wayes bridges.

1600. Nicholas Ellen was fined 40s for idlenesse and disorderly living and had liberty till the next Court to — Ellen idlenesse fined.
settle himselfe.

1601. Captaine Stoughton was fined 40s for releasing his man before the expiration of his time. — Captaine Stoughton releasing a servant fined.

1602. Mr Weymouth was fined 5s for their bad way at the stopping stones and were enjoyned to amend it by the — Weymouth wayes fined.
next Court upon paine of 5li. Thomas White had 10s granted him being a witnesse.

1603. Mr Waltham and Mr Pirgard were fined 5s for want of scales and weight in their mill and to abide — Mill at Weymouth for
them by the next Court. — scales & weight wanting fined 5s.

1604. Mr Waltham was fined 3s for taking too much toll in some above double what was due wherein 20s — Excessive toll fined.
to be given to the witnesse.

1605. Ralfe Allen was fined 10s for releasing a servant before the expiration of his time. — Allen releasing servant fined 10s.

1606. Hingham had liberty to use their meeting house for a watch house. — Hingham watch house.

1607. Hingham was acquitted from the presentment about Thomas Turner lett it being but reported for him. — Turner & Hingham. lett.

1608. Ferdinando Adams was discharged the presentment not being found oppression. — Adams discharged.

1609. William Fuller were kept the mill at Gouroud was fined 3s for his grosse abuse in obertollinge. — Excessive toll fined.

1610. The Towne of Gouroud was discharged of his lett to Robert Edwards being but reported for him. — Gouroud & Edwards lett.

1611. Robert Fletcher was discharged being not found faulty. — Fletcher discharged.

1612. Gouroud was fined 5s for want of a watch house. — Gouroud watch house fined.

1613. Waterton was fined 5s for want of a paire of stocks and enjoyned to prouide them by the next Court — Waterton stocks wanting
upon paine of 40s. — fined 5s.

1614. John Cooke for common raying was disfranchised fined 20s and committed to prison. — Common raying, Cooke. f.

1615. William Hammon not appearing attachment was granted for him. — Hammon attachmt.

1616. Waterton was discharged of the presentment for the highway to the mill for want of proofe. — Waterton discharged.

1617. Waterton is fined 10s for the bad way at John Pages and enjoyned to make good the way upon paine — Waterton wayes def. f.
of 5li.

1618. Daniell Abbott is departed to Mon Providence. — Abbott Providence.

1619. Cambridge is fined 5s for want of a pound. — Cambridge pound want. f.

1620. Cambridge is discharged of the presentment about stopping fish it being presently reformed. — Cambridge stop fish discharged.

1621. John Masford having liberte was discharged. — Masford discharged.

1622. Cambridge was fined 10s for defective highways and enjoyned to repaire them by the next Court upon — Cambridge ways def. f.
paine of 40s. Cambridge was enjoyned to repaire their ways at long swamp and Dinebrook leading to — payned.
Gouroud upon paine of 5li.

1623. The presentment of John Gapried wife was misfaton. — Gapried wife disch.

113 1624. The will of Joshua Harvey with his inventory was delivered into the Court amounting to 48li 2s 9d. — Harvey testam.

1625. The will of Mr Abraham Mellowes was delivered in. — Mr Mellowes testam.

1626. Mr John Benjamin gave in the Account of Richard Burling whereby onely 4s appeareth remaining — Burling intestate.
due to widdowe Burlinge. — Acount.

A quarter Court held at Boston the third day of the month 1639.

present,

The Boroughe.	Mr Saltonstall.
The Deputy Boroughe.	Mr Winthrop jun.
Mr Endicott.	Mr Bradstreet.
Mr Humfrey.	Mr Coggeshall.
Mr Hollingsham.	Henry Porrell.

Stary drunke stocks. — John Stary jun. for being distempered with drinke was put in the stocks. 1627.

Mariner excesse fined. — False Mariner was fined 10s. for being at excessive drinking at Thomas Sivers at Marble head. 1628.

[illegible] strong water fined. — Nicholas Allen was fined 40s. for selling strong water. 1629.

Veale whipt. — John Veale for running away and stealing was censured to be soundly whipped and committed to his 1630.
master to be kept chained.

Wilson, theft, scribe, T. — Richard Wilson for stealing 8s. of money and divers small things from his master Samuell Wade was — 1631
censured to be put forth to scribe for three or four yeares except he can write 10s. also he is to have
a T. sett upon his upper garment, the scribe is to be with his master if his master will have him, or
else to be put out by the Countrey.

Turner drunke fined. 20s. — Richard Turner being drunke was fined 20s. 1632

Dabied drinkings fined. — William Dabied for sundry drinkings at his house was fined 3li. 1633

Pomper witness. — Robert Pomper is bounde in 10li. to appeare at the next Court, Thomas Turner and John White are — 1634
bounde in 5li. a peece for Pomper's appearance.

Winsloe defamation of the Governor fined. — Thomas Winsloe being arrested of defaming the Government was committed and fined 6li. 13s. 4d. wch — 1635.
paying to be discharged.

Hugh Mut disch. — Hugh Mut had 20s. of his fine remitted him and payd in 20s. and is discharged. 1636.

Waite murder suspition. — Marmaduke Waite being arrested of suspition of murder and the matter not appearing leave it was refused 1637.
untill the next quarter Court and he they was enjoyned then to appeare.

Clarke. — Daniell Clarke being found by the Jury to be an immoderate drinker was fined 40s. wherof 3s. was paide 1638
to the Jury and the other 37s. payd. Fr. Ke.

Simson non suit. — John Simpson was enjoyned to pay Graytaine Jemison 8s. and Mr Browne 5s. having warned them to appeare 1639
and not prosecuting.

Woodwood stocks. — John Woodwood for being in the Company of drunkards was to be set in the stocks at Ipswich. 1640

Robinson false slander. — Richard Cooke is granted 20s. against Thomas Robinson for injust molestation. 1641.

Wudge. — Forbes Wudge approved. 1642.

Pomberton & Baker non suit. — John Pomberton being warned by John Baker to appeare at the Court at Boston and Baker not — 1643.
appearing to prosecute the Court granted John Pomberton 10s. dammage.

Lomer, unchastitie whipt, unstabed. — John Lomer for filthy unclean attempt with three young girles was censured to be whipped both — 1644
heere at Roxbury and at Salem very soundly and was committed for a slave to Lieutenant Dudmore.

Andrewes released from slavery. — William Andrewes who was formerly committed to slavery for his ill and insolent carriage is 1645.
released upon his good carriage from his slavery and put to Mr Endicott he promising to pay
Homes Gogan 8li. and so Andrewes is to serve Mr Endicott the rest of his time.

Edwards unchast whipt. — Mahew Edwards for putting his hand under a girles coate was censured to be whipt. 1646.

Knowe strong w. fined. — Thomas Knowe for selling a pettell of strong water without license was fined 5s. 1647.

Nicholas Davison fined. — Nicholas Davison for swearing an oath was ordered to pay 20s. wch he constituted unto. 1648.

Hogg drunke fined. — John Hogg for his drunkennesse was fined 10s. 1649.

Kitchin Booked drunke & forbidden fined. — John Kitchin for selling booked wch he was commanded to bring to the Governor and forbidden 1650.
to sell them to any other and not sell them to other was fined 10s.

Fowed unchast fined. — John Fowed for defiling his wife before marriage was fined 20s. 1651.

Dabied U. disharged. — John Dabied upon his good carriage was discharged from wearing the U wch was formerly enjoyned him 1652. 194

Silvester fined & whipt. — Richard Silvester had 6li. of his fine reliefed upon his good behaviour and he payd in the other 6li. 1653

Sivers whipt fined. — Thomas Sivers for being drunke prophaning of the name of God keeping a tipling house and drawing — 1654.
his knife in the Court was censured to be soundly whipped and fined 5li. Richard Redman and Thomas
Warner for quarrelling were fined 5s. a peece, and payd it in.

Lee disharged. — John Lee is discharged of his fine having payd 5li. formerly. 1655.

Henry. — Richard Henry jun. was granted 5li. dammages for the long wanting of his 27li. wch should have bin formerly 1656

payd and was deferred untill he weake past and he trouble about it.

1657. Mr Thomas Lorkford for going to the Jury and pleading wt them out of Court is debarred from pleading any mans cause hereafter unlesse his owne and admonished not to presume to meddle beyond what he shall be called to by the Court. — Mr Lorkford debard pleading & admonished.

1658. William Burridge was sworne to take care of Mire Amwood untill he may be lawfully discharged of her. — Burridge & Amwood.

1659. Thomas Willard Ephraim Doxe Francis Dold and Thomas Burbee being watchmen drinking severall times strong water were imprisoned and Burbee and were sett in the stocks for being drunk. — Watchmen apprehended drinking committed &c

1660. Edwards Fuller and Edward Howard were bonds in 20li a peece for the appearing of Edward Fuller at the next Court. — Fuller recognd.

A generall Court holden at Boston the 4th Day of the 7 Moneth 1639.

present,

The Governor.	Mr Saltonstall.
Deputy Howard.	Mr Winthrop jun.
Mr Endicott.	Mr Stoughton.
Mr Humfrey.	Mr Bradstreete.
Mr Rollingsm.	Junior Flowell.

Deputyes present,

Mr Emanuell Downing.	Mr Ralph Mousloe.
Mr William Hawthorne.	Captaine William Jemison.
Mr Edward Tomson.	Mr Thomas Marshow.
Mr John Glover.	Mr Samuell Shepard.
Mr John Moulton.	Mr John Bridge.
Mr Samuell Symonds.	Captaine Edward Gibonds.
Mr Richard Saltonst.	Mr William Tynge.
Mr Edward Holliocke.	Mr John Stow.
Mr Edward Tomlins.	Mr William Heath.
Captaine Robert Sedgwicke.	Mr John Glover.
Lieutenant Ralfe Sprague.	Mr Thomas Hanford.
Mr Thomas Flint.	Mr Edmond Bates.
Mr Richard Brisson.	Mr John Wham.
Mr Edward Allyn.	Mr Joseph Hewes.

Mr Edmonds Hubbard Sen.

1661. Mr John Hall is discharged of the 20li bond we stood gaye for his servant John Amwood having sent him away. — Hall & Amwood.

1662. It was ordered that the new Plantation by Concord shall be called Sudbury Wimarmmot shall be called Hamton, Mr Herbert Pogers Plantation shall be called Rowley. The other plantation beyond Merrimake shall be called Holchester. — Names of 3. new Plantations.

1663. The order of the Court upon the petition of the inhabitants of Sudbury is that Peter Noyse Simon Poudleton John Warmester Edmond Rice Walter Hayne George Mooning and Edmond Rice have commission to lay out lands to the present inhabitants according to their estates and persons and that Captaine Jemison Mr Marshow Mr Flint Mr Samuell Shepard and John Bridge or any 3. of them shall in convenient time repaire to the said Towne and sett out sufficiant lands and accommodations both for houseloths & otherwise both for Mr Pelham and Mr Nalgrave as they shall thinke suitable to their estates to be reserved for them if they shall come to inhabite here in convenient time as the Court shall thinke fit. — Sudbury Lotts.

1664. The Court was adjourned untill the fifth of 3. a clocke. — Adjourned.

1665. Mr John Endicott and Mr Samuell Stoughton were desired against to meete with our brethren of Plimoth and have new commission to settle the bounds between us and Plymouth and have full power given them so to doe. — Plymouth Bounds.

135

1666. It was agreed that the order N 406. (that excommunicate persons which have stood excommunicated above six moneths should be reproved) shall be repealed. Vid. 8. 1334. — Excom: repealed. p

1667. Forasmuch as it is evident unto this Court that the common custome of drinking one to another is a meere inlegerd tormentor and drawer on that abominable practise of drinking healthes and is also an occasion of much wast of the good creatures and of many other sinnes as drunkenes quarrelling bloodshed uncleanesse misspence of precious time &c which ought in all places and times to be carefully prevented; so — Order against drinking to one another. 432.

especially in plantations of Churches and commonwealths wherein the least trouble still are not to be tolerated by such as are bound by solemne Covenant to walke by the rule of Gods word in all their conversation It is therefore ordered, that after the publication of this order no person of this Jurisdiction nor any other person who shall hereafter come into this Jurisdiction, after one weeke resident here shall directly or indirectly by any colour or circumstance dimiss to any other contrary to the intent of this order upon paine of ye to be forfeited for every offence to be levyed by the Constables by order from any Magistrate or Court aforesaid are appointed in towne to determine matters upon tendition by confession of the party or other sufficient testimony upon oath, to be to the use of the Towne where the offender shall be committed and of the party complaining by equall proportion.

Battle, Armes. The Order N 372. about feeding of great cattle and keeping up cattle by night or allowing dam= 1668.
mages is repealed and the order to fence against great cattle formerly made to stand in force.

433. Lymes inlargem^t. The petition of the Inhabitants of Lyme for a clause for an Inland Plantation at the head of their 1669
bounds is granted upon 4. miles square at the place with afforded upon condition that the Petitioners shall within two yeares make some good proceedings in planting so as it may be a village fit to receyve a convenient number of Inhabitants wch may in due time have a Church here and so as such as shall remove to inhabite here shall not what fitt for their accomodations in Lyme above two yeares after their removall to the said village upon paine to forfeit their interest in one of them at their owne election, except this Court shall see just cause to dispense further with them, and this village is to be power imbse grave at least by just content.

Gloucester. The business upon the petition of the Freemen of Gloucester is referred to the Magistrates of Salem, 1670
or any two of them.

Mr Winthrop Indentures. The Covenant of Mr Thomas Winthrop being ordered to be exemplified heere followeth, This 1671
Indenture made the two and twentieth day of the first moneth Anno Dni 1670. Between Mr Thomas Winthrop of Edgarton gentleman of the one parte and John Endicott Esqr Governor of the Massachusetts on the other parte Witnesseth that the said Thomas for divers good causes and consideration him thereunto moving hath given and granted and by these presents doth give and grant unto the said John Endicott and his Successors the Governor and Company of the Massachusetts for ever All that tract of land at Pagisqot aforesaid upon both sides of the river of Chickatoggin being former mysed graves towards the sea with all liberties and privileges thereunto belonging, so as they may plant the same with English Colony when they shall see fit and shall have as full power for ever to exercise Jurisdiction there as they have in the Massachusetts Provided that the interest & possession of such lands as the said Thomas now injoyes or shall make use of for his owne stocke and improvement within seven yeares next ensuing the date hereof shall be and remaine to the said Thomas and his heires and assigns for ever under the Jurisdiction aforesaid And as well the said Thomas himselfe and his family and his heires and assigns as all other the Inhabitants of the same Jurisdiction over this grant by approbation of the said generall Court to be recorded and exemplified under the Common Seale or otherwise to be ye same. In witnesse whereof the parties above said have hereunto interchangeably set their hands and seales the day and yeare first abovewritten. Thomas Winthrop. — Signed sealed and delivered in the presence of Stephen Winthrope, Thomas Cornish. Samuel Fitzgerrison.

Captaine Leaynes Recorded two bonds and 12^li. 10^s. Captaine Leayne delivered into the Court a bond of Mr Simkins for 30^li. wch Mr Simkins owneth, 1672
a motion came into the Courtes, the bond was delivered the Treasurer. Also Captaine Leayne delivered in a bond of 15^li. of Richard Parks who also was delivered to the Treasurer. Captaine Leayne was ordered to pay the treasurer 12^li. 10^s. wch he received of Mr Saltonstall for parte of Mrs Blowed money.

Mr Richard Browne Waterton fined for his absence. Mr Richard Browne being formerly fined 5^li. for going away when he should have bin at the Court 1673
had 4^li. 15^s. remitted him. The Freemen of the Towne of Watertown are fined 5^li. for sending Mr Browne away being to have attended the Court.

Abraham Shaws. The petition for the sale of Abraham Shaws land was granted upon the condition inserted. 1674

Captaine Traske. The bill of 7^li. 10^s. for Captaine Traske is granted. 1675

Mr Palsgrave 200. ac. Mr Palsgrave is granted 200. acres of land wch Captaine Thomson of Mr Browne. 1676

1677. Whereas there is much complaint of the excessive wearing of lace and other superfluous tending to litle use or benefitt but to the nourishing of pride and encreasing of many ofences and also of evill example to others. It is therefore by this Court ordered and decreed that henceforward no person whatsoever shall presume to buy or sell within this Jurisdiction any manner of lace to be worne or used within our limits. And that no Taylor or any other person whatsoever shall hereafter sett any lace or points upon any garment either linnen wollen or any other wearing clothes whatsoever. And that no person hereafter shall be imployed in making any manner of lace but such as they shall sell to such persons as shall and will transporte the same out of this Jurisdiction, wherein such taylors shall have liberty to buy the same. And that hereafter no garments shall be made with sorte sleeves wherein the nakedness of the armes may be discovered in the wearing thereof and such as have garments allready made with sorte sleeves shall not hereafter weare the same unless they cover their armes to the wrist with linnen or otherwise. And that hereafter no person whatsoever shall make any garment for women or any of their sex with sleeves more then halfe an ell wide in the widest place thereof and so proportionably for bigger or smaller persons. — On order against lace sorte sleeves and great sleeves for women. 174

1678. And for present reformation of immoderate great sleeves and some other superfluous wearings, bee addedd without injury prejudice or the losse of garments as broad shoulder bands and rayled silke-rosed double ruffs and ruffs knetts of ribin immoderate great breeches ec It is referred to the Justices all the late grand Jurymen and others who shall succeede or any of them to admonish all offenders in their severall Connes as they shall have occasion and opportunitie. And whereas some have bin wrongfully informed against to the Court with courtesie the members of Grandjurymen before the partyes had bin dealt with at home, intimating thereby that the Grandjurymen would upon notice of those abuses in apparell have taken such course as would have reformed their members and so have prevented the troubles of the Court. This Court hath therefore thought fit (in great compassion it hath of the state and faithfullnesse of the Grandjurymen) to stay all proceedings upon the said presentments in expectation that the Officers and members of all Grandjuries (having now taken knowledge both of the said disorders in apparell and the resolution of the Court to attaine a generall reformation) will speedily and effectually proceede against all offenders in this kinde, and that they will also from observation of our weakness to follow new fashions and to fall into excessive costlinesse in attire hope the more shall waitingly attend for time to come. And this Court doth hereby intimate to all whome it may concerne of what quality or estate soever they may be that all such persons as after these admonitions and forbearance shall obstinately persist in their excesses in this kinde shall be looked at as contemners of Authorities and regardlesse of the publicke weale and must expect to be proceeded against by the strictest course of justice as their offences shall deserve. — On order against superfluous apparell.

1679. For preventing of all unlawfull marriages ec It is ordered that after due publication of this order, no person shall be joyned in marriage before the intention of the parties proceeding therein hath bin three times published at some time of publicke Lecture or Court meeting in both the Connes where the parties or either of them doe ordinarily reside, And in such Connes where no Lecture are then the same intention to be sett up in writing upon some poste standing in publicke view, and used for such purpose only, and there to stand so as it may easily be read by the space of fourteene dayes. And all towns wch have no publicke Lecture shall forthwith appoint or sett up a poste in some publicke place to be used for that purpose only upon paine of 10s. the moneys for default thereof. — On order for prevention of unlawfull marriages. 435.

1680. This affray between Plymouth Wellfleet and Nauynouth is ordered to be removed to the nearest and most convenient place and to take but 1d a person according to the order N 240. — Plymouth of Nauynouth affray.

1681. Mr Nathaniell Eaton being arrested for rude and barbarous beating of Mr Plaiz: Winslo and for order neglecting and misusing of his schollers, It was ordered that Mr Eaton should be discharged from keeping of schoole wth in without Plymouth, And Mr Eaton is fined to the Countrey 60.li 13s 4d wthin fine is respited till the next Court unlesse he remove the meane wtin. The Court agreed Mr Eaton should give Mr Plaiz: Winslo 30.li for satisfaction for the wrong done him and to be payd presently. — The judgment for the Countrey against Mr Eaton.

1682. Thomas Hemison and Mr Willyam Brewer were appointed to call Mr Nathaniell Eaton to account the beginning of the next weeke and to desire Mr Samuell Sheparde and Mr Hosea Hooker to help them the best they can. — Mr Eaton Chrombaut.

1683. The Court house at Salem wch was belonging to the Countrey is left to Salem for 100.li to be payde — betweene this and the next quarter Court. — Court house at Salem 100.li.

1684. Whereas many judgments have bin given in our Courts wherein no Records are kept of the evidence and reasons whereupon the verdict and judgment did passe, the Records wherein being duely entred or kept would be of good use for precedents to posterity and a relief to strangers shall have just cause to — On order for recording of judgments, wills, administrations — inventories marriages 436

Births deaths houses and lands.

have their cause reheard and redressed. It is therefore by this Court ordered and decreed that henceforward every judgment with all the evidence be recorded in a booke to be kept to posterity. Item that there be records kept of all wills, administrations and inventories as also of the dayes of every marriage birth and death of every person within this Jurisdiction. Item to record all mend houses and lands being certified under the hands of the men of every Towne desired for the ordering of their affayres. Child plate bely for the reason and feed to be at the expense of the Court. The fees. Imprimis for every judgment in the Courts at Boston, 5s. xx. Item the entry of every will administration inventory if it exceede not a page 5s. xx. Item for recording the booke of mend houses and lands from the Towne two shillings and sixpence. Item for every birth one penny for every death one penny. The same to be certified once every yeare at the time of the generall Court, the same party bringing the certificate to pay the fees into the Recorder for entry of the same. Child nurses Towned to be fined in forty shillings as shall fayle to send in their certificate. Mr Stephen Nowhaye is appointed to bid office of Recorder during the pleasure of the Court.

Recorder.

Mr Downing 600. Ac.

Mr Samuell Downing is granted 600. Acres of lands. 1685.

437. An order for the ceasing of a Court at Boston for small causes besides the Court of Assistants.

Forasmuch as the businesses of the ordinary Court of Assistants are so much increased as they cannot be dispatched in such season as were fit, It is therefore ordered that such of the Magistrates as shall reside in or neare to Boston or any two Ministers or three of them (the Governor or Deputy to be one) shall have power to assemble together upon the last fift day of the eight elevenths second and fift months every yeare and then and there to heare and determine all civill causes wherein the debt and dammages shall not exceede twenty pounds, and all criminall causes not extending to life or member or banishment according to the rules of the Court of Assistants, and to summon juryes out of the neighbor Towns and the marshall and other necessary officers are to give their attendance at another Court. — 1686.

Mr Hawkins.

Mr Thomas Hawkins has leave to goe for England and the Towne of Dorchester to chuse another deputy. 1687.

Adjournment.

The Court is adjourned until the 8th of the eighth month next being the third day of the week. 1688.

The fift day of the 9th month 1639.

Mr Dunton.

The generall Court met at Boston and Mr Nathaniell Dunton was sent in the roome of Mr Thomas Hawkins. 1689.

Dover upon Piscataqua committees agreement.

The Deputy Governor Mr Samuell Downing and Captaine Edward Gibbons were appointed to treate with the two committees from the Towne of Dover upon Piscataqua with whome they did agree and ratifie the same. 1690.

Mr Eaton estate.

Surveyors Nowell Paxtone William Jemison and John Bridge are appointed to take account of the estate of Mr Nathaniell Eaton to disposes of the Gaites receive the money take profesor to be dealt be accountable to the Court. 1691.

Thanksgiving day.

It was ordered that the 28th day of this present month should be kept a day of publike thanksgiving — 1692

through the Country, those Churches that have kept a day allready are left to their liberty.

438. An order for setting the Court of Election.

It is solemnely and unanimously decreed and established that henceforth upon the day or dayes appointed by our Patent to hold our yearely Court for the electing of our Governor Deputy Governor Assistants and other generall officers being the last wednesday of every Easter terme, that the freemen of this Jurisdiction shall ~~[illegible]~~ either in person or by proxie without any summond attends and consummate the elections. At which time also they shall bid their deputyes with full power to consult of and determine such matters as concerne the well fare of this Commonwealth, from which generall Court no Magistrate or deputy shall departe until the Court be dissolved without the consent of the plaid parte under the penalty of one hundred pounds. As for the place of yearely assembling, it shall be where the preceeding Court of election was held, unlesse then and there some other place shall be assigned; This Act of one we conceive so nearely to concerne the goods of this Country that we earnestly intreate it may never be repealed by any future Court. — 1693.

Rockiester Lotts.

The petition of the inhabitants of Rockiester is granted four Mr Samuell Dudley Mr Nowell — 1694.

Christopher Batt Samuell Winsley John Samuell and Henry Monday to order all businesses of the Towne, so as this Court doth expect and resolve power to that end that they shall have liberty — 139

obtained greater lots then of due belonged to them the same should be reformed and that time be taken for probating such improvements hereafter.

An order concerning publike rates.

For explanation of an order made the third day of the first month in the yeare of our Lord One — 1695.

thousand six hundred thirty and two concerning publike rates. It is now declared that by publike rates is intended only such rates as are assessed by order of the generall Court for the Country and no other.

1696. To Mr John Endicott is granted his 150. Acres upon Ipswich River if it be not yet in Rowley bounds upon the north of Salem bounds, but if it should be within Rowley bounds then he is to have the next convenient farme upon the said river. — Grant to Mr Endicott of his 150. acres.

1697. The place desired by Mr Bellingham for his farme is on the head of Salem to the Northwest from the Towne there being in it an Indian Plantation and a pond, and about an hundred or 150. acres of meadow viewed by Mr William Hawthorne and Richard Davenport, his is granted if it be not in Rowley nor any other Towne. — Grant of a farme to Mr Bellingham.

1698. Granted to Mr Simon Bradstreet to take his farme of 500. Acres in the next convenient place that is fit for a farme to that use is granted this Court to Mr Endicott. — Grant to Mr Bradstreet of his 500. Ac.

1699. Mr Thomas Mayhew Captaine Gyngne and John Johnson did make returne according to order of Court that by joynt agreement they had sett out to the Towne of Dorchester what they did judge to be marsh grounds and where there was any difficulty they have sett staked and where no staked are they contitude it all marsh 17th. 4th month 1639. — Dorchester bounds.

1700. The petition of Richard Browne for his 200. Acres. Captaine William Gennison for his 200. Acres and John Johnson for his 35. acres is granted to be layd out at the mouth end of Mistick bounds and neare to Dedham bounds and to be sett out by Mr Edward Allerton and Mr John Glover, and then to see if there be roome to sett out arms for Mr William Payne, if there be not roome for Mr Paine, Mr Paine is to gett two that the Court will credit to certifie where may be place convenient for Mr Paine and not to hinder a Plantation. — Grant of lands to Mr Browne Captaine Gennison John Johnson & Mr Payne.

John Stone and his wife were admonished to make bigger bread and to take heed of offending by making too little breads hereafter. — Stone admonisht about Bread.

1702. The Treasurer was ordered to allowe 8s to Roxbrow for Henry Smith losse by fire. — Smith losse by fire.

1703. It was ordered that all that were disarmed remaining amongst and carrying themselves peaceably shall have their Armes restored to them. — Armes restored. 439.

1704. Mr Bulkley is granted his 300. Acres upon Concord bounds on the East side toward Cambridge. — Mr Bulkley 300. Ac.

1705. The Court granted Increase Nowell his 500. Acres on the Northside of the bounds of Concordes beyond the river over against the Cotternols 1200 Acres. joyning to the bounds of Concorde. — Mr Nowell 500. Ac.

1706. Mr Thomas Allen is granted his 500. Acres to joyne to Increase Nowell on the north side of the said Increase Nowell his grant. — Mr Thomas Allen 500. Ac:

1707. John Norton is granted 200. Acres of land. — Norton 200. Ac.

1708. The Court agreed to buy Mr Hansard Knowles his mansion for 30li and he tendered it. — Mr Hansard Knowles.

1709. John Woodward was admonished of drinking strong water againe and so was dismissed. — Woodward admon:

1710. The Administration of the goods of Thomas Browne deceased is committed to his wife and the landes being he left is to be disposed of by sale or otherwise by advise of the Magistrates of Ipswich for her maintenance of his wife and education of his children who are not yet able to provide for themselves, nor were provided for in their fatherd life. — Browne intestate.

1711. It is ordered that the Governor Deputy Governor Treasurer and Mr Stoughton or any three of them with two or more of the Deputyes of Boston Charlestowne or Roxbury shall peruse all the models with have bin or shall be further presented to this Court or themselves tendering a forme of government and lawes to be established, and shall draw them into one body altering adding or omitting what they shall think fit and shall take order that the same shall be copyed out and sent to the severall townes that the elders of the churches and freemen may consider of them against the next generall Court and the charges thereof to be defrayed by the Treasurer. — Lawes.

1712. Mr William Hawthorne and Mr Edward Tomlins are appointed to measure the bounds of Hymes and to certifie how it lyes for the setting of their bounds and the bounds of the Village. — Hymes bounds & Village.

1713. Mr Bammell Gole was granted 10s to release his atcomt his fine being distrained. — Mr Gole discharged.

1714. Edmond Grenlisse was ordered to be Ensigne for the company at Newbury. — Ensigne Grenlisse.

1715. Captaine Sedgwicke was admonished to take heede of oppression and upon his acknowledgment of his saying was discharged. — Captaine Sedgwicke admon:

1716. It was ordered that Ipswich should satisfie Mr Denison for the 20s paid the Indian for his right. — Ipswich & Mr Denison.

Wdymouth trayning. It was ordered that Captaine Wibond should trayne his band at Wdymouth and have satisfaction for the same. 1717.

Salem village. Whereas the inhabitants of Salem have agreed to plant a village neare his river nominated to Ipswich, It is ordered that all the land neare their bounds betwixt Salem and the said river not belonging to any other Towne or person by any former grant shall belong to the said village. 1718.

Salem bounds. Mr Edward Tomlins and Mr William Hauthorne are to set out the bounds of Salem next Ipswich. 1719.

Gardiner 20s. The Treasurer was ordered to pay John Gardiner 20s for witnesses charge and trayning goodman Woodwards hire in Ipswich. 1720.

440. An order touching sousing of intertainment, selling wine, ordinaries and fines. In regard of the great inconvenience that is found for want of fit places of intertainment of people upon occasion is great Assemblyes and aire ball of Ships wch passeinger, It is declared, that upon such occasions it is lawfull for any person in any Towne, where such great resorte of people shall happen to be to give intertainment to such people and to afforde them lodging and diet at reasonable rates though they be not allowed to keepe common ordinaries. And it is further ordered that every Towne shall have liberty from time to time to choose a fit man to sell wine, he same to be allowed by licence from this Court, or the Court of Assistants, and that it shall be lawfull for such person allowed to retayle wine to be drunke in his or their house. Provided that if any person shall be made drunke in any such house or any immoderate drinking suffered there, the master of the family shall pay for every such offence five shillings. And it is further declared and ordered, that such ordinaries to keepe common ordinaries and fines shall provide stabled and hay for horses and victuals for passing where need is; And it is further declared that if any shall take excessive prices for their wines or drinking, they shall be severely fined for the same. 1721.

An order for the laying out of high wayes. Whereas the high wayes in this Jurisdiction have not bin layd out with sufficiency for trabellers as was thought meet as was intended by this Court, but that in some places they are left too straight and in other places trabaylers are forced to goe farre about. It is therefore ordered that all high wayes shall be layd out before the next generall Court, so as may be with most ease and safety for trabaylers. And for this end every Towne shall choose two or three men who shall joyne with two or three of the next Towne and these shall have power to lay out the high wayes in each Towne where they may be most convenient ~~as aforesaid~~. And those who are so deputed shall have power to lay out the high wayes where they may be most convenient notwithstanding any mans any dwelling, orchard, garden or other ground, so as it occasion not the pulling downe of any mans house or laying open any garden or orchard. And in common grounds for where the safer is well or may they shall lay out the wayes the wider as six or eight or ten rodds or more in common grounds. Provided that if any man shall sustayne any extraordinary damage in his improved grounds by occasion of this order the Towne shall make him some reasonable satisfaction. Provided also that if any rates shall fall out wherein those who are deputed cannot agree, it shall be referred to the determination of this Court. And if any person shall finde himselfe justly grieved with any thing wch the said respond deputed shall doe, he may appeale to this Court or the Court of Assistants who shall have power to determine the cause. But if the party shall be found to have complained without just cause he shall pay all charges and be fined by the Discretion of the Court. And they shall proceede in this order, Newbury & Rowley, Rowley and Ipswich, Ipswich and Salem and Wenham and Wdymouth, Wdymouth and Mount wollaston and that all Townes are enjoyned to have this order performed before the next generall Court upon paine of five pounds for every Towne making default. And it is not intended that any person shall be charged with the trayning of the high wayes in his owne land. 1722.

441. An order for taking the goods of absent owners. Whereas many goods are lost for want of due care taken of them, It is ordered that before the first monethly meet every Towne shall appoint an house to wch all goods shall be brought wherein the owner is not knowne or is not in this Jurisdiction to take care of them, and a person shall be appointed to keepe them safe, and the same party shall within one monethes after he receiveth them deliver a note of them to the Marshall who shall cause them to be proclaymed in the open market at Boston. And if the owner come he shall pay all reasonable charges; If he be not found within a yeare after such proclamation the Court of Assistants shall dispose of them. Every Towne not providing such house with the said time shall forfeit forty shillings for every default. And the Marshall or keeper of such goods being found in default in the first committed to them shall be punished according as their default and the damage of the goods shall deserve. 1723.

442. An order to prevent hurt by burning of grounds at unseasonable times. For the further preventing of the damage wch may come by burning of grounds at unseasonable times, It is ordered, that whosoever shall kindle a fire in other mens grounds or in any common grounds for gathering of Ottowns or for taking of tobacco or for any other occasion, except the party shall procure out the Constable before it spread, shall besides full satisfaction for all damages, according to the 190 1724.

former order) be fined forty shillings. And if the party offending be not able to pay the fine or satisfie the dammages or he shall be omitted by whipping or other temporall punishment as the Court who shall have tranizance of the cause shall adjudge. Provided that this order shall not extend to any person that shall burne any ground for any needfull or fitt occasion in his house or ground mentioned. Provided also that it shall be lawfull for any man to kindle a fire in his owne ground at any time of the yeare so as no dammage come thereby.

1725. For prevention of the miscarriage of letters it is ordered that notice be given that Richard Flemebanke his house in Boston is the place appointed for all letters wch are brought from beyond the Seas, or prevention of the are to be sent hither are to be brought into, And he is to take care that they be delivered or sent according to their direction, And he is allowed for every single letter a penny and mistakeners all miscarriages through his owne neglect in this kinde. Provided that no man shall be compelled to bring his letters hither, except he please. — An order for the miscarriage of Letters.

1726. The judgment of the Court is that Mr Robert Keayne shall be fined 200li wherof 100li to be payd before the first money next, and the other 100li to be respited till the next generall Court, whereby the Court may have liberty to store fabe to him if they see cause. — Judgm against Mr Robt Keayne.

1727. John Upham is appointed to be in the place of Mr Plaster who is gone for England to order sales business for the towne of Newtownes. — Newtownes. John Upham.

1728. Mr Palgrave is appointed to have his 200. Acres of land wch he claime Jemison Mr Browne and John Johnson. — Mr Palgrave 200. ac.

The 31 day of the 8th month 1639. A Court held at Boston for smale causes not exceeding 20s except for slaunder. present

The Governor — Mr Willingham
The Deputy Governor. — Mr Coungton.
Increase Nowell.

1729. John Woldridge for his drunkenness was fined ten pounds, whereof 5li was payd into Increase Nowell and 40s. is in the hands of Mr Goddington. — Woldridge drunke find 10li

1730. Richard Jones for his cating was censured to be whipped and put to the assigns of the party wronged to make satisfaction for the money wching he did retribe and bare Court. — Jones cheating whipt.

1731. Edward Fowler brought in Edward fuller and stands bound againe for him to appeare at the next Court. — fuller wrong:

1732. John Johnson is by order of Court freed from traynying paying ten shillings per annum to the Company. — Johnson freed of training.

1733. Thomas Mariner servant formerly to Robert Smith is for the present discharged unless his master hereafter can give sufficient cause to the contrary. — Mariner discharged of service to Smith.

1734. William Powell for resisting the Marshall is fined 40s. — Powell fined 40s.

1735. John Floid is admonished to use his servant Peter Tilldwell or old he said Peter to be discharged and to take care that he may be taught his trade of a seaman by himselfe or other. — Tylld against Floid.

1736. Mr Israell Coungton being formerly fined 40s is discharged of the same, it being omitted because he could not hould his servant having no Covenant. — Mr Coungtons fine omitted.

1737. Robert Plemper appearing his sheet was discharged, but an attachment was granted against Plemper for going away undischarged. — Plemper attachd.

1738. Edward fuller and Thomas Chippe for being distempered with wine were enjoyned to appeare at the next Court. — fuller & Chippe.

1739. Richard Plome not appearing forfeited his recognizance of ten pounds. — Plome recogni: forfit.

The 8th day of the 9th month 1639.

1740. Thomas Symonds was enjoyned to appeare at the quarter Court about Mr Eaton house and the colledge. — Symonds. Mr Eaton.

1741. Robert Dyper was enjoyned to appeare at the quarter Court. — Dyper.

1742. Abraham Morrell was enjoyned to appeare at the quarter Court. — Morrell.

1743. Cary for swearing was fined 10s with Mr Tevis mudertooke. — Cary swearing 10s.

At Court of Assistants or quarter Court held at Boston the 3.d day of the 10th moneth 1639. present,

The Governor. — Mr Humphrey.
The Deputy Governor. — Mr Saltonstall.
Mr Endicott. — Mr Winthrop jun.
Mr Bellingham. — Mr Stoughton.
Increase Nowell.

Mr Hoggs fine remitted. — Mr John Hoggs was committed upon payment of his fine of five pounds. 1744

Hines wife attacht. — An attachment was granted against the wife of Samuel Hines for her appearance at the next Court. 1745

Pepper exortion fined 5s. — Richard Pepper for his extortion was fined 5s. 1746.

Pudsey swine fined 10s. — The Towne of Roxbury for neglecting of their order about swine was fined ten pounds, but they are 1747.
to be exempted who did endeed to execute the order.

Famed Ingersol bigamy divorce, fined 5l. — Famed Ingersol being prosecuted for having two wifes, his last marriage was declared void, or a nullity 1748
thereof, and to be divorced not to come to the sight of her whome he last took and he to be sent away
for England by the first opportunity, all that he hath in appointed to her whome he last married for her
and her children, he is also fined 100li and to be set in the stocks an houre upon a market day after the
lecture, the next lecture day if the weather permit or else the next lecture day after.

Wodrafe recogn: forf. 5li payd. — Mr Samuel Wadsworth payd in the 5li of his recognizance of 10li the other was respited till it — 1749.
appeare whether it may be retorted from famed Wodrafe.

Poirce suspition of murder, not guilty: bon peace. — Marmaduke Poirce being indicted upon suspition of murder was found not guilty, but was bounde 1750.
to the good behaviour and to appeare at the next Court and to pay the witnesses and Richard —
Davies was bounde in 20li for his appearance. The jury were sworne upon Poirce. Richard Willis.
Robert Scott John Dutton William Brown William Dade Stephen Ffoster James Barrett Robert Butler.
William Ffrench Thomas Bingham Robert Sanders Roger Shawe.

Eliane Poirce bon peace 5s. — Eliane Poirce her husband was bounde in 10li for her good behavior and to bring her to stand in the mar: 1751.
for place the next market day with a paper for her light behavior.

Knight bon peace. — Knight was appointed to stand in the market place with a paper for her light behavior the next 5.d day. 1752.

Howlet exortion — fined 5s. — Lewis Howlett for his extortion was fined 20s. and was bounde over in 10li to the Court the first moneth 1753
for his contemptuous speeches.

Robinson reviled. — Jane Robinson for disorder in her house drumbones and light behavior was censured to be — 1754.
severely whipped.

Hindersham bon peace. — Margaret Hindersham was censured to stand in the market place with a paper the next market day 1755.
for her ill behavior and her husband was bounde in 5li for her good behavior and to bring her to
the market place at the time appointed for her to stand there.

Differson reviled enslaved. — Thomas Differson was censured to be severely whipped and condemned to slavery. 1756.

Hommar mutiny reviled. — Robert Hommar for his mutinous attempt and his flying when he should have appeared was cen: 1757.
sentenced to be whipped.

Waugen. — John Waugen is to appeare at the next Court. 1758.

Desbro recogn. — Sparke Desbro is bounde in 10li to appeare at the next Court at Salem and at the next quarter 1759.
Court at Boston. John Sherrington is bounde with Desbro in 10li for his appearance.

Mr Allen disfranch. — Mr Thomas Allen appearing was disfranchised the painting being before his time and disliked of him. 1760

Salem fined 10li. — The Towne of Salem for not keeping constant water this Summer was fined 10li. 1761.

Exercises attacht 10s. — An attachment was granted against Exercises because none appeared to answere for their deserted wayes 1762
and 10s. costs.

Conrood fined. — Conrood for not giving in a transcript of their lands was fined 5s. and for neglecting their waters 10s. 1763.

Dedham fined. — Dedham for want of weights and measures was fined 5s. 1764.

Cambridge fined. — Cambridge for desert of the ways at Wiseborooke and Long swampe are referred to the former fine 1765.
of 5li 5s. and for want of stocks are fined 10s. 5s. Clyde for neglect of a constant water are fined 10s. 192
1766.

Charlestowne watersprite. — Charlestowne meeting house is allowed for a water house. 1767.

Lynne fined. — Lynne for not keeping constant water is fined 10s. and for want of sealed weights is fined 5s. and for
not giving in a transcript of their lands 5s.

Boston fined. — Boston for desert of their ways between Dowder horne hill and the written tree is fined 20li and 1768.
enjoyned to mend them.

Dorchester fined. — Dorchester for not bringing in a transcript of their lands are fined 5s. 1769.

1770. Wdymonth for want of a sufficient wattrhouse is fined 5s. and for neglect of keeping constant watch Wdymonth fined.
is fined 10s. and for not delivering in a transcript of their lands is fined 5s. And Wdymouth for not deli-
vering in a transcript of their lands is fined 5s. looking to the execution of their order about Swine Wdy=
month is fined 3s.

1771. Hingham for not making sufficient fence is fined 5s. and half time to mend their fences till the 4th month. Hingham fined.
And for defect in their highways are fined 10s. and for not keeping constant watch Hingham is fined 10s.

1772. Lieutenant Dimon is appointed to take an Inventory of the goods of Sarah Kisse to pay the legacyes and Kisse testament.
to keepe the rest till further order.

1773. The Tabernacle had leave to keepe a Slaughiquest Indian and his wife. Indians.

A Court held at Boston the 30th of the 11th month 1639. present

The Governor. Mr Willingham.
The Deputy Governor. Mr Humfrey.
Increase Nowell.

1774. William Walgam for being drunke aboard the ship called the Bristowe merchant wch he confessed was fined. Walgam fined.
20s. it being the first time that he was knowne to be drunke and so was seriously admonished and dismissed.
this 20s. was payde in.

1775. John Waugian having desired and refused to marry her was committed to prison till Waugian. bastardy.
he should give sufficient security to provide both for the mother and her childe.

A Court of Assistants held at Boston a Quarter Court the 3d day of the first
month 1639. 1640. present

The Governor. Mr Winthrop inn.
Deputy Governor. Mr Saltonstall.
Mr Willingham. Mr Windsor.
Mr Humfrey. Mr Stoughton.
Increase Nowell.

1776. Lizard Hopper his fine of 5li is remitted to 6s. 8d. wch he payde. Hoppers fine mitigated.

1777. Thomas Dabinporter for hiring John Harris to cast balled of paste wch to put in them and cast it Dabinporter admon.
into a maid paude was admonished seriously to take heed of doing the like.

1778. There is 10th desired to the Governor by some that had footed by taking too great prices for their — 10th payde for excessive
commodities having satisfied the parties whome he sould the commodities into. prices.

1779. Thomas Blumfield is appointed Administrator to his father John Blumfields Deceased and to have the Blumfields testament
house and grounds and the same daughter to have the ouersight of the goods not disposed of, the will and administration.
Inventory to be recorded.

1780. Samuell Basse his fine of 5li upon his petition was remitted him. Samuell Basse mit.

1781. Abigail Eber being called and not appearing forfeited her recognizance. Eber recogn. forf.

1782. The Court gave warr to the Governor to fetch his servant Thomas Phillips so farre as they have Servant fetch.
power.

1783. Hester Ketham is freed from her service wch her master John Wolridge and the said master enjoyned Ketham against Wolridge.
to give Ketham 20s. for pains and the said master John Wolridge is bound to his good behaviour bond forf.
and enjoyned to appeare at the Court the 7th month next and to put in sufficient caution for the good —
behaviour and appearance.

1784. Mr John Cogan had authority given him to receive of Mr William Tynge 9li. 8s. for wch Mr Cogan is to Mr Cogan against Mr Tyng
give Mr Tynge ac the Court shall direct and be responsall for the same. 9li. 8s.

1785. John Knight is bound in 5li to appeare at the Court at Boston the second month. Knight recogn.

1786. John Dunbard bound his land and 20li more to appeare at the next Court. Dunbard recogn.

1787. Lewis Howlett not appearing forfeited his recognizance of 10li Howlet recogn. forf.

1788. Hand Coopering of John Harrington forfeited their recognizance. Coopering recogn. forf.

193 1789. Wharmedike Weire appearing was discharged being enjoyned to pay the witnesses ad hominem as he should be able. Weire speedall.

1790. Mr Henry Swanall for his contemptuous speeches and carriage to Mr Saltonstall was enjoyned to — Swanall bon pour.
acknowledge his fault publikly at Newbury Court and to be of good behaviour and was enjoyned to appeare
at the next quarter Court unlesse the Court of Newbury do withdraw him from the good behaviour
and from his appearance at the quarter Court he bound himselfe in 66li. 13s. 4d. for his appea=
rance and good behaviour.

The 20th of the second month 1640. A particular Court held at Boston for small causes. present,

The Governor. Mr Treasurer.
The Deputy Gov. Mr Stoughton.
Increase Nowell.

Pintmaster rebuked. — The Pintmaster being in disorder is ordered to bring his bushell of corne and money to make it up ten pounds was was appointed to be payd him by the Treasurer. 1791

Slave dumbe fined. — John Slave is fined 20s. for being dumbe with a Whisp for Grant mudertooke to satisfie. 1792

Boyes whipt. — John Boyes for his unseasonable attempt upon a girle and dallianc with mayded and rebellious carriage against his master was ordered to be severely whipped. 1793

Danvard bound. — John Danvard being arrested of misbeaviour was bound in 20li to appeare at the Court the 4th munday 1794 in order the aboyde out of Newbyrye before that and to pay the Constables 20s. for his fees.

Palmer formication sorrie. — George Palmer having committed folly with Margery Puggs through her allurement because he — 1795 confessed voluntarily he was only sorrie in the sorrie and so dismissed.

Margery Puggs whipt. — Margery Puggs for enticing and allurring George Palmer was ordered to be severely whipped. 1795

Longe wine seller. — Richard Crowne having given Robert Longe to sell wine his Court doth allow him till the quarte Court. 1796.

Hudson Ordinary keeper. — Boston having given William Hudson to keepe an Ordinary till the Court doth allow him till the quarter Court. 1797

Trabell fraudult, admon. — Nathaniell Trabell appearing was admonished to acknowledge his offence in his fraudulent estate and sorrowed of several reasons with he promised to do and to take advise and so the Court discharged him — upon tryall. 1798.

At a generall Court of Election held at Boston the 13th of the 3. month 1640. present

The Governor. Mr John Winthrop jun.
The Deputy Governor. Mr Richard Saltonstall.
Mr John Winthrop sen. Mr Simon Bradstreet.
Mr John Enderott. Mr Israel Stoughton.
Mr John Humfrey. Increase Nowell.

Deputyes present,

Mr Joseph Hewes. Captaine William Jenison.
Mr James Bate. Mr Thomas Flint.
Mr Thomas Dimer. Mr Richard Griffin.
Mr Edward Rich. Mr Peter Noyes.
Mr Nathaniell Duman. Mr Edward Allen.
Mr John Glover. Mr Ralph Mosely.
William Heath. Mr Timothy Tomlins.
William Pynchon. Lieut Richard Walker.
Captaine Edward Gibonsd. Mr William Putnam.
Mr William Tyng. Mr Cornelius Bison.
Captaine Nat Sedgwicke. Mr Samuell Symonds.
Nicholas Ralph Sprague. Captaine Daniell Denison.
Mr Joseph Cooke. Mr John Woodbridge.
Mr Samuell Stephens. Mr Thomas Olden.
Mr Thomas Mayhew. Mr Christopher Batt.
Mr John Crosse.

Election of Gov. — Mr Thomas Dudley Esq was chosen Governor for this present yeare ensuinge and did take his oath. 1799 194

Deputy Governor. — Mr Richard Bellingham was chosen Deputy Governor for this present yeare ensuinge and did take his oath. 1800

Assistants. — Mr John Winthrop sen was chosen an Assistant and did take his oath to that place belonging. 1801

Mr John Enderott was chosen an Assistant and did take his oath. 1802

Mr John Winthrop was chosen an Assistant and did take his oath. Mr John Winthrop iun was chosen an Assistant and did take his oath. Mr Richard Saltonstall was chosen an Assistant and did take his oath. Mr Simon Bradstreete was chosen an Assistant and did take his oath. Mr Thomas Dudley was chosen an Assistant and did take his oath. Mr Thomas Stoughton was chosen an Assistant and did take his oath. Francis Newell was chosen an Assistant and did take his oath.

1802. Mr William Tyng was chosen Treasurer for this year and did take — Treasurer.

1803. Mr Nathaniell Duncan and Captaine Robert Sedgwicke were appointed to joyne with the New Treasurer to take the Accounts of the old Treasurers accounts. — Old Treasurers Acc.t 443.

1804. The former have are appointed to examine Mr Richard Saltonstall demands of 160 and odd pounds layd out eight yeares ago. — Mr Richard Saltonstall 160 li. ed.

1805. The Towne of Hingham is allowed 12li. 14s. for the wages of Thomas Plaister for the other 3li. the Towne is to have the arrest of land with they bought for him. — Hingham & Plaister.

1806. The petition of the Inhabitants of Salem for some of their number to have sufficient meadow and land to erect a village there for Mr William Walton John Pickard William Allen Samuell Durgard George Norton & Companye, what lands and inlargement may be convenient and is not granted to any other Plantation is granted them and it is referred to Mr John Winthrop iun and Mr Simon Bradstreete to settle the bounds of the said village. — Salem Village.

1807. The petition of the Inhabitants of Sudbury for the addition of a mile in length upon the southeast & southwest sides of their Plantation is granted Provided it may not hinder a new Plantation, if there may be convenient place and accommodation for one, nor may not hinder mile Rod and Farme of 600. Acres formerly granted and appointed to be set out formerly by Mr Thomas Flagg and Mr Thomas White with now they are anew authorized to doe, and they are desired to consider of this addition, and to set out the same except before expected that it may be found fit for a new Plantation. — Sudbury inlargement mile Rod & 600. Ac.

1808. Mr Henry Flinte acknowledged his fayling in subscribing the petition or remonstrance formerly and desired his name might be blotted out, wch was granted him. — Mr Flint. Remov.

1809. The 4000. Acres granted to Dorchester is ordered to be set out to them in severall plots, at the most where they may not prejudice any plantation allready settled or that may be fit for a plantation but for furthering his pillages, And the parte of Mr Thomas Dudley the present Moderator of the said 4000 Acres to be made 500. Acres wch is to be taken by him adjoyning to his land upon Pentecost River and Captaine Gennison and Mr John Oldham are appointed to set out the said severall parcells, all but the Moderator and to make certificate thereof to the generall Court. — Dorchester inlargem.t of 4000. Ac. — Mr Thomas Dudley 500. Ac. Moderator.

1810. Mr Edward Allerton was granted Leave to looke affter passengers and goods consigned to him. — Mr Allerton.

1811. Rowley is granted two yeares immunity from publicke charge in regarde of their great losse and charge by removing of land and hinderance of planting the last yeare. — Rowley immunity for 2. yeares.

1812. Mr William Paine is granted his 300. acres of ground bought of Captaine Patrickes to be laydout to Rowley bounds where it may not prejudice any new Plantation nor any former grant. — Mr Paines 300. Ac.

1813. Francis Newell is chosen Secretary for the yeare ensuing and till a new be chosen. — Secretary.

1814. Mr William Hauxhurst Mr Samuell Symonds and Mr Timothy Dowlind are to set out the nearest the nearest safest and most convenient way between Ipswich and Newmarket and to settle it accordingly. — Ipswich Ipswich to Newmarket.

1815. Mr Edward Woodman Mr William Paine and Mr Thomas Robson are appointed to view and settle the bounds between Hampton and Greenlesse and to make returne to the Court. — Hampton & Greenlesse bounds.

1816. Mr Robert Keayne had 120li. of his fine remitted him, so that there remained only 80li. to be payd by him. — Mr Keynes fine mitigated.

1817. William Hudson is allowed to keepe an Ordinary in Boston. — Hudson Ordinary.

1818. Arthur Sandon is allowed to keepe an Ordinary at Marblehead. — Sandon Ordinary.

1819. Mr Robert Longe is allowed to draw wine at Charlestowne. — Mr Longe wine.

195 1820. The Lady Deborah Moody is granted 400. Acres of lands where it may not hinder a Plantation nor any former grant. — Lady Moody 400. Ac.

1821. Charlestowne is granted their petition that is two myles at their heads here provided it fall not within the bounds of Hynne village and that they build within two yeares. — Charlestowne inlargem.t

1822. The desires of Mr Wardes and Hinsdeare men is committed to the Moderator Deputy Moderator & Mr Winthrop and to consider of Platform and Polycarpie and to grant it them provided they returne answere within three weeks from the 21th present and that they build there before the Court. — Mr Wardes & Hosters Platform & Polycarpie. 444.

Mr Ollibar 15 tuns of Mansfelt. — Mr Thomas Ollibar is graunted 15.th for recovering Daniell Mansfelt having had him in hand since winter was twelve moneth and being yet further to have him, he was sick so long. — 1823.

Pomishfett graunted to Wingham. — It is ordered that suche land and meadowes at Pomishfett as shall fall within this division shall be confined upon Wingham and that Mr Lewin Mr Glober William Heath & William Harke or any three of them shall have power to dispose thereof to the Inhabitants there according to their number of persons and estate for the most benefit of the Towne having consideration of suche quantitye of land and meadowes as have bin formerly allotted to the said Inhabitants so as suche as have fallen short in former distribution may have supply by this. — 1824.

Fined to be voided by the Treasurer. — It is ordered that the Treasurer shall write all the fined and the Certificate shall be made from Michelmas with any of the fined hereafter. — 1825.

Vetured. — It is ordered that the time of the beginning of Vetured shall be left to the Ancient and the former order is revoked. — 1826.

Reman. — Mr Treasurer Mr Samuell Shepard and Lieutenant Springue have power to let the ferry to whome they see cause upon the time of Edward Pomeroye is expired at their discretion. — 1827.

Ferry.

Mr Stoughton discharged of Parochiall charge. — Mr Israell Stoughton is discharged from his place of Captaine over the Company of Dorchester upon his owne motion. — 1828.

Salem Watt. — Mr Lindmell Downing Mr William Hawthorne Mr Nilld and Mr Holliotte are appointed to joyne with the Magistrates of Salem to assist them in keeping their watt. — 1829.

Roxbury Watt. — Mr Samuell Symonds Mr William Hubbard Mr Richard Dummer and Mr Thomas Bishop are appointed to joyne with the Magistrates of Roxbury to assist them in keeping their watt. — 1830.

Swales raised. — For other Towns those wch were the last year appointed to continue this year to endeavoure the Swales raised under 20s. — 1831.

Medford Island flatt. — It is declared that the flatt round about Medford Island do belong to Medford Island to the ordinary lowe water marke. — 1832.

Hamerton Chimes. — William Howard is desired as a Sergeant to exercise the Company at Hamerton and hath accepted it — 1833.

Hingham. — appointed surveyor of the Chimes there.

Bolchester training. — Mr Christopher Batt is desired to traine the Company at Bolchester. — 1834.

Bowley training. — John Cummington is desired to traine the Company at Bowley. — 1835.

Siddings Chimes hours. — Mr Bryan Pendleton is desired to traine the Company at Siddings and Mr Peter Weis is appointed — 1836.

Indiaud. — surveyor of the Chimes at Siddings.

Palmer fine mitigate. — The order for writing to the Vice Admiralty was voted and committed to the Deputy General. — 1837.

Buildings. — Edward Palmer fine of 15.s was remitted him to 10.s wch he pays. — 1838.

The order wch mentioned buildings, not to be above halfe a myle from the meeting house is repealed. — 1839.

William Lidington fining offence is remitted him.

Sandard wine. — Richard Sandard is allowed to draw wine at Braintree. — 1840.

Mountwollaston made a Towne & called Braintree. — The petition of the Inhabitants of Mount Wollaston was voted and granted them to be a Towne according to the agreement with Boston. Provided if they fulfill not the covenant made with Boston and hereto affixed, it shall be in the power of Boston to October their due besation against the said Inhabitants or any of them, and the Towne is to be called Braintree. — 1841.

Host of Mount Wolchouement. — It was agreed with our Neighbors of Mount Wollaston that William Crosbie Alexander Winger Richard Wright James Penniman in the name of the rest for whome they undertooke that they should give to Boston 4.l the one for two acres of the 7 acres formerly granted to Richard of Boston upon expectation they should have continued still with us and 3.l the one for other acres wch hath bin or shall be granted to any others who are not inhabitants of Boston, and that in consideration hereof and after the said portions of money shall be payd to the Towne treasurer all the said Lands shall be free from any Tyme rated or charged to Boston and upon their name, and all 3 from all Common rates assessed with Boston, but to be rated by the shot by itselfe, Provided that this order shall not extende to any more or other lands the sure as shall make payment of the said rates so agreed upon of 4.l and 3.l the acre. And upon the former consideration there is graunted to the mount all that worthy ground lying between the brooke and Mr Geddings brooke adjoyning to Mr Hancock farme and from the most round of that farme to the sunny most corner of Mr Mitchelsons farme to be reserved and inclosed in Common for ever for the inhabitants and landholders there, together with another parcell of worthy ground neere to the Knights meadow wch was left out of the first company of lotts extending all suche grounds lying among or neare those said worthy grounds formerly graunted out in lotts to severall persons. And there — 1842.

196

it is granted to Mr Thompson Pastor of the said Ipswich 120 acres and to Mr Flint 80. acres where to be free from the rate of 3d the acre.

1843. Thomas Gressholme is granted to draw wine at Cambridge. — Gressholme wine.

1844. Robert Chidrowe is granted to draw wine at Ipswich with the condition of the Towne. — Chidrowe wine.

1845. It is ordered that no man shall carry otter away out of the Towne at a fferry with a Gamoos under paine to forfeit the Gamoos to the treasure. — Gamoos. 445.

1846. Mr Edward Woodman and Christopher Platt and John Grosse are appointed when the way is settled to petition the fferry where they think meete. — fferry Merrimarke.

1847. The order that restrayned pipe staves plantfe and other timber from being transported is repealed. — Pipe staves plantfer. 2.

1848. Widdowe Fisher of Dedham hath liberty to take administration of the goods of her husband and hath liberty to sell halfe the lott for the bringing up of her children. — Fisher widdowe.

1849. It is ordered that the 23 £ 5 s 0 d laid out by Maxtaine Gibbones shall be payd him viz t 13 £ 8 s 0 d by Waterton and 10 £ by Cambridge and also Cambridge is to give Egna Sanjin a Coake boat winter wyler the liberty. — Maxtaine Gibbones 23 £ 5 s 0 d. Egna Sanjin Coake.

1850. Since ad got to Lynne village are for 2. years exempted from publicke rates wch is to begin when 7. housed are built and 7. families are settled there and only for since ad are settled there. — Lynne village immunity.

1851. Sudbury is for one years exempted from rates from this day being the 20 th of the 3 d month 1640. — Sudbury immunity.

1852. Mr Pytham and Mr Malgraves are granted their lott at Sudbury absolutely without condition of dwelling there only Mr Pytham promised to build an howse there and settle a family there and to bestow ad mucho ad he could in the summer time. — Mr Malgraves & Mr Pytham.

1853. It is declared that Powley bounds is to be eight myles from their meeting howse in a straight line and then a crosse line diameter from Ipswich river to Merrimarke river where it doth not prejudice any former grant. — Powley bounds.

1854. Upon the petition of Robert Saltonstall that the 1000. Acres granted formerly to his father Sr Richard Saltonstall might be confirmed at Quoritinate it was referred to Maxtaine Gerrish Mr Joseph Stock and Sergeant Gilliber or any two of them to view it and if it be not an hinderance to a plantation it is granted him. — Mr Robert Saltonstall 1000. Ac.

1855. Mr Howard a brewiate of Lands was formerly sent forth to be considered by the Elders of the Churches and other Freemen of this Commonwealth, It is now desired that they will endeavor to given their thoughts and Counsell about the same by the generall Court in the next 7. Months. — Lands.

1856. The Court taking into Consideration how the liberty of the Freemen in matter of Election of Magistrates or may be prejudiced and withall how one order may be settled in the exercise of this liberty It is ordered that at this generall meeting in the Generall Connsell as the Deputyes shall be sent for the generall Court in the 7 th 8 th or 9 th month the said Deputyes being so chosen shall propound to the Freemen whome they would have put to nomination for Magistrates at the next Court of Election and shall then set down the names of such as shall be so nominated and the certaine number of votes wch every man so named shall have and shall make a true return of this same at the next generall Court and then the Magistrates and Deputyes conferring all their returns from their severall towns together they shall take notice of so many as have the greater number of votes from the severall Towns till they have so many as is so many be returned as will make up the full number of Assistants and those named to be returned back by the Deputyes to the severall Towns that the Freemen may consider of them against the next Court of Election to choose or refuse as they shall see cause, and at the said Court of Election none shall be voted for Magistrates but such as shall come to nomination in the order aforesaid. This order to be of force till the end of the generall Court in the third or fourth month next ensuing and no longer except it be further confirmed then. — Election of Magistrates. 446. Continuance

1857. The ordinary watches and wards in times of peace shall be set by the Constables in the severall Townes, but in times of sudden danger of any enemy the military officers shall take charge thereof and all men shall be removeable to watch and warde except Magistrates Officers of Countrey Schoolmasters Commissioned Lieutenants and Ensignes, the Deacons and such as are officials to the Magistrates in the Courts and such other that have bin brought up in learning as any two Magistrates shall thinke meete to discharge but the servants of all these shall not be exempted. — Watches & wards. 447.

1858. The Ilands sometimes called Gonants Ilands wch was formerly granted to Mr John Winthrop upon the yearly rent of one Hogshead of wine ad by the order of the third of April 1632. appeared is now granted and confirmed to the said John Winthrop and his heires in the farme for wch they are to pay only two bushell of Apples ripe one bushell to the Gardener and — Gonants Ilands granted to John Winthrop Esq. his heires in the farme.

another to the generall Court in Winter the same to be of the best approved Indian growing.

Indians corne. It is ordered that in all places the English shall keepe their Cattell from destroying the Indians corne in any ground where they have not to plant and if any corne be destroyed for want of fencing or hedging the Owner shall be bound to make satisfaction and the Towne shall have power among themselves to lay the damage where the occasion of the dammage grows, and the Indians are to be encouraged to help towards their fencing in of their corne fields. Provided that the Indians shall make proofe that the Cattle of such a Towne, Farme or person did the dammage. 1959

448. Linen cloth manufacture. This Court taking into serious consideration the absolute necessity for the raising of the manufacture of linen cloth and doth declare that it is the intent of this Court that there shall be an order published about it and therefore doth require the Magistrates and deputyes of the severall Townes to acquaint their Townesmen therewith and to make inquiry what sort is in every Towne what men and women are skilfull in the breaking spinning weaving what meanes for the providing of wyeseed and to consider why those skilfull in that manufacture what tools may be taken to raise the materiall and procure the manufacture and what tools may be taken for dressing the boyes and girles in all townes the spinning of their name and to returne to the next Court their severall and joynt advise about this thing. The like consideration could be had for the spinning & weaving of Cotton wooll. 1960

Lotty 1200li. Mr Joseph Mr Bates Mr Nicholas Mr Dunton William Parker Mr Tinge Captaine Sedgwicke Mr Edward Mr Flint Ensigne Walker Mr Mathew Mr Hawthorne Captaine Denison Mr Woodbridge John Gross and Mr Watt are appointed a Committee to consider of the time and manner of payment of 1200li rate and to lay it upon every Towne proportionably and so it was ordered that there shall be a Lotty of 1200li raised whereof Mr Humfrey is granted 25s 0d to receive his necessitie. The proportion for the rate agreed upon is for Ipswich 3li Newbury 21li Braintree 25li Dorchester 9li Roxbury 7li Rowley 17li Reading 30li Concord 40li Watertown 90li Cambridge 100li Charlestown 90li Salem 115li Lynne 85li Ipswich 120li Newberry 60li Gloucester 40li Hampton 10li Dover 1200li. And it was ordered that in payment silver plate should passe at 5s the ounce, good old Indian corne growing here being clean and merchantable at 5s the bushell summer wheat at 7s the bushell rye at 6s the bushell. And for houses marks towes oxen goates & hogs there is a Committee appointed to value them in every Towne where are required to value them under their worth rather then above their worth. 1961

449. The Committee. The Committee are for Ipswich John Porter William Hearsey and John Hubbard. For Newbury Nicholas Phillips Stephen Jones and William Smith. For Braintree Martin Saunders Richard Wright & Alexander Winthrop. For Dorchester Mr Atherton John Phillips and goodman Trimmer. For Roxbury Mr Eliot John Johnson & Josiah Eliot. For Boston Mr John Wongate Mr Hill and Jacob Eliot. For Reading Francis Ephraim John Haynes and Michael Metcalfe. For Concord Simon Willard Thomas Brooks and William Wood. For Watertown Thomas Hastings John Coolidge and Henry Knight. For Cambridge goodman Cooke goodman Marrett & John Moore. For Charlestown Mr Longe Ephraim Richardson and Walter Palmer. For Salem John Woodberry Jeffery Masse and Thomas Talbyer. For Lynne goodman Ownton Nicholas Browne & goodman Cooper. For Ipswich Mr William Paine goodman Giddings & John Whipple. For Newbury Mr Lawson Mr Woodman and goodman Hall. For Gloucester goodman Remember Anthony Colby and Winsley. For Hampton Bachelor goodman Moulton & goodman Crosse. 1962

Mrs Winthrop. 3000. Acres. There is 3000 Acres of land granted to Mrs Winthrop the wife of Mr John Winthrop some late Governor to be at her disposing for her and her somes where they shall desire it without prejudice to any former grante. 1963

Imprisonment forgiven & cattle taken off. Thomas Imprisonment for his forgiven being and other foule offences was ordered to be bound to the whipping post till he returne from the first boat and after the first to have his eares cut off and so he hath liberty to depart out of our Jurisdiction. 1964

Millers &c. About Captaine Stoughton mill A Committee was appointed to wait on William Tinge Captaine Gibbons John Johnson William Parker William Healy and Captaine Denison to examine and certify and about the other mill and to make returne to the next Court. 1965 198

Gobbyster small trade. Passingers fees of rate. Mr Hatt Mr Winslow and Mr Glover have order to end small businesse at Gobbyster under 20s. The 1966 1967 It is ordered that the owners of the persons come from Ireland shall be free from his rate.

450. Bread. It is ordered that no bread shall be made finer then to afforde at 12. ounces the two penny loafe and whosoever selleth lighter weight to forfeit his bread. This to be of force within 14 dayes after publication.

1068. When the way is layd out betweene Hymet and Wimotstreet it is to stand bottom the Hooke way sad also for the horse Gate and drift way sad the Stile settle it and no other to be allowed for horse nor foot. — Hymet & Wimotstreet ways.

1069. Edmond Goodnoe was chosen and sworne Constable of Sudbury. — Sudbury Constable.

1070. Jurymen made for the 13 day of the 3rd month 1640. Mr William Mortyer. Henry Humbers. John Samdere Thomas Bradbury. Thomas Dimmer Thomas Barker Thomas Blugill Maximilian Jewett Francis Parrat Richard Swan. Robert Hasleden John Hasleden Francis Lamberton William Seale. John Rimbanke William Pointon. John Faunt Nicholas Hopkinson George Kilborne Mr Thomas Roylemore Mr Thomas Kinsed Mr Francis Willaughby Edward Larkin Thomas Gaule. John Podrind John Martin. William Phelips Abraham Hill. Edward Woods Mr William Paine. John Ibberson Henbury Samuel Standish John Nicholls Mr Edward Mowire Mr Thomas Funke. Mr William Stebond. John Fairfield John Battisbol Robert Howell Thomas Watson Mr Marke Farmoid Thomas Waterhouse Jeremy Honyfoend Jonas Humphry Thomas Colman George Weeks John Fruum Richard Ingrooke Richard Nightingale Richard Syxted. Clement Taylor Brown Anderson John Bowlid Edward Passon William Sandbor John Hall John Tumbell Edward Rumsell Joseph Wheeler Timothy Wheeler. John Shamber Simon Rogers Mitchell Wood John Morrill George Browne John Morwise Edmond Potts Francis Smith John Harding William Carpenter John Holbrooke Richard Phillips Thomas Barlie Samuell Butterworth Robert Martin Mathew Pratt Robert Cyprid. Thomas Richards Henry Gurgeon William Geoffrey Thomas Church William Howard Abraham Perkins Jeffery Minger Christopher Clarke James David Mr Edmond Browne Peter Rouse Walter Hayne Edmond Rice Thomas White John Warmenter John Bent Edmond Goodnor Thomas Fish. John Wood John Puddifer John Jones Mr William Hibbard Arthur Perry Valentine Hill Francis Cogs John Hinder Nathaniell Williams John Leberit Peter Ellibor John Homerick Anthony Stoddard Samuell Sherman George Gurtis Potten Clarke Mr William Compin George Rouse Robert Linsey John Dassett William Potter Gregory Belizer Thomas Plate James Pepis Thomas Flartman Edward Golden William Ellis Martin Samdere John Beade William Underwood John Sherman Edmond Anger Richard Francis John Thrumball William Blanning Edward Collins Richard Hogge Nathaniell Christe Michael Nicholas Ferdinando Adam Francis Kitering William Pulland Henry Smith John Rose Daniell Fisher Joshua Fisher Richard Barber ye John Scarborough.

At a Quarter Court holden at Boston the 2 round day of the 4th month 1640. present,

Mr Deputy Wollingham. — Mr Winthrop ind.
Mr Winthrop sen. — Mr Saltonstall.
Mr Endicott. — Mr Coddington.
Mr Humfrey. — Increase Nowell.

1071. Leonard Nuttolph for neglecting to obey a warrant served by the Constable was fined xs. — Nuttolph fined.

1072. Mr Browning for selling strong water was fined 5s. witnessed to have 2d. of it. — Browning.

1073. Mr Cyprie and Mr Davison are desired to examine the Accounts betweene Mr Jeanes and Mr Mayhew. — Mr Jeanes & Mr Mayhew Acct.

1074. The charge of Muddyriver bridge being 15li 3s 0d was ordered to be allowed as followeth by Boston 6li by Roxbery 5li Dorchester 1li 7s 8d Watertown 1li 7s 11d Cambridge 1li 7s 11d — Muddyriver bridge.

George Hynde is committed to be layd in irons and to be whipped to morrow for his insolent and contemptuous carriage. — Hynde contempt insolent, whipt.

1075. John Hogge not appearing. — Hogge

1076. James Dabied for his unquietness was his wife was enjoyned to appeare at the next Court of Assistants. — Dabied.

1077. Henry Flaxman for not obeying a warrant was fined 5s. — Flaxman.

1078. Mr John Woodbridge is discharged of his presentment for beating a servant saying 2s 6d. — Mr Woodbridge discharged.

1079. Robert Cutler for upbraiding Francis Brittaine calling him liar and saying he pulled pears from him so being a witnesse was fined 20s and enjoyned to acknowledge the wrongs he had done Brittaine. — Brittaine agt Cutler.

Mr Buckley against Thwayt. — Mr Peter Buckley is graunted the Corne of Alexander Thwayt and to be responsall for it if he come to answere the suit. 1880.

Dowell in court fined. — William Dowell for his sinne in getting his wife with childe before marriage was fined 40s. 1881.

Gray whipt. — Thomas Gray was adjudged to be soberly whipped for his drunkennesse and other misdemeanor at Marble head, wch Mr Endicott tooke the care of by undertaking it. 1882.

Finch whipt remitted. — Goodly Finch was adjudged to be soberly whipt to morrowe and so kept in prison. 1883.

Cabory whipt theft double restitution. — Thomas Cabory for breaking an howse in the time of Exercise was adjudged to be soberly whipped and for his theft to be sold for a slave untill he have made double restitution. 1884

Ollom & Webber fined. — Henry Ollom and Clement Webber for drunkenness were fined 10s a peece. 1885

Mr Bernard fined. — Mr Bernard for giving a gallon of strong water amongst certaine persons at worke at his howse were fined 3li. 1886

Ibell. — Robert Ibell business is referred to Mr Stoughton to inquire. 1887.

Elizabeth Lovell admonish. — Elizabeth Lovell was admonished for her immodest expression. 1888.

Downam in court fined. — John Downam for getting his wife with childe before marriage was fined 20s. 1889.

Hingham wanes fined & Smith. — Hingham being presented for defective wanes and bridge and the first being repaired by Henry Smith that they are mended they were fined 2s 6d and discharged. 1890

Henderson fined. — Edward Henderson was fined 10s because the ferry had bin neglected. 1891.

Bell. — Thomas Bell being settled since the presentment is respited. 1892.

Dorchester way. — The way of Dorchester being presented is deferred to viewe. 1893

Mr Dummer. — Mr Richard Dummer for want of weights and scales which were surveyed, 1894.

Newbury. — Newbury for want of towne weights and measures fined 6s 8d. 1895

Salem. — Salem for neglecting their watch was fined 10s. 1896.

The 30th of the 4th moneth 1640. present.

The Governor. Mr Winthrop sen.
The Deputy Governor. Mr Stoughton.
Captaine Newell.

Tower. — John Tower for his disturbance of the peace, and his offence thereby against the Common-wealth is fined five pounds. 1897.

2 Indian women whipt. — Two Indian women were adjudged to be whipped for their insolent carriage and abusing Mrs Wilde. 1898.

Hemet whipt. — Elisa: Hemet was adjudged to be whipped for her unchaste miscarriage. 1899.

Rogers. — Mr John Rogers for his drunkenness is fined five pounds. 1900.

White. — John White is bound in 10li for to be of good behaviour and not to come into the company of Bulls wife alone and to appeare at the quarter Court, the first third day of the 10th moneth next. John Willy and George Burite bound themselves in 5li a peece for the forenamed John White. 1901.

Rose. — Rose the Indian was adjudged for her running away and other misdemeanor to be whipped heere and at Marble head. 1902.

Peake. — Isaacke Peake bound himselfe in 20li to be of good behaviour and Mr Robert Calkinsall bound himselfe in 10li for the said Isaacke Peake his good behaviour till he departe out of the Plantation, or bring a note from that he is free from peace. 1903.

Fenton. — Joseph Fenton is bound over to the next generall Court for getting his Masters daughter with child. 1904.

The 20th of the 3 month 1640. present
The Deputy Governor
Mr Winthrop jun.
Increase Nowell.

1905. Henry Filloy being drunke the night before and calling Walter Merry knave and saying further to him a Member of a Court, he was fined 10s and to ly in prison till he have payd it. — Filloy.

1906. John Barnes Retailer for being distempered with wine was fined 10s. — Barnes.

1907. Daniell Nutthind bound himselfe in 10li to appeare at this Court to answere for the neglect of the 2. children in the ship with notice committed to him. — Nutthind.

1908. William Kilvin and Richard Hayden bound themselves in 5li a peece for the appearance of Daniell Nutthind.

1909. 27. of the 6. mo: Henry Wright took his oath for to dischange the place of Surveyor of the Watertown Channels in Watertowne this yeare and till a new be chosen.

A quarter Court held at Boston the first of the 7th month 1640.
present,

The Governor. Mr Stoughton
The Deputy Governor. Mr Richard Saltonstall.
Mr Winthrop Gov. Mr Winthrop jun.
Mr Endicott. Increase Nowell
Mr Humfrey. Mr Saltonstall.

1910. Proceed on a former business. In the matter betweene Andrew Coleman and William Swiffe it is ordered by the Court, that Withdrawe the said Andrew Coleman by his Letter of Attorney dated the day of Anno Dni 1636. made unto John Haynes Esq. gave him the said John Haynes power and authoritie to sue and compound with the said William Swiffe for and upon one bond of 40li bearing date the day of in the yeare wherein the said William Swiffe as a surety was bound with Roger Spring principall debtor and Joshua Smith another surety for the payment of fifty two pounds unto the said Andrew Coleman upon a certaine day past, And thereupon the said John Haynes agreed and compounded with the said William Swiffe, And the said William Swiffe mortgaged his house and land at Watertowne aforesaid unto the said John Haynes in behalfe of the said Andrew Coleman by one Deed or writing dated in or about the month of in the yeare 1636. aforesaid, And whereas the said William Swiffe alledgeth that the said Andrew Coleman hath allready recovered for parte of the said debt the summe of eighteene pounds and five shillings from John Smithman and William Stary inn of Working Clothiers, with they owed to the said William Swiffe, and that since the said mortgage made, the said Andrew Coleman hath contrary to the said agreement arrested and troubled the said William Swiffe in England for the said Debt, and recovered from him seven pounds and ten shillings more, which in all being twenty five pounds and fifteene shillings commeth to halfe the said debt, wanting but five shillings, And that halfe thereof is as much in equity as he being a surety with another ought to pay, And the other moiety the said Joshua Smith being a man of sufficient estate ought to pay the other halfe, This Court hath ordered that the possession of the said house and land shall remaine in the hands of the said John Haynes till Midsomer next, to the end the said William Swiffe may make what speede he can of the premises in the meane time, and then this Court will sett downe a final order in the premises as shall be agreeable to equity. If the Court be pleased to record this order, I consent to it. John Haynes. — Coleman & Swiffe.

1911 John Woolridge apprentice was Discharged from his bond having carried himselfe orderly for ought we heare. — Woolridge.

1912. John Porter and Henry Tuttle being chosen Constables of Hingham did take the oath to them belonging. — Hingham Constab:

1913. Thomas Tylston and Edward Winchett were fined 6s 8d a peece for not attending the Jury when they were called. — Tylston & Winchet.

1914. It was referred to Mr William Tyng and Mr William Peirce to examine the bookes about the goods wch came in this Shipp what are wanting of persons absent. — Ship Shaw.

1915. Thomas Hagerly for seeking to gett a maid without her friends consent, is bound to his good behaviour, and if he trouble her by prosecuting any new suit, or make any disturbance, it is to — Hagerly bon xxxlb.

be accounted a breach of the good behavior.

Fluffe bon vort. — Richard Fluffe for saying shall he pay 12d for the fragments with the grund they wrongd hate left, he was bound to his good behavior, and paid three pounds six shillings and eight pence which was distributed by Mr Robert Saltonstall upon account. 1916

Mather. — Edmond Mather was admonished to take heed of swearing. 1917

Ship. Charles. — Mr Samuel Blackwell bound himselfe in 120li for the Company of the Charles to answer such actions as are or shall be brought. 1918

Dickenson disth. — Thomas Dickenson is disharged from his slavery and committed to Enseigne Richard Walker. 1919

Turner & Richards. — John Turner and William Richards are referred to Mr Dimmer and Thomas White to settle things between them. 1920

Thomas. — Ephan Thomas having a wife and foure children is allowed twenty bushells of corne at harvest and what necessary charges goodman Button is at to be allowed him. 1921

Nath. — Jonathan Nath was censured to be soberly whipped, and for the present is committed for a slave to Lieutenant Dalenworte. 1921

Ipswich. — Petition of Ipswich for their attachment 10s they having sett out new highways nearer then the former as they informed. 1922

Mewrick servants. — Walter Mewrick two servants were censured to be whipped for running away and detained to their Master. 1923

Mr Mollowed six children. — Mr Atherton Haugh Mr Thomas Lobenit and Mr William Colborn have authority, and order to sell the house and ground wch was Mr Mollowed to be disposed of by them for the good of the six children, till they come to age, or marry, and the Eldest some have a double portion. 1924

Waltheser church. — Mr Samuel Winsley is sworne Surveyor of the Chimnes at Waltheser. 1925

Crosse. — John Crosse had 10s of his fine of 20li remitted. 1926

Inurroughs. — John Inurroughs for going into other mens houses in the night and upon the Lords day in the time of exercise was censured to be whipped. 1927

The 8.th day of the 8.th month 1640.

Knight. — John Knight for his burthensome swearing and other disorder was censured to be sebtenly whipped. 1928

Southend. — Daniell Southind having given satisfaction to the father of the children with wch he was offended is freed from his attendance at the Court any further. 1929

Dabies & Mossenger. — John Dabies and Henry Mossenger are bound in 20li a peece and each for other to appeare at the next general Court. 1930

Mr Nibbens & Grabber. — John Grabber William Lindson and bound themselves in 20li a peece that what shall be adjudged by the Court to be overpayd shall be returned to Mr Nibbens. 1931

A Generall Court held at Boston the 7th day of the 8th moneth 1640.

Present,

The Governor.	Mr Saltonstall.
Mr Dexter.	Mr Winthrop sen.
Mr John Winthrop sen.	Mr Coggeshall.
Mr Endicott.	Mr Bradstreet.
Mr Humfrey.	Francis Howell.

Deputyes.

Mr William Hibbens	Mr Thomas Flint.
Mr. William Tyng.	Lieut. Simon Willard.
Captaine Robert Sedgwicke.	Mr Peter Woodbrige.
Mr Thomas Leytmore.	Lieu: Fisher.
William Heath	Mr Nath: Duncan.
William Parker.	Mr John Glover.
Mr Francis Downing	Mr Thomas Olliver.
Mr William Hawthorne.	Francis Parrett.
Mr Samuell Symonds	Mr James Penter.
John Phipps.	Edward Bates.
Mr Richard Dummer.	Mr Samuell Cheesebrough.
Mr John Woodbridge.	Mr Joseph Cook.
Edmond Lee.	Mr Edward Rossiter.
Christopher Batt.	Mr Timothy Tomlins.
Mr Joseph Parke	William Chelsborough.
Edmond Rubbard sen.	Robert Kingsley.
John Crosse.	Captaine William Jemison.

Mr Thomas Mayhew.

1032. Wardeboroughs and Tyme Constables are fined 10s. a towne for not returning their warrants and Deputyes named. Fines.

1033. The fifth Law against adultery made by the Court of Assistants Anno 1631. is declared to be abrogated but the other made the first moneth 1637. or 1638. by the generall Court to stand in force. Adultery. 451.

1034. Whereas Captaine John Underhill hath run upon Staff-rouduct into the Court this present day, and there openly and humbly acknowledged and bewayled his offence against God and this Commonwealth, as he had formerly done the like to the Church of Boston, whe have thereupon received him againe into the Church, this Court also being charitably and well perswaded of the truth of his repentance, are willing to forgive his former offences, so farre as may concerne obedience of our private interest, and are freely reconciled to him in Christian love: but being desirous to have yet further tyall of him, before he be fully restored to his former liberty, This Court doth order that his sentence of banishment shall be suspended till the end of the next Court of Elections, and then the Court will further consider of his condition. Captaine Underhill.

1035. The petition of the inhabitants of Tyme is granted for the clause of footpertine in the former order to be obliterate for not selling one lott within two yeares after their coming to the Village. Tyme.

1036. Whereas much wrong hath bin done to the Country by the negligence of Constables in not gathering up such levyes as they have received warrant from the Treasurer to gather, and they neglecting the same during the time of their continuance in their office, thereby casting themselves and putting the trouble of gathering them duetly to the next Constable, who thinkes it a wrong to have the former Constables businesse imposed upon him, the former Constables for his excuse alledging himselfe to be out of office, and so hath no power to distrayne, It is therefore ordered that if any Constable shall not have gathered the levyes committed to his charge by the Treasurer then being, during the time of his office, That he shall notwithstanding the expiration of his office have power to levy by distresse all such rates and levyes, and if he bring them not in to Levyes. Constables. 452. Treasurer.

the old Treasurer according to his warrant, the Treasurer shall distraine such Constables goods for the same, and if the Treasurer doe not so distraine the Constable, he shall be answerable to the Country for the same, And if the Constables be not able to make payment, it shall be lawfull for the Treasurer old or new respectively to distraine any man or men of that Towne where the Constables are unable for all averages of Servs, and that man upon notice to the Clerk shall have order to collect the same against equally of the Towne with his just damages for the same.

Mr Woodman. 1937. Mr Woodman of Roxbury is released from being Lieutenant there.

Mr Nath: Eaton. 1938. Mr Treasurer and Mr Dunton are appointed a Committee to take the Inventory of Mr Nathaniel Eaton his Business from Captaine Gorrison and John Bridge.

453. Wampomexge. 1939. It is ordered that white wampomexge shall passe at foure a penny and blue at two a penny and not above twelve score at a time, except the Writer desire more.

Ringham Ordinary. 1940. Nicholas Jacobs is allowed to keepe an ordinary at Ringham.

Hamton & Poolthister bounds. 1941. Wee whose names are underwritten according to the order of the generall Court have taken view of the bounds of Hamton and Poolthister, according to our best light by our Discovery and from information of both the Townes, we judge it most equall, that the line beginning at Hamton river mouth, running from thence so as to leave Mr Hartilles farme layd out in Hamton bounds, and from the southerlyest line of Mr Hartilles farme, the line to extend westerly between Poolthister and Hampton, the same went off the transosse, that determinate river runned from the mouth to the end of Poolthister bounds. September 24. 1640. Thomas Dalton. William Paine. Edmund Woodman.

Poolthister and Mr Mardy Plantation bounds. 1942. Mr Woodman Mr Paine and Mr Dalton are appointed to view the bounds between Poolthister and Mr Mardy Plantation and Mr Watt and goodman Howlett to goe with them to informe them, that they may rectifie the Court.

Mr Mellis 433. acres. 1943. Mr Thomas Mellis Pastor of Roxbury is granted 433. acres next to Mr Thomas Allen farme of Charlestowne beyond Concord river, whereof 200. was granted by the Country, and the other 333. is parte of the 4000. acres granted to Roxbury.

454. Manufactures of linnen, woollen, and cotton cloath. 1944. For encouragement of the manufacture of linnen, woollen, and cotton cloathe, It is ordered, that whosoever shall make any sorte of the sayd cloathes fitt for use, and shall show the same to the next Magistrate, or to two of the Deputyes of this Court, upon certificate thereof to this Court, or the Court of Assistants, the party shall have allowance of three score in the shilling of the worth of such cloath, according to the valuation, wch shall be certified with it. And the sayd Magistrate or Deputies shall sett such marke upon the same cloath, as it may be found to have bin allowed for. Provided this order shall extend onely to such cloath as shall be made within this Jurisdiction and the yarne heere spun also, and of such materiall as shall be sayled also within the same, or bid of Cotton. & this order to continue for three yeares next following.

The 1200li Loby. 1945. Whereas there was a loby made the last Court of 1200li whereof title is sayd, and the order then made for the assessing thereof, would now be unequall and inconvenient, in regard of the alteration of the prizes of such things wherein it was to be sayd in to the Treasurer, or such as he hath assigned the same unto, It is now ordered that it shall be sayd in towne at the prices this Court hath sett downe, and that the Treasurer, or such as it shall be assigned unto may leave it in the hands of such as should pay it, untill it shall be called for, so it be within five moneths, and then to be delivered good and merchantable in full measure; only the rate of Concord, wch is most of it in cattle shall be accepted by the Treasurer, and such as he shall assigne it unto, and what less shall be sayd in towne thereby it shall be made up by Concord. Provided that such as have or shall pay their rates to the sayd Loby in money or towne shall be exempt from the charge of recompence to such as shall suffeyne losse by accepting their debts in cattell.

455. Debts to be payd with towne ed. 1946. Forasmuch as it appeareth unto this Court that there is a great stay in trade, and commerce for want of money, for avoyding of the like inconveniences for time to come, It is ordered that after the last Day of this moneth, no man shall be compelled to satisfie any debt, legacy, fine, or any other payment in money, but satisfaction shall be accepted in towne, Cattle, fish, or other commodities at such rates as this Court shall sett downe from time to time, or in default thereof by appraisement of indifferent men, to be appointed by the Officer. Provided that this order shall not extend to any debts or other payments due or arising upon any contract or other originall cause preceeding the last Day of this moneth aforesaid. And this Court doth order that Indian corne merchantable shall be payable at the rate of foure shillings the bushel, summer wheate at six shillings, rye at fifte shillings barley at fifte shillings and pease at six shillings, hemp and flax sett at 12li a bushell, and all these prizes to be understood of such corne and seeds as shall growe in this Jurisdiction.

1947. Ordered that every [illegible] that killes a wolf with hounds shall have forty shillings allowed him, and whosoever killes a wolfe with a bow, dogge, or other engine shall have ten shillings allowed him, to be payd by that Towne where the wolfe is killed, and if he be killed out of any Towne bounds it shall be payd by the Treasurer. And it is further ordered that such as shall keep any hounds mastiffe or other hounds, with shall be ready to the death of any such wolfe shall not be contributorie to the preme=mente to be ridden for such wolfe. — Wolves. 456.

1948. It is ordered that no man in the generall Court shall speake above three times to any matter without leave of the Moderator or Court upon paine of 12d a time, And that if any be speaking about private busines, unlesse the busines of the Court is in hand he shall forfeit 12d in his Purse. — Court.

1949. The rent of Boston and Shallstowne is granted to the Colledge. — Colledge rent. 457.

1950. The farme granted by Ipswich to the present Moderator, which Mr Whittingham is possessed of is confirmed, to serve, as it is in the Court rolles. — Mr Lidleys farme at Ipswich.

1951. Mr John Winthrop junr is granted Fishers Island against the mouth of Pequit river, to farme as it is in our power, excluding the right of Connecticut and Seybrooke. — Fishers Island Mr John Winthrop.

1952. Mr John Winthrop junr Mr Simon Bradstreet Mr Emanuell Downing Mr Hawthorne and Mr Tinge or any three of them are appointed to sett out the bounds between Ipswich, Hogge River and Gaxe=Ome and to certifie the next Court. — Ipswich & Gorsh bounds.

1953. Mr Tome Mr Samuell Symonds and Edward Goodale are to sett out the bounds between Chelsy=town and Mr Gardners farme on the north side of Mystick river. — Chelsytowne & Mr Gardners bounds.

1954. Whereas we have bin informed of the neglect of many in not salting such hides or skinnes, as either by casualty or slaughter come to hand, whereby damage hath redounded to the Country, It is therefore ordered for the prevention of such waste that every hide or skinne shall be dryed before it transport, and that such hides or skinnes shall be sett where they may be tanned or dressed, and whosoever shall neglect this order, shall forfeit for every such hide 4s and for every skinne neglected shall forfeit 12d. — Hides & Skinnes. 458.

1955. Forasmuch as there appeared a mistake in the former order, for inlargement of the grant made to Rowley upon their proceeding a line, wch will not reach that which was intended, It is now ordered that the neate of lands upon Merrimacke neare Pothitawick shall be added to Rowley, and that their line shall run from the outermost parte of that neate to Ipswich river by the ends of their eight miles line, to be run from their meeting house parallell with Ipswich line, Provided that all former grants upon the side of Ipswich river shall be excepted out of this grant. — Rowley inlargedt.

1956. It is agreed that whereas there were 500. acres granted to John Endicott Esqr upon Ipswich river, if it lye not within Rowley bounds, The Towne of Rowley hath yielded that although there should any parte of Mr Endicotts farme lye within their bounds, yet that the said Mr Endicott shall have it, the Court granting unto the Towne of Rowley so much land in another place, lying conveniently to the ends of their bounds, with this Court doth promise to doe, Mr Bozard and the deputies of Rowley approved their consent. — Mr Endicotts 500. acres on Ipswich river.

1957. The 600. acres formerly granted to lye on the west side of Sudbury river to belong to Mrs Glover is now granted her on the east side of the said river, without the limits of the last addition to the bounds of Sudbury and betweene the said bounds, and the great Pond of at Pothitunk or and by those presents she shall have liberty to lay out the same, Provided she make returne to the next generall Court that other grants following may be settled. — Mrs Glover 600. ac.

1958. It is ordered that the letter lately sent to the Moderator by Mr Eaton, Mr Hopkins, Mr Haynes Mr Goddington and Mr Brenton, but concerning also the generall Court shall be thus answered by the Moderator that the Court doth assent to all the propositions layd downe in the aforesaid letter, but that the Churches shall be directed to Mr Eaton Mr Hopkins and Mr Haynes only particularizing Mr Goddington and Mr Brenton, as men not to be excluded nor shall by no either for themselves or the people of the Islands, where they inhabite as their ruler standeth. — A letter from Mr Eaton & others. answeed.

1959. Cockhester is hereforward to be called Salisbury. — Salisbury.

1960. Mr Peter Noyse, Walter Haynes and John Parmiter are authorised to end small busines at Sudbury under twenty shillings. — Sudbury small causes.

1961. The Towne of Sudbury have liberty to give John Bowen a lott, and so he is freed by the Court. — Bowen.

1962. Richard Wright, Alexander Winthrop and William Chesebrough are appointed to end small busines at Braintree under 20s. — Braintree small causes.

1963. Peter Willmot his petition is granted him and he with his Master consent is sett free. — Willmot.

1964. Charlestowne petition is granted them, the proportion of 4. miles square with their former last grant to make a village, wherein 500. acres is granted to Mr Thomas Poytmore to be sett out by the Court in the Towne and he cannot agree in which they shall not trespasse Cambridge land, nor come within a mile of Shawsin river, and the great swamp and ponds to lie in Common. — Charlestowne inlargement village. Mr Poytmore. 459.

Shawshin. The Towne of Cambridge is granted a moneth to consider of Shawshin for a Village for them, 1965.
and if they like it not, the Towne of Roxbury hath liberty to consider of it for a village for them till the
next generall Court.

460. Against fraudulent conveyances. A. 12. 40. For avoyding fraudulent conveyances, and that every man may know what estate or interest other 1966.
men may take in any howses, lands, or other hereditaments they are to deale in, It is therefore ordered that
after the end of this moneth, no mortgage bargaine sale or grant hereafter to be made of any howses,
lands, rents, or other hereditaments shall be of force against any other person, except the grantor and
his heires, unless the same be recorded as is hereafter expressed. And that no such bargaine sale or
grant allready made in way of mortgage, where the grantee remained in possession shall be of force
against any other, but the grantor or his heires, except the same shall be entred as is hereafter ex-
pressed, within one moneth after the end of this Court, if the party be within this Jurisdiction, or
within three moneths after he shall returne. And if any such grantee being required by the
grantor to make an acknowledgment of any grant by him made shall refuse so to doe, it shall be in
the power of any Magistrate to send for the party so refusing, and commit him to prison without bayle
or mainprize untill he shall acknowledge the same. And the grantee is to enter his caution with the
Recorder, and this shall save his interest in the meane time. And if it be doubtfull whether it be the
deed or grant of the party, he shall be bound with sureties to the next Court and the caution shall
remaine good as aforesaid. And for recording of all such bargaines &c It is further ordered that
there shall be one appointed at Ipswich, for with Mr Samuell Symonds is chosen for that Court
to enter all such bargaines sales &c of all lands &c within the Jurisdiction of that Court. And Mr
Emanuell Downing is chosen in like sorte for the Jurisdiction of the Court of Salem. And
Mr Stephen Winthrop all the rest to be entred by Mr Stephen Winthrop the Recorder at Boston. And that it is
Recorder. not intended that the whole bargaine sale &c shall be entred, but only the names of the grantor
and grantee, the thing and estate granted, and the date. And all such entryes shall be verti-
fied to the Recorder at Boston within five moneths yearly. And it is ordered that the fee
for every such entry shall be five pence. And it is hereby declared that this order shall not
extend to any grant made or to be made by any Towns.

461. Caution Cognizants, Constables. For to take caution or cognizance and to make velocity so where any Magistrate is, he may 1967.
doe it: But in other Townes those after named are appointed. For Ipswich Mr Joseph Jenks.
For Weymouth Mr James Parker, For Braintree William Thaxter. For Dorchester Mr
William Wollington. For Roxbury Mr Richard Dummer. For Cocktester Mr Hatte
For Hampton John Moulton. For Cambridge Mr Samuell Shepheard. For Malden Mr
Mr Thomas Mayhew. For Concord Mr Thomas Flint. For Sudbury Mr Peter Noyes and
for Dedham Mr Edward Allyn.

Warr. power. Mr Thomas Flint is also allowed to marry at Concord and Sudbury. 1968.

462. Exortions. Whereas many men in the Plantation are in debt and have it not money sufficient to discharge 1969
the same though their Cattell and goods should be sould for halfe their worth, as experience
hath shewed upon some late exortions, whereby a great parte of the people in the Country may be
undone and yet their debts not satisfied, though they have sufficient upon an equall valuation to pay
all and live comfortably upon the rest. It is therefore ordered that upon every exortion for debts
past the Officer shall take lands, houses, corne, cattle, fish, or other commodities, and deliver the
same in full satisfaction to the Creditor at such prizes, as the same shall be valued at by three
understanding and indifferent men, to be chosen the one by the Creditor, another by the Debtor,
and the third by the Marshall. And the Creditor is at liberty to take his choice of what
goods he will, and if he hath not sufficient goods to discharge it, then he is to take his house or
land as aforesaid.

Mr Robt Cooke. 800. ac. Mr Robert Cooke of Charlestowne in regard of his fifteen hundred pounds 1970.
adventured in the joyne stocke is granted 800. acres of Land where he can finde it without
prejudice to any plantation granted or to be granted.

Thomas Browne 200. ac. Thomas Browne of Sudbury is granted 200. acres of land for the 25th adventure of Mr 1971.
Mr Jno Harvyes.

Winnell. Lot. The Country desired Watertowne to grant William Winnell a lott and if he doe persist 1972.
thereupon, the Country to bear it.

Wilkie. From William Wilkie his petition is granted him and he is with his master content yet free. 1973.

Magistrates. Proposed for Magistrates, Mr William Hibbins, Mr Thomas Flint Mr Emanuell Downing 1974.
Mr Richard Dummer Mr Samuell Symonds Mr John Glover Mr William Tinge Mr William Hawthorne

Mr Atherton Vaugh. Mr Thomas Mayhew.

1975. It is ordered that two traymings shall be in the end of the third moneth or in the beginning of the fourth moneth and six traymings from the middle of the eighth moneth to the middle of the first moneth. And for such as are absent from trayning, if a Magistrate think the business of necessitie and for his neighbors benefit, the Magistrate may appoint him to pay what he thinkes meete, but if the time be not advantageous to spare without payment. Traymings 463 Rec. vol. ff 41. 6.

1976. A Certificate of highways ordered to be recorded. The first day of the third moneth 1640. Mr Jonas named are hereunder written being appointed to lay out the roads ways for the Country in behalf of Ipswich according to order of Court from Rowley to Ipswich with the consent of those that were to be interested therein for Rowley have thus marked the said ways out. That is to say, from Mr Chelsons dwelling house vale, by the end of Bluffids hill, to the new bridge over the North river, and so to the new bridge over muddy river, and so by the Common house to Ipswich towne, and so along by Mr Calloustalls house over the falls at mile river, and by marked trees over Mr Appletons meadow, and from thence by Mr Rubbards farme house and so on upon the East side of Mr Smithes house. And from thence by his consent of Salem men over the old Plantation meadow, and so to the two woods usually day in summer, neare unto wood the way doth bounth, one whereof is Easterly of the said Woods leading through the old Plantation field to Salem Ferry according to the marked trees, and the other way is westerly of the woods leading to a great greene at a landing place westerly of Mr Gruggs house. The breadth of neth ways from Rowley to the two woods abovementioned by the consent of us and those of Rowley and Salem, is eight rodes, and from the place where the two ways begins to bounth, both to the ferry and to the greene are either of them six rodes. Samuell Symonds. John Cutler. Thomas Sperman. William Rankborne with the consent of Lieutenant Dabenport and Ensigne Roade: Thomas Wilson with the consent of Thomas Harder. Rowley Ipswich Salem. Highways. 463

1977. To Robert Turner petition for his money, it is answered, The Treasurer shall make ready and good payment and in money (if it may be) and if the petitioner be damnified for want of this and good payment this Court will make him recompence. Robert Turner. money.

1978. John Hardert is granted John Harris his land for 50s. adventure provided that he doe let it appeare to this Court he hath a sufficient assignment from Mr Harris. Hardert v. 50s. ad: Harris.

1979. John Greenland is granted his petition, with is to plant upon a five and lott in Sharlestowne bounds on Mishiffs hill. Greenland.

1980. Mr Mayhew is granted 8. £ P. for his money since demanded. Mr Mayhew.

A Martinlaw Court held at Boston the 29th of the 8th moneth 1640.

present.

The Governor.
The Deputy Governor.
Mr Winthrop Sen.
Mr Israell Stoughton
Andrew Ellwell

1981. Henry Edwards and William Hudson are discharged from their recognizance. Edwards & Hudson.

1982. Goodman Pauly for his distemper with wine was ordered to pay 10s. and payd in the same. Pauley.

1983. Nicholas Davison bill of 200l being delivered into Court by Cyll, was ordered to be kept by the Clerk until Court. Davison.

1984. Joseph Shaw and Nicholas Wyrom are granted administration of the goods of Abraham Shaw deceased. Shaw administr:

1985. William Ramond deposed that Edmond Grimlisse sentes him with warrants to appeare at two Courts and causing him to appeare did not prosecute, Ramond was granted act thereof against said Grimlisse 20s. Ramond & Grimlisse.

1986. John Porter John Otter Thomas Minard and Nathaniell Baker being called to be witnesses for Porter granted 6s. a peece and Baker 3s. all to be payd by the Country. 5 witnesses to Porter.

1987. John Dutton for swearing stealing and drunkenness was sentenced to be soberly whipped. Dutton whipt.

1988. John Parker was granted 20s against Thomas Play for not presenting causing him to attend 3 dayes at his cost: Parker & Play.

1989. Richard Read granted to Thomas Howe against Thomas Crown to attach such goods as are in his possession for a performance of his bargaine of corne. Howe & Crown.

1990. It is ordered Mr Stoughton should have business between Richard Lange & the Commons of Newmouth and Mr Stoughton hath power to call for the Towne books & make reports to the Court if he thinks it requisite. Newmouth & Lange.

A quarter Court held at Boston the first day of the 10th moneth 1640.

Present,

Mr Hobbard, Mr Saltonstall.
Mr Dorch. Mr Winthrop jun.
Mr Winthrop sen. Mr Coddington
Mr Humphry. Increase Nowell

Cambridge. The Towne of Cambridge upon proofe that the way at Wimbrooke and long Swamp was — 1991.
repayred before the Declaration of the defect was discharged of the fine of 5li.

Watertowne. Watertowne Freemen promising to yeild to every Townesman his proportion alike according to rule, 1992.
without respect to freedome or not freedome were dismissed.

Richardson ber poste. George Richardson is bound to the good behaviour in 20li. and to appeare at the quarter Court, 1993.
the 10th moneth 1641. Henry Curtis and William Knox are bound for George Richardson in 10li.

Mayer. Old Mayer having taken from the Deputy Roberd a boate and other things of 15li value, 1994
and from Lieutenant Sabenoor the worth of 5li he is committed to them untill they be satisfied.

Fenlin. Noell Fenlin upon his repentance was discharged. 1995

Tindall. Robert Tindall is deferred till the next quarter Court. 1996

Brimtree. The Towne of Brimtree were enjoyned to make their pounds, stocks and watthouse by the — 1997
quarter Court in the first moneth.

Dorchester Roxbury. Dorchester and Roxbury the bridge and way being repayred were discharged. 1998

Boston. Boston, the wayes being new layd out had time to repaire them betweene Powder horne — 1999
hill and the written hee till the,

Mr Tenford. Mr Thomas Tenford acknowledging he had obeyshott himselfe and is sorry for it, promising 2000.
to attend his taling and not to meddle with Gunpowder, he was dismissed.

Bartlett. William Bartlett the pillfering not being proved was discharged. new Summond was to be sent 2001.
for Robert Bartlett.

Charlestown. Charlestowne meeting house was formerly allowed for their watthouse. 2002.

Dunkin. Samuell Dunkin, there being a mistake in the presentment as appeared by witnesse was 2003.
discharged.

Concord & Sudbury. Concord and Sudbury in regard of the snowe were deferred till the quarter Court in the first 2004.
moneth.

Wake. William Wake was compelled to goe home to his wife and upon his promise so to doe, his repentance 2005.
and testimony of his good behaviour he was discharged.

Salem watthouse. Salem meeting house is allowed for their watch house. 2006.

Prosse. Robert Prosse is remitted to Ipswich Court. 2007.

Hubbard. James Hubbard is discharged the iniurt being little, and done unwitting the other passing in upon him. 2008.

Lyme Highwayes. paine 10li. Lyme was enjoyned upon paine of 10li to repaire their wayes by the quarter Court in the fourth moneth 2009.
next.

Lyme watthouse. Lyme meeting house is allowed for their watthouse. 2010.

Pouley presentments. Pouley presentments are deferred till the quarter Court in the next first moneth. 2011.

Portsmouth presentments. Portsmouth presentments are deferred till the quarter Court the first moneth. 2012.

Hampton presentments. Hampton presentments are deferred till the quarter Court the first moneth. 2013.

Hingham watthouse. Hingham meeting house for the present is allowed for their watthouse. 2014.

Batt. Christopher Batt for selling his servant his time is referred to the Court at Ipswich. 2015.

Marshfield & Toogood. It was ordered that John Toogood should be sent to his Dame the wife of Thomas Marsh 2016.
child at Pomfrett by Robert Thome, the father of the said Toogood having put him a
servant to Thomas Marshfield.

White & Wolcott. The Commission about Mr Edmond White and Mr Wolcott is renewed for Mr Deputy Bellingham, Increase Nowell and Mr Thomas Mayhew to examine the accounts. 2017.

Smith & Howard. Mr Collins Mr Sparkewate and John Wedge are desired to heare business betweene John 2018.
Smith and his father Henry Howard and examine accounts and settle things if they can, if
not to make reports to the Court, if there be cause.

Mr Humphry & Hobard. Henry Hobard for firing the barne of Mr Mr John Humphry, he was ordered to be sent 2019.
to Mr Humphry for 21. yeares from this day towards recompencing the losse.

2020. Samuell Crosford having bin much misused by his master Jonathan Wade, he is freed from the — Crosford & Wade.
said Mr Wade and is put to John Johnson for three yeares and to have six pounds wages p annum, — Johnson.
and for the other 1½ years it is referred to the Court.

2021. Richard Nicholls rate is referred to the Court at Yorkwick: — Nicholls.

2022. Daniell Baron is granted 10s. costs against Richard Robt, because he forbad him with a warrant and — Baron & Robt.
prosecuted not.

2023. George Richardson is granted 10s. costs against ~~Richard~~ James Smith, he having forbad him with a — Richardsone & Smith.
warrant and prosecuted not.

2024. Jonathan Wade is bound in 40li. to be of good behaviour. — Wade bon. pers.

2025. Mr Richard Parker fine selling ½ li. or ¼ li. of gunpowder to an Indian being ignorant of the Lawes — Mr Parker, pounds to Natives.
against it is respited till the generall Court.

2026. Mr Henry Webb his man Roger Cole fine selling 2li. of gunpowder to an Indian not knowing — Cole. powder
the Law is respited till the generall Court.

2027. John Stowe fine selling shot to an Indian not knowing the Law is respited. — Stowe. shott.

2028. Mr Thomas Clarke his man selling 8li. of shot to an Indian is respited. — Mr Clarkeman. shot.

2029. Richard Collicott forgetting the Law against selling Indians gunnes, having got two of — Collicott. locks of
their locks to be mended is respitted for his fine till the next generall Court. Michell — gunnes.
Willis is dischargeds being ignorant whose the locks were.

2030. Mr Henry Waltham his sonne being lately dead, and he discovering his sonne had given 3li. to — Mr Waltham. 3li.
the witches though no other knew of it, was discharged. — legacy.

2031. Goodman Button is allowed 10li. 8s. 9d. for the charge with Thomas Cleaveland. — Button. & Cleaveland.

2032. The Jury found Hugh Bunott to be guilty of heresy and that his person and errors are dange= — Bunott an heretick.
rous for infection of others.

2033. It was ordered that the said Hugh Bunott should be gone out of our Jurisdiction by the 24th — Bunott banisht upon
present upon paine of death and not to return upon paine of being hanged. — paine of death.

2034. The Court granted the Jury 12s. for their service. The names of the Jury that tryed Bunott — Jury rewarded.
were Edward Rainsford, James Browne, John Martin, John Raule, Thomas Cobbs, Daniell Browne,
John Driggolls, Griffin Crosse, Charles Johnson, Jonathan Negus, Richard Tredwell, Christofer
Wilson.

2035. It was ordered that Alexander Doricke should have 24. bushells of corne for Mary foned=
four the time past, and for the time to come a bushell of corne a week, and to have two —
blankets and a rugge to keepe her warme.

A Court at Boston the 28th of the 11th moneth 1640. present,

The Governor. — Mr John Humphry.
The Deputy Governor. — Mr John Winthrop jun.
Mr John Winthrop sen. — Mr Gervase Norrell.

2036. The will of Ann Pinting was given in and the witnesses deposed. — Ann Pinting testam.

2037. John Holland, Edward Burke and John Sherman being returned for Jurymen, and not ap= — Jury defaults.
pearing when they were called they were fined 5s. a peece.

2038. The will of Mr George Alcocke was given in and the witnesses deposed, and also the prizers — George Alcocke —
of the Inventory were deposed. — Testament.

2039. Thomas Hawkins for his turbullent speeches was enjoyned attendance but upon the petition — Hawkins.
of the gentlemen he was remitted.

2040. Samuell Sanders for swearing, cursing, lying, theft, and mutinous speech, was ordered to be — Sanders Sterth.
set on horse in the stocks to morrow and have a theft stuck on his tongue while the Court
thinks meete, and was committed the mean while.

2041. William Chapenter being chosen Constable of Weymouth for the ytew ensuing looke his oath — Weymouth Constab:
to that place belonging.

2042. John Rogge for his drunkenness, wastfulness and idleness was ordered to be committed to — Rogge. correction.
Lieutenant Dabenports till the next Court.

2043. Walter Knight forfeited his Recognizance of 5li. by not appearing. Thomas Dexter forfeited — Knight recognizance.
his recognizance of 5li. being bound for the appearance of Walter Knight who appeared not.

2044. Mr James Parker is allowed to marry Thomas Gilliffes and Mary Butterworth within a month. — Mr Parker. marrie.

2045. Ordered by consent of Henry Waltham merchant and Mathias the wife of Thomas Richards of — Mr Waltham &
Weymouth that all matters in difference hereafter mentioned shall be referred to Mr Thomas Mr Parker and Edward Bates of the same Towne, who by this Court have power or any five of — Mrs Richards. Reference.

them, to appoint a miller to trade the mill for both parties, to sett downe an equall value for the rent of ml Walthouse parte of the house, with she is to enjoy till her husband returne; if he returne this summer) to heare and determine all accounts and reckonings betweene them, for with and they or any two of them have hereby authority to examine witnesses upon oath, This to be in force till the next Court of Assistants./

A Generall Court holden at Boston the 30th day of Aprill 1629. by the Governor and Company of the Massachusetts Bay in New England.

2040 Whereas the Kings most Excellent Ma^ty hath his graciously vouchsafed to grant and establish vnd by his Letters Patents vnder the great Seale of England to be a body Corporate, entitulled the Governor and Company of the Massachusetts Bay in New England, and thereby hath endowed vs with many large and ample priviledges and immunities, with power to make Lawes and wholsome Lawes, Orders and Ordinances, for the better maintenance and support of the said priviledges, and for the better and more orderly and regular Government, to be observed in the prosecution and execution of our intended voyage, and the Plantation there; authorizing vs to nominate and appoint and constitute such person amongst vs selected for the managing ordering and governing of our affaires, both in England and in the place described and granted vnto vs by vertue of his Maties said Charter,

2045 Now know ye, in the prosecution of the said power and authority given vnto vs and in confirmation thereof, and to the purpose and intent therefe thought fit to settle and establish an absolute Government vnto, and to the purpose and intent therefe thought fit and ordained and Enacted by the sole and vnanimous consent of our Plantation in the said Massachusetts Bay in New England now by the sole and vnanimous consent of a full and ample Court now assembled, thought fit and ordained as followeth, viz:)

2040 That this Court of Assistants shall be vested the most wise honest & vertuous and discreet persons resident vpon the said Plantation; shall from time to time and at all time hereafter have the sole managing and ordering of the Government, and our affaires there, who to the best of their judgements shall endeavour so to settle the same, as may make most to the glory of God, the furtherance and advancement of this hopefull Plantation, the comfort encouragement and future benefit of vs and our posterity the Planters and vnderstanders of this so laudable a worke, The said 13. persons so ordained to be entitulled, by the name of the Governor and Counsell of Governor Plantation in the Massachusetts Bay in New England.

2045 And having taken into our consideration the merit, worth, and good desarts of Captaine John Endicott and others lately gone over from hence with purpose to reside and continue there, we have with full consent and authority of this Court and by election of hands chosen and elected the said Captaine John Endicott, to be the place of present Governor in our said Plantation.

2050 Also by the same power and with the like full and free consent, we have chosen and elected Mr Francis Higgesson, Mr Samuell Skelton Mr Francis Bright Mr Tom Dudley Mr Samuell Browne Mr Thomas Graves and Mr Samuell Sharpe these sober to be of the said Counsell and doe hereby give power and authority to the said Governor and those sober to make choice of three others such as they or the greater number of them, in their discretions shall esteeme and conceive most fitt thereunto to be also of the said Counsell.

2054 And to the end that the former Planters there may have no just occasion of exception as being excluded out of the priviledges of the Company, This Court are content and doe order by election of hands, that such of the said former Planters, as are willing to live within the limittes of our Plantation, shall be enabled and are hereby authorized to make choice of two such as they shall thinke fitt to supply and make up the number of 12. of the said Counsell, One of which twelve is by the Governor and Counsell or the major parte of them to be chosen Deputy to the Governor for the time being.

2052 And further the Court doth authorize and give power to the said Governor and Counsell or the major parte of them, whereof the Governor or Deputy to be allwayes one, to make choice of a Secretary and such other subordinate Officers to attend them at their Court meetings or otherwise as in their discretions shall seeme meete and needfull. And to the end that every one of the foremenated officers as well Governor Deputy and Counsell as others who they shall thinke fitt to nominate and choose may be the more carefull in performance of the charge committed into them, It is by this Court thought fitt and ordered that each of them shall take an oath provided to that place he shall be elected and chosen to, wch is to be administred vnto him or them at the time of his or their election or admittance into the said severall place or places.

2053 And we doe hereby authorize to administer vnto the Governor the oath to his place appertayning and that the Governor having taken his oath as aforesaid shall administer the Oath to the Deputy appertayning to his place, And we doe further hereby authorize the Governor or Deputy or either of them to administer the Oath to the rest of the Counsell and to all other the severall Officers respectively, wch said oathes are to be administred in a publike Court and not elsewhere.

2054 It is further constituted ordained by this Court, that the said Governor Deputy and Counsell before named so chosen and established in their severall places shall continue and be confirmed therein the parte of one whole year from and after the taking the Oath, or vntill such time as this Court shall thinke fitt to make choice of any other to succeed in the placed places of them or any of them. And if it shall please God that any of them or any other to be hereafter

chosen to any office there shall depart this life before the expiration of the time they were so chosen or for any misdemeanor or unfitness shall be held unmeete for the place he was formerly chosen unto, that then the Governor or Deputy and Counsell or the greater number of them at an assembly, that then the Governor or Deputy and Counsell or the greater number of them at an assembly assembled shall have power and hereby are authorized, not onely to remoove and displace such unfit person or persons, but also to nominate and choose a fitt person or persons to succeed him or them so detained removed or displaced as aforesaid unto the said place or places for the residue of the time unexpired.

And it is further agreed on and ordered that the Governor for the time being shall have power and is hereby authorized to call courts and meetings in places and at times convenient as his discretion shall seeme meete, with power is hereby also conferred upon the Deputy in the absence of the said Governor, and the said Governor or Deputy together with the said Counsell being chosen and assembled as aforesaid, and having taken their oathes respectively to their severall places, they or the greater number of them, whereof the Governor or Deputy to be always one are authorized by this Act grounded on the power derived from his Matts Charter, to make ordinances and to establish all manner of wholsome and reasonable Lawes, orders, ordinances, and constitutions so as the — same be no way contrary to the Lawes of the Realme of Englande for the administring of justice upon malefactors, and inflicting condigne punishment upon all offenders, and for the furtherance and preserving of the said Plantation and the more decent and orderly government of the inhabitants resident there.

At a Court of Assistants on Thursday the 21th of May 1629.

This Court taking into due and mature consideration how necessary it will be that a — 2055
Divident be forthwith made of some convenient quantities of land in the London Plantation in — New England both for the present accommodation of the people lately gone thither, as well to build them houses as to inclose and manure and to feede their cattell on, have thought fitt and ordered, that the Governor Deputy and Counsell there shall make a Divident according ly, and allott the same unto the severall inhabitants and at such as followeth viz:t

That 200. acres of land be by them allotted to each Adventurer for 40li Adventure in the 2056
Common stocke, and so after that rate and according to that proportion for more or lesse as the Adventure is to shewe they may build their houses and improve their labors — thereon. That every Adventurer in the Common stocke or his servant for him or on his behalfe shall make request or demand to the Governor or Deputy and Counsell to have a proportion of land allotted unto him, accordingly, and if within ten dayes after such request or demand made the same be not sett out and allotted unto him, then such person or persons are by vertue of this Act permitted and authorized to seate him or themselves and build his or their house or houses and inclose and manure grounds in any convenient place or places, not formerly built upon or manured, provided that the land so made choice of by any such person or persons doe not exceede in quantity the one halfe of the land which is to be allotted unto him or them by Divident according to this order above — written, with liberty also to the first Divident shall be made to take his or their allotment of land as ordered doe in lieu of this if in the meane time the first choice shall be disliked by them or any of them.

And for further explanation of this Act, it is thought fitt that if the platt of ground whereon the Towne 2057.
is to be built be sett out, and that it be publiquely knowne to be intended for that purpose, that then no — man shall purchase to build his house in any other place (unless it be in the Plattatiustis Bay, and there — according to such direction as shall be thought meete for that place and in case his allotment for building — his house, within the platt of ground sett out for building of the Towne, be not appointed unto him within ten dayes, after demand or request to the Governor or the Deputy and Counsell for the same, it shall be lawe for any being an Adventurer in the Common stocke or his servant for him or on his behalfe, to build his house in any place within the said platt sett out for the Towne, and to inclose to the quantity of halfe an acre of ground for each 40li Adventure in the Common stocke, unless a greater or lesser proportion be formerly determined by the Governor and Counsell, by which each builder is to be guidd and directed.

If it be further thought fitt and ordered, that all such as goe over in person, or send over others at their 2058.
owne charge, and are Adventurers in the Common stocke, shall have lands allotted unto them for each — person they transporte to inhabite the plantation as well servants as allotted 40. acres. Which 40. acres of land so allotted to servants or others is hereby ordered to be to and for the use of his Master or Father there being an Adventurer in the Common stocke, to dispose of at his discretion, in regard the master or is at the charge of the said servant and other their transportation, wages and otherwise. But for such as being no Adventurers in the Common stocke shall transporte themselves and their families,

If

2059. It is ordered that 50. Acres of land shall be allotted and sett out for the Master of the family, and such a proportion of land more if there be cause as according to their charge and quality the Governor and Counsell of the Plantation there shall think necessary for them whereby their charge may be fully and amply supported, unlesse it be to any with whome the Company in London hate or shall make any other particular agreement, to with relation is to be had in such case.

2060. And to the end every Adventurer may the more safely and peaceably enjoy their said lands allotted unto them or chosen by them, and the howses they build thereupon as aforesaid, It is thought fitt and ordered by this Court that Conveyances shall be made thereof unto each particular man for the said his possessions, in the Companyes name and the Common Seale of the Company to be thereunto affixed by the Governor and Counsell there at the charge of the Company, with Common seale is by this Court thought fitt and ordered to be committed to the charge and keeping of the Governour for the time being, and in his absence to his Deputy there.

2061. All which premises aforementioned the Company doe by generall consent ratifie establish, and confirme, And doe also order that Copies of those Acts shall be sent over to the Governor and Counsell there resident, subscribed by the Governor Deputy and six of the Assistants here, and Sealed with the Comon Seale of the Company.

2062. The Answere of me John Pratt to such things as I heare and receive objected against me as offensive in my letter. First, generally whatsoever I writ of the improbability or impossibility of subsistence for one selfe or one posterity without tempting God, or without extraordinary meanes; it was with these two regards, First I did not meane that with I said in respect of the whole Country or one whole Parkent in generall, but only of that remaine of ground, wherein their Towne was so thick sett together: And secondly I supposed they intended so to remaine, because upon conference with divers I found that men did think it unreasonable that they or any should remoove, or disperse into other parts of the Country, And upon this ground I thought I could not subsist my selfe nor the Plantation nor Posterity: But I doe acknowledge that since my letter there have bin judgy clared newly found out, as Plowbury Concord and others, and that with this Parkent with will affoord good meanes of subsistence for men and beasts, In with and other such like new Plantations, if the Towne shall be fewer and the bounds larger than those are, I conceive they may live comfortably. The like I think of Gomersroth, with the Plantations there now in hand. And what I conceive so sufficient for my selfe, I conceive so sufficient also for my posterity; And concerning those Towns here so thick planted, I conceive they may subsist in case that besides the conveniencies wch they have allready neare hand they doe improve themselves somewhat further off, and doe also apply themselves to and doe improve the trades of fishing and other trades. As concerning that intimation of the Commonwealth Builded upon reeds sands and saltmarshes, Truth I had not made it, because it is construed contrary to my meaning wch I have before expressed. And whereas my letter doe seeme to bee made the judgment of such as came before, as having more honesty then skill, they being scholiers, Citizens, tradesmen &c my meaning was not so generall as the words doe importe, for I had an eye onely to those that had made larger reports into England of the Country, than I found to be true in the sense aforesaid. And whereas I may seeme to imply, that I had altered the minded or judgments of the body of the people Magistrates and others, I did not meane this in respect of the goodnesse or badnesse of the land, in the whole plantation, but only in point of removall, and spreading further into other parts, they afterwards conceiving it necessary that some should remoove into other clared here and there of more enlargement. And whereas I seeme to speake of all the Magistrates

and people, I did indeed mean onely all those with whome I had any private speech about those things. Yet as for the barrennesse of the sandy grounds of which I speake of then, as then I conceived, but now by experience of mine owne, I finde that such grounds as before I accounted barren, yet being manured and husbanded doth bring forth more fruit then I did expect. Yet for the not prospering of the English graine upon this ground, I doe since that time so that Rye and oates have prospered better then I expected, but as for the other kinds of graine, I doe still question whether they will come to such perfection as in our native Country, from whence they come. Yet whereas I am thought generally to traduce all that have written into England by way of commendation of this land, as if what they had written were generally false, I meant it onely of such excessive commendations, as I see did operate, and are contrary to that with I have here expressed.

Yet as concerning that with I said, that the Gospell would be as dear here as in England, I did it to this end, to put some with intended to come hither onely for outward commodite, to look for better grounds, or else they looke this way.

Yet for some grounds of my retturning, with I concealed from my friends for feare of being hinte, I meant onely some particular occasions and apprehensions of mine owne, not intending to lay any great blemish upon the State, Yet whereas I did expresse the danger of staying here in our first lose of I did it onely in regard of the manifold crosses and businesse, wch here at first we meete withall. Yet with I finde in mine owne experience (and so I think doe others also) how hard it is to keepe our hearts in that holy frame wch sometimes they were in, where we had lesse to doe in outward things: but not at all intending to mooue it as necessary to our condition, much lesse as a fruit of our previous liberties, with we enjoy, wch rather tends to the quickening of us, we improving the same as we ought.

This my Answere according wch the inward consent and meaning of my heart) I doe humbly commend to the favourable consideration and censure of this Court desiring in this as in all things, to approve my selfe, in a conscience void of offence towards God and man. John Pratt.

Yet this Answer of John Pratt before written, voluntarily by him made, as we are witnesses, so doe we also joyne wthim, in humble desire unto the Court, that it may be favourably accepted. And what other sayings are in the letter, in regard of the manner of expressions (wch may seeme harsh, to suite wth these his interrogations) we doe desire the indulgence of this Court to passe over without further question. Peter Bulkley. John Wilson. Thomas Weld.

Whereas John Pratt of Newtowne being called before us at this present Court, and questioned for a letter wch he wrote into England, wherein he was said an ill report of this Country, Did desire respite till the next day to consider of his Answer, wch hath now delivered in this before written, wch upon his free submission and acknowledgement of his error, the Court hath accepted for satisfaction, and thereupon pardoned his said offence, and given order that it shall be recorded, and wch as desire to prevent those of may hate this same. John Haynes Governor, Richard Bellingham, John Winthrop, Thomas Dudley, John Humfrey, William Coddington, William Pynchon, Atherton Hough, Increase Nowell. Simon Bradstreet.

A Copie of the Oathes appertayning to the New England Company.

2068. You shall sweare to be good and true to our Soveraigne Lord the Kings Matie and to his heires and Successors, you shall be assistant to mr Governor, you shall supporte and maintayne to yor power this fellowship the Governor and Company of the Massachusetts Bay in New England and privileges thereof, having no singular regard to yor selfe in derogation of the commonwealth of the same, the statutes and ordinances wch are or shall be made by the Authority of the Assistants and Communalitie of the said fellowship, according to the lawe of the Patent for incorporating the same indifferently you shall observe; And transgressors and breakers of the same you shall reprove and punish, according to the true meaning of the said ordinance, the Booke and Scripture you shall truely to be lydy ed, not bearing yor love or hatred for friendship or mede, but to every person you shall be iust indifferent and equall, New customes statutes and ordinances you shall not make without the advise and consent of the Assistants and generallie according to the lawe of the Charter, you shall admitt none to be free of this fellowship, but such as may claime the same by vertue of our publiledges, you shall not bind your selfe to enter into any businesse or promise for or in the name of this fellowship, without the consent and mind of the Assistants, All these Articles you shall hold, and keepe to the uttermost of your power, So helpe you God so long as you shall continue in the place of Deputy of this fellowship.

The Governor and Deputies oath.

for the Governor.

you shall suppoute and maintayne to yor power this fellowship and Company of the Massachusetts Bay in New England and publiledges thereof.

2069. You shall sweare to be indifferent and equall to all manner of persons and to give yor best advise and Counsell for suppouting the commonwealth and fellowship of the Governor and Company of the Massachusetts Bay in New England, not sparing for love or dread favour nor mede, but according to the statutes and ordinances made and to be made essentially to assist the Governor his Deputy and Deputies and Assistants of the said fellowship in executing the said Statutes and ordinances being lawfull, you shall not to yor power suffer to be admitted into the freedome of this fellowship any person contrary to the lawe and true meaning of the Charter of the said Company, All these premises you shall faithfully endeavor to hold and keepe So helpe you God so long as you shall continue in the place of Assistant.

Assistants.

2070. You shall sweare to be good and true to our Soveraigne Lord the Kings Matie and to his heires and Successors and to the fellowship of the Governor and of the Massachusetts Bay in New England — and that you shall truely and truly receave and pay all manner of duties forfeitures bonds and other charges to the said fellowship belonging as farre as they may come to your hands and knowledge and you shall from time to time faithfully and truly account to and with the Governor and Assistants, or to and with certaine Auditors by them assigned for all matters touching receipts and payments, and other your charge done in your time, by you or yor assigned for the use of the said fellowship. So God you helpe.

The Treasurers oath.

2071. You shall sweare to be good and true to our Soveraigne Lord the Kings Matie and to his heires and Successors, you shall be obedient diligent and attendant to mr Governor and the Deputy and Company of the Massachusetts Bay in New England at all times convenient, you shall show your selfe friendly unto every one of the said Company, you shall faithfully and truly sett downe write, and register in the Companies Booke, all the Acts ordinances and Constitutions of the said fellowship, that from time to time they shall start ordaine and constitute, you shall not give out any Copie or Copies of any the same Acts without the assent of a Court of Assistants, you shall keepe secret all matters talke or conference had in any Court of Assistants or otherwise, the disclosing whereof may be prejudicial to this Company, And if you know any person or persons wch shall attempt any hurt or prejudice to the foresaid fellowship or publiledges of the same, you shall forthwith give knowledge thereof to the Governor or his said Deputy, All these things you shall truly hold and keepe to the uttermost of your power So helpe you God.

The Secretaries oath.

2072. You shall truly and duely warne the said Company to come to Courts and Congregations to be accounted by the Governor or his Deputy as often and when as you shall be hereunto willed and required by the Governor or his Deputy, you shall not to yor power suffer any hurt to the Company to stand or be within the hearing of the said Company when they are sett at any their Courts nor to come in before he be called for by the Governor or his Deputy, And if you know any person or persons ect as above.

The Beadles oath.

2073. You shall sweare that you shall well and truly serve the Company in the Office of Beadle, so long as you shall be in the said place, you shall daylie give yor attendance upon the Governor for the time being for the publicke service, and shall diligently and faithfully execute all warrants and other processes that shall be directed to you, you giving yor personall attendance at all Courts and other publicke meetings to serve the Governor Deputy and Assistants, you shall not discover any of the Counsels of the Court that by reason of your attendance, you may take notice of, and in all

things with concurrence yor Officer you shall performe the same with all diligence faithfullnesse and sincerity, so neare as God shall give you grace.

The oath of the Governor in New E.

You shalle faithfull and loyall unto our Soueraigne Lord the Kings Ma^ty and to his heires and Successors, 2074
you shall preserve and maintaine to your power the government and company of the Mattachusetts Bay in New England in Christ and the priviledges of the same, having no singular regard to yor selfe in derogation or hinderance of the commonwealth of this company, and to every person under yor Authority you shall administer indifferent and equall justice, statutes and ordinances shall you never make without the advice and consent of the Counsell for the Government of the Mattachusetts Bay in New England, you shall admit none into the freedome of this Company, but such as may stayne the same by vertue of the priviledges thereof, you shall not binde yor selfe to enter into any businesse or covenant for or in the name of this Company without the consent and agreement of the Counsell aforesaid, but shall endeuor faithfully and lawfully to carry yor selfe in the place and Office of Governor, as long as you shall continue in it, and likewise you shall doe your best endeuor to draw on the natives of this Country called New England to the knowledge of the true God, and to conserve the Planters and others coming hither in the same knowledge of the true God, and you shall endeuor by all good meanes to advance the worke of the Plantation and praise of God, and you shall endeuor the rayse of such commodities for the benefit and encouragement of the Adventurers and Planters as through Gods blessing on your endeuors may be produced for the good and welfare of the Kingdome of England, this Company and their Plantations All these premises you shall hold and keepe to the uttermost of your power and skill, so long as you shall

The Deputy Governor.

continue in the place of Governor of this Fellowship, so helpe you God.

The oath of the Counsell in New E.

You sweare to be faithful and loyall to our Soueraigne Lord the Kings Ma^ty, and to his heires and 2075
Successors, you shall from time to time give yor best advice and Counsell for improving and maintaining the common wealth and Corporation of the Governor and Company of the Mattachusetts Bay in New England, not sparing for lore nor dread nor hatred nor mind, but according to the Statutes and ordinances made and to be made by vertue of the Charter of the said Company, shall effectually assist the Governor or his Deputy and Counsell of the said Company, in executing the said Statutes and ordinances, having no singular regard to yor selfe in derogation of the Commonwealth of the same, All these premises you shall honor and truly keepe to yor power so long as you shall continue in the place or office of one of the said Counsell, so helpe you God.

The oath of the Governor.

You shall be faithfull and true to our Soueraigne Lord King Charles, you shall in all things carry and 2076.
demeane yor selfe for the time of yor Gouernment according to the Lawes of God, and for the advancement
This oath is also to be administered to the Deputy Governor.

of his Maties Royall, and the good of the people of this plantation, you shall doe justice to all men, to the best of yor skill without partiality, you shall not speake (as much as in you lyeth) the limitations of a Governor.

The oath of Assistants. May 14th 1634.

You shall sweare or that being chosen an Assistant in the Government of this Body Politicke for this 2077.
yeare next following, you shall beare true faith and allegiance to our Soueraigne Lord King Charles, and you shall doe equall right and justice to all, and shall assist in all the publicke affaires of the Commonwealth faithfully and truly according to the authority and duty of yor place, so helpe you God.

The Treasurer's oath.

I A B being chosen Treasurer for the Mattachusetts Bay for this yeare and until a new be chosen, 2078
doe promise to give out warrants with all conuenient diligence for collecting all such summes of money as by the Court hath bin or shalle be appointed, and shall pay out the same by such summes and in such manner as I shall be lawfully appointed by the said Court, if I shall have it in my hands of the common Treasury, and shall reuoke the names of such Constables as shall be faylyng in their office in not collecting and bringing to me such summes as I shall give warrants for, so helpe me God.

The oath of a freeman or of a man to be made free.

I A B being by the Allmighty his most wise disposition become a member of this body consisting of the 2079.
Governor Deputy Governor Assistants and Communalty of the Mattachusetts in New England doe freely and sincerely acknowledge that I am justly and lawfully subject to the government of the same, and doe according=ly submit my person and estate to be governed ordered and ordained by the Lawes and constitutions thereof, and doe faithfully promise to be from time to time obedient and conformable thereunto and to the Ho=nourly of the said Governor and Assistants and their Successors, and to all such Lawes orders Sentences and decrees as shall be lawfully made and established by them or their Successors, And I will alwayes endeuor as in duty I am bound to advance the peace and welfare of this body or Commonwealth, to my utmost skill and ability, and I will to my best power and meanes seeke to detect and prevent whatsoever may lead to the ruine or dammage thereof, or of any the said Governor Deputy Governor or Assistants or any of them

them or their Successors and will give speedy notice to them or some of them of any sedition violence treachery or other hurt or evill wch I shall knowe heare or vehemently suspect to be plotted or intended against the said Commonwealth or the said government established. And I will not at any time suffer or give consent to any counsell or attempt that shalbe acted given or attempted for the impeachment of the said government, or making any change or alteration of the same contrary to the Lawes and ordinances thereof but shall doe my utmost endevor to discover oppose and hinder all and every such counsell and attempt, so helpe me God.

2080. I A B &c being by Gods providence an Inhabitant and Freeman within the Jurisdiction of this Commonweale, doe freely acknowledge my selfe to be subiect to the government thereof, and therefore doe heere sweare by the great and dreadfull name of the everliving God, that I will be true and faithfull to the same, and will accordingly yeild assistance and supporte thereunto, wth my person and estate, as in equity I am bound, and I will also truly endevor to maintaine and preserve all the liberties and privileges thereof, submitting my selfe to the wholsome Lawes made and established by the same, And further that I will not plott nor practise any evill against it, nor consent to any that shall so doe, but will timely discover and reveale the same to lawfull authority now here established for the speedy preventing thereof, Moreover I doe solemnly binde my selfe in the sight of God that when I shall be called to give my voyce touching any such matter of this State wherein Freemen are to deale, I will give my vote and suffrage as I shall in mine owne conscience judge best to conduce and tend to the publicke weale of the body without respect of persons or favor of any man, So helpe me God in the Lord Jesus Christ.

The oath of a Freeman agreed upon at the Generall Court May 14th. 1634.

2081. I A B. &c being by Gods providence an Inhabitant within ~~this~~ the Jurisdiction of this Commonwealth doe freely and sincerely acknowledge my selfe to be subiect to the government thereof, and therefore doe heere sweare by the great and dreadfull name of the everliving God that I will be true and faithfull to the same, and will accordingly yeild assistance and support thereunto wth my person and estate as in equity I am bound and will also truly endevor to maintayne and preserve all the liberties and privileges thereof submitting my selfe to the wholsome Lawes made and established by the same, And further that I will not plott nor practise any evill against it, nor consent to any that shall so doe, but will timely discover and reveale the same to lawfull authority now here established for the speedy preventing thereof, So helpe me God in the Lord Jesus Christ.

The oath of Residents.

2082. You shall faithfully endevor wth all good Conscience to discharge this trust committed to you as you shall apprehend to conduce most to the safety of this Commonwealth, you shall not by any sinister aimes or for any partiall respects or private ends doe any thing to the hinderance of the effect of any good and seasonable Counsells. You shall appoint or remove no officers, by any partiality or for personall respects or other prejudice, but according to the merit of the persons in your apprehension you shall faithfully endevor to see that martiall discipline may be strictly upholden, not easing or burdening any otherwise then you shall judge to be just and equall, you shall use yor power over mens lives as the last and onely meanes, wch in yor best apprehension shall be best for the publique safety in such case &c. So helpe you God &c.

The oath of the Commissioners for Martiall discipline.

Persons made free the first mo: anno 1638

Tho: Spencer
Tho: Bonnes
James Moulton
James Cooper
Henrye Stacy
Joseph Dandelow
John Symonds
John Gidney
Mirha: Sworder
10. John Pearce
Nicho: Wigley
Daniell Woodward
Samuell Symonds
Mr Tho: Flint
Richard Crickin
John Hurst
George Harwood
Tho Floyd
George Norkett
20. Edward Tamson
Henrye Rust
David Fliske
William Wilson
William Lukin
Tho: Lithgoe
Henrye Cattle
Persons made free the 2 day of the third mo: 1638

Samuell Dickinson
Robert Cattle
Tho: Dickinson
30. Edward Johnson
John Bringhurst
Isaac Myers
Henrye Hemball
William Nicholson
Henrye Son
Nicho: Dyam
Samuell Rathbone
Abraham Son
John Yatman
40. Robert Williams
Humphrey Atherton
Gabriell Meade
Jabez Tomkins
Richard Hanes
Alexander Miller
Joseph Wilson
Michaell Wooles
John Sill
George Willis
50. Tho: Sweetman
Edward Hall
Mr William Hubbard
Richard Hamlin
William Harwood

Mr John Alleyne
Mr Edward Allayne
Mr Jacob Wheelwright
Mr William Tyng
John Lauson
10. John Heavy
Eleazer Lusher
John Huntry
Robert Lynsall
Edward Longe
John Smith
Henrye Phillips
Mr Joseph Parker
Henrye Smith
Edward Gilman
20. Tho: Hooper
John Veale
Henrye Chamberlin
Tho: Flaxe
John Palmer
John Cowes
Henrye Webb
James Matthews
John Cattle
Thorowgh Wilson
30. Henrye Lobinar

Marke Symonds
Thomas Parkinson
Thomas Carter
William Knight
George Taylor
John Gould
Tho: Elliot
Daniell Poore
William Willard
40. William Thorne
Abraham Dayam
Henrye Hunt
John Browne
Henrye Marshall
Tho: the 7 the of the mo: 1638
Mr Nathaniell Eaton
Tho: the 8 the 7 the the Magistrates of Ipswich hadgeon to give mr Nathan: Ply his oath of fidelitye
Persons made free the 8 the of the 7 the mo: 1638
Thomas Hale
Richard Smyllet
Steven Fosdick
10. Nicho: Browne
Zagariah Fiske
Tho: Redwell
George Giddings

William Corbum
Edward Bates
John Rogers
Christopher Bate
Samuell Newman
Mr Robert Peck
10. Edmund Greenlife
Tho: Lullby
Nicho Potter
Ephraim Nicholes
Robert Morriam
James Bennet
John Whitman
William Palmer
William Easton
Tho. Moulton
20. Richard Swayne
William Wadfield
Tho: Foands
Made free the 14th 9 mo 1638
Nicholas Butler
Mr Tho: Wills
Mr Edward Hilliard
Mr Richard Sadler
Mr Edward Grosell
Tho: Townsend
Edward Bakes
30. Henrye Barnes
Nicholas Potter
James Boutwell
Richard Wells
William Langley
Robert Parsons
Godfrey Armitage
Arthur Forest
Joseph Poll
Tho: Layton
40. William Partridge
Roger Shaw
Robert Daniell
Geoffrey Archer
Christopher Layne
Robert Steedman
George Neeze
Edward Burham
Joseph Morrsam
Tho: Browne
50. George Howlo
William Buffo
Henrye Brooke
Henrye Farnell
Roger Drake
John Miles

Persons made free the 14th 9 mo: 1638

Seth Switzer
Isaac Bolt
John Wilsonall
John Maudeley
10. Joseph Farnworth
William Good
William Clarke
Tho: Gilberman
Tho: Clarke
Mr Endicot and Mr John Winthrope called older to give Mr Hanmuell Downing the oath of fidelitye
Persons made free the 27th the 9 mo: 1638
Mr William Sargent
Mr Tho: Hankins
Mr Samuell Freeman
Tho: Martin
10. Nicho: Page
Mr Samuell Symplon
Steven Gunder
John Ogood
George Proctor
John Mascolwhit
Steven Kent
John Immyson
Tho: Downe
John Moulton
Hallmy
Richard Walford
Tho: Puggis
Joseph Shaw
Francis Moore
Walter Simonds
William Longstreete
Henrye Phillips
Tho: Grotte
William Adams
10. Tho. Sayle
John Alderman
Griffin Bowen
John Spoode
Richard Wolley
John Clark
Giles Firman
Joshua Cobb
Benjamin Flowton
Francis Sarford
20. Edward Dorr
William Hoske
Edmund Blessf
William Osborne

men made free the 15th of the 3d mo 1640

Jean Miller
George Holmes
James Atwood
John Robbit
Richard Dorset
Edward Bridge
210. Walter Blackborne
Joseph Fowet
Roger Porter
Tho: Firman
Nathaniell Chapell
John Stet
James Burt
Hugh Walton
John Smith
Sydnery Swan
220. Tho: 23th 3d mo
Mr Edwd: Rogers
Mr Nathan: Rogers
Robert Saunders
Mr Nathaniel Warrenhaute
Mr Tho: Nelson
Lib 6th the 4th mo
1639 made free
Stowen Pamis
James Carrot
Tho 6th of the 7th mo
1639 made free
Mr Tho: Emes
Mr Denis: Roapes
230. Rob Swinston
William Bird
Laurence Southirt
John Grose
John Rogge
John Edgley
Luke Howard
Anthony Sables
Tho: Mayn
Edmond Bridge
240. Richard Mollen
Robert Turbs
Robert Saunderson
Mr William Worthington
Sydnery Murham
John Saunders
Tho: Bradbury
Tho: Lambe
Tho: Barton
Tho: Mitchell
250. Maximi: Jewet
Francis Parrat
Richard Swan
Robert Wakefield
John Wakefield
Francis Lambert
William Drakes
John Burbanke
William Boiton
John Parrot
260. Mirtha Thompson
George Gilborne
Mr Tho: Lortmore
Mr Tho Grands
Mr Francis Willoughby
Edward Larkin
Tham Paulo
John Pentirus
John Martin
William Philbob
270. Abraham Gill
Edwards Wood
Mr William Hame
John Hudswood
James Standish
John Johnson
Mr Edward Nessing
Mr Thom Turbs
Mr William Stowens
John Hairofield
280. John Barbolor
Robert Elwell
Tho Watson
Marke Jarmais
Tho Watchemyle
Jeremy Hurkenet
Jonas Hunchorgos
Tho: Tilleman
George Weeks
John Farnum
290. Richard Simmonto
Richard Withington
Richard Sufos
Clement Taylor
Bowen Anderson
John Bowlis
Edward Hasson
William Chanler
John Hall
John Lumbie
300. Edward Bamstead
Joseph Wheeler
Timothy Wheeler
John Chandler
Symon Rogers
Mirha: Wood
John Merrill
George Browne
John Norwirk
Edmond Pitt
310. Francis Smith
John Harding
William Barrenter
John Holbrooke
Nicholas Phillips
Tho: Barber
Samuell Butterworth
Robert Martin
Matthew Prate
Robert Tyas
320. Tho: Pirkards
Henery Browne
William Bedford
Tho: Arnall
William Howard
Abraham Pottmis
Joseph Minge
Arthur Clarke
James Davis
Mr Edward Browne
330. Peter Noyes
Walter Hayne
Edmond Fire
Tho: White
John Hammonds
John Lont
Edmond Goodner
Tho: Ffri
John Wood
John Tudbot
340. John Fow
Mr William Gibbens
Arthur Perry
Valentine Hill
Francis Syge
John Ford
Nathaniell Williams
John Howrit
Peter Rider
John Yonderik
350. Anthony Stodard
Samuell Sherman
George Butich
Bitton Flark
Mr William Compson
George Jones
Steven Knight
John Jaggett
William Potter
Gregory Porter
360. Tho: Platt
James Coppy
Thomas Flatman
Edward Dixbox
William Ellis
Martin Saunders
John Jeades
William Andrews
John Stidman
Edmond Anger
370. Richard Francis
John Chumball
William Mannings
Edward Collins
Richard Hoppe
Nathan: Ashish
Myrtiall Medcalfe
Ferdinando Adams
Francis Chirborne
William Bullard
380. John Bullard
Henery Smyth
John Moso
Daniell Fishes
Joshua Fisher
Richard Barbor
John Stratton y.d:
the 7th day of the 8th mo 1640
Mr Samuell Dudley
390. Josias Cobbit
Edmond Gardiner
James Jaikes
Henery Sanks
Robert Hunter
William Stirkney
John Page
Samuell Morse
Tho. Wright
Robert Emigs
400. Isaac Bulwell
William Hudson
James Nivor
Tho: Hamter
Edward Gilder
Mr William Bellingham
Mr William Cooke

A quarter Court holdn at Boston the 2nd Day of the first m. 1641

Present

The Governo[r]	Mr. Coddington
The Deputy Go[r]	Mr. Winthrop in
Mr. Winthrop	Mr. Stoughton
Mr. Endicott	Mr. Deadley
Mr. Humphrey	Jarvis Mowell

2084. Christopher Grant for his Crueltie vpon of his Seruant Nicholas Billiard was fined ten pounds and bound to his good behaviour. Daniel Church and John Stebbin bound themselues in twenty pounds a peece for Grants good behaviour till the next quarter Court

2085. Robert Coleman A Jury man not Appearing was fined fiue shillings eight pence

2086. John Legg vpon the Iorisdiction of Samuell Brames and Thomas Wiburne they hauing the peoples in their Collection for those Iorisdiction which hee was let haue to keepe till hee went for England and they to deliuer them to his vse:

2087. Walter Edmonds being Chosen Constable of Dorrell did take his oath

2088. Susan Starr is granted Administration of the estate of her husband Thomas Starr and the Inuentory of 47 li. 6 s. 7 d was shewed in Court

2089. Richard Wadsworth vpon Sasion of the death of Robert Baker was fined ten pounds to the wife and children of the said Robert Baker his negligence being the occasion of his death

2090. Robert Bartlet Apparitor and there a mistake in the presentment was dischargeb

2091. Robert Kendall being tryed by the grand Jury was not found guilty

2092. Henery Palmer bound himselfe in fourty pound for his Peices good behauior and Appearance at the next quarte Court Onlesse goe from boing with child and fitt to come abroad

2093. Mr. John Woodcroft is fined twenty pound for his unfitt Carriage and bound to his good behauior Also the forenamed John Woodcroft is to pay twenty pound of the fourty pound which hee forfeited for want of Will Dell his appearance

2094. Walter Knight a seaman was fined ten pound for his rude speech and Contemptious for iorisdiction hee made vnto a bill of a [illegible]

2095. Richard Fenton is put to John Veale for eight years from the first of the 11th m: last past with mine consent

2096. An attachment was granted against Nicholas Parons Dattell for the payment of his rent to Mr. John Coggan

2097. John George is put to Mr. John Winthrop iun: for eight years With his owne Consent

2098. Summons and Attachment was granted against the estate of John Hampson

2099. The difference betweene Mr. William Tyngs and Mr. Robert Thompson is referred to the Arbitrement of Mr. Foulo and Capt: Gibbons

2100. Mr. Richard Bumo has his fine of 5 s remitted the presentment being vpon A mistake as was testified

2101. Thomas Carter jun: and Edward Jaques being Chosen Constables for Charles towne did take the oath apointed to that place

2102. John Johnson of Roxbury is giuen from Trayning in regard of other publite seruice without any pay to the Company

2103. Thom. Roop was inioyned to pay 5 s or appeare at the next Court

A Court at Boston the 2th of the 2d m: 1641

Present

The Gouernor	Mr. Humphrey
The Deputy Go:	Jarvis Mowell
Mr. Winthrop: jun:	

2104. Daniel Wilson for his rude abuse of his Mr. Tho: Chipchence in base Reuiling speeches and refusing to obey his Lawfull Demands was Conuicted to be seuerely whipped

2105. Edward Hare it being Confessed that his m. Confessed hee was not to bee turned ouer nor sense his wife if hee beget the said Edward was fined by the Courte

2106. Mr. Joseph Kings for enormoll speeches and obscene speeches was sharply reprehended and for distemper in drinking wine hee was fined forty shillings to bee payd within ten dayes to the treasurer

2107. Mr. Henery Pitts for his enormoll speeches and obscene and fined for drinking wine excessiuly fourty shillings to bee payd within ten dayes to the Treasurer and was sharply reprehended for his speeches

2108. William Browne for his obscene and filthy speeches was sharply reprehended and Admonished not to use such base speeches

2109. Nathaniell Wheeseman was inioyned and fined to appeare at the next Court

2110. Thom. Turner Thom. Collier and John Butten bound themselues in forty pound apeire to appeare at the next Court to Answer for the things laydn vpe of John Larkes Daughter

2111. The. Bagaley for letting his seruant his time Contrary to order of Court was fined ten shillings

2112. Michell Baron sent vpon the Certificate of Richard Peters Esqr. Mason William Williams and Thomas Hastings that full satisfaction hath bene giuen was dischargeb it being borne to bee a mistake of Ignorance

2113. John Warnes for some distemper in drinking wine was required to give ten shillings which hee consented to

A quarter Court held at Boston the first of the 4th mo: 1641

The Governor	Mr. Humphrey
The Deputy Gov:	Mr. Bradstreet
Mr. Nowthrope join	Mr. Nowthrope sian
Mr. Dudley	Mr. Winthrop
Mr. Bellingham	Jno. Nowell

Edward Johnson of Charlestown being warned to serve upon the Jury and not appearing was fined 2114.
5s shillings eight pence
James Hart for making an Indian drunke was fined twenty shillings 2115.
Mr. John Long for his distempered drinking and giving unto others is fined three pound 2116.
A warrant was ordered to examine all that were company thing of the Pearls and send a perfect inventory and many doubtfull things as to take the advise of Mr. Cotton, Mr. Winthrop and Mr. Norman 2117.
John Whitney was chosen Constable of Watertowne and took the oath
There was granted goodman Hunt Martin indorsing John Whitney Henery Lombard and John 2118.
Deitherby a lowance for 83½ yards of cloth valued at 12 pence p yard
Hans Abell being presented for being drunke it being found to be a mistake shee was discharged 2119.
Mr. Edward Tomlins retracting his opinions against singing in the Churches was discharged 2120.
Thomas Patterson for want of proofe was referred to Mr. Endicot 2121.
Edward Adams was enjoyned to returne to his wife and being questioned for other things was 2122.
discharged for want of proofe
The Towne of Roxbery is minded to make a sufficient way betwene the burying place and the gate 2123.
upon paine of 20 shillings forfaite
Also Roxbery is enjoyned to repaire the other way over the swamp towards Dorchester mill upon paine 2124.
of 20 shillings forfaite
Ipswich was enjoyned to repaire there wayes by the next quarter Court upon paine of forfaiture 2125.
10 pound for the way to Salem for there way towards Rowley they have six monthes to repaire
Cambridge was certified to have repaired the way towards Concord 2126.
Cambridge for the way betwene Watertowne and Roxbery is enjoyned to repaire it within six 2127.
monthes upon paine of 3 pound 6 shil: 8 pence
Weymouth Sporticue way is certified to bee mended 2128.
Salem is enjoyned to amend the short swamp within a Mo. and the other wayes within six months 2129.
upon paine of 5 pound forfaiture
Boston is enjoyned to mend there wayes upon paine of 20 shillings 2130.
Watertowne is discharged and Nm is discharged 2131.
Salisbury was enjoyned to amend there wayes upon paine of 20 shil: forfaiture 2132.
Salisbury for want of weights and measures is fined 2s 6 pence 2133.
Rowley was enjoyned to mend there wayes within a month upon paine of 20 shil: forfaiture 2134.
Dorchester way to be mended upon paine of forfaiting 20 shillings 2135.
Hampton for want of weights and measures is fined 2s 6 pence 2136.
Ordered to pay ten shillings for neglecting Sabath and not Observance 2137.
The wife of Robert Lows is for her disembouring the name of god Condemned to bee whipped 2138.
Enoch Hunt for his omitting praiting and supplication was enjoyned to make restitution and pay the 2139.
witnesses and fined three pound
Weymouth is remitted the three pound fine about neglecting there hogs 2140.
Roxbery is remitted the ten pound fine for neglecting there hogs 2141.
Robert Lows and John Wadge were discharged the presentment being mistaken there Answer being 2142.
judged reasonable
Jonathan thing for ravishing Mary Crossfield was sentenced to bee severely whipped here and 2143
at Ipswich
Cambridge was enjoyned to give Wigua: Sachim so much Corne as to make 30 bushells and 4 bushels 2144.
for the last years and this
Christopher grant appearing was discharged from further appearance 2145.
Elder White appearing was discharged 2146.
John White was fined 10 shillings for selling strong water to Indians 2147.
John Whitmore is fined 10 shillings for selling his servant his time 2148.
Abraham Burrell is fined five pound for selling his servant his time 2149.
Samuell Sheaman is fined 20 shillings for selling his servant his time
The Wife of Richard Carter appearing shee was Admonished and enjoyned to bring her husband to 2150.
bee bound for her good behavior
William Pilsbery and Dorothy Pressey were bound to the good behavior to appeare at the 2151.
next Court bound in ten pounds and hee was enjoyned to worke with goodman Wilcott 2 dayes in
the weeke and with goodman Thing one day in the weeke for five yeares
Mr. Burson was referred to the Court at Salem 2152.
Sarah Pitsbourne for her great misbeomanor and foule miraviage was Sentenced to bee fouly 2153
whipped to wear an iron Collar in the Court house and serve his Mr. 3 weeks longer for lost
time and trouble of his Mr.
Mr. John Young bound himselfe in 20 pound to behave himselfe well and to appeare at the next 2154.
quarter Court
John and Elnor Poiere were admonished to get better orders to bee kept 2155.
William Knap for selling beare 2 years unlicenced was fined 5 pound 2156.
Alexander Work was granted 3 bushells of Corne more then a bushell a week for his trouble 2157.
with Mary Jeans
Henery Webb and Anthony Stutter Surgeon of Boston had granted them power to gather in 2158.
the estate of Paul Young and to pay the debts and to give a count.

2159. John Barnes was mistaken to pay ten shillings or a record at the Court to Ingmar for a grand distemper in limbing to much which he not appearing is to pay

A generall Court of Elections held at Boston the ground day of the 4th Mo: 1641

present

The Governor — Mr Wallenstall
The Deputy Go: — Mr Winthrop fun:
Mr Winthrop junior: — Mr Broadstreet
Mr Dudley — Mr Coggeshall
Mr Humphrey — Eccles: Cowell

Deputyes

Mr William Gibbons — Mr Tho: Mayhew
Mr William Tyng — Capt Will: Tenison
Capt: Robert Bridgmat — Richard Sutton
John Tyng
Mr Tho: Scottow — John Tyng
Mr Edward Downing — Mr Edward: Allen
Mr William Hathorne — Eleazer: Mather
Mr John Whipple — Mr John Glover
Mr George Cottings — Humphrey Atherton
Mr Edward Gallard — John Johnson
Mr Richard Walker — Joshua Hewes
Mr John Woodbridge — Samuell Dudley
Nathan Jones — Stephen Knight
Benjamin Knott — Henry Smith
Mr Samuell Dudley — Mr Joseph Hart
John Cross
Walter Wayne — Mr James Parker
Mr Tho: Flint
Left: Symion Willard — William Carpenter

2160. Mr Richard Bellingham Esqr was chosen Governor for the yeare ensuing and did take the oath belonging to that place

2161. Mr John Endicott Esquire was chosen Deputy and tooke his oath

2162. Mr John Winthrop soni: was chosen an assistant and tooke his oath
Mr Tho: Dudley Esqr was chosen an Assistant and tooke his oath
Mr John Humphrey Esqr was chosen an Assistant and tooke his oath
Mr Richard Saltonstall Esqr was chosen an Assistant and tooke his oath
Mr John Winthrop junr was chosen an Assistant and tooke his oath
Coggeshall Cowell was chosen an Assistant and tooke his oath
Mr Symon Broadstreet was chosen an Assistant and tooke his oath
Mr Daniell Denison was chosen an Assistant and tooke his oath

163. The order formerly made for Aloneing A 100 pound pr Anno: to the Governor is revoaked — Governr allowance

2164. The order for giveing 40 shillings a peece for Dockes killed with dogs and 10sh. a peece for wolves Wolves killed other wise is revoaked — wolves

2165. Mr Gibbs was ordered to Answer Mr Gorrishes Letter a Scribing to the directions in Boyn John Glover and Humphrey Atherton are appointed and authorized to lay out the way in difference at Braintree — Braintree high-way

2167. It is ordered that the Treasurer shall pay the debts of the Country at a days a reckoning as before by the former order for such debts to balance things for which the Marshall is to Receive the Treasurer a pound the Marshall a shill — 464 Country Debtes

2168. It is ordered that officers fees and other debts are — offi:

2169. Mr John Woodbridge Mathew Hinges John Cheeseborough and George Cottings they foure or any three of them are appointed to get out the bounds between Ipswich and Newbury and Newbury alias Newerall they are to determine the bounds which Mr Dudlie and his Company are to view as a grante to a village if they have thoughts upon it the next generall Court in the 8th Mo: — Haverill bounds Salisbury

2170. It is ordered that every towne shall get out there bounds within 12 Mo after there bounds are granted 5:427 — 465 Towne bounds

2171. Thomas Hamlet John Whipple and Mr Dummers are to view where Romsey may have there Addition without prejudice to Corbituate and to determine the bounds between them — Romsey

2172. The Governor is appointed to raise all the rates and to take notice what may be fitt to be revoaked what to be rectified and what to stand and to make returne to the next generall Court — fines

2173. Mr Broughton Mr Duxbury Mr Glover William Parkes and William Parkes are appointed to settle things between Ipswich and the plantation to be settled at Nantascotet — nantascotet

2174. Whereas the last generall Court in October last there was an order made for the indeavoyment of

Common-Cloth

the making of Common Broadcloth and Cotton Cloth for which purpose it was then ordered that every person who should make any such cloath the same cloath should be valued and the matter thereof should have 3 pence allowed him for every shilling worth of cloath so to be made by him

Whereas the Deputyes of this Court have given us notice that it is the generall desire of the freemen of the townes who have sent them to this Court and betrusted them with the affaires of the Common Wealth that all publicke charges which may be spared should be taken off the Country as being over burthensome to their short wants

It is therefore ordered by the Magistrates and Deputyes of this Generall Court now assembled that the said order made the 5th mo. last shall from and after the 10th day of the 8th mo next be repealed and anihilated and be then of none effect Provided nevertheless that if any person shall make it appeare to this Court that hee is damnified by occasion of the said order the Court will consider of due recompence

A repeale $ 454

The Answer to the Petition of Mr. Pynchon and others of Springfield upon Connecticott exhibited to the generall Court holden at Boston 2d of the 4th mo 1642

Springe-field

The petition being readd in the open Court and the records and other Writtings viewed and referred to a Comitte to bee further examined upon there report the matter was againe debated by the Whole Court and agreed that Answer should bee given thereunto as followeth

Whereas the said petitioners do certifie us that some of those neighbours and friends upon Connecticott have taken offence at them for adhering to our government and withdrawing from that upon the river supposing that they had formerly bene dismissed from this Iurisdiction or interest in Agawam now Springfield: and for proofe hereof they alledge some passages in a Comission granted by this Court in the eight mo: 1639 to the said Mr. Pynchon and others for the government of the inhabitants upon the said River and certaine Articles supposed to have bene peroundered to them by same passages alle in Contrary Articles supposed to have bene peroundered to them by Authority of this Court: It is hereby declared

First That the said passages in the said Comission as they are expressed in the petition are misrecited so as the true scope and intention is thereby altered and Whereas the words in the Comission are they are referred to transplant themselves in the rentall it is to plant themselves: against it is said that those noble personages have interest in the river and by vertue of there patent doe require Iurisdiction there in the rentall it is that not so large that it belongeth to there Iurisdiction: against 3d in the Comission it is provided this may not bee any prejudice to those noble Ld: in the rentall it is that nothing should bee done or intended to the prejudice of the Lords or their intendments

Secondly that the said Comission was not granted upon any intent either to dismise the persons from 1st or determination of any thing about the limits of Iurisdictions the mia. is an hundred and six owne limits being as then unknowne therefore it was granted onely for one years and it may rather appeare by our granting such a Comission and there accepting of it at alle by that Clause viz: till some other course were taken by mutuall consent 3d: that we intended to reserve and interest those upon the river and that themselves alle intended to stand to the condition of the first Articles of departure given to the inhabitants Which was that they should remaine still of our body

Thirdly for those Arguments which they draw from those articles rectified in the petition wee answer that they were peroundered and drawne out onely by some of the magistrates of each party without any order or allowance of this Court and therefore what some those Magistrates might intend thereby the intent of the Court cannot bee gathered from any thing therein but in those articles which were agitated and brought to same issue in our generall Court at Cambridge in the 4th mo. 1638 where there Comissioners were present. Springfield then called Agawam was designed by the Court thereby ere sion of same estate seeming to belong to us and it was then agreed by the Court and yeilded unto by those Comissioners that so much of the river of Connecticott as should fall within the bounds of our patent should continue under our Iurisdiction and it was then taken for granted that Springfield would fall within our bounds: and those articles had then bene fully agreed one by the Court and their Commissioners had there not bene some question about those grantings as free passage on the river in ye Lords interest as they alledge

It is now hereby ordered that William Pynchon Esq for this yeare shall hereby have full power and Authority to governe the inhabitants at Springfield and to heare and determine all causes both Civill and Criminall that reach not to life limbe nor Banishment according to the lawes here established provided that in matters of weight and difficulty it shall bee lawfull for any person to appeale to the Court of Assistants at Boston if so they prosecute the same according to the order of this Court provided also that those trialls bee by the oathes of men until they shall have a greater number of inhabitants for that purpose

wild-Hemps

This Court taking into Consideration the want of Cloathing that is like to come upon us the next winter and not finding any way to supply so great a Cotton which was found not like to bee provided in sufficient for the present want and sufficiently withall from the certaine knowledge of diuers of the Court that there is a kind of wild hemp growing plenty fairly all over the Country which if it were gathered and improved might serve for a present supply till Cotton may bee had

It is therefore ordered that the Deputyes of this Court shall take order in there generall towns that speedy notice bee given that all Masters of families of the fact with hemp with direction when to gather it and how to use it and for there encouragement they may well export that what they shall gather more then they shall bee is likely to bee taken of from them for some have already offered to take a good quantity at 2 pence the ll and to pay ready money for it as the members of this Court can informe any who shall desire to sell any of the said hemp

at the rate aforesaid. and it desired and will bee expected that all masters of families
should see that theire children and servants should bee imployed as at theme
lings and seemings and other seasons may not bee lost as formerly they have done and if it bee
so continued with certainty they is to poverty but that the honest and profitable Customs
of England may bee practised amongst vs so as all hands may bee imployed for the nothing
out of honour and flax and other needfull things for cloathing without abridging any such
servants of times but for food and rest and other needfull possessings

Servants & childrens Imployment even & morninge

2180. It is ordered that the last Committee which were formerly appointed should heare and settle
things in Ipswich

Committee for Ipswich

2181. It is ordered that no butcher or other shall kill any Calfe to bee sold between the last of
the 7th mo: and the first of the third mo: upon paine of forfeiting the value thereof pro
vided that this order shall not extend to such as shall kill any Calues for their own use al
though they should part with some part thereof to some of their neighbours

4 66
A restraint of Butchers from killinge of Calues

To prevent the great disorder in the Power trade

2182. It is ordered that no fforeigner within this Iurisdiction shall trade in ffurrs or Wampam with any
Indians upon penalty of the forfeiture of the same to the Company and this Court doth a
point Lieut Willard John Woolman Richard Collicott and Mr Cobb that they shall receive into
their custody of which number it shall bee lawfull for Boston to present 3 or 4 Charles
towne and each other towne one which they shall not refuse without just Cause and this
Court doth give liberty to these ffreeman to trade with the Indians in all manner of Comodityes
except guns powder shott and weapons: for which they shall give into the Treasury the
Twentyeth part of all ffurrs by them so traded a Goldinge as they shall arise to them and
that they shall take off all the Wampam from the Collectors provided it exceed not 20s
and to make payment for it And they shall have liberty to make orders for the ordering of
the trade in Power and that this Court shall support and upholde them in all their lawfull
undertakings and that they shall buy all theire Comodityes within this Iurisdiction this
order to begin within one month after the publishing of the same which shall bee within one
moneth of this Court ==

4 67
The Company of the Traders for Furrs, wampancke
A revenue to the publick-treasurye
Liberty to make orders
y Court support of y^e^ Whiche they shall buy Comodityes

At the Generall Court in Boston the 2d of the 4th mo: 1641

2183. Leiff: Willard or his assigne the Leaser hereof hath order from this Court to demaund and
receive all such wampampeg as it doth pass to vs from our part of the tribute from the Block
Islanders and all other Indians and the Rivages thereof in whose hands soever the same shall
bee and to give discharges for the same and to give a Count thereof to this Court for all
which this shall be sufficient warrant

Tribute from Block-Island

2184. Leiff Willard Sergant Colcot and Mr Coleman with goodman Woodward are desired
to lay out the fourth lot or any three of them so as goodman woodward bee one

The bounds of ye Patent

2185. And these have order to certify our freinds of Connecticott that if they please they
may send some with them

2186. Leiff Willard and his associates have order to treate with the Pequots to see if they
may bee brought to bee tributaryes

Tribute from Pequotes

2187. It is ordered that there should bee a Comission from the Governor given to Leiff:
Willard and the rest of the Traders to demaunde all servants from the Indians

Comission

2188. The order against selling strong Water to the Indians so farr as Connecticott thereof
traders is repealed

A repeale
Traders in Boston may sell strong water to the Indians

2189. The traders for Power have the trade granted to them for three yeares

from the Generall Court at Boston the 4th mo. 1641

Sir

2190. It is precious to vs to meete with any occasion that might cause difference to arise be
twixt your people and vs standing in so near a relation of friendship neighbourhood
and Christianity especially therefore our duty is when any such arise to labour the
removing of them upon the first appearance now it is that we have been informed that
you have given leave to some of yours to set up a trading house at Pocquot which is
known to bee within our patent being as much or more to the north than Springfield we heare
also that you have granted to Mr Robert Saltonstall a great quantity of land not fair beneath
Springfield which we conceive also to belong to vs we desire you to consider of it as
that we apprehend to bee an injury to us and bee as such right in Justice hereof as you
would expect from vs in a like case we purpose we shall not make to use other argu
ments. we know to whom we write we have thought meete upon these occasions to
intimate further unto you that we intend by your leave to know the certainty of our
limits to the end that we may neither intrench upon the right of any of our neight
bours nor suffer our selves or our posterity to bee deprived of what rightly belongeth
unto vs which we have will bee without offence to any and upon this we may have
same ground of proceeding in our further treaty with you about such things as may con=
cerne the welfare of vs all these things we leave to your consideration and shall
expect your answer in the meane time we rest =

A letter to Connecticott for intrenchment upon Bounds

The 14th of the 4th mo. 1641

2191 Whereas some Lords knights Gentlemen and others did purchase of Mr Edward Hilton
and of some merchants of Bristol 2 patents the one called Norehamot or Hiltons point
Lomenie Dallot or known by the name of Dover or Northam the other patent set forth
by the name of the fourth part of the river Pataquack beginning at the sea side or
neare thereabouts and comming round the said land by the river unto the falls of
Quamsett as may more fully appeare by the said grant And whereas also Posing at

at present with in the limits of both the said grants have of late and formerly Complay
not of the want of some good government among st them, and besides some hopes in this interim
from the Jurisdiction of the Massachusets Bay whereby they may be ruled and ordered
according unto gods both in Church and Comon Weale And for Avoyding of such unsufferable
disorders whereby god hath bee much dishonored Among st them those Gentlemen whose
names are here Sheriff George Willis Cont: Robert Saltonstall Cont: William
Writing Edward Jaliard Thomas: mate seaat partners in the said patent do in the
behalfe of the rest of the patentees Owners of the lands and Jurisdiction of the Ylands as
followeth being willing to further such a good worke have hereby for themselves and
in the name of the rest of the patentees given up and sett over all that power of
Jurisdiction or Government of the said people Dwelling or abiding within the limits of
both the said patents unto the Government of the Massachusets Bay by them to bee ruled
and ordered in all causes Criminall and Civill as inhabitants Dwelling within the limits of
Massachusets Government and to bee subject to pay in Church and Comon wealth as
the said inhabitants of Massachusets Bay doe and no other and the freemen of the said
two patents to injoy the like libertyes as other freemen doe within the said Massachusets
government and that there shall bee a Court of Justice kept within one of the two
Patents which shall have the same power that the Courts at Salem and Ipswich have
provided always and it is hereby declared that one of the said patents that is to say
that one the South side of the river of Naragansquack and in the other patent one third part
of the land with all mineralls and in the said patent to the Knights and Gentlemen and
Owners shall bee and remaine unto them their heirs and assignes for ever as there proper
Right as having true interest therin saveing the interest of Jurisdiction to the Massachusets
Bay the said patent of Norhampton shall bee divided as formerly is expressed by in
different men equally chosen on both sides whereby the plantation may bee furthered
and all offaults of Different Landyes

The Patentees at Piscataqy doe assigne over their Jurisdiction to the Governm^t of the Matachusetts

And this Honnored Court of the Massachusets doth hereby promise to bee helpeful to 2192
the maintenance of the right of the said patentees in both the patents in all legall ways
in any part of their jurisdiction

Subscribed by the forenamed Gentlemen in the presence of the gen
erall Court Assembled this day afore written

468

Whereas it is Desired by this Court to save the Country of all unnecessary Travells and charges 2197.
it is ordered that there shall bee 4 quarter Courts the magistrates of Ipswich and Salem with such
others to bee joyned in Commission with them as this Court shall appoint not hereby any other magistrate
that will hereby them this liberty to take effect after these next quarter Courts shall bee ended at
Salem and Ipswich two of these quarter Courts to bee held at Salem and the other two at Ipswich
the first Court to bee held the last third day of the 7^ber at Ipswich and the second the same
time the former Courts were the next quarter at Salem the third quarter at Ipswich the fourth
at Salem and the magistrates of Ipswich and Salem to attend every one of these Courts but no
Jurymen to bee warned from Ipswich to Salem nor from Salem to Ipswich to each of these seaates a
grande Jury shall bee warned and sworn and these Courts to have the same power both in Civill and
Criminall causes the Court of Assistants hath at Boston: except Trials for life limbs or
Banishment which are wholy referred to Boston Court: Provided it shall bee lawfull to
Appeale from any of these Courts to Boston and it shall bee in the liberty of any plaintiffe that
hath an action of above an Hundred pound criminall debt to try his cause in any of these Courts or
at Boston the Jurors of these Courts to Defray the charges of the same and the overplus to bee retu
ned to the treasurer for the publike

Ipswich quarter Courts to bee kept at Salem Ipswich

who magistrates

where Jury-men

how Grand-Jurys

The Power of these Courts Criminall Causes

Appeales from

what debt

liberty to appeale

Charges of the Court

Ashbilbury and Hampton are joyned to the Jurisdiction of Ipswich and each of them to send 2104
a grande Jury man once a yeare to Ipswich

This Court having taken into Consideration the Scarcity of money and the great Abatement of 2195.
the prices in Coine Bills and other Comodityes of the Country whereby it is impossible that men
should bee able to give such wages to Servants and other labourers and workemen as formerly
so as many think better to lay aside their business and employments which would tend to the
ruine of the Plantations and Comon wealth: then to Grant the small Remainder of their stat
for the maintenance of others in such a way as will not add them some small recreaseence
and it is therefore hereby declared that it is thought equall that all Servants labourers and workemen should 2196.
bee content to abate their wages a shilling to the fall of the Comodityes wherein their labours are
bestowed and that the should bee satisfied with such things for payment as are rayled by their
labour or other Comodityes which the Country affordes and that they are to bee content to
take part now in this present scarcity as well as they have had their advantage by the plenty
of former times: and this Court shall account it great opposition in any that shall trans
grese the intention of this order and will have them severely bee with a Cordinally

wages of Servants and labourers are to be moderate.

In what they are to be paid

Nantascat a fishing Plantation

It is ordered that a plantation for the furthering of fishing shall forthwith bee set upp 2197.
at nantascat and that all the rest to the end of the furthest Ipswich towards Lynnham
where the tide overflowetth shall belong to it And that such of the plant inhabitants
of Lynnham as will follow fishing and will remove their habitations thither shall have
land and meddow upon Nantascat next according to the order now established and that
all other men that will follow fishing and remove their habitations thither shall have
such Accomodations there as the plantation will afford And that it shall bee lawfull for
any other fishermen inhabiting in any other of the Townes within the bay to set up
stages upon Nantascat or any of the Ylands belonging thereto with sufficient ground 226
for the drying of their fish

Liberty for all fishers there

And that there shall bee a long net at the first to enclose beaste which shall use fishing 2198.
Foure Oxen allowance for a beast

Foure Oxen of Ipswich for this plant and the meddow to bee divided by an equall proportion
Amongst such as shall have Lottes and it is further ordered that Mr. Stoughton Mr. Dunran
and the Elders William Heathe and William Parkes or any three of them Mr. Stoughton
to bee one shall in convenient time repaire to nantascat and set out the lands and
meddow there according to the meaning of this order and it is further ordered that the
Island called Nobacks Island and the other Islands there not otherwise disposed of shall

belong to Nantasckett to bee to the vse of the inhabitants and fishermen so long as they shall come to inhabite there

2199. And this Court or some of the Court at Boston shall from time to time appoint some two or three able men to set out land and page some &c: to such as shall come to inhabite or fish there: and in the mean time the Comissioners aforenamed or three of them as aforesaid shall dispose of the same: provided always that no person shall bee placed in possessing in any part or portion there though the same bee allotted to them: before hee bee a settled inhabitant there and in a course of fishing — Settled Fishermen are only to bee the Possessors of land at nantasckett

2200. It was ordered that John Scattock should allow barto to Mr Gibbons 20 shillings for smarm over paid for the worke formerly done

2201. And John Davis was admonished and injoyned to pay the Witnesses

2202. This Court knowing found by experience that our former endeavors to grant honourablenesse to well deserving persons hath bee a spur to petitions and importunities in that kind: it is now ordered that this Court will hereafter grant no Honourablenesse except on extraordinary occasions and when there is money in the Treasury sufficient and our debts first satisfyed — Benevolence

2203. Also the encouragement of such as will adventure in the discovery of mines: It is ordered that whosoever shall bee at the charge to discover any mine in this Jurisdiction shall enjoy the same with a fitt portion of land to the same for 21 yeares to their proprietye: and after that time is expired this Court shall have power to order so much of the benefit thereof to publike vse as they shall thinke equall and that such persons shall have liberty hereby to purchase the interest of any of the Indians in such land where such mine shall bee found provided that they shall not enter any mans proprietye without the owners leave — Mines — The Priveledge of the first discoverers

2204. Whereas Comissioners are appointed by this Court to heare and determine small causes in towns: It is ordered that if the said Comissioners shall at any time desire the helpe of any one of the next Magistrates: and hee shall have Authority to repaire thither at such times as hee shall think fitt to give his Advise to the said Comissioners and to minister oathes to Witnesses for the better dispatch of all such Causes a Shilling to bee paid — Tryall of small causes in townes — Towne Courts

2205. Whereas by former order all military Companyes in the generall townes are to bee trained 8 dayes in a yeare it is now ordered that the officers and souldiers generally expected: shall have power within their severall Townes to appoint what dayes and times they shall find to bee most fitt for ancoyding of loss of time and the great unitye of the fittheame of Englaunder and other business of the Country: so as the whole bee amount to 8 dayes in the yeare — Teamingses by whom appointed for ye 8 dayes

2206. And it is also ordered that the military officers in every Company shall appoint what armes every man shall bring to the Trainings so as two thirds of every Company bee furnished with muskets provided that every person shall bee provided with a musket a Shilling to a former order — The officer appointed the armes to teame with. Plimoth must have muskets.

2207. Whereas by former order the surveyes of the Armes are to view the penalty for default of powder and other Munition and armes: It is now ordered in regard that money is now grown that every such person who shall have no money to provide powder shallbee exempt from the penalty if hee shall bring to the surveyes so much Corne or other Commodityes as shall bee valued by the said officers to bee worth so much powder: which hee shall beform a Shilling by When it may bee had. And for other defects as the want of a bullet or two or some other parcell of such things as are subject to loose and exchange any Magistrate may apportion the penalty a Shilling to the nature of the defect — 470 — The fine thirtie fine is to be apportioned

2208. It is ordered that fishermen should have there fish for baite at the same rate that others haue at the Doores and bee first served — Fishermen

2209. It is desired that the Elders would make Catechisme for the Instruction of youth in the grounds of religion — Chatchisme

2210. It is ordered that ouer Treasurers accounts should bee made up and delivered in to the last Treasurer within 6 moneths — 471 Treasurers

2211. And it is ordered that Mr Tynge should gather up the Arrearages which the last Treasurer hath left of the rates in his time and to close up his accounts within months

2212. It is ordered the Hampton Dedham and all the out Townes should each of them have a barrell of gunpowder for which they are to give satisfaction to the Treasurer — Poudre allowed to Townes

2213. To Assist at Salem Court Mr Emanuell Downing Mr William Hathorne Mr Willis and Mr Edward Holiock are appointed — Assistants at Ipswich & Salem Court

2214. To assist at Ipswich Court Mr Symonds Mr Hubbard Mr Dumer Mr Willis Mr Bellingham and Mr Dudley are appointed for to order small causes at Newbury Mr Woodman Mr John Olivier and Mr John Woodbridge are appointed — Tryers of small causes in Townes

2215. To order small causes at Ipswich Mr Tho. Firmin Heigh Willard and Richard Crippin are appointed

2216. for Cambridge Mr Joseph Cooke Mr Samuell Shepard Mr Edward Cogg are appointed

for Dedham Mr Edward Alleyn John Dingsley and Henry Shirley are appointed

for Dudbury Mr Noyes Edmund Goodnow and Edmond Pike

for Watertowne Capt Benison Mr Mayhewe Mr Browne are appointed

for Hampton John Crane Christopher Hussey and John Moulton and one of these to see people tryed in marriage in a publicke meeting and keep Records of the same

for Weymouth Mr Parker Edward Bates and William Hobart and Mr Parker in a publicke meeting to see people tryed in Marriage to keepe a record thereof =

for Ingham Mr. Hook Antho: Eames and Edmond Hubbert: joni: and Mr. Hook to goe
people forth in Marriage and to keepe Records thereof
for Wobolsury Mr. Batt: Mr. Dudley and Mr. Nington and one of them to goe people forth
in Marriage and keepe Records
for Braintree Mr. Humphrey Richard Wright and Samuell Basse
John Johnson is dismitted to Lynnie and sworn for all the Countrey Armes and to goe to 2216.
the disposing of them
It is ordered that John Humphrey Esq: shall bee Sergent Maior Generall 2217
It is ordered that Wampanoage shall pass Warrant at 6 a peny for any sume under ye 2218.
472 Wampam 472 pay 6 a peny pound for debtes hereafter to bee made
Jane Hawkins Jane Hawkins is misgoned to departe away to Morton morrow and not to returne again
hither upon pane of Corporal Punishment or other such punishment as the Court shall think fit
meete and for fines stand bound in 20 pound to Henry Roe a way a Bond to other 2219.
Fines consigned It is ordered that Capt: Eldgwit should have what fines are meet fitt upon fourth and third 2220
of them
Grand-Jury-men It is ordered that all Grandjurymen to bee warned against the 7th mo next that stand also the 2221.
first month after: and to receive their Charge the 7th Mo:
Run-away Indians how to be restrained It is declared to bee the mind of the Court that if the Indians doe not barke our run-aways then 2222.
by Comission from the Governor and any 3 of the magistrates to send and take so many as to satisfy for
the wrong done and for the charge of sending for them
It is also ordered that if any harme bee done by the Indians to the English in their battle the 2223.
Governor with the same number of magistrates aforementioned to give power to recover satisfaction
Damage in Cattle by Indians how to be satisfied and the like for such damage as hath been done formerly
The order for the Banishment of Capt: Underhill is repealed 2224
Repealings Capt Underhill
The bounds for Charles towne village are to bee set out by Capt: Cooke Mr. Nyland and Mr. 2225.
Plymouth Bounds John Oliver the Contents of 4 miles square
Repealings The law for no Fmunitys to bee granted to any new plantation is repealed 2226.
Charles towne Village is granted two years fmunitys from publicke rates from the end of this Court 2227.
Free from Rates for such Ships as they have there only
Mr Haines Farme Richard Dolbert his fine of 10 pound is remitted to 10 shillings 2228.
Fine for Selling powder to Indians mitigated Mr. John Oliver Mr. Edward Alleyne and William Parks are apointed to view the bounds of Mr. 2229.
Jons farme and certify the Court
Mr. Richard Parker is remitted his fine of ten pound to ten shillings 2230.
Mr. Tho: Blacke is remitted his fine of 10 pound to 10 shillings 2231.
Mr. Tho: Mayhew and John Bridge are apointed to Confider of the difference about the line 2232
The line between running between Cambridge and Watertown and if they cannot agree they are to chose a third
watertown & Cambridge man to settle things according to the former order
It is agreed that Mr. Mayhew shall injoy 150 acres of land on the south side of Charles river by 2233.
Mr Mayhew 150 acres settled Watertown Ferry
It was Agreed that the wood and Timber upon Cambridge ground doth belong to Cambridge 2234.
onely the Court desireth our brethren of Cambridge that our brethren of Boston might take the wood
and Timber which they have felled and prepared to take it away within one yeare 2235
Shawsin given to Cambridge for a village Shawsin is granted to Cambridge provided they make it a village to have 10 families there settled
within three yeare otherwise the Court to dispose of it
Estates in E. ferd from rates It is ordered that Estates in Land in England should not bee rated here in publicke Ingagements 2236.
Mr. Tho: Mayhew and Mr Joseph Cooke are to set out the 500 acres of Mr Outhams for Mr. Ind 2237.
Mr Cradock 500 acres Dorr neare mount Feake
It was ordered that Nicholas Danison should have in his 100 pound bill 2238.
It was ordered Mr. Crabbers rates should bee forborne till the next Ships come and then it is to 2239.
be paied to Mr. Stoughton and Mr. Gauttorne to Consider and give order in it
It was moved Mr. Ribbons and Mr. Lucytmore are to tell where it may bee most Conuenient 2240.
473 A foote-way in Nodles-Island
It was ordered that a foote way should bee set out through Nodles Island which Mr. William
Mr Makepeace his farme Mr. John Oliver Mr. Edward Alleyne and William Parks are apointed to view and settle Mr. make 2241.
peace his farme of 200 acres
Mr. Shove his fine of 10 pound is remitted to 10 shillings 2242.
Mr Mullomas gt of 200 acres There is 200 acres of land granted to the heirs or assigns of Mr. Abraham Mollones 2243.
Lessen Liens claimed John Stone and Edwards Mosier are allowed 7li 10s for lost in 30 pound north of Boone received for 2244.
the fishing money
Stacunck in difference between the Bay & Plymouth It was ordered to Sgarunke neare Providence should bee accepted under our Government if it 2245.
fall not in Plymouth patent And Mr. James Walker is apointed to goe to plymouth to Inquire and
see those patent and take a Copy of it and Mr. Gorham is to Visite to plymouth about it
Farmes Mr. Honour Webb is remitted his fine of ten pound to 10 shillings 2246.
It is ordered that all farmes that are within the bounds of any towne should bee of the towne in which 2247.
Meadfield they lye except meadfield
Richard Beard is granted freedome with the Consent of his Mr. 2248.
Robert Kimsead is remitted the fine he was liable to 2249.
Mr Hough gt of 100 lackes Mr. Nathaniel Hough is granted two acres for his 20 pound adv: 2250.
Sr Ri: Saltingstall of 500 below Springfield There is 500 acres of ground granted to Sir Richard Saltonstall Knight to bee set out by Mr. 2251.
Mr. Smith & Mr. Gorham Surveyed if it fall within our patent
It is Concluded that Tymo: Hawkins hath nothing done to him in Justice so nothing is to bee 2252.
Timothy Hawkins showed him but if he will put in Security to pay 40 pound he is granted the house to take
away and bringe of it provided he give his answer in within a month =

2253. 474 Whereas it hath appeared to this Court that there hath bene much difference in the Countrye in the apraisement of Cattle which is conceived to arise from the different rules men have gone by in such apraisments this Court hauing weighed the great inconuenience which may follow vpon such apraisments have thought fit to declare what they conceiue is the true rule to be followed in such cases: viz: that it is not to bee judged the market or true price which cattle are sold or bought by vrgent necessity to sell a beast for: but what benefit may arise by the milke and increase of a Cow or labour of an ox Charges of hay considered and it is hoped that all men will endeuor to frame their Conuersc according to this rule

Howe to sett a price on Cattle

2254. Whereas Samuell Winslow hath made a proposition to this Court to furnish the Countrye with salt at more easie rates then otherwise can bee had and to make it by a meanes and way wherby hitherto hath not bene discouered it is therefore ordered that if the said Samuell shall make the same for one yeare for vpon the said worke he shall enjoy the same to him and his assigns the space of 10 yeares so as it shall not be lawfull to any other person to make all the same way during the said yeares prouided nevertheless that it shall bee lawfull for any person to bring in any salt or to make salt any other way during the said terme

A monopoly of salt makeinge for 10 yeares to Sam. winslowe 474

2255. John Turner James Hubbon and John Porter are remitted there fines which they forfeited for want of quarrelles

2256. Cart: Bodywick is ordered to take Care of the Castle this yeare insuing to keepe the first of the 4th mo. and hee is to agree with the quarrel and his man allowing them 250 bushels of Indian Corne and the Cart: hath granted for their necessarye vse.

Castle Island allowance

2257. 475 Whereas for the better entering of all orders of this Court It is hereby ordained and established that all orders of this Court which shall bee made any day of the same shall before the Court arise that morning not morning

475 ye daylye reviewing of ye Courts Orders

2258. Whereas the Lords and Gentlemen Patentees of Pouer and other parts of land vpon the Pyuer of Pisctaqua have passed a grant of the same to this Court to bee for ever annexed to this Jurisdiction with reservation of some rate of the said lands to their owne vse in regard of propriety: It is now ordered that the present Governor assisted with two of the other Magistrates shall put Possession to some meete persons to goe to Pescataque and give notice hereof to the inhabitants there: and take order for the establishing of Gouernment in the said plantations or limits thereof: and to reduce into this Jurisdiction all other inhabitants vpon the said Pyuer as may and shall submitt thereto

Pescataque

2259. The Court doth intreat leaue of the Church of Salem for Mr. Potters of the Church of Newberry for Mr. Wells and of the Church of Boston for Mr. Ribbons for to goe for England vpon some weighty occasions for the good of the Countrye as it is conceiued

Mr Peters Mr Wells sent for E.

2260. The Gouernor the Deputy Gouernor Mr. Dummer Mr. Winthrope senr: Mr. Humphery Saussage Mr. Nathaniell Gorham Mr. Ribbons and Mr. Bozman are appointed to state for a small Consideration the way from Dunstable to the Written Hoe

The high-way to winnesimett

2261. The Court desires Mr. Gouernor Mr. Denury Mr. Dummer Mr. Bulley Mr. Stoughton Mr. Nathaniell Gorham Mr. Ribbins and John Johnson with any other of this Court that will to meet a meeting to the Elders to Consider of the Jurisdictions and after Counsell with the Elders the Governor to appoint the time and place

Convention for Jurisdict. 2261

2262. William Clarke Inholder hath liberty to entertaine a Ordinary and Stable

Wm Clark Inkeeper.

2263. Mr. Parker of Weymouth is allowed to sell his strong Waters

2264. Arthur Sandon is allowed to keepe a victualling house at Marble head

Mr Parker sell wine Arthur Sandin

2265. The Court giueth leaue to publish the declaration of the present state of the Country with Counsell

The state of Country

2266. Mr. Tynge the Treasurer is freed from ordinary Trainings

2267. The Court gaue order to imploy William Choughough and Richard Wright to gett a team of Oxen for Mr. Edward Allerton

Teamsters dismissed from Teaming from Oake.

2268. Weymouth is appointed to pay 6 bushells of Corne onely Mr. Parker is to bee free

weymouth payment.

2269. Mr. Tynge is chosen Treasurer for the yeare insuing

2270. Francis Nowell is chosen Secretary for the yeare insuing

officers choose.

2271. The business of Connecticut rate is referred to the quarter Court

2272. The Gouernor and 2 other Magistrates have power to agree with the Marshall and the keeper of the prison

2273. The Toll of Mr. Mayhews bridge is referred to the Gouernor and 2 Magistrates to settle for 7 years

2274. Squantums neck and Monsons Moone are layd to Dorchester

Toll for a bridge Dorchester gift.

2275. It is ordered that our last Turner should have 200 bushells of Corne at the Salem with such fines as can bee gott in

2276. It is ordered that where farmers fence the partition fence is to bee sett Betweene the owners and if the one party fence and the other neglect and his grass bee spoyled to bee damage

Fencing in fencing by farmers 475

October 10th 1658

2277. The observation taken for the most southerly parts of this patent going along by Charles Ryuer was found to lie 41 deg. 17 mi of northerly latitude: where we took observation the Ryuer did runnin southerly but was for want of necessarye tools not at that time try the utmost end of the Ryuer Nathaniell Woodward Mathematician Mr. Dalton William Worlmin John Flint Frank Mr. Dalton Servant: //////

Southerly Bounds of the Patent set forth.

It being found by experience that the course of elections hath need to bee brought into some better order the freemen coming so great a multitude as will bee ouer burthensome to the Country (and the day appointed for that service will not afford sufficient time for the same) And the way of votes as it is called it found subject to many inconveniences and ill use of ex[illegible] and abuse in the Country. 2278

It hath bene therefore considered by this Court that some other way should bee propounded to the freemen of the Country that by their abuse and bouzent some order may bee established at the next generall Court in the 8th mo: the way which this Court hath thought one is that in every towne which is to send a deputy to the Court the freemen to meete before the Court of election and for every ten freemen to chuse one to bee sent to the Court with power to make election for all the rest and in this way to bee at liberty whether they will goe all together or vote seuerally or to vote so as every one that hath 10 votes shall bee an elector and Magistrates and elders to vote with their votes as other freemen. 2279.

The Course of Elections intended to be altered.

The Deputyes are to carry the copy hereof to the seuerall townes and to make returnes at the next Court what the mind of the freemen is herein that the Court may proceede accordingly. 2280.

Made first the 2d the 4th mo: 1641

Mr. Anthony Langdon	Miles Ivall	Michaell Howell 2281.
Mr. Richard Dugleff	Samuell Corning	Joseph Knightberry
Mr. John Alleyn	Jonathan Porter	John Draper
John Maiers	Richard Patmore	Nathaniell Salborne
Richard Neath	John Goodnow	John Elis
John Boie	William Browne	30. Edward Richards
John Stevens	Samuell Shepun	Beniamin Smith
Mr. Adam Winthrope	Christopher Stanley	Austin Gillham
William Barnes	20. John Harrison	Thomas Hayne
10. John Harrison	Thomas Dauenish	Timothy Dwight
John Cornell	Walter Harris	Henrry Dillon
Thomas Davies	Ellis Barnes	Samuell Balden
John Emery	William Parker	William Fuller
Samuell Plumer	Philip Veren	Euan Thomas
Moses Payne	John Palmer	Abell Pratt
Daniell Wells	Richard Parker	40. Beniamin Snell
Samuell Willis	Edward Tyzoe	William Hunt
Francis Eliot	Nehemiah Lewis	William Bateman
Robert Fay	60. Francis Lewis	Elias Kirman
20. Frank Willson	Robert Briggs	William Cooper
Nicholas Wood	John Baker	Nathaniell Halgood
John Herbert	Robert Coole	Nathaniell Willing
Thomas Dale	Lownsdy Saufer	Beniamin Turner
Andrew Pirkes	William Diff	Richard Fire
Robert Holmes	William Briffe	James Bload
Soulden Moss	Richard Stanford	110. Thomas Clarke
Richard Butter	Hugh Walker	John Hall
Folk Hogendon	Henrry Herder	Thomas Buttolph
William Woodbury	70. Charles Blower	Francis Doyle
30. William Deares	Robert Ward	John Smooth
Philemon Dirbonsen	John Baker	Arthur Gill
Ezekias Peake	Mirha: Warbrill	Thomas Elington
John Robinson	John Farnsen	George Merian
Thomas Gardiner	John Deane	John Heard
Thomas Marston	Edward Browne	George Wheeler
Richard Bartholmew	Daniell Barnes	120. Obediah Wheeler
Thomas Poulk	John Fremlton	Francis Bloyse
Thomas Wilbar	Symon Compson	Thomas Marshall
Richard Robinson	80. Robert Day	Henrry Shirdley
40. John Warton	Andrew Haggis	Nozjun Alleyn
Robert Fuller	Jacob Cooper	
	George Bullard	
	William Blanchard	

A Court at Boston the 29th of the 4th mo: 1641

Present

The Gouernor	Mr. Dudley
The Deputy	Mr. Mr. Humphrey
Mr. Winthrope	Mr. Stoughton

Inter: Nowell

George Lenon being Absent when he was called to serue upon the Jury was fined 5 shillings 2282.

James Laurence for going out of his Masters house in the night unseasonably against his express order 2283.
was sentenced to bee sharply whipped and also for keeping Company with that Lewd Woman =//=

2284. William Hillsbery for defileing his Masters house was Sentenced to bee Whipped

2285. Dorothy Hillsbery was Sentenced to bee Whipped for her unkindness and defileing her Masters house

2286. Mary Osborne for her wicke Miscariage injuring her husband, iurist filthy and other abuses was Sentenced to bee sourely whipped

2287. Mary Fetton the wife of Benjamin Fetton for her generall theefts from Mr Nobb Mr Parker Mr Gibbs and Mr Edwards man to the value of 3 pound 10 shillings and 11 pence the things were restored and her husband undertake and bound himselfe to restore the value of the goods taken away to each of them

A Generall Court at Boston the 4th 7mo 1641

Present

The Governor
The Deputy Governor
Mr Winthrope Jun:
Mr Dudley

Mr Humphery
Mr Saltonstall
Mr Stoughton
Mr Broadstreet

Jurisdcc Norfolk

2288. Thomas Gaskon Jun: Sungatle of Charlestowne is fined 6 shillings 8 pence for daunning the Iurymen to late and for a wrong day which was two days to late

2289. Edward Larkin being warned to serue upon the Iury and not appearing is fined 5 shillings this fine is remitted the Constable mistaking and warning upon a wrong day

2290. The rates of Wharfidge and Anchorage are referd to the generall Court to bee brought in by the towne of Boston

2291. William Quells is mulcted in 10 pound to answere for oppression

2292. Mr Nicholas Denise for his misdariage in Court is fined 40 shillings

2293. Thomas Owen for his Adulterous practise was Sentenced to bee sent to the gallows with a rope about his neck and to weare the bridle an houre the ropes end throwne over the gallows and so to returne to prison

2294. Sarah Wales the wife of William Wales was Sentenced for her misdariage to bee Carried to the gallows with the ropes about her neck and to sit an houre upon the ladder the ropes end throwne over the gallowes and after to bee banished

2295. William Hampden hath liberty to fell 200 trees one the other side Charlestowne so that it bee not in the limits of any towne

2296. Anthony Stodder Confessing his fault in his unfaithfull speech to the Governor in Authority of him is fined 13 1/4 pounds

2297. Capt: John Underhill being indicted upon proclamation no witnesses Comming in hee was acquitted

2298. John Wilmaster John Knox and John Knight for there distemper were Admonished and dismissed

2299. Mr Samuell Maurick being found guilty of a Confederacy with Thomas Owen to breake prison Concealing of it and letting him bee upon his land was fined an 100 pound

2300. Mr Shidley for Confederating and Concealing was fined 13 pound 6 shillings 8 pence

2301. Mr Durkot for Confederacy and Concealing was fined 26 pound 13 shillings 4 pence

2302. Mr Wolaston for Concealing being priest was fined 13 pound 6 shillings 8 pence

2303. Mr Ireby for Concealing was fined 13 pound 6 shillings 8 pence

2304. Thorne for Concealing hiding and harboring was fined 6 pound 13 shillings 4 pence

2305. William Cope for Concealing was fined 6 pound 13 shillings 4 pence

2306. Mary Quibbs for Concealing and Countenancing was fined 6 pound 13 shillings 4 pence

2307. Thomas Owen for straying out of prison was fined 20 pound to bee paid within a week or to bee sourely whipped

2308. Sarah Wales for straying to way 13 pound 6 shillings 8 pence or bee whipped and banished

2309. Mr Duckfield Mr Williams and Mr Hale were Admonished to take heed of the like Concealment

2310. Mr William Fellows being found a gaderer and his practises proued hurtfull hee is fined 100 pound and to bee kept close prisoner till his fine bee payd and then hee is to bee banished upon paine of death

2311. Francis Hutchinson for stealing the Church of Boston a horse a trumpet and other Curiosities hee is fined 50 pound and to bee kept close prisoner till it bee payd and then to bee banished upon paine of death

2312. Mary Mathews widdow of Thomas Mathews is allowed to sell her husbands house land and goods towards payment of her husbands debts reserving her necessary cloathes and bedding which were hers before marriage being properly her owne

A Generall Court held at Boston the 8 day of the 8th mo 1641

Present

The Governor
The Deputy Gouer
Mr Winthrope Jun:
Mr Dudley
Mr Humphery

Mr Saltonstall
Mr Broadstreet
Mr Stoughton
Jurisd: Norfolk

Deputyes

Mr. Emmanuell Downing
Mr. William Hawthorne
Mr. William Tyng
Capt: Edward Gibbons
Mr. Tho: Savymore
Left: Daniell Gerrish
Mr. Edward Johnson
Nicholas Downe
Mr. Samuell Symonds
Mr. William Bartholmew
Mr. Tho: Nelson
Mathew Cayme
Mr. John Woodbridge
Mr. Samuell Dudley
Christopher Batt
William Tyng jun
Mr. Joseph Cooke
John Bridge
Joseph Weld

Capt: William Gerrish
Mr. Symon Lynes
Mr. Peter Noyes
Mr. Thi: Flint
Left: Symond Dummer
Mr. William Ewstis
Elder Nathan
Michaell Metcell
Mr. Joseph Jewell
William Chatfield
Mr. John Glover
Left: Nathll: Duncan
Alexander Dunlopp
Edward Tomkins
James Parker
Edward Tate
Steven Paine

Freeman — Mr. Richard Blindman and Tho: Wheeler were made free. 2313.

Indian Runaway — Whereas the Indians it is referred to the Countrell and furth magistrates as motte upon a Petition by 2314
to send some Lynx to them to demand the Runawayes with liberty that answer be returned to the Court
of Elections in the third mo: next.

Mr. Thomson. — Mr. Thomson is remitted the 20 pound which he undertake for Tho: Owen fine for 3 years forbearance 2315
of money for powder.

Prison — It is ordered the prison should be made warme and safe. 2316

Agawdnock Island — It was ordered Letters should be written to Connecticutt New Haven and New Plymouth to advise about 2317
the Planters of Agawdnock.

Wheate advance — It not noted that a deputy of every towne should send in writtenge to Capt Gibbons this 4th present 2318.
what wheat will be Mantinued to be sold by the first of the 8mo and who to undertake for the towne
Persons that from — Mr. Edward and Mr. Timothy Cowlin's with John Poole were discharged not to goe to the Dutch because 2319
remove w i Dutch of Grandall and offered

Wheate prohibited to be baked — Forasmuch as it appeareth to this Court that Wheate is like to be a staple Comodity and that 2320.
a ships it without Convenient goods to be set forth and freighted with Wheate for the forthing m of
Cure foraine Comodityes as was thought m'nedd of
It is therefore ordered that after the last day of this present 8th mo. no baker ordinary keeper or 2321.
other p for shall bake to sell or set to sale any bread or Cakes made of Wheat meale or wherein any
Wheat meale shall be put upon paine of forfeiture double the value thereof. And the Bungabelles of
every Towne are hereby required to see that this order be observed and that they shall make seizure of all
such bread so set to sale and distribute the same to the poore
It is also ordered that no person within this Jurisdiction shall make or cause to be made any mault of wheat 2322 -
upon paine to forfeiture thirtie shillings for every bushell so maulted. Provided that it shall be lawfull for any
to make or sell biscuit of Wheat meale for the use of Shipps

470 — Whereas the Country is now in hand with the building of Shipps which is a business of great importance for the Common 2323.
good and therefore forasmuch as it is to be taken that it be not offensive or a bidding to the Honorable Court of England and
other places. It is therefore ordered that when any ship is to be built within this Jurisdiction it shall be lawfull for the
owners to appoint and put in some able man to oversee the worke and workemen from time to time as it plaine in England
and the same so appointed shall have such liberty and power as belongs to his office and if the Shipp Carpenter shall not
upon his advise reformed and Amend any thing which he shall find to be amiss then upon Complaint to the
Governor or Deputy or any other 2 Magistrates they shall appoint 2 of the most able Shipp Carpenters of this Juris
diction and shall give them Authority from time to time as need shall required to take view of every such Shipp and all
works thereto belonging and to see that it be reformed and Changed according to the rules of their art and for this end
an oath shall be administred to them to be faithfull and indifferent between the owners and workemen and
their Charges to be borne by such as shall be found in default and those viewers shall have power to Cause
any hewd timbers or other insufficient worke or materiall to be taken out or Amended and all that they
shall judge to be amiss to be reformed at the Charge of the worke through whose default it grows

Ferryes of Ferryes. — 477 — For settling of all Common ferryes might Course both for the passengers and owners It is declared and ordered 2324.
that whosoever hath a ferry granted upon any passage is to have the sole liberty of Transporting passengers
from the place where such ferry is granted to any other ferry or place where ferry boates use to land
And that any ferry boate shall land passengers at any other ferry yet shall not take in any passengers
from thence if the ferry boate of the place be ready provided that this order shall not prejudice the liberty
of any that do use to pass in their owne or neighbours Canoes or boats to their ordinary labours or
business

Winnesemett Ferry — It was voted that Winnesemett ferry should have but 3d. to Boston and that both ferryes should have liberty 2325
also

Boston Ferry — The ferry from Boston hath liberty to carry to Nodles Island and the Ships and to winnesemett ferry according to 2326.
the former order

Mr. Bathyes fine remitted — To gratify Mr. Humphrey at his departure or the rather for his publicke Charges and Trouble in his 2327.
place of Sergeant Major the fine of 20 marks imposed upon Mr. Bathey is freely left to Mr. Humphrey his
disposall

Samuell Hutchinsons tryall — Mr. Samuell Hurdmison is referred to be examined by Mr. Denison Mr. Sheppard and Mr. Weist and if they 2328.
find him found in Judgment and signify so much under their hands then the Court of Assistants may admitt
him to dwell amongst us if not to signify the contrary that so not may know what to doe in the thing

2329. Mr. Robert Cooke is graunted to have 12 pence in a bushell for the Corne paid him in at 4 shillings the bushell and he could gett but 3 shillings a bushell for it the sume being 40 pound

Hugh wayes to

2330. It is ordered that the way between Written toss and Medford Neinnet Cornett should be made sufficient for Carts horses and men by Boston within 3 mo. upon paine of 20 pound

winnesmett

2331. William Ofournall hath a safe Conduct graunted him to Come and satisfy the Counsell and if they thinke meete to stay till the generall Court if not he is to depart till the generall Court and then he hath liberty to Come to the Generall Court

10 mo. Ashpynall.

2332. Mr. Shidley his fine of 5 pound is remitted to 20 nobles

2333. Coffe his fine is remitted to the Towne of Watertowne

2334. Mr. William Hoskins for his fattherd 50 pound is graunted too acres of Land

2335. Mr. Hawthorne Mr. Willard and Mathew Boyse are apointed to view and sette the bounds of Sagus Inn and Deerfeild Creeke and returne there determination to the next Court

Bounds

2336. For the wife of William Hampson or any other for him have forfeed by order graunted him he is to have them but he is to fell no more

2337. And Mr. Broadstreet is to have fifteen nobles at his hath forfeed not exceeding 120 but he is to fell no more

2338. Mr. Edward Tuckson is apointed in stead of Mr. Oliver Smith Mr. and Mr. are apointed to end small causes at Newbury

Votes 478

2339. It was ordered that hence forward nothing should bee put to vote before it bee written

2340. It is declared by the Court that the Constable is to whip or punish any to bee punished where there is not another officer apointed to doe it within his owne towne unless he graunett another to doe it

Corporall punishm by Constable 479

2341. Mr. Deputy Endicot Mr. Downing and Mr. Hawthorne or any two of them are to dispose of all lands and other things at Sagus Inn until the Court take further order

Sagus-Inne

2342. William Willson is apointed to execute the Judgement for Mr. Philip Gibbs upon Edward mitchelson upon Mr. Gibbs his delivering of the land into the Court to bee kept

2343. About the Iscarts Edward Bendall having order to sooke the Clearing of the ayre of it and if he Clear the harbour he is to have all which he can gett up if not he is to have the one halfe and the Country is to have the other halfe for the Clearing of the harbour he hath liberty till the first of the 8th mo. 1652 and he is to give arrount to the Treasurer from time to time and to bound the full halfe or give good security

2344. Gerr Gibbons is apointed to see the keeping of the ordinance in Boston that they may not bee spoiled each towne is to take the like Care by military officers

450

2345. William Parker being supported of Drunkenness for abusing himselfe with a Gun he is respitt to the next quarter Court

2346. Mr. Richard Dumer appearing in Court gave satisfaction onely for his Judgement how it is referred to Mr. Willson and Mr. Elliot

2347. It is ordered that the 5th day 3 weeke being the 4th day of the 9th mo. shall bee kept a day of Publick Humiliation throughout our Jurisdiction in regard of our wants and the danger of our native Country

2348. It is ordered that a letter shall bee sent to Mr. Wayne and the rest of the magistrates of Connecticott to send backe the prisoner Mathew Moyse or satisfy the debt and damage

2349. The proposition of Chosing deputyes for appeare and transacting and preparing all things for the generall Court amongst the 3 last moneths is hee barred by the deputyes to the freemen of every towne and their answer returned to the next session of this Court

2350. The Governor and Mr. Hawthorne were desired to speake to Mr. Quard for a copy of the liberties and of the Capitall Lawes to bee transcribed and sent to the Iroquiss Country

Fitzhys

2351. Mary Wille her fine is respitt upon her good Carriage

2352. Mr. Collins his fine of 100 pound is remitted to 40 pound

2353. Hannit Sutton her fine of 50 pound is remitted to 20 pound and if the give security to pay the same within 6 mo. it is referred to the Governor to send them away

2354. The fines are all assigned onto the Treasurer

Fines

2355. Mr. Flint Goodman Bridge and Abraham Browne are apointed to a Company Mr. Oliver to see the artillery land layd out and make returne to the next Court

2356. All sorts of Corne are left at liberty as Concerning the prices from hence forth and former order not withstanding and for servants and workemens wages it is ordered that they may bee paid in Corne according to the order the 8th mo. last but for the price if the partyes Cannot agree it is to bee walued by two indifferent goodman to bee chosen the one by the master the other by the servant or workeman who are to have respect to the value of the worke or service and if they Cannot agree then a third man is to bee chosen by the next Magistrate or if no Magistrate bee in the towne then by the next Constable and for all other payments in Corne if the partyes Cannot agree they shall chose two indifferent goodmen and if they Cannot agree the third to bee chosen by the magistrate or Constable as before and for payment of Corne for rates to the Treasurer the like Course is to bee held and that the Treasurer shall not bee forced to take Cattell

Corne. Rep. Servants wages

2357. The order for the high way from the Written toss to Neinnet Cornett

Those whose names are here subscribed being apointed by the Court to lay out the Country high way from Neinnet Cornett towards Lynn have agreed that it shall goe as formerly from the matter field to the foote of Jonsons hill and from thence about the West end of the Fieldhill and over the East end of Sagamore hill and thence to turne upon about the swamp to the line of partition between Charles Towne and Boston running along thereby conveniently neere the swamp called the great swamp turning downe by the south side thereof to Mr. Caines Cart way over the fall swamp and along with the said Cart way over the brooke neare unto the cart bridge and thence in the most convenient way to the new bridge: Richard Bellingham Governor John Endicot Deputy John Winthrop and Francis Norrell

High-wayes written-tee 481

Wharfwages

Farmcast Nowell Mr. Dunran Mr. Hawkins Mr. Bourne and Mr. Coytmore and Mr. Weeks they or any 2358.
five of them are apointed to settle the rates of Unlading postage and Warehouse hire and Forty (£) the
next Generall Court and the order to stand the meane while.

Leave is granted by the Court to Mr. Winthrope to build a house and a hogge yeate on by the lower 2359.
peat of Cambridge river yet to be at the Courts disposing except the land given to Mr. Winthrope or
June yeate thereof be allotted to him the same place

482 Ferriage

It was apointed that every Coate should pay for the ferriage of his Company out of the fines 2360.
and the ferry man are alowed to take double pay after day light is sound and those that may not are to
give there names in writting or a note of the ferry man may carry them before a magistrate

The 24th day 7th mo 1641

Boston Ferry

Whereas we whose names are under written were ordered to settle the ferry between Boston and 2361.
Winnetot cannot more so therefore hereby (Certify) that we have accordingly to our best care and judgment
done herein, yet we have left unto Edward Goodrom and Robert Williams the ferry to be carefully and
diligently attended to the content of the Country and that the said partyes aboue said shall alow unto
the Ferryman ten pounds a Annum and hould it for the space of one whole yeare from the 20th of this
present 8th mo 1641 and for 2 yeares more in case they give content unto the Country and they then
values desire to hould it

William Tyng Tho: Coytmore Robert Williams
Robert Bridgett Edward Goodrom

Bounds Boston Roxbury

483

Were those names are under written having full Authority from the Courts where we dwell to end 2362.
all Controuersyes concerning the line of partition between Boston and Roxbury at mudy river con-
cerning which same doubtfull bone made haue agreed that the trees as far as they haue bene
marked by Capt. Gennison shall stand for perpetuall limits between both Townes and from there
to run to the Corner of Dedham Lands next adjoining of which limites we haue interchangeably
set to our hands this 20th of the 11th mo. 1641

William Colburn
Boston William Tyng — Roxbury John Coor, Joseph Dowd, John Johnson
Jacob Eliot William Parke

Bounds Boston Cambridge

Were whose names are under written being apointed by the Townes to which we doe belong to settle 2363.
the bounds between Boston and Cambridge haue agreed that the partition shall run from Charles river
up along the channell of the most broad to a marked tree upon the bank of the said brooke neere the
ferry and Longest rocky meadow and from that tree in a straight line to the great rock oake formerly marked
by agreement at the foote of the great hill on the northeast end thereof and from the said great
rock oake to Dedham line by the trees marked by agreement of both partyes this 17 day of the 8th mo

Thomas Oliver Richard Shaynes
Boston William Colbron — Cambridge John Bridge, Gregory Stone, Joseph Cheesbrough, Thomas Marret

Pascataqua Agreement

484

Whereas it appeareth that by the extent of the line according to our patent that the Lynes of pascataquack 2364
is within the Jurisdiction of the massachusetts and Conference being had at Generall times with the said
people and same deputed by the generall Court for the settling and establishing of order in the Administra-
tion of Justice there, it is now ordered by the Generall Court holden at Boston the 9th day of the
8th mo. 1641: and with the Consent of the inhabitants of the said lynes as followeth

Imprs: That from whence forth the said people inhabiting there are all those accepted and accounted 2365.
under the Government of the Massachusetts as the rest of the inhabitants within the said Jurisdiction are

Item that they shall haue the same order and way of Administration of Justice and way of keeping 2366.
Courts as is established at Ipswich and Salem

Item they shall be exempted from all publicke charges other than those that shall arise for or from 2367.
amongst themselues or from any Nation or Country that may be taken to protect those owne goods
honestly

Item they shall injoy all such lawfull liberties of fishing planting fouling timber as formerly 2368.
they haue injoyed in the same lynes

Mr. Symon Bradstreet Mr. Israell Stoughton Mr. Samuell Simonds Mr. William Tyng Mr. 2369.
Francis Williams and Mr. Edward Hilton or any foure of them whereof Mr. Bradstreet or Mr.
Stoughton to be one those shall haue the same power that the quarter Courts at Salem and
Ipswich haue also the inhabitants there are alowed to send two deputyes from the whole lynes
to the Court at Boston

Item Mr. Bradstreet Mr. Stoughton and the rest of the Commissioners shall haue power at the 2370.
Court at Pascataquack to apoint two or three to joyne with Mr. Williams and Mr. Hilton to
Counsell the people as the magistrates do here till the next generall Court or till the Court
takes further order

It is further ordered that until our Commissioners shall arriue at pascataquack those men who 2371.
already haue Authority by the late Combination to counsell the people those shall continue in the
same authority and power to be determined at the Comming of the said Commissioners and not before

William Browne was chosen and sworne surveyor of the Lynes at Sudbury 2372.

234

Mr. Richard Saltonstall is chosen Lieut Maior to Colonell Endicots Regiment 2373.

Mr. Israell Stoughton is chosen Lieut Maior to Colonell Winthrops Regiment 2374.

John Mussell for attempting to abuse a boy was Censured to be whipped 2375.

The Court is adjourned till the 6th day of the week in which the quarter Court is to see the 10th day 2376.
of the 10th mo.

John Minor took the oath of a Constable for to supply that office at Braintree for the yeare 2377.
insuing

Medford Bridge

It is ordered that Capt. Savage and Edward Convers shall repaire the bridge at Mendford over 2378.
mistick river and the same to be charged out of the Treasury

2378. Mr. Ward Mr. Phillips Goodman Pate and Stephen Paine are desired to view the way at
Lynnfield and certify to the next Generall Court

2380. for general and weighty Consideration the Court at Salem is desired to the last third day of
the eleventh month

2381. Inquired the right of the present possession of Watertowne mill which Mr. Syon doth sue for 60 Watertown Mill.
due to him or no: the rate was that it is Mr. Dudley and not Mr. Symes

2382. William Bullens and Francis Hutchinson were bound upon a bill of their hands for William
Bullens to pay 40 pound Francis Hutchinson 20 pound when it shall be called for if they be able
and if they had liberty to depart and were not to returne again into our Jurisdiction at their ne-
-rest porrill

2383. William Bullens and Francis Hutchison are injoyned to depart out of our Jurisdiction fmediatly
after the sabbath at their porrill

2384. It was noted that if the Towne of Salem lend the glass men 30 pound they should be alowed
t again out of their next rate and the glassmen to repay it again if the works furnish
when they are able

2385. The Country desires an armory in some parts of Boston meeting house and the Almes to
be inventoryed and an inventory to be delivered to the Treasurer and what meete Charge is
bigger or shall be done to be alowed by the Country

The Jurors Oathe

2386. You doe swear that being chosen sworne within the limits to you appointed you shall truely Oath
and faithfully indeavor the execution of your plat you shall faithfully retorn all things com
mitted to you and safely keepe the same and shall make true transcripts of all that you shall
deliver out of such retorns

2387. Stephen Day being the first that sot upon permitting is granted 300 acres of land where it 300 acres
may be conuenient without preiudice to any towne Stephen Day

2388. Mr. Cotton is granted 600 acres of land where it may not preiudice a plantation 600. ac Cotton

2389. Mr. Nathaniell Dwarke is granted 600 acres of land where it may not preiudice a plantation 600 ac Duncum

2390. William Hatchet for bestiality with a cow is condemned to bee hanged and the cow to bee
slaine and burnt or buried Bestiality

2391. Mr. Deputy Endicott Mr. Downing and Mr. Authorne are authorised to get in copyes of Liberties
the land Liberties and the formes of oathes transcribed and subscribed by their power all
hands and none to bee authentick but such as they subscribe and to bee paid for by the ran-
-ke of each Towne 10 shillings a peire for each Towne to bee prepared within 6 weeks

2392. Robert Harris is released by the Court is released with the Consent of his Master

2393. It is ordered that in every Towne one shall bee appointed to grant summons and attach- Clarkes for 435
ments in all Civill actions and attachments are to bee granted when the party is a stranger Summons
not dwelling amongst us or for some that is going out of our Jurisdiction or that is going a Attachments.
bout to make a way his estate to defraude his Creditors or when persons are doubtfull in their
actions the plaintiffe and the same persons to grant replevy and when they grant any replevy Replevyes
they are to take bond with sufficient security of the party that desireth the replevy to
pursue the suit and they are to have for warrants a penne a peire for replevy or Fees
attachment a penne a peire and for bonds 4 pence these are to bee directed to the Constables
in Townes where is no Marshall the same party to grante summons for witnesses
for Hampton William Dowbetfield is appointed for Salbury Mr. Brabbery for Nor- Summons for witnesses
bery Mr. Howlet for Ipsw. Francis Parrot for Rowley Mr. Chiles Firman for Salem
Mr. Dalton for Ann Mr. Sadler for Marlborro Mr. Benjamin Stubbard for
Boston Mr. Maudt for Roxbery Mr. Coate for Dorchester Mr. John Glover for Braintree
Mr. Dunbridge for Weymouth Mr. James Parker for Hingham Mr. Ward for Cambridge
Mr. Collens for Watertowne Mr. Knapp for Concord Leift. Willard for Subbery Wattes
Wayne for Dedham Mr. Edward Alleyn for these they have power to send out Pres to any towne
and to bee called Chiefs of the rites those are chosen for a year and till new bee chosen in
these townes the marshals for a replevy or attachment to bee in point and where no Gar
-ffield is a magistrate may direct & warrant to sume one for the present

2395. These others are to take oath at the first quarter Court in the first Mo. next and in the
meant time magistrates are to grant warrants and summons

2396. John Johnson hath power to cue those that are debertine about the Country Armes

2397. It is ordered that every marshall shall have 6 pence out of every action during the pleasure Fees 480
of the generall Court marshall

2398. Mr. Wiggen Mr. Wannerton and Mr. Gibbons were formed in Comission at Waratagus by
our Comissioners which were sent to them which this Court doth confirme till further order bee
taken

2399. Mr. Flint Mr. Symonds Mr. Gurnor Mr. Tynge Mr. Downing and Mr. Winthrop are to
bee grounded to the Townes for new magistrates

2400. It is ordered that they that dwell the bounds between Saco Ann and Aniggum shall have Toll
liberty to take sufficient toole as the Court shall thinke meete for ye year Capt-Hawk

2401. If a sufficient man will give a 100 pound bond a peire for Jonathan Quaiet they may have him
for admo or if other 2 honest men will bee bound for him body for body for 10 dayes to compla
-ke upon his leggs or other sions and then to returne him to the action

2402. Mr. Margat Winthrope hath his 300 acres of land for mesly planted not to bee assigned about the 3000 acres
lower end of Concord upon noise mosquard to bee laid out by Mr. Flint and Lieut. Willard with
Mr. Oliver or some other skillfull in measuring so it may not hinder a plantation and any parte
thereof they may purchase of any Indians that have right to it

2403. upon the petition of Mr. William Tynge it was ordered that Mr. Bartholmew Gosnold
Gibbings and John Oldiate should get a downe valuation upon the house and ground which William
Whitlock did sell to Mr. Tynge aforenamed

It was ordered that Sarah the late wife of James Hubbard should have 40 pound of the estate of her late husband, & y^t the eldest sonne to have fourtie pounds, & the other two children to have twentie pounds apiece. 2405.

Mr. Hoffes 400 acres

Mr. Atherton Hoffe is graunted foure hundreds acres of Land in Edgard of fiftie pounds disbursed in the joynt stocke. 2406.

Wm Davies

Wm Davies was denied liberties to sell drinke, or also, or to keepe a Dyckes shopp, because there are others sufficient in the Towne of Boston, and his carriage hath been formerlie offensive. 2407.

Mr Dunster Farme

Mrs Dunster is graunted her farme with the bondaries from Sudburie bounds, a straite line running south easterlie & North westerlie, to the great pond over against that place where the River issueth out of it on the other side: the line cutting ye said pond over unto the said issue then following the streames, unto the place where Sudburie cutteth against the River, & so along by the River within Sudburie line, as it is agreed between the Towne of Sudburie, & Her, the line lying in forme is delivered in the Plott subscribed by Mr Thom. Flint, & Thom. Mayhew. 2408.

Mr Sam. Mave zick fine remit.

Mr Samuel Maverick is remitted 40s. of his fine of 100li. formerlie set 2409.

upon him, it has pay ye remaining 60li. in due valuacon.

Mr Mayhew his accounts were referred to the Treasure, & Mr Duncum, 2410.

& for the Bridge by the Mill over the Charles River, the Court doth conceive it to belong to the Towne, or Townes in wch it lyeth.

military officers

Thomas Bartlett is appointed Leiuetenant, & Hugh Weason Ensigne, 2411.

to Captaine Jeamison Watertown.

President. The Generall Court of Elections, the 18th day of 9^e 3^d mon^th 1642.

The Governo^r	Deputies p^sent	John Winthrop.	Capt. Cooke.	Wm Parker.
The Deputie Gover.	Wm Hilton.	Mr Ema Downing	Mr Nat. Parkards	Mr John Glover.
Mr Dudley	Wm Waldorne.	Edm. Batter	Capt. Wm Jenison	Mr Nat. Duncum.
Mr Bellingham.	Wm Hayward.	Edw. Holloke.	Mr Simon Eyre.	Wm Aspinwall.
Mr Saltonstall.	John Saunders.	Robert Bridges.	Symon Willard.	Wm Coe Cheeseborough.
Mr Bradstreet	Edward Rawson.	Mr Wm Tong.	Peter Noyes.	James Parker.
Mr Staughton.	Matthew Boyse.	Capt. Edw. Gibbons.	Edw. Ellson	Edw. Bates.
Mr Flint.	Mr Mr Gowett	Ralph Sprague.	Elia. Luther.	Jos. Cocks.
Mr Increase Nowell.	Mr Jam. Simonds.	Thomas Lino.	Wm Heath.	Edm. Hubbard.

Governor

John Winthrop Esqr was chosen Governo^r for this yeare, and 2412.

till now has chosen; & tooke his oath.

Dep. G.

John Endicott Esqr was chosen Deputie Governo^r, & tooke his oath. 2413.

Assistants

Thom. Dudley Esqr was chosen an Assistant & tooke his oath. 2414.

Mr Rich. Bellingham Esqr was chosen an Assistant & took his oath.

Rich. Saltonstall Esqr was chosen an Assistant, & tooke his oath.

Mr Symon Bradstreet was chosen an Assistant, & tooke his oath.

Mr Increase Nowell was chosen an Assistant & tooke his oath.

Mr Israell Staughton was chosen an Assistant, & tooke his oath.

Mr John Winthrop was chosen an Assistant.

Mr Wm Pynchon was chosen an Assistant, & tooke his oath.

Mr Thomas Flint was chosen an Assistant, & tooke his oath.

Treasurer

Mr Tyng was chosen Treasurer. 2415.

It was ordered that a warrant should bee sent to Salem for a new 2416.

Deputye

election of a new Deputie to bee joyned with Mr Downing, because the Court is doubtfull of ye choyse, & Mr Edmund Batter was sent.

Mr Staughton, & Mr Tyng Treasure. were appointed a Committee, to 2417.

advise Goodman Johnson about ye ammuntion.

An Order was made for pressing 4. horses to goe with Mr Dollicott, and 2418.

Pressinge of Horses

his companie (if they cannot hire without pressing) to helpe them to carrie

necessaries to run the South line.

Glostr

Daps ame is to bee called Gloscester, John Sadler is chosen Constable 2419.

thereof, and tooke his oath.

John Sadler had Comission to traine the men att Gloscester. 2420.

Obadiah Brown is appointed Surveyor of ye armes att Gloscester. 2421.

George Norton is appointed to keepe an ordinarie att Gloscester. 2422.

Gibson

Richard Gibson was committed to the Marshall, for his seditious practise, & 2423.

upon his submission, & acknowledgment of his fault under his hand he was dismissed with an admonition.

2424. Watertowne delivering in a transcript of their Lands nott being perfect was lent them backe again. — Watertowne

2425. Leiftenant Symon Willard, & Edward Denwise are appointed to view Shawshins, & to certifie whether the Land that is Sheed, be fitt for a Village, or nott. — Shawsin

2426. Goodman John Johnson had order, to lend six Carabines, to Mr. Dollicott, & his Company, wch are to run the South Line. — South-Line

2427. It was ordered that the Treasurer should defray the charges of the Elders, when they are imployed upon any Special Order from the Generall Court. — Charges — 487.

2428. The Lawes were read over the 20th of the 3d Month. — Lawes

2429. John Pomberton was bound in 20li to appeare att the next Court att Ipswich. — Pembleton

2430. The Order for hempe, & flax seed to passe att twelve Shillings, the Bushell, is repealed. — Flaxe-seed 12s. bush. — 488.

2431. The Orders for restraint of wheat are repealed. — Repeale

2432. There is power given to every Court within their Jurisdiction, yt hath two Magistrates, to admitt any Church-Members, that are fitt to be free, & to give them the Freemens oath, & to certifie their names to the Secretaries att the next Generall Court. — Freemen Admission — 489.

2433. The Order formerly made for writeing things before they be voted, is declared nott to concerne matter of Fame, butt to be meant of things, that are to be matters of record. — Votes in Court — Repeale — 490.

2434. Philipp White for drunkenness, was fined 10s. & for mr Roamson 10s. Richard Wayte undertooke for White. — White

2435. The Deputies Generall Mr. Slaughton, Capt. Gibbons, Captaine Davison, Capt. Cooke, Mr. Ravson, Leiftenant Willard, & Mr. Parker, there, or the greater number of them, are appointed to putt the Countrey in a Posture of warre. — Posture of warre

2436. It is ordered yt when any person shall be tendred to any Officer of this Jurisdiction, by any Constable, or other Officer belonging to any Foreigne Jurisdiction, in this Countrey, or by warrant from any such authoritie, he, or shee shall be presentlie recouered, & conveyed forthwith from Constable to Constable, till the party be brought to the place, to which, he, or shee, is sentt, or before some Magistrate of this Jurisdiction, who shall see dispatch of the Partie as occasion, & the Justice of the Justice of the cause shall require, & thatt all hore, & cryes, shall be diligentlie recouered, & pursued to full effect. — Officers duly to receive foreame Prisoners p. 157. — Hue & Cry — 491

2437. Whereas the Countrey is putt to greatt charge by the Courts attendance, upon Suitors comenced, or removed, by either appeals, petition. &c. It is Ordered thatt in all such cases, if att shall appeare to the Court that the Plantiffe in any such action, appeale, petition. &c. in any Court hath not just cause of any such proceeding, they shall take Order, thatt the said Plantiffe, shall beare all the charge of the Court which they shall Judge to have bin expended by his occasion, & may further impose a fine upon him, if the merritt of the cause shall see require, & if they shall find the Defendant in fault they shall impose the charges upon such Defendant. — Charges of Appeals in the Generall Court p. 2.30 — Fines — 492.

2438. Wm Aspinwall upon his petition, & certificate of his good carriage, is restored again to his former libertie & freedome. — Aspinwall

2439. The Court left it to the libertie of the Townes, to send butt one Deputie a peice, if they pleased to ye next Session of this Court. — Deputyes

2440. The Marshall hath leaue to goe to Connecticott leaueing a Deputie. — marshall

Beaver Teaders — The Beaver teaders are appointed to bring in what is due to the Countrey, att the next Sessions. 2441

Edward Bendall hath liberty to make p'fit of ane of y. 2442
wracke — Cables, & other things, belonging to the wracke, as he nedeth; allowing for the hurt of them.

Constable — George Taylor being chosen Constable for Watertowne 2443
tooke his oath to discharge that place.

mr Sloyes undertaking — George Stow undertooke for Richard Shearman, that 2444
if he shall bee cast, what cost shall bee caused he will beare it.

Jones — Thomas Jones servant to Wm Richardson hath liber- 2445
tie to dispose of himselfe.

mr Hathorne appearance — Mr Wm Hathorne is dismist for the p'sent & imployned to 2446
appeare againe, when the Court shall call for him.

The 3. day of the 3. moth 1642.

493. — Were wee whose names are under-written, have determined & 2447
agreed (with ye Consent of Ipswich Cape-Ann, & Jeffreyes Creeke)
Bounders of Cape-Ann Jeffreys Creek Ipswich — That their bounds shall lye, as followeth; That all the Land
lying betweene Ipswich & Cape-Ann meeting houses, shall be
10 miles. — devided 6. miles to Ipswich, & 4. to Cape-Ann, where there are
& soe by proportion, where less, that is of fifts, 3. parts to Ipswich
for 2. to Cape-Ann, & where there is more than 10. miles,
the remainder to lye to Jeffreyes Creeke, & this to bee measured
before the next Generall Court.

Wm Hawthorne. Edw. Holliake. Mathew Boyes.

The 10th of the 3. month 1642.

According to the former agreem.t above written 2448
bounds betweene Cape-Ann, & Ipswich, are thus determined,
viz. att a white Oake marked on 4. sides, about 112. rod
in a South-East, & by East line, betwixt the 2. meeting
houses, to the South-ward of Chebacque marshes, & from
that tree by quartering the Compasse, by a South-west
& by South, & by a North-East & by North line, to bee
bounds betwixt the 2. plantations above mentioned.

Geo. Wm Norton, William Ais. Walter Tibbott
John Tuttle. Robert Lord. John Gage.

Harrison — The cause of John Harrison is referred to ye Geder- 2449
-no., & mr Bellingham to heare, & settle.

magistrates oath binding while Resiant or ane other Officer — It is decreed, & declared to bee the meaning 2450.
this Court ye nor oath shall of Magistrate, Councellor &
Resiant or ane other Officer shall bind him ane further, or
longer, then he is resident, or inhabiting within this
Contradicentes — Jurisdiction. Contradicentes Rich. Saltonstall Israell Haughton. 238
Nath. Sparhawke. Ancesse Nowell.

It is declared by this Court that the Selected 2451
Townes-men, have power to lay out particular, & private
Townesmen High-ways. — ways, concerning their owne Towne only, soe as noe
damage bee done to ane man without due recompence to be
Recompence — given, by the Judgm.t of ye Sayd townes-men, or if ye partie
desire it, then by 2. chosen by ye Townsmen, & 2. by ye partie,
& soe if ane man shall find himselfe greeved, hee may
seeke redresse in ane Court.

2452. Samuell Wemsley is graunted six monthes time longer for the beginning of his salt workes. — Wemslowe

2453. Commission is graunted to Capt: Wiggon, Mr. Edward Hilton, Mr. Wonnerton, & Mr. Wm. Waldeens to bee Assistant to such of the Magistrates, or others, as shall bee sent hither by this Court, or by agreement & order of the Magistrates, or the greater number of them, to keepe Court att Pascataq, as amy one Magistrate of this Jurisdiction usually doth, & lawfully may, exercise out of Court, this Commission to continue till this Court take further order: & that it shall bee in the power of any Court there to admitt, & sweare freeman, so they bee qualified according to Law, so as there bee one of the Magistrates att the least present, & an oath shall bee given to the said Associates for ye. discharge of the duty of their place. — Pascataq — 494. — Comissioners — Magistrates by whom sent — Freeman

2454. This Court considering that a booke now brought into the Court concerning the institution, & authoritie, &c. of the standing Counsell, was written by Mr. Richard Saltonstall, att such time as the generall warrant was given to order to freeman, to give their advice to any of the Deputies, concerning the institucon, & power of the standing Counsell, &c. that according to his did deliver the same, to one of the Deputies within the time limited; this Court doth hereby discharge him from any censure, or further enquiry by this, or any other Court concerning the same. — Mr Saltingston Unworthyly &c

The oath for Associates.

2455. You shall doe equall right, & justice in all cases, that shall come before you, (after your best skill, & knowledge) according to the Lawes here established. — Associates — 495. — Oath

2456. By vertue of an Order of the Generall Court, were whose names, are underwritten, Commissioners for the laying out of a Plantation, att Nantascott, doe order, & dispose of the same in manner following. First: That Jeremy Bellamy, John Dollier, Nathaniell Baker, Edmund Bearsworth, John Pemer, Nathaniell Bearsworth, Edmund Burne, Thomas Dollier, Richard Stubbs, Thomas Chaffey, William Kirkby, and John Andrew, shall bee admitted as Planters, & to take their house Lotts, for buildeing of houses in the valley betwixt the two hills, next Peddocks Island, to the valeue of two acres for each house, so that there mayly thirtie two Lotts att least, betwixt the said two hils the persons abouemenconed, to take all their Lotts on one side of the valley, to begin att either end of that side as they shall think fitt by agreement att or else by Lott the said Lotts to bee, & lye only fiue rodds broad up against the hill which they choose, those persons to have, each two acres of meadow, as they shall bee hereafter assigned, & also each of them to have 4 acres of planting Land att Peddocks Island, to bee layd out when the Plantacon shall bee fuller, in the meane time when any have need to plant, they may plant where they think fitt & when it shall bee allotted, & layd out in peapriatie those that have planted if in casting Lotts, they bee putt from such Lands, as they have planted, they are to bee allowed for their Labor they have been att, by those which shall possesse their Lotts afterwards; the Beaches, & places on Nantascott, or any of the Islands, that may bee fitt for setting up of stages, for fishing, to bee left free for such purpose for there, or any other Persons, that shall sett on such a worke, & this Plantation to bee possessed, & enioyed by the persons aforesaid, according to the Order of Court, abouee specified; Dated the 9th of the 2d mo:th 1642.

Nathaniell Duncum. Israell Staughton.
William Parker. John Glover.

Nantascott — 496.

2457. The Court was adiourned to the 14. day of the 4. moth next ensuing. — Adiournmt

Bryant. Thomas Bryant servant to mr Allerton hauing bin impriso- 2458.
-ned noere 2. months was discharged from Prison without whip-
-ping, & sent to mr Moses Maverick to bee implied for his master.

Reference Osmwols Girls of Newberie is referred to Ipswich Court. 2459

497. This Court taking into consideracon the great neglect in ma- 2460.
-ny Parents, & masters, in training up thier Children in learning
and labour, & other imployments, which may bee profitable to the
Comon-wealth, doe hereupon order, & decree that in every Towne
the chosen men appointed for managing the prudentiall affaires of
the same shall henceforth, stand charged with the care of the redresse
of this evill; see as they shall bee liable to bee punished by fines
for the neglect hereof, upon ane presentment of the grand Jurie, or other
informacon, or complaint, in ane Court within this Jurisdiction, & for
this end, they, or the greatest number of them, shall haue power to
take account from time to time, of all Parents, & masters, & of thier
Children, concerning thier Children, learning, & of the imployment
of thier Children, especiallie of thier abilitie to read, & understand
the Principles of Religion, & the Capitall Lawes of the Countrey, and
to impose fines on such as shall refuse, to render such accompt to
them, when they shall bee required, & they shall haue power (with
consent of ane Court, or 2. Magistrates) to putt forth Apprentice-
the Children of such, as they shall find, nott to bee able, & fitt to
imploy, & bring them up, nor shall take course to dispose of them
themselves, & they are to take care that such as are sett to keepe cat-
-tle, bee sett to some other imployment withall, as spinning upon the rocke
knitting, weaving tape, &c. & that boyes, & girles bee nott suffered to
converse together, see as may occasion ane wanton, dishonest, or
immodest behaviour, & for thier better performance of this trust committed
to them, they may devide the Towne amongst them, appointing to every
of the said Townesmen, a certeine number of families, to haue speci-
-all oversight of, they are also to provide that a sufficient quantitie
of materials, as hempe, flax, &c. may bee raised in thier severall
Townes, & tooles, & implements provided for working, att the same,
& for thier assistance in this see needfull, & beneficiall imployment
if they meet with ane difficultie, or opposition, which they can-
-nott well master by thier owne power, they may haue recourse
to some of the Magistrates, who shall take such course for thier help
& incouragment as occasion shall require according to Justice, & the
said Townesmen att the next Court in those Limits after the end
of thier years, shall give a breife account in writing of thier pro-
-ceedings herein; provided that they haue bin see required by some
Court, or Magistrate, a moneth att least before, & this order
to continue for 2. years, & till ye Court shall take further Order.

Reserve

This Townesmen Duty A.M.18

Imployment of Servants Children

Their skilling in Religion manufactures

Put Apprentices

Keepers of Cattle to be Imployed

Rude behaviour to be avoided

Provision of Hempe & Tooles &c

Account to be given by Townesmen

Continuance

This Court will nott proceed to Judgment in ane crimi- 2461.
-nall cause, against ane person, nor in ane Civill cause betweene
partie, & partie, withoutt taking the oath hereunder written viz.

490. I doe sweare, &c. that in all causes wherein I am to deliver 2462.
my vote, or sentance against ane Person upon ane criminall
offence, or betweene parties in ane Civill cause, I will deale
uprightlie, & justlie according to my Judgment, & conscience, and I

The oath to be taken in the Generall Court before it proceede in any Criminall case or civill

will according to my skill, & abilitie assist in all publike affaires of this Court faithfully, & trulie according to the dutie of my place, when I shall bee p^sent to attend the service.

2463. Mr. Edward Ting being chosen Constable of Boston tooke his oath. — Constable

2464. It is ordered that the clause in the order 350 for restraint of publike Brewers to sell by grosse is repealed. — Brewers Repeale — 499.

2465. Mr. Parker, Mr. Power, & goodman Bate, are appointed a Committee, to settle high wayes att Braintree, nott yett sett out, & to certifie the Court, the 4th day of the 4th Moth. 164 — High-wayes

2466. Whereas Wm. Hathorne of Salem, & Edward Tomlins of Lin, were chosen by the Generall Court to lay out the length of the bounds of the Towne of Lynne, according to the Courts Order of 6. miles — from the meeting house which accordinglie hath bin performed — the day, & yeare above written, which was signifie under o^r hands to extend from Sharestowne Bounds to the South end of the greatt pond att Lynne Village, & from thence to the great swamp adioy=-ning unto the greatt pond, & so to run from thence North-ward to the North River, & so to Salem bounds, there being the nearest — markes, which by o^r measure was fine to state the Bounds. — Lynne 6 miles Bounder — 500.

William Hathorne.
Edward Tomlins.

2467. Wm. Haward is appointed to graunt Sumons, Attachments, and Replevies in Hampton in the place of William Wakefield. — Clerk of writts

2468. Wm. Haward, John Dealie, & James Davies, are appointed to end small busnesses in Hampton under 20s. — 5

2469. James Hamlin is graunted 200. acres of ground for the 50. delivered Mr. Wareham by Mr. Walter, & James White, Mr. Edward Anthony, & Mr. Do. Mogeridge, Capt. Wiggon his Comission for — Pascataq, is extended to Hampton. — Hamlin gt of 200 acres

2470. Geffrey Veraggo is graunted 20s. out of the Treasurie, for his paines, & care in fetching letters from the Eastward. — Veraggo

2471. Woe whose names are under-written being appointed to view — Sharoshim, & to take notice of what fitnesse it was for a Village, and accordingly to o^r apprehensions make returne to the Court, woe — therefore manifest thus much, that for the quantitie itt is sufficient, butt for the qualitie in o^r apprehensions noe way fitt, the Ds. land being verie barren, & verie little meadowe thereabouttt, nor ame — good timber almost, fitt for ame use, woe went after woe came to Sharoshim-house by estimacon some 14. or 16. miles, att the least in compasse, from Sharoshim-house woe began to goe downe the River 4. or 5. miles neere East, & then woe left that hunt, & went neere — upon North, & came to Concord a little below the falls, about one mile, or neere, then woe went up the River some 5. miles until woe came to a place called the two Brethren, & from thence itt is about 2 miles & halfe to sharoshim, & the most part of all the good Land is given outt already; more Land there is att the South side of the house, between the side of Concord line, & the road of Cambridge line, butt little meadowe, & the Upland of Little worth, & this is — that woe can say herein. — Sharoshim

Symon Willard.
Edward Denison.

Boundes of Charlestowne & Lime village

It is ordered that for deciding the difference betweene the 2. villages of Charlestowne & Lime, & for accomodating of Both, according to the intent of the Court, Capt. Cooke, mr John Oliver, & Geo. Nathaniel Woodward, shall view the place in Question, & take the length of Charlestowne 8. mile line by exact measure, & sett downe the bounds, betweene the said 2. villages, as may bee most convenient for both, & certifie this Court of what they shall doe herein. 2472

501.

Inconragem^t for Mynes

Upon Peticon of mr John Glover, & others of Dorchester for improvement of a supposed mine in Hingham about 40. or 50. miles hence: It is ordered y^t they shall have the Priviledge graunted by a former Order, soe as they goe effectually on with it within one yeare, & if they shall think fit to plant a convenient number of ffamilies there, which may make a village, they shall have such quantitie of Land, & meadow fit for their occasion as the place will afford, provided that they bee wise, & goe effectuallie about it within 3. yeares next after such mine shall bee opened, provided also that such graunt of a village, shall nott hinder the Power of this Court, in the ordering, & disposing of ame mines otherwise than hath bin alreadie, or hereafter shall bee graunted. 2473

Oliver Its Estate

Whereas mr John Oliver, late of Nubery died intestate, leaving behind him a wife, & one onlie daughter, of the age of about two yeares, & in Lands, & goods, an Estate of about 420^lb this Court therefore upon the Peticon of Joane Oliver, the wife of the said John, & with consent hath ordered, that shee said Joane, her heires, & ffligns, shall enjoy & possess for ever, the titles, & whole Estate of Lands, & Goods, left by her husband, in consideracion whereof shee shall educate, & bring up her said Child, att her owne proper cost, & charges, & att the day of the said Childs marriage, consumated with the consent of her said Mother, or att shee shall accomplish the age of 18. yeares, or whether shall first happen, shee the said Joane shall give unto her said daughter, the summe of one hundred pounds, & one hundred pounds more when shee shall attaine the age of 21. yeares, which by this Court is ordered to bee the porcon of the said Child, to bee paid as aforesaid, & for securitie of the said porcon, all the Land, & house of the said John Oliver in Nubery, late deceased, is by this order ingaged, & for further securing the porcon of the said Child, It is ordered the next Court of Ipswich shall take bond of the said Joane Oliver for the payment thereof as in this order is provided. 2474

200^lb porcon to ye daughter

And the said Joane Oliver hath power graunted her, to feed her sorrell for the yeare desired. 2475

mrs winthrop 3000 acres.

Noe whose names are underwritten being appointed by the last Generall Court, to view a parcell of Land att the fall of concord River, into Merrimacke, & there to lay out 3000. acres for mr Winthropp, doe hereby certifie that wee having viewed the same Land, doe find it generallie to bee ordinarie Land, nott of the best, neither did wee see anie meadow worth the mentioning there about, or cept a parcell on the west side of Concord River, which wee conceive may bee some 30. acres, therefore wee doe think the Court may (if they see please) without prejudice to the Comon-wealth graunt the said 3000. acres to the said mr Winthropp, there to lye betwixt the said two Rivers, that is to say, upon the East of Concord River, & the South of Merrimacke River, in a fitt proportion, as near as the Land will beare it, & because wee find the Indians possessed of severall parcels of Land, within the said 3000. acres, lying as before is mentioned, & also finding not meadow of anie worth there, wee doe think that the Court may doe well to adde the said thirtie acres of meadow thereunto. 2476

2477. The Court graunted mrs Winthrop his 3000. acres, as is above certified, & further graunted him the 30. acres of meadow. — Mrs Winthrope 3000 acres

2478. In the case betweene Rich. Sherman, & Daphane Kearne, this was propounded to vote; whether the Defendant bee found to have bin possest of the Plantiffs sow, convicted her to his owne wife or not. It was voted by 2. Magistrates & 14. Deputies for the Plantiff, & by 7. Magistrates, & 8. Deputies for the Defendt & 7. Deputies were Neuters. — Sherrerman and Kearne

2479. Daniell Fairefield being a married person upon his owne confession, and other sufficient proofe, is found by the Judgmt of this Court, to have had carnall knowledge, & sin in a most vile & abominable manner, to have abused the tender Body of Dorcas, the Daughter of John Humfrey Esq., one of the then Magistrates of this Comon-wealth, & that from time to time, from about the age of 7. yeares, to about his age of 9. yeares, & that hee did alte, in a most unclean, & wicked manner, abuse himselfe upon the Body of Sara Humfrey, his younger sister of the said Dorcas, & that this wickednesse was comitted verie often, & most usuallie, by him on the Lords-Dayes, & Lecture-Dayes. — Fairefieldes Uncleanes

2480. The Court therefore adjudged that this afore-named Daniell Fairefield shall bee severelie whipped att Boston, the next Lecture day, & have one of his nostrill slitt, so high as may well bee, & then to bee bared; & then kept in Prison, till hee bee fitt to bee sent to Salem, & there to bee whipped againe & have the other nostrill slitt, & bared; then further his is to bee confined to Boston-neck, so as if hee bee found att anie time during his life, to goe outt of Boston-neck this is beyond the rayles towards Roxberry, or beyond the Low-water marke, hee shall bee putt to death upon due conviction thereof; & hee is also to weare an hempen rope abouttt his necke, the end of itt hanging outt att least two foott, & soe often as hee shall bee found abroad withoutt itt, hee shall bee whipped, & if hee shall att anie time hereafter, attempt to abuse anie Person as formerlie hee shall bee putt to death upon due conviction; & hee is to pay to mr Humfrey 40li. — His Censure

2481. Jonken Davies for abusing the forenamed Dorcas, was adjudged to bee severelie whipped, att Boston in a Lecture-day, & shall bee returned to Boston, till hee may bee sent to Lime, & there to bee severelie whipped after, & from thence forth shall bee confined to the said Towne of Lime, so as, if hee shall att anie time goe forth of the Bounds of the said Towne, (withoutt license of this Court) & shall bee duelie convict thereof, hee shall bee putt to death, & also hee shall weare an hempen rope apparentlie about his necke, during the pleasure of this Court, soe as if hee bee found to have gone abroad att anie time withoutt itt, hee shall bee againe whipped, & further if hee shall bee duelie convicted, to have attempted anie such wickednesse, (for which hee is now sentenced) upon anie third after this present day, hee shall bee putt to death; & hee is to pay fourtie pounds to mr Humfrey for abusing his Daughter. — Davies abuse of Children; his punishmt

2482. Jonn Hudson for abusing the said Dorcas, was adjudged to bee severelie whipped att Boston, the next Lecture-day, & shall bee returned to Prison till hee may bee sent to Lime, & there to bee severelie whipped, & hee pay unto mr Humfrey for abusing his Daughter twenty pounds within thrie years. — Hudsons filthiness whipped

2483. Dorcas Humfrey was adjudged, to bee privatelie severelie corrected, By this Court, mr Bellingham, & Increase Nowell to see itt done. — Dorcas punishmt

2484. Mr Wm Ting, geo Thom. Lino, Geo. Heath, Lieut. Duncum, George Bridgehe, mr Parker, mr Dacke, mr Sparhawke, mr Ayres, mr Noyes Lieut. Willard, mr Allen, Capt. Bridges, mr Baker, mr Whipple, Goodman Boyse, mr Rawson, John Saunders, & goodman Hayward were appointed, a Committee to Lois, & proportion a rate of 600li. which they agreed, as followeth. — Rate proportioned

	lb	sh
for Hingham	20.	00.
for Weymouth	14.	00.
for Dorchester	58.	10.
for Boston	120.	00.
for Concord	25.	00.
for Cambridge	67.	10.
for Salem	75.	00.
for Ipswich	82.	00.
for Salisburie	12.	10.
for Rowley	15.	00.
for Meadford	10.	00.
	499	10.

	lb	sh
for Braintree	14.	00.
for Roxbury	50.	00.
for Dedham	20.	00.
for Watertowne	55.	00.
for Charlestowne	60.	00.
for Lynne	45.	00.
for Nubury	30.	00.
for Hampton	05.	00.
for Sudburie	15.	00.
for Glocester	06.	10.
	300	10.
	499	10.
	800.	00.

which is agreed to bee paid, halfe the last of 6. mo.th next, & the other — 2485.
halfe, the last of the 9.th mon.th in next.

Stone get of an 100 acres — Goodman Stone is graunted 100. acres, of Land where hee can find 2486.
att convenient, withoutt p.ejudice to anie Towne, for recompence of his paines
in writing the Lawes, abroadie, & to write such as are still to bee written.

Associates — Those that were formerlie associates att Salem, & Ipswich, are order- 2487.
ed to continue till the next Generall Court, & they are to take an oath,
as other Judges, & the Magistrates of the same Court to give them their oaths.

Adiournm.t — Salem Court was ordered to bee adiourned to the 12.th day of the 5.th mo.th 2488.

Gunnison Cooke — Hugh Gunnison hauing sett up a Cookes-shopp, is allowed to sell beere, 2489.
to his guests, some, att 2.d, some att a penny a quart, being always to have —
small beere for such as desire it.

Clark of writs — John Clarke is appointed Clarke of the writts instead of m.r Fisman. 2490.

Willey — Marie Willey is abated her fine to 40.s; wch she hath a twelue months 2491.
time to pay.

marriage — m.r William Bellingham is appointed to see marriages solemnized att 2492.
Rowley, & Nubury, & to keepe record thereof.

502. Cryer for things lost — It is ordered That hee who is to cry things lost, shall keepe a booke, — 2493.
wherein hee shall write downe faithfullie all such things, wth the marke, the
parties name, & the day of crying it, for which hee shall haue 2.d fee is to
cry it att 3. seuerall times, & this order is to bee observed in every Towne.

503 — The Order made in the Generall Court att New-Towne, the 21. of 2494.
the 9.th mo.th 1637. concerning satisfaccon for damages done by great cattell, &c.
is repealed, & it is now ordered that in all corne fields, or meadowes inclosed in
Common, or otherwise every man must secure his corne, & meadows, against great
Damage by great Cattle — Cattell, & if anie damage bee done by such Cattell, it shall bee borne by him —
through whose insufficient fence the Cattell did enter, & if that cannot bee —
Fences — proved, then the damages shall bee equallie imposed upon every man, according
to the default of his fences, & if all the fences bee sufficient the owner of
the Cattell must answer the dammage.

If the partie damnified find the Cattell damage pheasant hee may im- 2495.
Impoundinge for Dam. pheasant — pound them, or keepe them in his owne private close, or yeard till hee may —
give notice to the owners, if they cannot agree the Owner may replevie them, or
Replevye — the other Partie may returne them to the owner, & take his remedie, as hee —
shall think best according to Law.

2496. It is ordered that the Owners of the Shipp Tryall shall have ten barrels of wilfull powder delivered them by Mr. Ranson; for which they stand & bound to returne 10. Barrels of good new powder; & they shall also upon the returne of the Shipp deliver 10. barrels more of like powder, att the same price they cat first penny, soe as (if they miscarrie on shipboard) the Country must beare the loss of the 10. Barrels; And they are to have 6. peeces of Ordnance by Capt. Gibbons appointm.t (soe as none be Drakes, or anie mounted) which they are to returne with the Shipp, or to pay for them if they miscarrie. — 10. barrells of Powder 1 ent. — 6. peeces of Ordnance 1 ent.

2497. Whereas att the Generall Court, the 4th of the 7th mo.th 1639. there was provision made for the recording of severall particulars, amongst which it is observed that Birthes, Deathes, & Marriages, are much neglected in many Towns. — 504.

2498. It is therefore ordered, that the Clarkes of the writts in the severall Townes, shall take care especially to record all Birthes & Deathes of Persons in their Townes, & for every Birth, & Death they soe record, they are to have allowed them the sume of 3d., & are to deliver in yearly to the Recorder of the Court belonging to the Jurisdiction where they live, a transcript thereof together with soe manie peeces, as there are birthes, & deathes to be recorded, & this under the penalties of 20s. for every neglect, & for time past, it is ordered, they shall doe their utmost endeavors to find out in their severall Townes, who hath bin borne, & who hath died, since the first foundinge of their Townes, & to record the same as afore said. Also the Magistrates, & other Persons appointed to marrie, shall yearelie deliver to the Recorder of that Court, that is nearest to the place of their habitation, the names of such Persons as they have married, with the dayes, monthes, & yeares of the same, & the said Recorders, are faithfullie, & carefullie to enroll such Birthes, deaths, & marriages, as shall thus be committed to their trust. — Recordinge Birthes Deathes marriages

2499. The cause of Thomas King about his wife being defiled before marriage, is referred to the next Court att Salem, w.th the Elders advice certified. — Fornication

2500. It was ordered that the 21. day of the 4. mo.th should be kept a Publike day of humiliation throughout this Jurisdiction, in regard of o.r owne sinnes, and the feare wee have broken out amongst us, & the distractions of o.r Native Country, Ireland, Holland, & other parts of europe. — Publick Fast

2501. Mr. Greenlife is appointed instead of Mr. Woodman, to end small businesses in Newbury.

2502. It was ordered that Mr. Richard Bellingham, & Mr. Symon Bradstreete, should goe to Pascataquo, & keepe a Court there, with the Commissioners there chosen, & they 2. to be of the Quoram, soe as noe Court to be kept without one of y.m — 505. Piscataqs Courts

2503. Whereas this Court is often taken up, in hearing, & deciding particular causes, betweene parties, & parties, which more properlie belongeth to other inferiour Courts, this Court being onlie to helpe in such cases, where the parties can have noe relife in anie other Court. It is therefore hereby declared, that all causes betweene Parties, should first be tried in some inferior Court, & if the Party against whom the Judgmt. shall passe, shall have anie new evidence, or new matter to plead, hee is to desire a new tryall, in the same Court, upon a bill of exceptions, & if Justice shall not be done him, upon that tryall, hee may then come to this Court for relife. — 506. Tryals first in Inferior Courts then Revised thro y.e Appealt to Gen: Court H. 51. 3

3. 2504. Whereas itt appeareth to this Court that notwithstanding the former Lawes, made against selling guns, & powder, to the Indians, they are yett supplied by indirect meanes. — Indians

2505. It is therefore ordered that if anie person after the publication of this order, shall sell, or barter anie guns, powder, bullets, or lead to anie person, inhabiting out of this Jurisdiction, without license of this Court, or the Court of — 507. Ammunition not to be sold to foreigners

Licence to sell powder

Assistants, or some 2. Magistrates, how shall forfeit for every gun 10s. & for every pound of powder 5s. & for every pound of bullets, or lead 40s. & soe proportionallie for more greater, or lesser quantities. And that this order, and the former against repairing the Indians guns, &c. to them shall bee imprinted & affixed, upon every meeting house doe in this Jurisdiction.

508. A. 1. 23 Teyalls Writ

All actions of debt, & accounts, & actions of the case concerning debts, and accounts to bee tryed, where the Plantiffe pleaseth, soe itt bee in the Jurisdiction of that Court, where the Plantiffe or Defendant dwelleth, unless by Consent under both their hands, itt appeareth, they would have the cause tryed in another Court. 2506.

Repeale.

All other actions to bee tryed within that Jurisdiction, where the cause of the action doth arise. ye. former order made in the Generall Court concerning this matter is repealed §. 774 § 2503. 2507.

509. Shawsin gr'td to Cambridge

All the Land lying upon Shawshin River, & betweene that, & Concord River, & betweene that, & Merrimack River, nott formerlie graunted by this Court, are graunted to Cambridge, soe as they erect a village there within this 5. yeares, & soe as itt shall nott extend to prejudice Charlestowne village, or the village of Dochittawitt nor the farmes formerlie graunted to the new Townes, of 1260. acres, & to Thomas Dudley Esq. 1500. acres, & 3000. acres to mr. Wonthrop, and mr. Flint, & mr. Stoughton Wonthrop are to set out their bound line towards Concord. 2508.

510.

This Court taking into serious consideracon the great danger, that this Comon-wealth is liable unto, by forreigne, & Domesticke foes, which wee have just cause to conceive will bee readie, as opportunitie, & meanes are put into their hands, to practise against us; God being willing to lay hold on, & use all such meanes, as God shall direct us unto, as may tend to the sayeing, & producing such materials amongst o. selves, as may perfect the making of gunpowder, the instrumentall meanes that all nacons lay hold on, for their preservacon, (hauing too much neglected, to take due care which wee might have done) do order, & decree that every Plantacon within this Colloni. shall erect an house in length about 20. or 30. foote, & 20. foot wide, within one. halfe yeare next comeing, into which house wee desire, & enjoyne the Officers of each militarie companie in each Towne to see, & cause a sufficient quantitie of earth, by their companie, or otherwise yearelie to bee carried, & twice in every yeare, or oftner, the earth from its foundacon by them to bee stirred, & removed, from one end thereof into the other, from the bottome to the top, mixing such store of men, & Beasts, wth goats, kowes, hogs, and horses dung, as shall bee by the carefull, & conscionable members, of this Comon-wealth brought to bee dispersed, & scattered amongst the said earth, the companie nott leaveing of bringing more earth into the said houses, till itt shall come within 2. foot of the wall plate of the same; & that the said houses bee well covered, their sides, & ends soe ordered, that noe wett may come into them to the prejudice thereof, & for the further promoveing of what is above ordered, & decreed, wee declare, that all such inhabitants of every Towne, as shall cause the store of their families, in some such place to bee ~~built~~ putt, & kept, as ye. itt may bee in due time brought, and dispersed in the said houses, or other out houses, of their owne which are alike ordered, & covered; doe best discharge their duties, & manifest themselves sensible of the danger of this Comon-wealth. 2509.

For makeinge Gunpowder.

2510. The Townes are att liberty to make either one such great house, as is before appointed, or diverse smaller houses, according to number of families in the Towne, & different situation of them, & it is intended that such Persons as are exempt from ordinarie trainings, & doe not alow a valuable recompence & yett are able to afford helpe about the designe, shall bee imployed thereon upon training-dayes, by the appointm^t of the militarie officers.

2511. This Court taking into serious consideration, the generall deceits, & abuses, which in other Places have bin, & are comonlie practised by the Tamers, Curriers, & workers of leather, as also the abuses, & inconveniences, which accrues to the generall members of this Comon-wealth by leather, not sufficiently tanned, wch is occasiond by the negligence, & unskilfulnesse of those generall Tradesmen, which before, & after it is in the hands of the tamers, may bee much either furthered, or impaired, for prevention whereof it is decreed, and ordered, as ffolloweth.

511. Tamers Curriers Shoemakers Butchers

2512. 1. That noe Person, using, or occupying the feate, of mistorie of a Butcher, Currier, or Shoemaker, by himselfe, or anie other, shall use, or exercise the feate or mistorie of a Tamer, on paine of forfeiture of six shillings, eight pence, for everie hide, or skinne by him, or them, see tanned, whilest he, or they shall use, or occupie, anie of the mistories aforesaid, nor shall anie Tamer during his vseing the said Trade of Tanning, use, or occupie the feate, or mistorie, of either, Butcher, Currier, or Shoemaker, by himselfe, or anie other, upon paine of the like forfeiture;

Noone but Tamers to vse ye Trade

no Tamer to Butcheke &c

2513. 2. That noe Butcher, by himselfe, or anie other person, shall gash, slaughter, or cutt anie hide of oxe, bull, steere, or cowe, in flaying thereof, or otherwise, whereby the same shall bee impaired, or hurt, on paine of forfeiture, for anie gash, or cutt, in anie hide, or skinne, twelve pence.

Gashing Hides

2514. 3. That noe Person, or Persons, shall after the 20th of the 9th mo^th next, bargaine, buy, make anie contract for, or buyeake anie rough hide of oxe, bull, steere, or cowe, in the haire, but onlie such persons, as have, & doe use, & exercise the art of tanning.

Noe Butcher Tanner to buy Hides

2515. 4. That noe person, or persons using, or which use the mistorie, & facultie of tanning shall at anie time, or times hereafter, offer, or putt to sale anie kind of leather, which shall bee insufficiently, or not throughlie tanned, or which shall nott then, have bin, after the tanning thereof well, & throughlie dried, for that by the searchers, and Tryers of leather lawfullie appointed, shall bee found to bee insufficiently tanned, or nott throughlie dryed, as aforesaid, then all, & everie, such Person, & persons so offending shall forfeit, soe much of his, or their said leather, as shall bee found insufficiently tanned, or not throughlie dryed.

Leather well Dryed

2516. 5. That noe person, or persons, using, or occupying the mistorie of tanning, shall soft their ffatts in tan-pits, or other places, where the woozes, or leather, which shall shall bee putt to tanne, in the same, shall, or may take anie vnkind heate, and shall putt anie leather into anie hott, or warme woozes, or shall tanne any hide with anie hott, or warme woozes whatsoever, on paine, that everie person soe offending shall forfeit, for everie such offence twentie pounds.

2517. 6. That noe person, or persons using, or occupying the mistorie, & facultie of curiing, shall curry anie kind of leather, except it be wool, & perfectlie tanned, or shall currie any hide being nott throughly dryed, after his nott season, in which nott season, hee shall nott use anie scale, lime, or anie other deceitfull, & subtill mixture, thing, way, or meanes to corrupt, or hurt the same, nor shall currie anie leather, most for outer, sole leather, with anie other, then good stuffe, such as the Countrey will afford, nor of anie logge of that then the leather will receive, nor shall curry anie kind of leather, most for outer leather, & inner sole, butt with good, & sufficient stuffe, being fresh, & nott of salt, & throughlie liquored, till it will receive noe more, nor shall burne, or scalle anie hide, or leather in the burning, butt shall worke the same sufficientlie in all points, on paine of forfeiture, for everie such offence done, or acts contrarie to the true meaning of this order, the full valume of everie such hide, - marked by his evill workemanship, which shall bee Judged by 2. or three sufficient, and honest Curriers, or other skilfull persons, on their oath given to them, for that end, by anie assistant.

Curiing

7. That every of the Regiments of this Common wealth, & Souldiers, or two persons, of the most honest, & skilfull within their severall Town-ships, by their direction to search, & view within the precinct of their limits, as often as they shall think good, & need shall bee, & shall have a marke, or seale prepared for that purpose & the said searchers, or one of them shall keepe the same seale or marke, & with the same shall marke such leather, as they shall find sufficient, & not other. & if the said searchers, or any of them doe find any leather sold, or offered to bee sold, or brought to bee searched & sealed which shall bee tanned, wrought, consumed, or used, contrary to the true intent, & meaning of this order, it shall be lawfull to the said searchers, or any of them, to seize all such leather, & to retaine the same in their custody, untill such time, as the same bee tryed by such tryers, & in such manner, as shall bee in this order appointed. 2518.

Marke or seale

8. Upon the seizure of any leather, by vertue of this order, the officer soe seizing the same shall within 3. dayes, call to him 4. or 6. men, honest, & skilfull in such ware, to view the same in the presence of the parties (who shall have timely notice thereof) & the said parties soe chosen, shall certifie upon their oathes, to the next Court, or to 2. assistants, the default of the same leather, against the parties shall before submitt to their Judgm^ts 2519.

Tryers

9. That if any searcher, or sealer of leather shall refuse with convenient speed to seale any leather sufficiently tanned, wrought, & used, according to the true meaning of this order, or doe allow that which shall bee insufficient, then every searcher, & sealer of leather, shall forfeit for every such offence fourtie shillings. 2520.

Sealers

10. That the severall fines, & forfeitures in this order mentioned shall bee equallie devided into three parts, & distributed, as followeth, the one part to the Comon Treasurie, of the limits, wherein the offence is committed, another third part to the Common Treasurie of the Town-ship where such offender inhabitth, and the other third part to the seizer, or seizers, of such leather, as is insufficiently tanned, & dressed. 2521.

fines

11. Provided that this order, shall not extend to avoid any former bargains, betweene any tanner, & shoemaker, butcher, or dresser, or any of them concerning the matter of this order. 2522.

tanner & tanyard

It is ordered that Ipswich shall have 12. saker bullets, with their guns, when they send for them. 2523.

Ammunition to Ipswich

The business betweene the Towne of Ipswich, for mr Rogers, & mr. Bradstreet, is referred to the Governo^r Deputie Governo^r Increase Nowell, mr. Straughton, & mr. Flint to determine without a Jurie, & the Towne bring to deliver mr. Bradstreet a month before their declaration, & he to give mr. Symons, his answeare 14. dayes after, & neither parties to alledge att their hearing any other matter, for substance to pullt the case to a new issue. 2524.

mr Rogers and mr Bradstreet

mr. Treasure^r & mr Parker are appointed to view Naponsett Bridge, & to certifie the charge thereof. 2525.

Naponsett Bridge

It is ordered that after the end of this Court, noe Petition shall bee received in any Generall Court after the end of the 3. day of the sittings of the Court. 2526.

Petitions 512.

It is ordered that the books now in Court concerning argument against the standing counsell, shall bee commended to the Elders, who are desired to returne their judgm^t & advice, about the matter thereof to the next Court. 2527.

Standinge Counsell

Dorchester Mathews was ordered to ~~carry~~ goe home to his m^r., & if he can prove his m^r did beate him, when he came home with order from mr Deputy, his m^r to bee punished, if not he is to recompence his master for damage done him, & loss of his time, & his master was willed for this time not to correct him. 2528.

mathews

Mr. Saltonstals petition is referred to Increase Nowell, & mr. Ting. 2529.

Mary Joanes marriage fine pounds. It was ordered the Treasure^r should deliver Mary Joanes against her marriage fine pounds. 2530.

Mary Joanes

It was voted that Royalls of eight should passe att 4^s 8^d a peece. 2531.

413. Royalls of Eight

2532. It was voted by the Court to vindicate the Office of the standing Coun:cell as it is now ordered, & the Persons in whom it is now vested, from all dishono^r & reproach cast upon it, or them in m^r. Sallortalls Booke. — 514. Standing Counsell

2533. Warmaduke Barton is condemned to slavery, & to bee branded, & remaine in slavery till the Court take further order about him. — Barton

2534. Richard Brackett was graunted 3^li. to bee payd him of m^r. Pocokes estate, for his charge about Thomas Lawson. — Brackett & Lawson

2535. It is ordered that in all trials betweene Partie & Partie, the Juries shall find matter of fact, with the damages & costs according to thier evidence, & the Judges are to declare the sentence of the Law upon it, or they may direct the Juries to find according to the Law, & if there fall out to bee any matter of apparent equitie as upon the forfeiture of any obligacon breach of covent without damage, or the like, the Judges shall determine such matter of equitie. this order to continue to the next Generall Court. — 515. Jurors — Judges — Continuance

2536. Everie towne within this Jurisdiction, shall choose one or two freemen, who shall meet att Salem, the first 4th day, of the 2^d. m^o. next, & shall there consider, and agree upon a certaine number of the most able & fitt men in this Jurisdiction, to bee putt to nomination for Magistrats, att the next Court of elections, & thier names, and then to bee faithfullie certified to the Secretarie, & not other, but those to bee putt to vote, that Court. — Deputyes are to Counsell about and to nominate who are to bee Elected magistrates

2537. And it is ordered, that there shall bee no Generall Court held, before the Court of elections, except the Governo^r, & other of the magistrates, shall see iust occasion to call one in the meane time. — Courts

2538. It is ordered that the Governo^r, m^r. Bellingham, & the Secretarie with the Deputies of Boston, shall examine, & survey the orders of this last Court, & perfect the same for the publishing, & that the Governo^r, with such magistrates as shall bee present at Boston the next Lecture day, shall give Judgment upon the Prisoners, & see execution done, according to the sentence of the Court. — Deputed to give Judgm^t

2539. If any man shall ~~forcibly~~ unlawfullie have carnall copulacon with any woman child under ten yeares old, hee shall bee putt to death, whether it were with, or without the girles consent. — 516. Abusing girles under 10 yeares capitall.

2540. If any man shall forcibly & without consent ravish any maid or woman, that is lawfullie married, or contracted hee shall bee putt to death. — 517. Rapes capitall B.6.26

2541. If any man shall ravish any maydes, or single woman, committing carnall copulacon with her by force, against her will, that is above ten yeares in age, hee shall bee either punished with death, or with some other grievous punishment, according to circumstances att the discretion of the Judges, & this Law to continue till the Court take further order. — 518 A.6.26. — Death at discretion — continuance

2542. If any man committ fornication with any single woman, they shall bee punished either by enjoyning to marriage, or fine, or corporall punishment, or all, or any of these, as the Judges shall appoint most agreeable to the word, & this order to continue till further order bee taken in it. — 519. Fornication. p.23.34 — continuance

2543. If any man shall breake up, or rob any dwelling house, on the Lords day when the Inhabitants are gone to the worship of God, or committ Burglary upon any other day, or by night, or shall rob any person by the way, or open locks, or shall steale any other goods but abroad, or in the house, shall bee severely punished according to the nature of the offence, & the severall aggravations thereof, as the Judges shall appoint, this Law to stand in force till the Generall Court doth alter it. — 520. Burglary Robbery Theft — continuance

2544. It is ordered, that such Laws, as make any offence to bee Capitall shall forthwith bee Imprinted, & published, of which Laws the Secretarie is to send a copie to the Printer, when it hath bin examined by the Governo^r or m^r. Bellingham, with himselfe, & the Treasure^r to pay for printing of them. — Capitall Lawes Published.

2545. made ffree the 10th day of the 3^d. m^o. 1642.

Mr. Francis Norton.	Edward Goodwin.	William Dixon.
John Withman.	Rampson Show.	Moses Wright.
Gaydys Foames.	William Tozy.	Robert Edwards.
John March.	John Gaganium.	Thomas Bateman.
Robert Button.	John Clough.	William Allen.
Benamin Vermans.	John Whitwell.	Thomas Walter.
Thomas Autum.	Samuell Thatcher.	William Hartwell.
Michael Shaflin.	John Hill.	John Stevens.
Thomas Puttman.	Richard Woody.	William Stevens.
John Cooke.	John Matthe.	Anthony Somersby.
Phineas Fiske.	William Lewis	Henry Somersby.
William Fiske.	Richard Taylor	William Bozey.
James Fiske.	Edward Carlston.	Samuell Guile.
George Ryam.	Humfrey Reynol	Abell Howes.
Richard Bishopp.	Hugh Smyth.	John Scott.
Allen Remiston.	Hugh Chaplains.	Peter Woodward.
Elias Silsman.	Richard London.	John Beacke.
John Tomkins. qu.	Hugh Burcay.	100. Nathaniell Whiting.
Enamas Conckling.	60. Solomon Phillips.	Micha. Metcalfe.
70. John Neale.	John Broome.	Robert Page.
John Bulfinch.	Isaac Bonins.	Francis Peabody.
Joseph Boyse.	Allen Pearley.	Jeacke Perkins.
Samuell Gemes.	Thomas Thacher.	Thomas Wood.
Theodo. Atkinson.	William Ripley.	Henry Ambrose.
Robert Bradford.	Matthew Hanchey.	Walter Roper.
Hugh Williams.	Hugh Richard.	Henry Kibby.
Richard Beckley.	Thomas Lincoln.	David Zylloch.
John Cutterings.	John Stodder.	110. John Sadler.
John Ingolsby.	80. William Robinson.	Walter Tibbet.
90. Robert Hewen.	Robert Pearce.	Obadiah Brown.
Thomas Snow.	Thomas Davenport.	William Hilton.
Thomas Foster.	Richard Baker.	William Waldron.
Daniell Preston.	Robert Bond.	
John Search.	John Rigby.	the 22. day of the.
John Baker.	George Wright.	4. mo.th made free.
Richard Knight.	Thomas Phyps.	Henry Palmer.
Richard Taylor	Benamin Abby.	Joseph Pasley.
Phillip Taylor	Roger Bancroft.	Richard Tid.
John Buckley.	90. Richard Eckles.	William Titcomb.
100. Edward Bakey.	John Cooper.	William White.
Thomas Bakes.	John Tomkins. qu.	120. Thomas Dove.

The Relinqs. betweene John Humfrey Esq.r & John Holgrave id 2546. referred to mr. Downing, mr. Sharpp and mr. Hollicke, to heard and determine.

The 11th day of the 6th mo.th mr. Wm. Brichen tooke his oath, before the ~ 2547. Goodwin, mr. Dudley. Dr. y.e 14. of 7. mo.th 164 Thomas Hett was made free, 21. 7.th mo.th William English is admitted a free man of this Jurisdition.

2548. 27th 10th 1620th made free at Salem. Walter Price. Robert Cutch. George Gardener. Richard Prince. Robert Leoman. Thomas Moore. Thomas Trefiller. Wm Robinson. Hugh Caukin.

2549. 28th 12th 1642. Thomas Edwards. John Litchim. Henry Harwood.

A Generall Cort held at Boston. 8th of 7th 1642.

Present

The Governour.	Deputies.	Wm Hathorne.	Wal. Hayne.	John Glover.
The Deputie.	Left Hayward.	Tom. Butler.	Thom. Brooke.	Left. Wall. Duncom.
Wm Dudley.	Samuel Winsley.	Ew. Hollioke.	Hen. Chickmo.	Wm Chesebrough.
Wm Gallmoham.	Wm Dow. Rawson.	Capt. Rob. Sedgwicke.	Wm Edw. Allyn.	Sam. Bass.
Wm Nathan. Wall.	Maximil. Jewet	Wm Francis Willoughby.	two deputies Cort.	Wm Jonet Parker.
Wm Bradstreete.	Francis Parrot	Capt. Thos. Le Cooke.	Capt. Edw. Gibbons.	Wm Jerry.
Wm Staughton.	Wm Samuel Symonds.	Wm Nath. Sparrowhawke.	Wm Wm Fryng.	Wm Joseph Decke.
Wm Flint.	John Whipple.	Capt. Wm Seamson.	John Johnson.	Tom. Hubbard.
Increase Nowell.	George Norton.	Edw. Howe.	Wm Heath.	Edward Calcot.

Capt. Gibbons was appointed to gratifie ye Indians, wch were employed by us beinge sent to Passaconaway.

Wm Nathan Wall, & Wm Bradstreete were desired to gratify him, wm they employed.

2551. Richard White for his disobedience, & miscarriage in refusing to watch was committed to watch
2552. Prison, till further course bee taken, it was after referred to the Quarter Court.

2553. An Order was sent Left. Greenlife, or in his absence to Wm Woodman, for sendinge home the Indian squaw, & child from Newberry, & to send to Passaconaway for satisfaction.

2554. Mr Sergt Leverett, & Sergt Edw. Hutchinson were sent to Miantonomo, with extreme Indians instructions to demaund satisfaction of him. first, to tell them of the credible informations we have received from divers (partly by relation of the Indians themselves) that they have drawne m many other Sachems to joyne with the Wahoganiets, in makeinge war upon the English.

2. That wee have heard that Miantonomo intends to possesse himselfe of the Pequots, & that country and to make his son Sachem thereof.

3. That hee hath drawne ye Indians of Long Island Block Island, & other Parts thereabouts (being under the Protection of the English) to pay him Tribute.

4. That hee doth keepe divers Pequots yt are run away from us, or at least doth countenance, & allow the Nicantrick Sachem soe to doe.

5. That these are all breaches of the League, & Covenant hee hath made with us, & contrary to his Promise.

6. To acquaint him that one Wisichcase an Indian about Providence did lately attempt by force to ravish the wife of one Nicholas Wood of Dorchester, & to desire that hee may bee sent to us to bee punished not wth death, but some other punishment. See for William lately the Governors servant Run-away, to bee sent to us.

7. To take his severall answers to all these.

8. Upon his answers, then to signifie to Nicantonomah, that it is desired he would come speake with our Governor, if he refuse, & excuse himselfe he cannot come, then to send two of his chiefe Counsellors to give us further satisfaction herein, & that within 7 dayes.

9. To undertake for their safe comeinge, & restoringe.

10. If they give you occasion, & not else you are to informe them of our true intent in disarminge the Indians were us, & that wee meane to render them their armes againe, when wee are satisfied of their innocency, & that what was done to Passaconaway his son, it was through his owne Provocation, & not by any Order from us, for wee intended only to speake with him, & that wee have given Order to send his Squaw, & Pathrose, to bee sent home to him againe.

11. If hee will not promise to come: or send to us, then to tell them, that if they have soe little regard to keepe their promise to us, wee have just cause to account ourselves free from our Covenant, with them, as those that are false to us, & regard not our friendship, nor their owne promise.

12. You are to let them know, that wee count ye English at Plimouth, Connecticot, New Haven, & other Parts of the Country that are in friendship with us, as all one with our selves.

The Court haveinge good experience of your wisedome, & fidelity have committed this weighty business unto you, & for yor better helpe in the way thither, & converse with them have procured Benedict Arnolds, & Pauaton the Indian, to serve you as guides, & interpreters, & commend you to the most wise, & gratious direction, & Protection, & blessinge of ye Lord God Almighty. Per Curiam Increase Nowell Secret.

Wm Warmerton has directions as followeth.

2555. The Generall Cort holden at Boston the 8th of the 7th Mo 1642. upon credible information of a Generall, & bloody designe of the Indians against all the English in this Country, & of great supply of powder, & guns, wch they have from some of the English in the Easterne Parts, wch liberty alone, & under noe Govern., cannot by any ordinary way of Justice be punished, or

restrained) have given Power, & Comission to you, to make seisure of all such powder, as you shall finde in the possession of anie such Persons, whom you shall finde by such proofe, as you may abouch to have traded anie powder Directly, or indirectly to anie Indian, leaving them only soe much as shall bee sufficient for thier owne particular use for which, this shall bee yo.r sufficient warrant. Per Curiam. Increase Howell. Secret. Also Letters to bee written, to the Governo.rs of other Jurisdictions, to hinder the selling of powder to the Indians.

Upon the frequent complaint of the neglect of ~~authority~~ military service, & contempt of authority in the hands of such Comaunders, & Officers. It is Ordered, that if anie person shall refuse, or neglect to obey y.e Lawfull Comaunds of anie Military Comaunder, or Officer in anie Publique Service. viz. as watching, wardinge, Training, or Marching, or any other service of like kinde; whatsoever hee can alledge to the contrary; it shall be lawfull for two of the Chiefe Officers of every Companie to punish any such Person, according to his desert by fine, not exceeding 20.s or by bilboes, stocks, or such like Corporall punishment, as is usuall amongst Souldiers, or to committ him to the Constable to bee sent to the next Magistrate, who shall binde him over to the next Court, if hee see cause. 2556.

Souldiours Disobedience

Fine. Corporall Punisham. Comittmt magistrate.

It is further Ordered that for an equall case to bee held in watches, every Person not exempted from watching by former Order of Cort, whether Fisherman, Ship-carpenter, or others, y.t are exempted from training, shall notwithstanding watch, as others doe, or provide a sufficient man in his roome. This Order to bee in force till the next Generall Cort of Elections. 2557.

watchinge

Continuance

521. This Court considering the continuall dangers the Inhabitants of ~~this~~ each Towne in this Jurisdiction are in, by the Plots, & Conspiracies of the Heathen amongst us, knowing that it is expected that the severall Townes in this Jurisdiction bee soe advised & directed by the Court, see that they may not be ignorant, what to doe in times of assault, have thought meete to require each Inhabitant, to take notice of these following Directions. 2558.

Indian Invasions

1. That in each Towne in this Jurisdiction, it shall bee Lawfull for the Comaunders of each Company, at anie flarme, to call thier Companies together, & set them in offensive, & defensive waies, as there is occasion against the Enemy, according to thier best wisdome, if direction bee not given by the Counsell of Warre in every Towne.

2. That an flarme in times of danger shall bee accounted by being performed anie of these waies, by anie Inhabitant. viz. By distinct discharge 3. muskets, or a continued beat of the drum in the night or firing the beacons, or sending a Messenger to the ffrigacent Townes, or discharging a peice of Ordinance, in the night time, & every trained souldier is to take the flarme immediately upon paine of 5s.

3. That every Towne provide a sufficient place, for retreate, for thier wives, & children to repaire to, as likewise to keepe safe the ffmunition thereof.

4. That the Comaunders of each Towne on certeine Intelligence by an flarme, of any Enemy at anie one Towne, the 3. next thereunto shall be a sufficient Companie by each Towne added, repaire to the same Towne, where the Enemy is first placed.

5. That every Smith in this Jurisdiction layinge aside all other business, doe with all speed repaire the ffmunition of the severall Townes, fittinge them, for anie sudden occasion, & shall receive Countrey pay for it.

6. That all watches throughout this Jurisdiction bee set at Sun-set, at the date of the Downe, & not bee discharged till the beat of the drum at sun-rising.

522. This Cort taking into serious Consideracon the present danger of each Plantation by the desperate Plots, & Conspiracies of the Heathen, as also, that they may bee furnished with such store of powder, as may prevent any Invasion, have thought meete to appoint John Johnson at Roxbury the Generall Surveyo.r of the ffirmes, on the demaunds of any sufficient Inhabitant of each Towne, to deliver thier severall proportions of powder, which in thier warrant from the Generall Court shall bee mentioned, accordinge as is here under-written, & agreed upon, provided that the said Inhabitant doth under his hand acknowledge the receit thereof, & securely keepe the same, not delivering anie part thereof out of the said Store, without present necessity requiring, & then on such good satisfaction, as may likely purchase powder againe, & if it bee not in such Service used, the same to take into his Possession againe, or such a full store of fresh powder, in weight equalizeinge that, which was — 2559.

Surveiour of ffirmes

deliverd in place, & that the severall Townes which haue already had ame powder, out of the Countreyes store, & which exceeds thier portions here-vnder mentioned, shall within one mo. deliver the surplus of such powder in thier hands, with sufficient pay, vnto the sayd John Johnson, for that which is deliverd out, that so the Countreys store may be renewed against times of danger, & that the Deputies of each towne at the General Court of Election from time to time shall certify the Court of the case, & condition of the sayd Townes store of powder. The names of the Townes, & the Proportions thereof are these.

Hampton	1.	Salem	4.	Weymouth	2.			Concord	1.
Salisbury	1.	Glocester	1.	Dorchester	2			Sudbury	1.
Newbury	1. Barrels.	Linn	1. Barrels.	Boston	2. Barrels.			Rocksbury	1. Barrels of
Rowley	1.	Charlestowne	2.	Watertowne	1.			Dorchester	1. Powder.
Ipswich	4.	Cambridge	1.	Dedham	1.			Almsbury	1.

2560. Memorandum that Hampton, & Newbury hath each of them a barrell before, which they are to allow for beside the barrell which is now allowed to each of them by this Order. — Powder.

2561. Watertowne hath 12. mo.ths liberty, to pay for the 2. barrels of gunpowder. — idem.

2562. Wm. Arnolds, Robert Coale, Wm. Carpenter, & Benedict Arnolds his Company, upon thier Petition, were taken vnder our Goverment, & Protection. — 523.

2563. Wm. Arnolds, Robert Coale, Benedict Arnolds, & Wm. Carpenter, are to see to keape the peace in thier Lands. — Arnolds &c. Subjects.

2564. The Secretary, the Treasurer, & John Johnson are appointed to take account of Wdr. Harwards — Ammunition supplyed to the Countrey. — Ammunition.

2565. The Traders are to give account of the Wampam.

2566. It was appointed thanks should be given to Wdr. Willoughbie, Wdr. Haughton, & to Wdr. Andrewes, & others for thier honores. — Complement.

2567. Capt. Wm. Traske for the neglecting the execution of his warrant was admonished, & fined 5s. — Trask.

2568. The Towne of Cambridge for neglecting thier powder is fined forty shillings. — Fine.

The Bushell of apples was paid in.

2569. Wdr. Robert Saltonstall sate which nee is to pay for his Brother is respited, till the next Sessions.

Glocester is to have ten muskets of the Countreys lent them. — Ammunition.

2570. For the Ministers propounded to be sent to Virginia, its was Voted, That if the Churches would consult to have them one, the Magistrates should commend them to the Goverment there. — Virginia.

2571. The Secretary, Treasurer, & Capt. Gibbons were appointed to give directions to Captaine Stauchton about the Goods which Capt. Sedgwicke brought over, that the whole mo.ney principle he — returned to procure a new supply therewith. — Wdronges. Referred to Capt. Staughton afterwards repealed.

2572. The Court is adjourned to the 27th. of this present Weneth. — Adjournments.

Ipswich Court is adjourned 14 dayes.

2573. The Court desireth the Churches thought meete to have a day of thanksgiving kept the 22th. present. — Indians.

2574. It was referred to the Treasurer, & Capt. Gibbons to gratify Wriantnemo with a Coate, & some tobacco, & Cutshamaquin a Coate & Shauton for his journeyes to give him satisfaction, & also to — satisfie Benedict Arnolds. Also Pashacomoway to have satisfaction.

2575. And John Dover to rate 30s. allowed him for his journey to Connecticut. — Indians.

2576. It was Ordered that all the Indians Armes should be restored to them againe.

2577. It was Ordered that for the payment of the Rate, which is to be paid the 4o. mo.th. wheate, & barly, shall passe at 4s. the Bushell, rye & pease at 3s. 4d. the bushell, Indian Corne at 2s. 6d. the Bushell, in Hogs, at Hogs prices, or in Beaver, Money, or Wampam, pay as to be made. — Rate. Wdronges.

2578. It was Ordered that the 20s. of 520s. in Capt. Sedgwickes hands, should be payd halfe to Wdr. — Dunster for the Colledge, & the other halfe to Capt. Sedgwicke. — 524 ffl. 16s.

2579. It was Ordered that every man shall pay 10s. before his cause be entered, vnlesse the Court for — cause to admitt any in forma pauperis. — 525 Boston Court 100s.

It is Ordered that Boston small Court shall have power to end any Cause vnder an hundred pounds, as Salem, & Ipswich have.

2580. Wdr. Clarke is appointed in Wdr. Rawsons place to end small Causes at Newbury.

Ensigne Cakebread is appointed to lead the Company at Sudbury as Ensigne.

Wdr. Stephen Winthrop hath liberty to goe for England.

2581. Wdr. Ralph Whalecke is appointed in Wdr. Allen his place to end small Causes at Dedham & to be Clarke of the writts.

Dorchester

Charlestowne Village is called Dorchester.

Proposition about Jurie.

Mr. Bellingham, Mr. Saltonstall, Mr. Symons, Mr. Hathorne, Capt. Samson Goodman Johnson, & Goodm. Heath, are appointed a Comittee, to consider whether in stead of Causes to retaine, or dismisse Juryes against the Court of Elections. 2582.

High-way.

Mr. Treasur. Mr. Parker, Lieut. Duncan, Mr. Glover, & Goodm. Clarkborough, these, or any three of them are appointed a Comittee to view & set out a convenient place for the High-way, & ferry, at Dorchester, & certifie the next Court. 2583.

High-way.

It is Ordered that the high-way from the Written-tree, to Dorchester shall be allowed through Mr. Gaynes, & Mr. Newgates ground, till the other way be mended, & gates made convenient, or left open for men to passe. 2584.

Mr. Hathorne.

Mr. Hathorne is dismissed from any attendance about the Booke, for which he was formerly questioned. 2585.

Tribute.

It is Ordered that the Magistrates shall send to demaund all the Tribute due to us, every where. 2586.

Capt. Jenningers land Samsons farme

John Bridge is appointed instead of Mr. Allen deceased for to lay Capt. Samsons landout. 2587.

Eliazer Lusher is appointed instead of Mr. Allen to lay out Samuel Sidnes farme. 2588.

Lawes 526.

Its Ordered that every Court shall have a Copy of the Lawes at the Publike Charge. 2589.

527.

For the better directions of the Watch & Alarms in this Jurisdiction for greatest safety of the severall Townes, & whole Countrey: It is Ordered that besides the Countreys Alarme, for each severall Towne in this manner there shall be an Alarme: One musket discharged shall be an Alarme to all the Sentinels, at the severall Quarters of each Towne, who shall answer the said Alarme, not by shooting any more peices, but by goeing to, & awakening the severall houses within their Quarters, by crying, fire, fire; thus the Towne being rayseed, if danger appeare it shall be in the direction of the Chiefe Officers, either to strengthen their severall Quarters, as they shall see occasion, or else to give an Alarme to the whole Countrey: Its left to the direction of the Chiefe Officers of every Towne, to appoint the most convenient Quarters, or Randeevous, where to set Sentinels, or Corts of Guards. 2590. 2591.

Alarme

Piscataq.

528.

It is Ordered that the present Inhabitants of Piscataqu. who formerly were free there, shall have liberty of freemen in their severall Townes, to marriage all their Towne offaires, & shall each Towne send a Deputy to the generall Court, though they be not for the present Church Members. 2592.

529.

This Court taking into Consideration, the oft occasion that wee have to trade with the Hollanders, at the Dutch Plantation, & otherwise; doth therefore Order that the Holland Ducato, being worth 3. guilders, shall be currant at six shillings in all payments within our Jurisdiction, & the Rix Dollar, being 2. ½ guilders, shall be likewise currant at 5s. & the Rydall of 8. shall be currant at 5. shillings. 2593.

Moneys Valued.

Coopers Vessels.

It is Ordered that all vessels of casse used for any liquor fish or any other Comodities to be put to sale shall be of London assize, & that fit Persons shall be appointed from time to time, in places needfull: to gage all such vessels, or casse, & such as shall be found of due size, shall be marked with the gagers marke, & noe other, & he shall have for his paines foure pence for every tun, & soe proportionable, & its Ordered that Mr. Winthrop Fitzwinnall, Mr. Demer, & Thomas Bearman shall be Gagers of casse for this yeare, & till others shall be chosen in their roome, the Gagers marke, shall be G. 2594.

Saltpeter houses.

530.

The Townesmen in every Towne shall take Order, that every house, or sometimes, or more houses doe joyne togeather for the breeding of salt-peter in some old house used for pottrye, or the like, & to give them directions, about the same according to former Order of Court, which Order is hereby repealed, save only to be made use of for directions of ffamilyes in their severall 2595.

houses appointed by this Order & every Towne which shall neglect the execution of this Order, before the last of the 1st mo.th next shall forfeit 20s. & every ffamily see appointed, that shall faile therein shall forfeit for every mo.th so faylinge, 12d. & to let them know that such Order, as shall bee rayseed by this meanes shall bee for the Publique ffe, but the Owners shall have a due price for the same.

Boston, Sery.t Leverett. Charlestown, Thomas Peirce. Cambridge, Sery.t French. Watertowne, Sery.t Bearcy. Concord, George Howle. Sudbury, Ensigne Cakebreade. Dedham, Sery.t Phillips. Roxbury, Sery.t Heyres. Dorchester, Sery.t Chapp. Braintree, Martin Saunders. Weymouth, Robert Martin. Hingham, Brazen fellen. Lynn, Sery.t Tomlins. Salem, Mr. Gardner. Ipswich, Tom. Goodner. Rowley, Josiah Jewet. Newbury, Mr. Greenlife. Salisbury, Sery.t Sellice. Hampton, Wm. Estro. Glocester, Mr. Brewen. North Hampton, Wm. Dompret. these to have the charge of looking to this Order, & to have halfe ye. forfeitures of ye. severall ffamilyes for their labo.r & the other halfe to be bestowed for furtherance the worke.

2596. Whereas by Order of Court in the 7.th mo.th 1636. there was appointed, & named six Magistrates, & six Elders to Order the Colledge at Cambridge, fol. 12. some are removed out of this Jurisdiction: It is therefore Ordered that the Governo.r & Deputie for the time beeing, & all the Magistrates of this Jurisdiction, together with the Teaching Elders of the six next adjacent Townes; that is Cambridge, Watertowne, Charlestowne, Boston, Roxbury, & Dorchester, & the President of the Colledge for the time beeing, shall have from time to time full power, & authority, to make, & establish, all such Orders, Statutes, & Constitutions, as they shall see necessary, for the institutinge, furtherance, & guiding of the said Colledge, & the severall Members thereof from time to time, in pietty, morality, & learninge. As also that they shall have full Power to dispose, Order, & manage, to the ffe, & behoofe of the said colledge, & Members thereof; all gifts, Legacies, Bequeathals, Revenewes, Lands, & Donations, as either have bin, are, or shall bee conferred, bestowed, or any wayes shall fall to the said Colledge, & whereas it may come to passe, that many of the said Magistrates, or Elders, may bee absent, or otherwise employed in their weighty affaires, when the said Colledge needs their present helpe, counsell, & authority, therefore its Ordered that the greater number of the said Magistrates, Elders, & President shall have the Power of the whole. Provided alsoe that if any Order, or Constitution shall bee made, that is found shortfalle to the said Colledge, or the Members thereof, or to the Weale-Publique, that then upon the appeale of the Partie, or Parties agrieved, to the said Overseers, that they shall repeale the said Order, or Orders, at the next Meeting, or stand accountable thereof to the next Generall Court. 531. Colledge.

2597. It is Ordered that 20.th shall be added to the former Rate or ffeed.m according to ye. former proportion. Rate.

2598. It is Ordered that the Marshalls stipends shall bee abated hence-forward to 10.li per annum, & his fees according to Order. 52. Marshalls fee.

2599. The Governo.r Mr. Dudley, Mr. Bellingham & Increase Nowell are desired to consider of Goodman Morrells Petition.

2600. Shearman Petition is graunted to bee referred to a Committee, according to Order, in that case, provided that he desire it. Shearman.

2601. It is Ordered that the ffeoffees at Pascataq shall have Power to try ame cause under 20.li though no other bee sent to them. Pascataq

2602. Mr. Hilton, Mr. Walldorne & Edw. Slote have authority to end differences under 20.s.

2603. Mr. Francis Williams is joyned an ffeoffee at Pascataq.

2604. William Wilson his stipend is abated to 10.li per annum henceforward & his fees. 533. Sayle & Monyes. Fees

2605. Mr. Pinchen is appointed to pay according to the Order for the Barbo.n trade.

2606. The Committee to meete at Salem is to meete the first 3.d day of the first Moneth, to consider of new Magistrates.

2607. It is Ordered that Mr. Staccordon shall take two Demi-Culverens, to bring backe Drakes for them, or to returne them. 2. Ordnance lent.

2608. The Sergeants General of the ffirmes of the Country shall have Power to sell ame of the Country ffirmes for an equall price, either in Corne, or other Country pay, & to provide ffirmes accordingly the cheaperith see some as may, see bee sell them not out of this Jurisdiction. 534. Surveyors generall of ffirmes.

2609. All Persons exempt from training, who yet are to finde ffirmes, & are able to bye them, shall appeare with thier compleate ffirmes before the Military Comaunders twice in a yeare to be exercised. 535. ffirmes. Exempt persons

Except Magistrates, Elders of Churches, Physitians, Scholers, & Chyrurgions.

2610. The Magistrates in, & neere Boston, with the Deputies of Boston, Charlestowne, Cambridge, Committee.

Watertowne, Roxbury, Dorchester, or the greater part of them are appointed to be a Comittee to treat with any Commissioners from Plimouth, Connecticott, or New-Haven, about the Union, & concerninge abateinge any danger of the Indians & to have Power to doe herein, which they shall finde needfull for Comon Safety, & Peace, see as they enter not into an Offensive warre, without Order of this Court.

Leather. 536. The Order for preventinge the sale of insufficient leather, & shall be extended to leather, wrought into shoes, or bootes, as well as unwrought Leather & Searchers are to be Chosen by the severall Townes, & presented to some Magistrate, to be sworne to the due execution of ye. Trust committed to them. 2611.

Mr. Conyers. The Stocke of 520li. in Capt. Sedgwickes hands is appointed to bee delivered to Capt. Stoughton, to bee imployed by him, for the Countrey in such Comodities, as hee shall thinke most needfull. 2612.

It was Ordered that the House, Goods, & Land of John Edwards should be Attached Garrets, & his Heires, according to the appraisement. 2613.

Ferry 537. The Tenants of the Ferry from Boston to Winnisemet are remitted all the former Rent, & 40s. per annum is remitted for time to comes, only they are to pisse the Magistrates, and Deputies freely in the countreys Service. 2614.

Mr. William Payne undertooke to answer the Action of Henry Cosgrave. 2615.

George Walker upon the Petition of Mr. Capt. Bridges, is set free. 2616.

Mr. Conyers. It was Ordered that Mr. Wavericke should pay presently in 30li. of his fine, & have 6. Months for the other 30li. & all to be payd in good Merchantable payment accordinge to the last Order. 2617.

Strawbury-banke. It was Ordered that the Elders should be desired to take the Case of Inhabitants of Strawbury-banke into their Consideration, & afford their helpe for providing a Minister for them. 2618.

538. The Inhabitants of North Hampton upon their Petition, are graunted the Liberties, with other Townes have, & Mr. Samuel Dudley, Mr. Wm. Payne, Mr. Winslow, & Mathew Boyse are to settle their Limits. We thinke we are bound to defend their Right, accordinge to ye. agreement with Mr. Whiting, & his Company, see as nothinge be done till to the prejudice of Mr. Whiting, & the Company, till the matter bee Decided. 2619

Pascataqe. They shall have a barrell of Powder, deliveringe dey fish for it, at Boston, by agreement with the Surveyor Generall. 2620.

Piscataqe. The difference betweene this Court & Mr. Whiteinge, & his Company, is comitted to 3 or 4 of the Magistrates about Boston, to take some course for the speedy determininge of it, as they shall thinke fitt. 2621.

Mr. Robert Saltonstall, & Mr. Haughs Petitions are not graunted because noe warrant is found for the disbursement of it, nor proofe of receits of particulers for the County. 2622.

Mr. Wheelewright. The Petition for Mr. Wheelwright, is he himselfe Petition the Court at Boston, they shall have Power to graunt him safe conduct. 2623.

It was Ordered by the Comittee assembled, that the watches should be layd downe. 2624.

Mr. Conyers. Mr. Bellingham, Capt. Cooke, & Leiut. Duncan were appointed to goe to New-Plymouth, to settle the owines about Mr. Andrews his 200li. to take bonds, sealed trier discharge, & take the discharge for Mr. Andrews.

A Generall Court of Elections.

held at Boston 10th 3. & 2d. 1643.

Present.

Mr. Governo.	Mr. Flint.	Thomas Brookes.	Wm. Tyng.
Mr. Deputie Gov.	Mr. Simons.	Edw. Howe.	Robert Sedgwicke.
Mr. Dudlye	Mr. Hibbins.	Thom. Mayhew.	Nich. Russell.
Mr. Bellingham	Deputies.	George Cooke.	Hugh Richard.
Increase Nowell.	Henry Chickering.	Latha. Sparrowhawke.	John Glover.
Mr. Bradstreete.	Edmund Rice.	Edward Gibbons.	Humphrey Atherton.

Samuell Sesse.	Edward Holloake.	Mathew Boyes.	George Norton.
Stephen Kinosby.	Edward Tomlins.	Maxim. Cooke.	William Hooke.
Bozan Allen.	William Hathorne.	John Clearke.	Christopher Batt.
Joshuah Hubbard	Edmund Batter.	Edward Widman.	Edward Starbuck.
William Torry.	William Hubbard.	Wm. Hayward.	James Parker.
Wm. Carpenter.	Joseph Wedcalfe.	Edward Johnson.	Joseph Wells.

Made free at ye. seconds Session of Salem Court. 20th. 12th. 2dth. 1642.

2625.	Richard Morse.	John Plumton.	40. Richard Waye.	Edward Shepheard.
	Hugh Stacy.	20. John Knights.	Robert Williams.	Daniel Towne.
	Thomas Avery.	John Jackson.	John Wrangfeilds	Thomas Dingfort.
	Edward Bracampe.	Nathan. Fiske.	Francis James.	Andrew Stephenson.
	Made free. 3. 6.	George Parkhurst.	Robert Proctor.	Wm. Wanning.
	Wed. 8th. 10. day. 1643.	John Pratt.	Wm. Fletcher.	Henry Simons.
	Wid. Thomas Wallis.	Thomas Beard.	William Dixon.	John Tydd.
	John Scott.	John Arnoll.	John Woods.	John Mosite.
	Isaac Wheeler.	John Hollister.	Henry Brigham.	Benjamin Butterfields.
	John Ward.	James Priest.	Robert Wadder.	70. Edward Winn.
	Andrew Lyter.	Nicholas White.	50. George Bazell.	Nicholas Wolte.
	Made free 10. 3. mo.	30. Jeffrey Tucker.	Richard Rawlin.	John Hollister.
				James Priest.
	10. Thomas Boosnow.	Wm. Turner.	Strong Hurnell.	John Allbye.
	Robert Dants.	Roger Billinge.	John Sanderbant.	Peter Bracket.
	Henry Leper.	Laurence Smyth.	Isaac Colemer.	Rath. Herman.
	John Parmenter.	Wm. Ware.	William Blanton.	Samuel Adams.
	William Ward.	Richard Evans.	Willis Tarne.	John Hastings.
	John Newton.	William Prescott.	Rath. Worcester.	John Roketby.
	John Thurston.	John Gurnell.	James Morgan.	80. William Chase.
	Christopher Smyth.	Henry Wodsworth.	Robert Pepper.	John Shepheard.
	John Smith.	Rath. Howard.	60. Richard Hildreche.	Thomas Adams.

2626. John Winthrop Esq. was chosen Governo., & tooke his oath to that place appertenino.
2627. John Endicott Esq. was chosen Deptie Governo., & tooke his Oath.
2628. Thomas Dudley Esq. was chosen Assistant, & tooke his oath.
Richard Bellingham Esq. was chosen Assistant & tooke his oath.
Wd. John Winthrop Junior was chosen Assistant.
Increase Nowell was chosen an Assistant, & tooke his Oath.
Wd. Thomas Flint was chosen an Assistant & tooke his Oath.
Wd. Simon Bradstreet was chosen an Assistant & tooke his Oath.
Wd. Israell Stoughton was chosen Assistant.
Richard Saltonstall Esq. was chosen Assistant & tooke his Oath.
Wd. William Pynchon is chosen an Assistant.
Mr. Samuel Symonds was chosen Assistant & tooke his Oath.
Wd. William Hibbens was chosen Assistant, & tooke his Oath.
2629. Wd. William Tyng is chosen Treasure.
2630. Wd. Symon Eyres, Capt. Jeamson, Hugh Mason, & John Mearman, till Capt. Jeamson come, are appointed to end small Causes in Watertowne under twenty Shillings.

2631. Whereas it hath pleased ye. Lord, wth. of his free grace, & mercy, hath from time to time taken the care of, & provided for the safety, & good of his Churches, & People here in New-England, see to move the hearts of the Honorable house of Comons in England, as they have bin pleased to make a speciall Order in ou. favo., for acknowledgment of ou. humble thankfull reuse, & preserving a grateful remembrance of the Honorable respect from that house, It is ordered, ye. this said Order, being sent unto us, under the hands of the Clearke of the said Honorable House of Comons

shall be entred among ye Publique Records to remaine there vnto Posteritie.

Veneris 10° Martij 1642.

Whereas the Plantations in New England have by the blessing of Allmighty God, & prosperous successe without any Publique charge to this State, & are now likely to prove very happy for the Propagation of the Gospell in those Parts, & very beneficiall & comodious to this Kingdome, & Nation. The Comons now assembled in Parliament doe, for the better advancement of those Plantations, & the encouragement of the Planters to proceed in their undertakings, ordeine that all Merchandizing Goods, that by any Person, or Persons whatsoever, Merchant or other, shall be exported out of this Kingdome of England into New-England, to be spent, used, or employed there, or being of the growth of that Kingdome, shall be from thence imported hither, or shall be laden, or put on board in any Ship, or Bottel for necessaryes in passing to, & fro: And all, & every the Owners, or Owners thereof shall be freed, & discharged of, & from paying, & yeelding any Custome, Subsidy, Taxation, Imposition, or other Duty for the same, either inward, or outward, either in this Kingdome, or New-England, or in any Port, Haven, Creake, or other Place whatsoever, untill the House of Comons shall take further Order therein to the Contrary. And all, & singuler Customers, farmers, & Collectors of Customes, Subsidies, & Imports, & other Officers, Ministers, & Subjects whatsoever, are hereby required, & enjoyned that they, & every of them, upon the shewing forth unto them, this Order, or a true Copy thereof, under the hands of the Clearke of the House of Comons, without any other writt, or warrant whatsoever, doe make full, whole, & entire, & due allowance, & cleare discharge unto the said Owners of the said Goods, & Merchandizes, their Factors, Servants, & agents, according to the tenor, & true meaning of this Order.

H. Elsing. Cler. Parl. D. Com.

Edward Bate, William Tory, & Nicholas Philips, are appointed to ends small business under twenty shillings, at Weymouth. 2631

Mr. William Perkins is appointed Clarke of the writts at Weymouth.

Samuel Baker, James Penryman, & Alexander Winchester are appointed to ends small businesses at Braintree, under twenty shillings.

John Saunders, & Samuel Dudley, & Christopher Batt are appointed to ends small businesses at Salisbury, under twenty shillings.

Obadiah Bowen is appointed Clarke of the writts at Glocester.

Mr. Wm. Stephens, Obadiah Bowen, & George Morton are appointed to ends small Causes at Glocester, under twenty shillings.

Mr. Wm. Hathorne is appointed to record sales, & mortgages in the absence of Mr. Downing, & till Mr. Downing returne.

Mr. Peter Royce, Edward Goodman, & John Bent are appointed to ends small Causes at Sudbury, under twenty shillings.

Edward Converse, John Trowbridge, & Hezekiah Richardson, are appointed to small businesses at Woobornn under twenty shillings.

Edward Johnson is appointed Clarke of the writts at Woobornn.

It is Ordered that after the last of the third Month to the ends of the sixt Month it 2632
539 shall be lawfull to fish ground with Cobbs, & Base notwithstanding the former Order.

Mr. Wm. Hathorne, & Mr. Edward Hallioke are appointed to assist in the Courts at Salem. 2633

Those wch were to flyt at Ipswich Court are to assist still. 2634

Mr. Saltonstall hath leave to depart, because of his wives illnesse. 2635

The Governor, Mr. Dudley, & Mr. Bradstreet; Mr. Treasurer, Capt. Gibbons, & Mr. Hathorne 2636
are chosen to Treate wth ye friends of Connetticot, New-Haven, & Plymouth, about the Confederacy between them.

Mr. Humphrey, Atherton, & Mr. Edward Tomlins are appointed to goe with Goodman Wm. 2637
Arnold, to speake with Mr. Greene, Mr. Warner, & Richard Waterman, & the rest there, & to order, & doe how things according to instructions, to be given them in writing, & to get, & bring Wm. the Indian, if they can.

Its Ordered y^t ye Agreem^t betweene Ipswich, & Salem be Recorded. 2638

The 27th of the 1st Mo. 1643.

2639. At a meeting by ye whose names are underwritten, chosen by the Townes of Salem, & Ipswich, & having full Power either Towne to agree, & determine, of the Bounds betweene the said Townes, doe in the behalfe of each Towne agree & determine, the same as followeth. Imprimis, wee doe conceive that the meeting Howses of the two Townes standeth North-North-East halfe a point Easterly, & South-South-West halfe a point Westerly, whether it be exactly so, or noe, wee are fully agreed, ye the line betweene the two Townes shall run as followeth, from the Bound-tree neere John Frizzelles house west-North-west, halfe a point Northerly, & East-South-East, halfe a point Southerly as the Trees are marked both wayes from the said Bound-tree. Bounds.

Wm Hubbard. Joseph Youngs. Jeffrey Lidsby. Thomas Howlett. John Tuttle. Roger Conant. John Balch. John Hage.

2640. Edward Converse, Ezek. Richardson, Capt. Cooke, Edward Goff, & Wm Stileman, are appointed to lay out the way from Cambridge to Woobourne, way fro Cambridge to Woobourne

2641. The Court granted Squa Sachem halfe a pound of gunpowder, & her peece to be mended.

2642. Wm Hooke had leave to depart, not being well.

2643. It is Ordered that all the Armes, Ammunition, & Ordnance should be fetched 540. within two Months & that Charlestowne, Cambridge, & Ipswich shall have each of them a Dicke, & that Capt. Sedgwicke, Capt. Gibbons, & Capt. Cooke, shall dispose of the Ammunition, Armes, & Ordnance, & utensells & the Surveyors to have an Moiety of all, & Charlestowne to have Carriages, & such other things, as they need towards the money, which hath bin promised them, & the Surveyors generall to have the Armes, & Capt. Sedgwicke, Capt. Gibbons, & Capt. Cooke are appointed to take charge of fetching home these things, & to lett the Ilands as they can, yearely. It is Ordered that Capt. Sedgwicke should have what he hath layd out upon the Castle, upon his account to the Treasurer. Ammunition. Castle & Island disbursement.

2644. The Court Voted, & expressed their Consent to the Articles betweene us, & Connecticott, New-Haven, & Plymouth, if they Consent to them, & appointed them, to be transcribed, & subscribed by the Secretary. Confederation.

2645. John Irons for his reproachfull, & clamorous speeches was fined 20s which upon humble of his fault was abated unto 5s which Capt. Sedgwicke undertooke. Irons.

2646. It is Ordered that Wm Bradstreet, & Wm Symonds shall give Wm Saltonstall his oath. Piscataq.

2647. It is Ordered that Wm Deputy, Wm Saltonstall, Wm Bradstreet, Wm Symonds, or any two 541. should goe, & keepe Court at Piscataq.

2648. Capt. Wiggins Authority is appointed to extend to Hampton, as before. Wm Wiggins.

2649. The forenamed Commissioners have liberty to keepe Court for small Causes, as before, finds two upper Courts are to be kept there, the one betweene the English Harbert, & the Indian, & the other, in the Spring. Piscataq.

2650. The Gentlemen that keepe Court at Piscataq, are to view the grounds in question, & to see whether they can settle businesses betweene Strawberry-Banke, & Dover, & if they cannot, to certify the Court, how they find things. Bounds.

2651. Thomas Bayes being convented for mutinous, & turbulent speeches, was fined 5s & bound in 20s to appeare at the Quarter Court the first Wednesday, & to be of good behavior in the meane time. Bayes.

2652. Robert Crosman for his offensive speeches was fined twenty shillings, & bound in ten pounds to appeare at the Quarter Court in the first Wednesday, & to be of good behavior in the meane time. Crosman.

2653. Henry Chitherning, William Ballard, Thomas Dwyte, & Robert Hinscon are bound for the 2 fines of Thom. Bayes, & Robert Crosman, wch is six pounds. Fines.

2654. Wm Wheelewright had a safe conduct granted, & liberty to stay fourteene dayes, so it be within three Moneths next ensuing. Wm Wheelewright.

2655. The Order that restrained the killing of calves for some Wedns is repealed. Repeale. Calves

Exeter. Exeter Petition was answeared, barring it fell within o^r Patent, the Co^rt tooke it ill, they should capitulate with them. 2660.

Elections. 542 About Elections. It was Ordered, that the Order made at the Generall Co^rt 13th day of the 3^d Mo^th 1640. 446. for a free, & orderly Co^rt to be held for the nomination of such, as are to be put to Election for new Magistrates shall bee retricted, & stand in force, till this Co^rt shall see cause to alter & or repeale it, with this explanation only, that whereas it is expressed in the said Order, that the Deputies should propound to the ffreemen whom they would have put to nomination for Magistrates, the intent of the said clause is not, that the Deputies shall have the sole libertie of nomination, but that all the ffreemen should have equall liberty with them therein. 2657.

Number. It was Ordered, that Warrants should bee sent to the Townes, to send the number of males from sixteene yeares old to sixty in the beginning of the first Moneth. 2658.

Mr. Edward Tomlins is appointed Clerke of the writts att Lin in Mr. Sadlers place. 2659.

Members ffreedome. Churches. It is Ordered touching Members, that refuse to take their ffreedome, their Churches should see writt onto to deale with them. 2660.

The Governo^r & Mr. Dudley are appointed on a Comittee to treat with o^r Brethren, & Confederates of Connecticott, & New Haven, & if either of the former bee hindred Mr. Bellingham is appointed in his stead. 2661.

Six hundred acres to Mr. Ward. Mr. Nathaniell Ward is granted his farme of 600. acres att neere Pentucket, as may conveniently bee, to bee layd out by Serj^t Howlett of Ipswich, & Joseph Jewet of Rowley, & Philip Nachee of Salisbury. 2662.

It is Ordered that Mr. Bellingams account bee given in to the Comittee within 2 Mo^ths, & Mr. Tyng is to perfect his account att the next Sessions, & such as are behind are to pay 7^s 8^d Mo^th in money, or Engl^d rate. 2663.

Armes. 543 It is Ordered that the Military officers in every Towne shall appoint what ffirmes to bee brought to the Meetinge Howses on the Lord^s Dayes, & other times of Meeting, & to take Order at home, and other howses remote that ffirmicon bee safely disposed of, that an Enemy may not possess himselfe of them. 2664.

The whole Plantation within this Jurisdiction is devided into foure Shires. vizt. 2665.

Essex.	Middlesex.	Suffolke.	Norfolke.
Salem.	Charlestowne.	Boston.	Salisbury.
Lynn.	Cambridge.	Roxbury.	Hampton.
Enon.	Watertowne.	Dorchester.	Haverill.
Ipswich.	Sudbury.	Dedham.	Exeter.
Rowley.	Concord.	Braintree.	Dover.
Newbury.	Woberne.	Weymouth.	Strawberry banke.
Lynfeild.	Wrexford.	Hingham.	
Chochichawicke.	Lynn-Village.	Brantecott.	

ffast. It was agreed that Benedict Arnold should bee allowed 4^lb for his paines. 2666.

It was Ordered that the first day of the fourth Moneth shall bee intended to the several Churches in o^r Jurisdiction, to bee kept a day of Publique Humiliation, for the sad condition of our native Country. 2667.

Indians Subjects. The Magistrates of the Bay, or any 3. of them, with the Deputies of the next Townes, or any five of them are authorized, & ordered a Comitte, to treat with Pumhom, & Sachanocho, about their submission to us, & to conclude with them, & receive them under o^r Jurisdiction, if they see cause, & to warne any to desist which shall disturbe them. 2668.

Monies. Mr. Pickard, Mr. Hobart, Mr. Weld, Mr. Atherton, or any 3. of them are appointed a Comitte about receiving, & ordering Mr. Andrewes gift, & the specialties were delivered them, to wit of Mr. Bradford, & Comp^a for 333^lb 6^s 8^d. Mr. Atwoods bill for 50^lb Mr. Hills bill, for 20^lb 15^s 4^d. & the present Governo^r bill for 100^lb. also a note for 44^lb 9^s more, if it be not cleared to the satisfaction of Mr. Andrewes was delivered in by Mr. Bellingham, Capt. Cooke, & Lieu^t Duncan. 2669.

Monies. Capt. George Cooke bill for payment of 25^lb att in 30. dayes, Mr. Dorcester bill for payment 26^lb. & Mr. Strange his Order were delivered by Mr. Hibbens in to the Treasure. 2670.

2671. Capt. Gibbons, Capt. Sedgwicke, Capt. Cooke, Mr. Hawkins, Capt. Denison, & Sodman Brown Johnson, they, or any 4 of them, are appointed to consider of some Orders, to put the Countrey into a Posture of warre, & that Armes bee put in Order, & they are to see to fortifications, & to propounds such Orders as they thinke fit to the Court. Posture of warre.

2672. The 3rd. worth of goods are committed to Mr. Stoughton according to Mr. Stoughtons advice to sell by retaile at 4d. in the shilling for 14 dayes, to pay by the first returne money, or Bills, which shee pleaseth, & if not then paid, to pay by the 15th. of the 8th. Month in money bills for England, or English wrought at a due value by appraisement, which payment the Court shall chuse. Mr Conyes.

2673. The former Committee of Magistrates, & Deputies are authorized & appointed to examine, and perfect the Laws. Laws.

2674. For prevention of occasion of partiall & undue proceedings in Courts of Justice & avoiding of Calumnies, which may bee taken up against Judges in that kind, It is Ordered, That in every case of civill nature, betweene Party, & Party, where there shall fall out bee neere relation, betweene any Judge & any of the Parties, as betweene Father & Son either by nature, or marriage, Brother & Brother in like kind Uncle & Nephew; Landlord & Tenant, in matter of considerable value, such Judge though hee may have Liberty to bee present in Court at the time of the tryall, & to give reasonable advice in the case, yet shall have nee power to vote, or give Sentance therein, neither shall sit as a Judge, but beneath the Bench, when nee shall see pleas, or give advice in the case. 544 Judges in neere Relation. p. 36. 49.

2675. For prventing disorder in Cornefields, which are inclosed in common, It is Ordered that those that have the greatest quantity in such fields shall have Power to order the whole, notwithstanding any former Order to the contrary, & that every one who hath any part in such Common fields shall make, & maintaine the fences according to their severall quantityes. 545 Corne-fields fences.

2676. This Court being to bee adjourned, It is desired that every Member of this Court will use their best endeavo in the meane time to informe themselves, & the Court touchinge the Question about the negative Vote, & to take advice from any therein, & it is Ordered, that it shall bee nee offence for any of them, or any other either Elder or other Person, who shall either privately, or in any lawfull assembly deliver their minds soberly, & peaceably therein, or to deliver the same in writing in any modest, or Christe way, so it bee under their hands, & the Elders to bee desired to give their advice in the Case. Negative Vote.

2677. Mr. Saltonstall tooke the Oath of Assistant.

2678. The Court is adjourned to the 1st. Thursday of the seaventh Moneth next.

2679. It is conceived by those that were appointed to lay out the way Betweene Roxbury & Braintree, that the way without the fields of Nonanatuchett is conceived to bee the nearer, & more comfortable, & not soe troublesome to the Countrey in regards of putting up, & downe the rails neither will soe much Damage redound to the Inhabitants, in regards of the spoyling of their Corne, as formerly hath bin. Moses Payne, Edw. Bate, Robert Wardin, Martin Lambers. Advisement High-way.

2680. This writing is to testify that wee Tom Hom, Sachemough of Nanomock, & Paconocho Sachem of Pahquet, do have, & by these presents doe voluntarily, & without any compulsion, or persuasion but of our owne free motion put our selves, our Subjects, our Lands, & Estates, under the Government of the Massachusetts, to bee governed, & protected by them, according to their just Lawes, & Orders, soe farre, as wee shall bee made capable of understanding them, & wee do promise that for our selves, all our Subjects, & all our Posterity, to bee true, & faithfull to the said Government, & aiding to the maintenance thereof, to our best ability, & from time to time to give speedy notice of any Conspiracy, attempt, or evill intentions any, which wee shall know, or heare of against the same, & doe promise to bee willing from time to time to bee instructed in the knowledge of the Worshipp of God in witnesse whereof, wee have hereunto put to our hands, this 22. of the 4th. Month 1643. Indians 546

The ✗ marke of Tom-hom.

the ✗ marke of Pacoconocho.

This was sighted, after clearer interpretation of every particular, by their owne interpreter Benedict Fenolio in the presence of they, whose names are subscribed, & many of the Elders, & others; John Winthrop Governor. Thomas Dudley, Richard Bellingham, John Glover, Joseph Welby, Hugon Peacham, Humphrey Atherton, William Aspinwall.

2681. The 7th. day of the 7th. Month Samuel Gorton, & his Company had a safe conduct offered them, & were written into about divers injuryes offered by them to us, & the People under our Jurisdiction, Both English, & Indians, to come to the Court into which they returned nee other, but contemptuous, Gorton 547

& disdeinefull answers, whereupon Comissions were resolved to be sent to require, & see satisfaction made with security) or to bring their Persons with reference to their Instructions.

Countreys Money. — Twelve writings were delivered to Mr. Fing, which came from Mr. Peters, & Mr. Weeles. 2682

Sending a warrant. — A warrant was Ordered to be sent to Dover to redresse their two mistakes of sending a new Deputy & sending an imperfect number from of Vitaills from 16 yeares old, to 60. 2683 2684

Mr. John Winthrop Junior takes the Oaths of Assistants.

Fines. — Mr. Thomas Wayneu is fined two shillings, Mr. Nathaniel Sparrowhawke is fined 2s. Mr. Sedgewicke is fined two shillings, Josiah Hubbard is fined two shillings, Mr. Bellingham is fined two shillings, Edward Starbucke for three weeks absence is fined forty shillings. 2685

The Cost thinkes not meete to write to the Eastward about Mr. Cleaves according to his Desire. 2686

Countreys Moneyes. — It is Ordered that Mr. Shawlton, Mr. Hilkins, Mr. Treasurer, & Mr. Peayne, or three of them, to be a standing Comittee ~~to order things~~ to take the papers, & to order things for the goods of the Countrey according to their Discretion. 2687

Mr. Pynchon. — Comission was graunted to Mr. William Pynchon Gent. for his ease enjoyeing till the Court take further Order, that hereby he shall have Power to Governe according to former Order, in ~~1642~~ only to try Causes by a Jury of 6. men if 12. cannot conveniently be had. 2688

Deputies Dover. — It was Ordered that an admonition should be sent to Dover for sending a new Deputie without leave or new summons, & not allowing meanes to the former Deputie wch he was hindered from comeing. 2689

Election. — It is Ordered that for the yearely choosing of Assistants for time to come, instead of Papers, the Freemen shall use Indian beanes; the white beanes for manifesting Election, the blacke for blankes. 2690

Saunders. — John Saunders for his mutinous, & offensive speeches, & enjoyned to acknowledge his fault at Hampton. 2691

Wrongs. — It is Ordered that Mr. Dunster should be payd 16s. by Mr. Shawlton upon account. 2692

It is Ordered first that the Regiment & comaunds of the Military Officers be so ordered, that upon any sudden exigent, or assault upon any Place, there may be a lawfull authority to make resistance for as they cannot be maintained without Church-Ordinances, & Officers, nor Justice without Lawes & Magistracy nor more can safely, & Peace be preserved without Military Orders, & Officers, & though we conceive the Supreame Power Comaunds be in the Generall Court, so that noe warre ought to be undertaken without their authority, yet because that great Body cannot be ready in sudden Cases to act by it selfe. We conceive it necessary that there be a Counsell (the Governor to be always one) invested with Power & authority in all Cases of danger & assault to raise the whole force of the Countrey, or any part thereof, & to draw them together to one, or more places within his Jurisdiction, or any otherwise to dispose of them in the best manner, for the necessary defence of the Countrey. 2. That there be chosen a Serjt. Major Generall to lead, & conduct their forces levyed, & to execute all Orders, & directions of the Counsell. 3. Because assaults may be & commonly are sudden, not admitting of any delay, we conceive it likewise necessary that in every Shire, there be appointed one Lieut. who shall have Power to raise the force of that Shire, or any Part thereof in sudden Cases, where timely notice cannot be given to the Serjt. & Counsell, who shall give Order to the force levyed to march to any Part of the Shire for the defence thereof, or otherwise dispose of them till he receive Order from the Governor and Counsell. And further that in every Shire there be one Serjt. Major to Comaunds, leads, & conduct the forces of that Shire. 4. That the Regiments, or Shires be devided into severall Companyes, and where any Towne hath not a competent Convenient number of men, that they be adjoyned to some other Towne to make a full Company, & that in every such Company, there be a Captaine, & other Officers, & that the Capt. hath Power to call his Company together to make any just, & necessary defence, & to dismisse them, when he sees occasion, when there is noe other Comaunds to the contrary. 5. It very conveniente that once in every yeare, the Superior Officers should call the Regiment together, that every man may know his Place, & that all the horse Lifes in that Shire, shall appeare at that meeting, & that the Reife Officer cause them there to be exercised. 6. That a Beacon fired, & 4. muskets discharged, & a drum

The Countrey directed to a Posture of Warre.

Beaton shall bee an Alarme, at which time every man, shall repaire to his Colo.s or appointed Meeting place there to attend further Order. 7. The Regiment being thus settled wee conceive it further necessary that the Governo.r Counsell, Leiutenants of Shires, & Sergeant Majors, doe meete once every yeare to consult of the best meanes of o.r safety, & to take notice of all Military affaires, to see y.t all Officers doe faithfully discharge the Trust committed to them, & to punish all disorders, & neglects in all Officers, to take care, that all places bee provided with able Officers, & where such are wanting to appoint one of other places, giving them recompence for their paines. to dispose of the Ordnance in the most convenient Place, & to consider of meanes to furnish them, to consider of fortifications, & the meanes to effect it, & to suffer noe Publique fort to bee erected without their approbation. 8. Also in every Shire, or Regiment, the Leiutenant, Sergeant Major, & the Chiefe Officer of every Company shall meete once, or twice every yeare to consult of such matters, as tend to the safety of that Shire, & of meanes of providing Ammuncion & Armes, & the Ordnance of the Shire, or Towne, & to provide one Canoneere at y.t least to consider of the forts in their Shire, & to take care of them, & not to suffer any fort, Howse, or bee not of Publique concernem.t to bee erected without their approbation, to take notice of all disorders, & neglects in Souldiers, or Inferio.r Officers; in watchings, Trainings &c. & to reforme, & punish them referring Power to the Captaines of every Company, to execute all such Orders, of Co.rt as are, or shall bee delivered to their care, & giving them Power to warne any Offenders, or p.sent any Offence of a Military nature, to the Counsell, or Meeting. 9. And now wee conceive it needfull that the Order of Co.rt of Co.rt wherein bindes every man to furnish a musket, should not bee in force against such, as are provided to serve with Pike, & Corslett, that so those places that are unprovided of pikes, may bee encouraged to provide them. 10. It would bee convenient that all Military dispatches, & Order, might bee issued after the vsuall manner from the Superio.r to the Inferio.r Officer.

Repeale.

2694. Whereas Exeter is found to bee in o.r Patent, upon their Petition they were received under o.r Government, & Ad.r William Panie, Nicholas Noyes, John Saunders are appointed to settle the Bounds between Hampton, & Exeter, within two Moneths.

Bounds. 549.

2695. It is Ordered that noe Ship, nor other Vessell shall cast out any Ballast in the Channell or other place inconvenient, or other Harbo.r within his Jurisdiction upon penalty of ten pounds.

Ballast. Harbo.r. Ships. A 300. 550.

2696. It was Ordered that warrant should bee graunted to sell Squa Sachem, 1.th of powder, 4.th of shott at 2. Severall times, halfe at one time, & halfe at another.

2697. Whereas by a former Order it was appointed, 10.s should bee paid for every fraction, at the entry of it, its now declared that the Marshall shall gather it up, & execution to bee graunted him, against any refuser, neglect to pay it.

ffees. 551.

2698. William Wemborne, Robert Smith, Thomas Wardell are to end small Businesse at Exeter, William Wemborne is chosen Clearke of the Writts at Exeter.

2699. It is Ordered, that till the next Generall Co.rt, & till the Co.rt take further Order, Exeter Causes should bee tryed at Ipswich.

Exeter. 552.

2700. The Letter to the Duke, was Voted to bee Recorded.

2701. It is Ordered that Enon should bee called Wemmam.

Wemmam.

2702. Wemmam is graunted to bee a Towne, & haty liberty to send a Deputy.

2703. Ad.r Pincyon is Ordered to pay for his Beaver Trade from the time of the running of his line.

Countrey Droones. 553.

2704. Mr. Treasure.r, Ad.r Hathorne, & Ad.r Glover are appointed a Comittee to take the names of all the Traders, & what they have paid, & to certify to the Co.rt.

Countrey Droones.

2705. Ad.r Phinwithe desireth that if he did not prove, & make it appeare to the Comissioners at the next Court, y.t his line, by an sufficient Patent from o.r, & an authentick one, doth take in Woronoke then o.r Line to stand, & that trading howse to bee subject to o.r Orders.

Bounds. Sh. Ipswich. 554.

2706. It was agreed that wee should send three Comissioners with a Guard of 40. able men, to attend them which have authority, & Order to bring Samuel Gorton, & his Company, if they doe not give them satisfaction; & y.t three Comissioners are Capt. George Cooke, Humphrey Atherton, & Edward Johnson, & Capt. Cooke to Comaunds in Chiefe, & Humphrey Atherton to bee his Leiutent. of the Military Force.

Gorton. 555.

A Letter was Ordered to bee sent to Sam. Gorton, & his Company, by them w.ch goe, lefte to declare o.r intent.

They of Aquidnick are graunted to buy a Barrell of powder, Provided, Least Warrice give caution that it bee imployed for the defence of the Island, by the advice of the Governo.r, & Deputy.

Aquidnick.

2707. It is Ordered that the Deputies should acquaint the Elders, to desire them in especiall manner to comend this undertakeing to God.

2708. It is Ordered that the Widdow Dwilsons fine of 5.li shall bee accepted in pipe staves according to his Petition.

Fine.

2709.

556. Bounds betweene Dover, and Strawbury-Banke.

Whereas it appeares to this Co^rt, that the Comissiono^rs appointed to lay out the Bounds betweene Dover, & Strawbury-Banke did not consider the said Strawbury-Banke, as a Towne, nor so exactly veiw the Lands, on that side the River as was needfull, & thereupon laide out sertaine Lands to Dover, that are more convenient for Strawbury-Banke, & sertaine Lands to Strawbury-Banke, that are more convenient for Dover, soe acknowledged to be, by one of the said Comissioners in this p^resent Co^rt. It is therefore finally Ordered, that all the Marsh, & Meadow-grounds, lying against the great Bay, on Strawbury-Banke side, shall belong to the Towne of Dover, together with 400. peeres of Upland grounds adjoyning, & lying neare to the said Meadow, to be laide out in form of a Towne, as may be most convenient, for the improvement, & fencing in of the said Meadow, the remainder of the said grounds to belong to Strawbury-Banke, reserving the due right to every one, that hath Propriety in the same. 2710.

Mr. William Hopmoall is appointed Clearke of the writts for Boston. 2711.

Mr. Ellow is appointed in the roome of John Cooke to assist in ending small Causes at Hampton. 2712.

It is agreed that the Military Comaunders shall Order that the Companies be trained, & some man 2713.
be appointed by them, in every Towne to exercise them. Ordered. 540.

Rate.

It is Ordered for the Rate that is behind, what is paid in wheat shall passe at 4. 1/2 s. the bushell, soe 2714.
that if hee come, the Towne that are behind to beare it, & take it of Debtors.

Knowles, Countrey Lands sold. Dover.

Strawbury-Banke is graunted Mr. Knowles his purchase paying the 30^li to the Co^rts satisfaction. 2715.

Mr. Bonfrett is appointed in Edward Colcotts place to end small causes at Dover. 2716.

Countreys Money.

Mr. Glover, Mr. Russell, Ensigne Wells are appointed a Committee about the Children, to dispose of them 2717.
call for the Rates, & to satisfaction be procured, & paide in.

This to be Considered next Co^rt.

The Co^rt gave Castle Island, & the House there to Capt. Gibbons, provide it be employed to Publique Vses for fortification, at any time hereafter.

Ammunition from Castle Island.

It was Ordered that Edward Bendall should fetch away the Ordnance, ammunition, Lead, & other Iron 2719.
lately from Castle Island, & to deliver what is graunted to Charlestowne, & the rest to Boston, & to be paid by the Surveyo^rs.

Countrey Moneys.

It is Ordered for the present that the charge of the Souldiers lodge wth Capt. Cooke, to Providence &c., 2720.
shall be paid by Mr. Glover, & the rest of the Committee, about the Children, & be repaid against ingenit comes in.

Ammunition from Castle Island.

It is Ordered that Ipswich, Salem, Roxbury shall answer for the powder, & fimes they have had. 2721.

Mr. Bellingham's account gaveing him examined, & bearing subscribed by two of the Committee, & 2722.
is fully discharged, & his account allowed.

It is Ordered that the Souldiers of Ipswich, Rowley, & Roxbury, which were sent to the Indians, shall 2723
each man be allowed one pounds of powder. 2724.

Ammunition.

The Towne of Salem is discharged of 2. barrels of powder.

Dispensation.

Jacob Shaw, & Mergeret Webb are permitted to joyne in marriage, though but twice published. 2725.

Mantashett.

The 5th day of the 8th Mo^th is appointed a day of Humiliation throughout o^r Jurisdiction. 2728.

Ammunition.

The former graunt to Mantashett was against Order, & confirmed, & this Gentleman willed 2727
to forbeare troubling the Co^rt about Mantashett.

Ammunition.

Mr. Parker is discharged about the powder for Deymouth, & Mr. Torry is charged therewith, he 2729.
acknowledging it to be in his hands.

Mr. Tomson gaty 3. barrels of his Powder delivered him backe, & Mr. Dennicke had all 2730.
most two barrels of powder.

Wendall.

Mr. Robert Saltonstall is to answer for a barrell of Powder. 2730.

Thomas Wendall for abusiveness a kicke was reviuited to be wrought forth here, & at Ipswich, and 2731
Order taken, that his Master defray the charge, & gave time in his servant for it.

Chuney.

George Chuney was sent to Ipswich to be tryed, & order to be taken for defraying his charge. 2732.

What.

Three Confessions were delivered in by Mr. Cotton in the name of himselfe, & other Elders. 2733.

Respitt. Committee.

Goodwife Armitage is appointed to keepe an Ordinary, but not to draw wine. 2734.

This Co^rt purposeing to adjourne till the 17th of the 8th Mo^th, not knowing what may fall out in 2735.
the meane while, wch may require the authority of this Co^rt. It is therefore Ordered, that the Magistrates of the Bay, or the greater part of them, & the Deputies of Boston, Charlestowne, Cambridge, Roxbury, & Dorchester, or the greater number of them, shall have power, as a Committee to take Order, according to their best Discretion, in all exigences, & occasions, which before the next Sessions of this Co^rt may fall out either concerning the Expedition now on foote against Samuel Gaton, & the rest of that Company, or

concerninge any advice from the rest of the Confederate of the United Colonies, about the Narragansett, or Wickiggen Sachems, & their People, soe as they are not to enter upon any warre wtt the Indians (other then Defensive) before this Cort be againe assembled.

2736. It was Voted that Mr. John Wenthrop Junior, should be paid his bill of fifty pounds, by Mr. Stoughton, & others, except what is already paid. — Wennes.

2737. It is Ordered that Stephen Day should be released, giveing 100li. bonds for his appearance, when he is called for. — Day.

2738. It is Ordered that Mr. Stoughton, & John Johnson, the Surveyor, shall have warrant to deliver Capt. Locke, Lieut. Atherton, & Edward Jenson, or any of them, what they desired needfull for themselves or their company.

2739. The Cort is adjourned till the 17th day of the 8th Mont at noone. — Adjournment.

Mr. Stoughton toke his oath as an Assistant.

2740. It was Ordered that Mr. Stoughton shall pay the Souldiers, 20li. of the stocke in his hands. — Wennes.

2741. It was Ordered the Watches should be laid downe. — Watches.

2742. It is declared & Ordered by this Cort that the Surveyor of the firemes, who alsoe executes the Office of the Clarke of the Band, wtther they be chosen by the ffreemen only, or by the whole Military Company; all surveyes as have bin, or shall be, done by him, accordinge to Law, are, and shall be accounted good, & effectuall. — Surveyor of ffremes. Clarks of the Band. 557.

2743. It is Ordered that there shall bee a Letter written to Goodman Thom. One, & the rest of Providence.

2744. It is Ordered that only the two Serjts. wayting upe to attend the Governor, & noe more shall attend attend the Cort. — Repeale. 558.

2745. Mr. Nelson is appointed instead of Mr. Bellingham, to see People joyne in marriage at Rowley.

2746. There is graunted to Gawerolt a parcell of Meadow about six score peces, more, or lesse, West of Haverill about six miles. — Haverill.

2747. This Cort takeing into Consideration, the necessity of husbandinge Wens twice, ~~and~~ in this Countrey, & of lessening the Charges of the Generall Cort, have tonsidered that it woulde avoid the losse of much time, if the Deputies were chosen for one whole yeare, & that if in every Shire the Magistrates, & Deputies there Inhabiting, or soe many, as can intend it, did meete, at convenient times before every Generall Cort, to consult of, & prepare such businesses, as are to bee determined at the same Cort, which would much shorten the time that is spent in the generall Cort, & consequently the charge alsoe. This wee have Ordered to be declared to the ffreemen of the severall Townes, that if it shall bee thought fitt to putt this in practise an Order may bee made, at the next Cort for establishing thereof. And it is now Ordered that after the Deputies for the next Cort of Election shall be ~~chosen~~, such meetinge as aforesaid may bee had in the severall Shires, whereby the Countrey may have some fruit of that wisdome is now pronounced. — Shiree Meeting. 559.

2748. It is Ordered that if any ffreeman shall put in more then one paper, or beane, for the choice of any Officer, he shall forfeit 10s. for every offence, & ame man that is not ffree putting in any Vote shall forfeit the like summe of ten poundes. — Election. B. 20. 39. 560.

2749. It is Declared that whereas in the Booke of Liberties n. 23. none should take above 8li. of Cent. Bills of exchange are excepted. — Usury. 561.

2750. Whereas by a former Order, Men are Ordered in Debts to accept Wampam, to the value of ten pounds, Its now Ordered it shall passe but to the value of forty shillings debt. — Monyes. 562.

2751. It is Ordered that Tumhom, & Sockonoto should have care of them lent them a fowling peece, & Benedict Arnolds duty liberty to supply them powder & shott, as hee sees occasion. — Dispensation.

2752. It is Ordered that Mr. Simonds shall have the Cort booke for a fortnight, or thereabouts, to perfect his Copy thereof for Essex Shire, & Cort.

2753. Richard Collect, Edward Fuller, John Caldwell, & Richard Smith are appointed to fetch the Catell from Winnesemet Providence.

2754. Whereas at the Cort holden at Boston, the 4th of the 7th Mont 1639. there was terteine Landes lyinge neere Jeswitts River, graunted for a Village, either to some of the Inhabitants of Salem, or 563.

some of the Inhabitants of Ipswich, who have farmes neere unto the said Land, to bee enjoyed by those, who first settled a Village there, they both propounding for it together, howsoever the Order mentioneth only Salem Inhabitants & forasmuch as the said Inhabitants of Ipswich have for neere this two yeares procured & maintained one to dispence the word of God unto them, upon they intends to continue; It is therefore Ordered, & granted, that Mr. John Endicott & the said Inhabitants of Ipswich, viz. Mr. Bradstreet, Mr. Symonds, Mr. Cottington, Mr. Wm. Payne, Mr. Robert Payne, & such other of Ipswich or Salem, as they shall associate to themselves, shall have liberty to settle a Village neere the said River of Ipswich, as it may bee most convenient for them, to which the foresaid Land shall belong, that is to say, all that lyes neere the said River (not formerly granted to any Towne, or Person) Provided, that any of the Inhabitants of Salem, who have farmes neere to the said Land, now granted, shall have liberty for one yeare next comeing, to joyne with the said Village, & to have their equall, & proportionable Priviledges in the same: And whereas Mr. Bradstreate hath liberty granted him to take his farme of 500. acres in the next convenient place, not yet granted to any Towne, or Person, nor p[rejudicial] to any Plantation made, or to be made, upon which he hath gone, & manifested the same to this Court, this aforesaid grant shall forthwith be void, & the said Land shall belong to the Village before mentioned, to be disposed of by the Inhabitants thereof, for the good of the whole; & if Salem, & Ipswich shall not agree before the next Court about a portion of Meadow, now desired by Salem, to be to Newmarch, then this Court shall determine it.

A New Village.

564. Conefields.

Whereas it is found by experience, that there hath bin much trouble, & difference in severall Townes about the manner of planting, sowing, & feeding of comon Corne-fields, & that upon serious consideration wee find 2755.
noe generall Order can provide for the best improvement of every such Comon feilds, by reason, that some consists only of plowing grounds, some haveing a great part fitt only for planting, some of meadow, & feeding grounds also, for that such an Order, as may be very holsome, & good for one feilds, may be exceeding p[rejudicial], & incomodent for another. It is therefore ordered, that where the Comoners cannot agree, about the manner of improvement of their feilds, either concerning the kind of graine, that shall be sowne, or sett therein or concerning their time, or manner of feeding the herbage thereof, that then such Persons in the severall Townes, as are Deputed to Order the prudentiall affaires thereof, shall Order the same, or in case where noe such are, then the major part of the freemen, who are peculiarly enjoyned, with what convenient speed they may to determine any such difference, as may arise upon any information, & see much of any former Order as concerns the improvement of any Comon feilds is hereby provided for, Contrary is hereby repealed.

Repeale.

565. Whereas wee are directed not only of the Death of all Civill Nations, but also by the Rule of Christian, & 2756.
comon Policie, to provide for ye comon safety upon all occasions. This Court (in respect of these, & other weighty Reasons) haveing duely considered, ye condition of this Country, & accordingly in that behalfe, enacted, & ordeined, that a Serjt. Major Generall shall be chosen to commaunde the whole Army, as also a Serjt. Major in every Shire, & Regim. & to the end that every place may bee provided, & supplyed with such Persons, as are, & may bee fitt qualified. Doe therefore Order. 1. That the Serjt. Major Generall shall bee chosen at the next Court of Elections, his choise to bee made by the body of the freemen, in such sort, as they are, or shall bee by this Court appointed to choose the Governo. 2. That every Shire except Norfolke shall choose a Serjt. Major, to comaunde, conduct, & lead the Forces of ye Shire, upon choise as aforesaid shall be made by the freemen of every Shire, this Order of this generall Court, wherein Mr. Dalton, Mr. Gaugeton are appointed to be Serjt. Majors, leaving now of the Foot, & Pike Regiments, being now repealed, at their owne request) & that all whom it may concerne, in every Shire may be well ordered, & informed in their choise, Its further ordered, that the Deputies of this present Court upon the first 4th day of the next 1st week shall assemble in this manner viz. The Deputies of Suffolke at Boston, the Deputies of Middlesex at Cambridge, the Deputies of Essex, & Norfolke at Salem, with being thus assembled, are desired, are desired upon serious consideration among themselves to returne the names of such, unto their generall ~~Court~~ Towns, as they shall think most meete for the Places aforementioned, notwithstanding, upon returns, the freemen of every Towne meeting in their generall Towns, the 4th day of the weeke following, to elect their Serjt. Major Generall, shall use their free liberty therein, upon Election shall be made by Proxies to bee received, & sealed up, by Boy, or other of their Deputies, & brought by them, unto their Shire Townes aforesaid, upon the 4th day of the weeke following, viz. The Boyes of Suffolke to Boston before the Governo, & other Magistrates there. The Boyes of Middlesex to Cambridge before Mr. Nowell, & Mr. Flint. The Boyes of Essex, & Norfolke to Salem, before the Deputie Governo. who together with the Deputies of that Shire shall open the said Proxies, & such in every Shire, as have most voices, being thereby chosen Serjt. Majors, shall be so declared to the Country; & its ordered, that while there shall be Lieut. for every of the said Shires, in such a manner, as is prescribed, the Serjt. Major of every Shire shall execute the office, & Power of such Lieut. in every Shire in the meanetime.

Repeale.

Election of Military Officers.

Boston hath 6. weekes liberty to repaire their wayes between Winnisimet, & the Written-tree. 2757.

Mr. John Wheelwright is granted a safe Conduct, if he shall desire it, to come to the next Court. 2758.

Mrs. Peak, the wife of Peak appearing, & professing that she doth abjure, & renounce her opinions, & confessing her fault in blotting out something in the booke, wch she brought, & in 2759

Mr. Wheelwright.

Peak wife.

Jewing the same, before the gd delivered it, & professing he was sorry for it, shee was dismissed for the p'sent, to appeare when shee shall be called for.

2760. Dedham saty they makes graunted them, to seeke for Brunds, & then Roxbury men, & Eliazer Lusher, Joshua Fisher, & Wd. Huey Peirson are appointed instead of Capt Jeamson, & Wd. Oliver to lay out the Lands of Roxbury men, & Capt. Keayne should have his 400. acres there laid out by the same men, if it be to be had neare Dedham, & Watertowne. — Dedham Roxbury

It is Ordered that Wd. Edward Tomlins shall have 22s. to repaire Mistricke bridge, to make it strong & sufficient for wayes some of two & twenty pounds, he haty undertaken it. — Bridge.

2761.

2762. John Johnson the Marshall of the Armes, was Ordered to deliver two Peaces to Wd. Robert Saltonstall, — wing Wd. Beckingham sold him, having brought them over upon his owne account. — Ordnance

2763. Wd. Mayhew is graunted three pounds for loase in Corne, 60. bushell thereof.

2764. Wd. Mayhew is graunted 300. acres of Land in regard of his charge about the bridge of Watertowne Will & the Bridge to belong to the Country. — Bridge. 300 acr. Mayhew

2765. A bill of 26l. 2s. 10d. is allowed to the Treasurer for wages of Cattell, & corne, to Wd. Brasstreet joiney to Lascator. — wromy bill gran.

2766. And thirty foure shillings is graunted unto Dudley, for makeing Cloth before the Order for allowance was rescinded, & the warrant was lost.

The Charge of the Prisoners, Samuell Gorton & his Company.

2767. Upon mutty examination, & serious consideration of your writings, with your Answers about them, wee do charge you to bee a Blasphemous Enemy of the true Religion of our Lord Jesus Christ, & his holy Ordinances, & also of Civill Authority among the People of God, & particularly in this Jurisdiction. — Gorton.

2768. Joshua Hubbard, & Gozzon Allen, being both absent were fined 20s.

2769. The Clause in the Order N. 430. for the penalty of 100l. for any departing without leave, is declared only to bee meant of the first Session. — Explaine this. Generall Court

2770. It was Voted that 5s. 1s. should bee allowed Wd. Ruck for the charge of the Committee that met at Salem. — Charges.

2771. Wd. Storyes Petition is answeared thus; Wee conceive that he can blame none but himselfe that his Causes were not tryed, the last Quarter Court, & therefore hee must stay till the Court come againe, unlesse in the meane time Capt. Keayne, & he, come to an agreement between themselves wing wee much desire. — Story and Keayne.

2772. Wm. Shearmans Petition is answeared thus; Wee conceive that if Capt. Keayne is willing, & accordingly shall performe, what was undertaken for him in the first Session of this Court, that then Sherman shall give him a discharge for all differences, & controversies concerning the same, wing if he refuse to doe he shall be debarred any further hearing for ever. but if Capt. Keayne refuse, Goodman Shearman may take the benefitt of the Law. — Shearman and Keayne.

2773. Wee think some quantity of Land may be graunted the wheelers at Concord, & the rest in that Petition, Provided that within two yeares they make some good improvement of it. — Lands gr.

2774. Wd. Wigrensons Petition is thus answeared, wee can find no reason about the matter of this Petition, but the Petioner might have liberty to print it, & make the sett of it wing is the answer now to this Petition; if anie particular Persons dissuaded him from the printing of it, & thereby mayntained his losse they, & not the Court are to give him satisfaction. — Wd. Wigginson.

2775. Wd. John Allen, Patto. of Dedham, is graunted 200. acres of Land, to be layed out by Eliazer Lusher, & Edmund Rice. — 200. acres to Wd. Allen.

2776. John Porto. is exempt from training, paying to the Company 20s. for the time past, & five shillings p annum for the time to come. — Porto.

2777. It is Ordered, that Samuell Gorton shall be confined to Charlestowne, there to be set on worke, & to weare fyre bolts, or irons as may hinder his escape, & to continue during the pleasure of the Court, provided that if he shall breake his said Confinement, or shall in the meane time, either by speeche, or writing, publish, declare, or manifestine any of the Blasphemous, or abominable heresies, wherewith he haty bin charged by the Generall Court, contayned in either of the 2. bookes, sent unto us by him, or Randall Holden; or shall reproach, or reprove the — Gorton.

Churches of our Lord Jesus Christ, in these United Colonies, or the Civill Government, or the Publique Ordinances of God therein (unlesse it bee by answer of some Question propounded to him, or conference with any Elder or ame other licensed to speake with him privately, under the hands of one of the Assistants) that immediately upon an vsation of any such writing, or speech, he shall by such Assistant to whom such accusation shall bee brought bee committed to prison, till the next Court of Assistants, then & there to bee tryed by a Jury whether hee hath beeneaspoken, or written, & upon Conviction thereof shall bee condemned to death, & executed. Dated the 3rd of the 9th Month 1643

John Wilkes. Randall Holden. Robert Potter. Richard Carder. Francis Weston. & John Warner are confined upon the same Conditions. John Wilkes to Ipswich. Robert Potter to Rowley. Francis Weston to Dorchester. Randall Holden to Salem. Richard Carder to Roxbury. John Warner to Boston. all those upon the Conditions that Samuel Gorton above named is. William Woodell is confined to Watertowne during the pleasure of the Court, & if he escape, to bee punished as this Court or Court of Assistants shall thinke meete.

Wdomes allowed.

The Treasurer was ordered to satisfie Capt. Cooke for the Souldiers: for Thomas Parrish the Surgeon, to wit for Wd. John Buckly, 40s. Serjt. Greene 3s. Lieut. Atherton & Edward Johnson 5s. a peece. Capt. Cooke 10s. part of the 20s. in his owne hands. 2778.

It is Ordered that Wd. Bellingham shall have 50s. allowed him for the year he was Gov. 2779.

It is Ordered that Wd. Winthrop the present Governo. shall have 50s. allowed him for y last year. 2780.

It is Ordered that Christopher Holmes shall pay 20s. & be dismissed.

It is Ordered that John Moore shall pay 5s. or be put to service till he have paid it. 2781.

It is Ordered that Richard Harkut for one year, to have meat drinke, & silver wages, as the Court at Salem shall thinke meete, shall be putt to Wd. Batter & he shall not goe out of Salem, without the leave of his Master. 2782.

Gorton.

It is Ordered that Warrant forthwith shall be directed from this Court by the Secretary, to the Constables of the severall townes to require Samuel Gorton & the rest of that Company are confined, to this effect. viz. That within one weeke after delivery of such warrant, they shall provide an house & such things as shall be necessary for thier Lodging & support & that they take course that worke be provided for them, for or towards thier maintenance & what they cannot attaine by their worke, it to be supplied by the Constables for the present & thier bill of charges being signed by any two Magistrates, shall bee allowed by the Treasurer from time to time; & if ame of them will not doe such worke as they may, & as shall be appointed them they are to be kept to it as they may find the Constables are to pay what is severally imposed them upon paine to be fined for thier neglect at any Court, where it shall bee presented, or complained of. It is Ordered that all such Cattell of Samuel Gorton, John Greene, &c. as have the, or shall bee seized upon for the satisfaction of such charges, as the Country hath bin put unto, by sending to them & fetching them in, & other charges about the tryall in the Court, & expenses in the Prison & other wise, shall bee appraised, & sold to the most advantage, & disposed of accordingly, & the overplus to bee reserved by the Treasurer for thier maintenance. 2783.

Waterman.

Richard Waterman is dismissed for the present he that what is taken of him, is to goe towards payment of the charge, & thereof of his Estate is bound in 100li that he shall appeare at the generall Court the 3d Wednesday, & not to depart without licence & to submit to the Order of the Court. 2784.

Power.

Nicholas Power, appearing, & denying that he sett his hands to the first booke, was dismissed with an admonition. 2785.

Committee.

The Magistrates, & Deputies of the severe townes are appointed a Committee to consider of the Declaration, & to answer Wd. Vaverick & Thomas Marshalls Petition, & to finish things in hand. 2786.

James Darr having his house & things burnt was granted 40s out of the Treasury. 2787.

Thomas Marshalls Petition was granted, & he is 2788.

2789. For appreasing the rattell brought from Providence, the Prisoners gave liberty to name 2. Robert Turner, & the souldiers 2. & the Cott one, the Prisoners refusing, the Cott, Robert Turner, & the souldiers, chose Wd Welborne, John Johnson, & William Parkes. Gorton.

2790. Wd Waterhouse fine is abated to 20s, & for that Capt. Gibbons his bill is accepted. Fine.

2791. Wd Collicott is allowed for his 2. journeyes 3s & for his work, 10s. the other 3 men 10s p week apeece.

2792. The Committee was adjourned to the 16th of the 4th Mo.

2793. If the souldiers did kill Sturkly Wapshott a lambe, the Treasure is to allow for it.

2794. Wm Stutt his fine of 10s is remitted to 20s upon his Petition.

2795. Tenken Davies upon his wives Petition gaty liberty granted to leave of his roape, during the Cott Pleasure.

A Generall Cott held at Boston the 7th of the 1st Mo 1644.

The Magistrates that were present were these.

The Governo[r]	Wd Bellingham.	Wd Hibbins.
The Deputie Gov.	Wd Winthrop Jun.	Wd Flint.
Wd Dudley.	Wd Bradstreete.	Wd Symons. Increase Nowell.

2796. Wahomegon, Wassawanon, Cutshamacke, Wasanomet, & Squa Sachem. did voluntary submit themselves to us, as appeareth by their Cover. subscribed with their owne hands here following, & other tribes, to wipe they confented. Indians subject.

We have, & by these Presents doe, voluntarily subjoyne & without any constraint, or perswasion, but of our owne free motion put our selves, our Subjects, Lands, & States, under the Government & Jurisdiction of the Massachusets, to be Governed, & protected by them, according to their just laws, & Orders so farre, as we shall see made capable of understanding them; & we doe promise for our selves our Subjects & all our Posterity, to be true & faithfull to the said Goverment, and adding to the maintenance thereof to our best ability, & from time to time to give speedy notice of any conspiracy, attempt or evill intention of any wise we shall know, or heare of against the same; & we doe promise to be willing from time to time to be instructed in the knowledge, & worship of God.

In witnesse whereof, we have hereunto put our hands the 6th of the 1st Mo 1644.

Cutshamacke. Wasanomett. Squa Sachem. Wassawanon. Wahaimegon.

Certeine Questions propounded to the Indians, & their Answers. 566.

1. To Worship the only true God wise, made heaven & earth, & not blasphemie him. Ans. We doe desire to reverence the God of the English, & to speake well of him, because we see he doth better to the English, then other Gods doe to others.

2. Not to sweare falsely. Ans. They say, not what swearing is among them know.

3. Not to doe any unnecessary worke on the Sabbath day within the Gates of Christian Towns. Ans. It is easy to them, they have not much to doe on any day, & they can well take their rest on that day.

4. To honor their Parents, & all their Superiors. Ans. It is their custome to doe soe, for the Inferiors to honor their superiors.

5. To kill noe man without just cause & authority. Ans. This is good, & they desire to doe soe.

6. To commit noe unclean lust, as fornication, adultery, incest, rapes, Sodomy, buggery, or bestiality. Ans. Though sometimes some of them doe it, yet they account that naught, & doe not allow it.

7. Not to steale. Ans. They say to that, as to the 6th Query.

8. To suffer their children to read Gods word, that they may learne to know God, & worship him in his owne way. Ans. They say, as opportunity will serve, & the English live amongst them, they desire to doe soe.

9. That they should not be idle. Ans. To these they consented, acknowledging them to be Good.

Hearing received by us, they presented 26. fathom of wampam, & the Cott directed the Treasurer to give them, 5. Coats, 2 yards in a Coate of red cloaty, & a bottell of wine.

2797. That for the directions appointed by the last Cott of Election of Serjt Majors, & sure Shires as cannot by reason of this Cott meete, & accomplish the same, according to the intent of the former order, shall take a week, or a fort night more, soe as the service may be duly performed, & the dayes

4 Election of Serjt Major.

be appointed by the Deputyes of ye Shires: It is therefore Ordered that it shall bee lawfull for the Inhabitants of the Townes within the Bay, or any convenient number of them to erect a fortification upon the Castle Island, soe as the present time, & their abilities will give liberty, & opportunity unto, & to repaire the Batteryes there, or any of them, & to keepe soe Garrison there, as the necessary defence of the plate doth require, & that they shall have liberty to take backe to the said Island, soe Ordnance, & Ammunition, as was lately fetched from thence, or be more thereof, as they shall make use of, notwithstanding any former Order to the contrary.

Castle Island fortified.

Peter Bracket is allowed Clerke of the Writts at Braintree. 2795.

William Fiske is appointed, & allowed to keepe an Ordinary at Wenham. 2798.

In regard of the defect of freemen at Marble-head it is Ordered that the Inhabitants of Salem shall have liberty to commend some honest, & able man, though he be not a freeman, & the Deputy Governo. shall give power (if he thinke fitt) to give him the oath for Captaine of that plate, to continue till this Co.t shall take further Order. 2799.

Dispensation.

When the Townes in the Bay shall have repaired the worke at Castle Island, & mounted the Ordnance, & erected the fortification there of 50. foote square within, & the wall 10 foote high at least, & weight proportionable with stone, timber, & earth, & a sufficient Garrison of 20. men at least provided for the defence of it, this Co.t will allow one hundred pounds of ye annuall towards the maintenance thereof. This Co.t will alsoe allow towards this worke, & the securing of the other passage by Bird Island one hundred pounds to bee paiddd when both the said workes shall bee finished. And it is further ordered that notwithstanding the charge to be defrayed by the Townes in the Bay, yet the said fortification to bee still accounted to belong to the Country: & this Co.t, or the Counsell of warre from time to time, to give the command, or disposall thereof, as occasion shall require. And it is further Ordered that there shall bee 5. Barrells of Powder, & a suitable proportion of shott, allowed to the Castle for the present, wch is not to be spent but for the defence of the Place, & Ordinary Salutation of Ships. 2800.

Castle Island.

Powder.

Nicholas Ffrost his Sentence of Banishment is taken off, he being well reported of. 2801.

ffrost.

It is Ordered that Samuel Gorton, & the rest of that Company, wch now stand confined, shall bee set at liberty. Provided that if they, or any of them shall goe after soe enlargement come within any part of ye Jurisdiction, either in the Massachusets, or neere Providence, or any of the Lands of Pomham, Sam. Pochanocho, or elsewere, within ye Jurisdiction, then soe Person, or Persons shall bee apprehended wheresoever they may bee taken, & shall suffer death by Course of Law, Provided alsoe, that during all their continuance in ye Bounds Inhabitting, for the said time of 14. dayes, they shall bee still bound to the rest of the Articles of their former confinement, upon the penalty therein expressed. 2802.

Powder.

Strawberry-Banke is graunted to give a barrell of powder, paying for it in dry fishes as Dover is to bee for the barrell formerly graunted to Portsham. 2803

It is Ordered that it shall bee lawfull for one Smyth of Boston, to bee appointed by the Magistrates there, to mend the guns of soe Sachems as gave submitted themselves to ye Government, & that he set a marke upon soe peeces of theirs, as he shall mend, soe as noe other shall be mended under colr. thereof, & by this Order is not intended the peeces of their men, but only one for every of themselves, & that it shall bee lawfull for the Governo. for the time being, to licence any man, to sell to the said Sachems 4. pounds of powder, & soe fourty ye shott aforesaid, Provided that noe bee taken by soe not more then is intended. 2804.

Dispensation to Indians

Wilson.

In the case of difference between the late widdow of Thomas Wilson, of Dorcester, & his Eldest son, touching wch both parties are not present, it is referred to the Co.t at Ipswich to heare, & determine the cause. 2805.

Davies.

In the case of Wm. Davies dying intestate, It is Ordered the Eldest son to have 20. marke, the other son, & youngest daughter by his former wife, 6. pounds a peace, the Eldest daughter to have 2li. & the widow to give the rest for itself, & bringing up to the 2. younger Children, & at 20. years of age, or at their marriage to give them 5li. a peace, & if any thing come to make the Estate less, then one hundred pounds to abate pro rata proportionally. 2806.

It is Ordered that it shall bee referred to Mr. Hathorne, Mr. Downing, & Mr. Bishop. 2807.

to geare, & determine the difference betweene Mr. Ketely, & Goodman Armitage, & they gave power to examine witnesses upon oath.

2808. It was declared, that the former Commission to the Gentlemen appointed to keepe Court at Pakatag is of force still, & those Gentlemen were desired, & Mr. Bellingham with them, that they or 2. of them, should repaire hither with all conuenient speed to keepe Court there, & it is desired that Mr. Bellingham, & Mr. Saltonstall would performe this time. Pakatag. 567

2809. Forasmuch as after long experience we finde diuers inconueniences in the manner of proceeding in Courts, by Magistrates, & Deputies sitting together, & amounting it inuisedome to follow the laudable practise of other States, wee gave said ground-worke, & order in the ensuing busines of greatest, & largest consequence. It is therefore ordered, & inacted, That the Magistrates may sitt, & act busines by themselves by drawing up bills, & orders, wing they shall see good in their wisedome, wing gaueing agreed upon them they may present them to the Deputies, to bee considered of, how good, & wholsome such Orders are for the Country, & accordingly to give their assent, or dissent. And the Deputies in like manner sitting apart by themselves, & consulting about such Orders, & Lawes, as they in their experience shall finde meete for comon good, wing agreed upon by them, they may present to the Magistrates, who according to their wisedome gaueing seriously considered of them, may consent unto them, or disallow them; and when any Orders shall gate passed the approbation of both Magistrates, and Deputies, then such Orders to bee ingrossed, & in the last day of the Court to be read deliberately, & full assent to bee given. Provided also that all matters of Indicature, wing the Court shall take Cognizance of shall bee issued in like manner. Generall Court diuided.

2810. Upon gearing the busines of a considerable part of the transed land in Hampton, & there non Lieut. Wm. Haward the Court not finding any just cause for the removeing him out of that Office, yet upon his desire, & ye care for reconciling Brethren, & for the furtherance of the service intended, this Court doth Order, That Capt. Denison shall gate power, & liberty to exercise the said Company, when he shall bee desired, yet so as Lieut. Haward shall not bee excluded, & we do require, & shall expect, that the Company will cheerefully attend that service, under the Comaund of them both in such manner, as they both shall see cause to Order.

2811. Mr. Robert Saltonstalls Petition cont Watertowne is referred to Commissioners, Mr. Secretary, Mr. Wm. Dissens, & Mr. Samuel Shepheard, to geare, & determine it, if they or any 2 of them can agree, otherwise to certify it ab the next Generall Court, & they may examine witnesses upon Oath.

2812. Upon Thos. Wilkins Petition, it is ordered that he shall bee free from gim, for his boy, should remaine in his gaunds, till upon the death, or recovery of the boy the Court shall take further Order.

2813. Thomas Dexters Petition is graunted gim; there is 2 years given gim to prove his debt from his Countrey.

2814. Whereas the Order for recording of Deaths, Births, & Marriages, is very usefull, & necessary, & yet only bin in many places much neglected. It is ordered that all parents, masters of servants, executors, & Administrators respectively, shall stand ingaged to bring in to the Clarke of the writts, the names of such belonging to them, or any of them, as shall happen bee borne, or dye, & that the new married man shall bring his wife stand bound to bring in a certificate of his marriage, under the hand of that Magistrate, who married gim, to the Clarke of the writts, who shall under the penalty of 20s. bring a certificate under his hand with a very a man, as well for recording marriages, as the rest, & for care neglect, the Person to whom it doth belong shall forfeit as followeth, viz. if any person shall neglect to bring in a note, or certificate is aforesaid, together with 3d. a name, to the said Clarke, of the neglect 2 weeks, he shall pay 6d. to the said Clarke, if he neglect 2 weeks he shall then pay 12d. if 3. weeks, 5s. wing forfeites shall be returned into the Treasury, also wee think it were meete the Grand Jury of every Towne should bee ordered to present such defaulters, as they take notice of against the intent of this Order. Offers to bee paid under penalties. 568

2815. The Petition of Mr. Valentine Hill, Capt. Robert Sedgwicke, Mr. Wm. Tyng, Treasurer, Mr. Francis Norton, Mr. Thom. Clarke, Joshua Hewes, & William Phipinivall is graunted. A Monopoly of Trade. 569

First they are established a free Company of Adventurers, with liberty to admitt, & take in any who they think meete for the advancement of the worke, & any that will may come in within this order, but none after except they approve of them. They are graunted power to make wholsome Orders for the well managing of their Trade, as is graunted to such Companies in other Parts. Secondly. What Lawes, & Trade they shall discover within 3. years next ensuing, if the Lord in that Part

those their endeavors, they may enjoy it wholy to themselves, & the rest of their Company for 21. yeares after such discovery is made, with full Power & Authority to incite, & restraine any other Person, or Persons, whatsoever, during the Terme aforesaid that shall attempt any trade by them discovered, without the warrant of the aforesaid Company, or if they have, yet shall intermedle as aforesaid, that then it may be lawfull for the Company in a Legall way, to seize upon such Goods for trades. Lastly, They are graunted the Ho:ts Letters, under the Publique Seale, unto the Dutch, or Swedes, or any other, they may necessarily give to doe with in the Prosecution of his discovery, or trade, for the further Countenancing of their proceedings.

Mr. Dudley. Ordine. Upon Petition of Thomas Dudley Esq:r Wherein by a deed bearing date Mray. 29°. 1639. the 2016. gate mill of Watertowne was mortgaged unto Mathew Bradforde, which the Petitioner. hath redeemed. It is therefore Ordered that the deed of mortgage in to the said Mr. Dudley, & his Ho:rs doth confirme the right, & title of the said gate mill unto him, the said Thomas Dudley Esq:r, & his Heires, against the Heires of Assignes of the said Mathew Bradforde, according to the Covenant in the deed aforesaid.

p70. Where Lands to bee rated. It is Ordered that the Lands, & Estates of all men, wherever they dwell, are liable to bee 2017. rated for all Towne charges, where the Lands, & Estates lye, the Persons to be rated to Church, & Common-Wealth in the Places, where they dwell. but in case they remove out of ye Jurisdiction, then their Estates to be rated to all Charges.

Rates.

Marble-Head gate leave graunted to fortify it selfe by a brest-worke, or otherwise, & 2018. 2 guns to bee delivered to them, with amunition convenient, & suteable thereto. The direction for a Copy of the Patent, & Comission according to the Gen:l &c. is graunted to Mr. Gerrafaen.

Dover Petition. &c. The Gentlemen who are desired to heare the Ho:rt at 2019. are desired to heire, & examine the complaint, & to certify the next Ho:rt.

Pistrates

Dispensation. to Indians. It is Ordered that Benedict Arnold may sell some powder & shott to Pomham, & Sacho- 2020. mosho, provided that hee let them not have above 3. pounds a peece, throughe the whole yeare, & it shall bee lawfull for the said Arnold to imploy that Indian, that hee keepes, as his servant, to shoote in a peece, for the use of him, the said Benedict, soe long, as hee shall continue in his family.

ffairofeilds. Daniel ffairefeilds is allowed to goe to worke in any part of Boston Limits, soe 2021. in the Island, & elsewhere, & albee at Roxbury, soe as hee not albee 5. miles from Boston Meetinge-house.

The Generall Covenant for matter of Religion, & Civill liberties, was taken into 2022. consideration, & Ordered that Letters should bee written to the other United Colonies, to advise with them about it, & the Elders albee to be advised with about it, against the next Ho:rt.

Castle Island. For the Castle Island, It is Ordered that foure Townes in the Bay, who are to 2023. carrie on the worke there, shall have Power to appoint a Commander there till the next Ho:rt, & bee to observe the Direction soe farre, as the Inconvenieniences of the place will give leave & opportunity.

Liberties. It is Ordered that the Governor, Mr. Dudley, & Mr. Dilbins, Hale, or any 2. of them 2024. to bee a Committee to consider of the Body of Liberties, against the next Generall Ho:rt; what is fitt to repealed, & allowed, & present the same to the next Ho:rt: also the Magistrates residing at Ipswich, or any 2. of them, are appointed a Committee for the same purpose, that soe the Ho:rt conferring both together may more easily determine what to settle about the same.

Lawes. It is Ordered that Richard Bellingham Esq:r shall finish that worke was formerly com- 2025. mitted to him about the perusing of the booke of Lawes &c. & to present the same to the next Ho:rt.

p71. Iron-Workes. The Answers to the Propositions for the iron workes, was graunted, which follow, 2026.

To the first Article. The Undertakers are graunted the sole priviledge for 21. yeares,

and may to give liberty to some till the ends of the first Monethe, putting in 10li. under one yeare. Provided that after 2. yeares they make sufficient for the Countreys use.

To the Second. Concerning mens Proprieties, it is not in the Court Power but they will — propounde to the Freemen, & others, & they doubt not of their consent, & for waste Lands not formerly graunted, they consent. — Proprieties not in the Courts power.

To the Third. In waste is graunted what is desired, but to inhabited Land, it is answered as before.

The fourth is answered as the former.

To the fifth. It is answered in Proprieties, as before. in waste it is graunted, provided, they take not above 6. plates, & doe within 10. ~~mths~~ yeares set up an iron furnace, & forge in behalf of the plates, & not a Blomerye only. Provided the Court may ~~graunter~~ Plantation in any Place, wherin the Court thinkes ~~meet~~ what may not hinder their or plant Peoples.

To the Sixt. They are graunted liberty to transport what the Inhabitants need not.

To the Seaventh & Eighth are graunted only liberty to the next Court.

To the Tenth. That the Undertakers & their Agents, Associates, & Servants shall for ten yeares bee free from Publique charges, & Taxations for any worke they implay in this adventure from Priviledges to save soe as the Lawes of the Countrey doe allow, governors liberty to consider of the Lands till the next Court of the workes be dispatched.

Serj.t Wayers at present to bee stiffen for one yeare only. — Serjeant Wayers.

2827. It was Ordered that the next Court at Yorkshire shall examine the late mutiny there, & — Yorkshire to the Power.

2828. determine it except they see cause to referre it to this Court or the Court of Assistants, & that they shall allow power to moderate the fines for defaulters in makers of Armes, & not appearing at Trainings for the time past, as they shall see cause.

Cambridge is graunted to Cambridge without any condition of makeing a Village there, & — Cambridge Land.

2829. the Land between them, & Concord is graunted them all Land what is formerly graunted to the Indians, Company, or others. Provided the Towne & of Saint Elders rent must at Cambridge.

It was Ordered that the 30li. due to Robert Turner for Smallers, & Quarter Courts, — Court Charges.

2830. The Wrangfall should get up what see can, & the Publique to defray the rest.

Mr. Watson to be desired to compose a Mistrisse to Company at the next — Mr. Watson.

2831. Court of Election.

Anthony Lynge of Dover his Petition is referred to the next Court at Dover, & — Lynges Petition.

2832. see is allowed liberty to draw out his wine in the meane while.

Mr. Downing his Petition is graunted, as the Committee gave certified Mr. Trea- — Mr. Downings Petit.

2833. surer, Mr. Glover, Mr. Johnson, & Eleazer Lusher are appointed Commissioners, or any three of them to view the place &c. & to certify, at the next Court.

It was ordered that the Treasurer should attend the speedy discharge of Mr. Rain- — Mr. Ramsborough debt.

2834. borough his debt, with the allowance of twenty pounds forbearance for the time past, & the — Ordnance Lent.

loane of two great Sakers, for 2. great peices for the Voyage.

The debt of John Wood is respited for 2. yeares, paine 20s. in regard of his great losse. — Woods debt respited.

2835.

John Doggeswell is graunted to pay 16li. 12s. 6d. the 8th of this next, & 16li. 12s. 6d. the — Doggeswell Petition.

2836. 8th of 1645. upon his Petition.

A Copy of the Commission for the Governe of the Castle.

— Commission.

2837. Whereas you Capt. B. are by this Court chosen & appointed Commander in Chiefe of the Castle Island, & the severall workes belonging thereunto, together with the Souldiers, as shall from time to time bee residing thereupon, wherin this Court doth commit to your trust & government, authorizing you hereby to take into your charge, & keeping the said Island, Castle & Batteries, wherin now are, or hereafter shall bee made upon the said Island, together with all the Ordnance, & other Ammunition which shall from time to time be delivered unto you, soe as you may bee able to render a just account thereof, upon keeper this Court shall require the same. 2. When the said Castle &c. shall be finished, & one a Garrison of twenty men, or more committed unto you, you are hereby required to take care, that there bee never fewer, then 20. men remaining upon the said Island, for the defence of the

572.

said Castle from the 1st of April vnto the end of the 8br, & never lesse then ten for the other part of the yeare, you are alle from time to time, night, & day, to keepe a due watch, proportionable to the number of yor present Garrison. 3. You are in time of apparent danger or just suspition, to raise to some to an anchor any ship, or ships, that shall come within shot of the said Castle, shall neglect, or refuse to send yor boate with yor conest, or therefore, & to satisfy that he is a friend, paying you are to doe after this manner. first, by makeing one shot towards yor face foot 2. If yet he neglect by keeping sight over yor. & lastly, by endeavoring to shot yonder, yor intent meaning he to doe, till you have brought yor intended Comandes, which being done, you shall require, & take of yor ten shillings for the first shot twenty shillings for the second, & five pounds for the third, & if he have made any shot at the Castle, & forced you to make more at him, then you are to keepe yor under Comande, & cause yor to bring yor lights on shore till you take further direction what to doe, from hym, as shall take power to determine hym wages. And for Pinnaces, or Boates, you shall suffer none to passe the said Castle in the night, without giveing due satisfaction, that they are friends, & in the day time, of the number of them, or men in them give ground of suspition, you may take them, & bring them under Comande. 4. You shall not suffer any ship, or other vessell of twenty tuns, or towards, the greater number of the owners, not being inhabitants within the Jurisdiction, as aforesaid, but bound, as are to passe by the said Castle outwards bound, except he have paid vnto his Officer appointed to receive of a tun for aimorage, & then you a discharge further cleareing, under the hands of the Governor, or Deputie Governor, for the time being, but by the best meanes you can to stop him, or make him if he refuse so to doe. 5. Upon sight of a ship you shall forthwith send out a flag, & upon sight, or certaine intelligence of two, or more vnknowne ships, or many Pinnaces coming upon the Coast, you are forthwith to give warning by ecces of shooting of a peece of Ordnance, & giveing a further signall, by hanging out six many flags in the day time, or making six many fires in the night, as there are ships arriving, three Pinnaces to one ship, & if there be more then three ships, or Pinnaces proportionable, you shall hang out a great flag in the day, & two fires in the night. 6. If it rank you be assaulted by an Enemy, you shall to yor best skill, & yor almost endeavor, by the helpe yor have, & hym sueth as shall be further sent vnto you to defend the said Castle, and destroy yor Enemies, & shall not render up the said Castle to any Enemie, till by force, you be absolutely compelled thereunto, & then to doe it, upon the most honorable termes that his Majestie shall be attained. 7. You have hereby power granted to imprison, or put in bonds, any of yor said Garrison that shall neglect, or refuse to obey yor lawfull Comande, or to inflict some lesser punishment suitable to his offence. Provided that you shall not imprison any offender above 24. houres without releasing him or bringing him to a further tryall unless the reason of the weather, or some other impedyment doth necessarily intend, in which case the next Opportunity is to be taken. 8. For salutation of Ships, &c. you shall observe this Order for 3. peces from a Ship to 3, you shall answer with one, & for 7 or more, with 3. & not above, & for other salutations, & expence of powder, you shall be as sparing as may well stand with the hono. of yor Prince, & Country. 9. Until the aforesaid Castle, & workes be finished, or made defensible, you shall only be bound to follow his Commission, & Instructions so farre as concerneth you may, & as may most tend to the Comon Safety. 10. You shall peaceably deliver up the said Castle, Ordnance, & other Ammunition, together with this Commission to such as by Authority of his Ma.ty shall require the same, & to noe person except forced, as is afore limited. All Penalties to be received by vertue of this Commission, you shall reserve to be imployed to the use of the said Fortifications, & Garrison, by the advise of hym, as shall have the oversight thereof. Notwithstanding the former men of Kent, be many men allwaies, upon the said Island, yet when you see the Coast to be cleare of any danger, you may give liberty to man out yor boats for the necessary occasions of the Island, for as they say away not longer, then the necessity occasions shall require, except hindered by tempest. You are not to deliver up any men of yor Garrison, but only warrant from his Ma.ty, or the Lord of his Assistants, or the Governor, & in yor Garrison, but only warrant from his Ma.ty, or the Lord of his Assistants, or the Governor, & in his absence, the Deputie, & two Assistants, for that the Townes (before hym) are sent for) send others in their roome. This Commission to be of force till the end of the next General Court, & noe longer, unlesse confirmed by his Ma.ty.

2038. John Saunders his fine is abated to forty shillings, referred p. to the witnesses, soe as he sends it in by the next General Court. — Saunders fine abated.

2039. The Commission above, with the alterations, was confirmed the 5th Mo. 1645. to Captaine Richard Davenport. Lastly, for further direction, & explanation of his Commission, it is referred the answers to the 17. questions, prepounded to this Court. Mo. 5th 1645. — Commission confirmed.

To Richard Davenport, Capt. of the fort of the Massachusetts, at Castle Island. — Capt. Davenport.

You are hereby Authorized, & full Power is given to you, at any time to require of John Johnson, Surveyor General of the Countreys armes, & ammunition, all such armes, and ammunition, as is allowed to you, by the Garrison, under your Command. viz. for every Souldier one sufficient musket, sword, rest, & ganne of Souldiers with two fathome of match for each musket, & for store for ye Garrison, one barrell of powder, 20. great shot & 10. of match, a Copy of this Order by you signed shall be a sufficient discharge to the said John Johnson for such delivery, if any such demand to you, you taking care upon, & severall amount spreade, according to the Court Order.

Present The Governo. Mr. Winthrop.
Mr. Dudly. Mr. Cullum.

At a Court held the 28th of the 8th Mo. 1641.

James Luxford was Ordered to be delivered to his three Creditors. — Luxford.

2040. Mr. Symon Bozey for striking Mr. Consfalle was remitted & fined to give Mr. Consfalle, 10s. — Bozey fined.

2041. Mr. Henry Wallham, & James Brittaine, were bound for Steven Wilson his appearance at ye next Court. — Wallham, Brittaine bound for Wilson.

2042. John Knight is remitted, untill he find sureties. — Knight remitted.

2043. At a Quarter Court at Boston the 7th of the 10th Mo. 1641.

2044. Jacob Eliot deposed to the will & Inventory of John Tee. — Eliot. Tee.

2045. Tho. Smith is Granted five shillings against William Brigard. — Smith. Brigard.

2046. John Richardson appeared, & testimony given of his said marriage, he, & his sureties were disharged. — Richardson disharged.

Steven Wilson appeared, he, & his Sureties were disharged. — Wilson & sureties disharged.

2047. John Bower was confined to pay ten shillings, or be whipped the 1st Mo. — Bower fined or whipt.

2048. Capt. Williams was of his, & promises to endeavor, & do what in him lay to bring back — Capt. Williams. Richardson.

Jonas Richardson.

Walthian Richards was upon his ackowlegment fined 5s. & enjoyned to pay the witnesses wages — Richards fined.

2050. were Edwards Bennet & his wife; Richard Fitzjohn & his wife; Christian Warner, Thomas Rawlings, Thomas Penny, Mr. Wallham & Mary Smith after 2d day, & to make a publique

Samuel Hinges his wife was restrained to be ill. — Hinges his wife ill.

2051. The Inhabitants of Braintree, for the bridge over Winnetert River are respited till the — Braintree.

2052. Generall Court.

2053. Hingham safe time till the first of the 3d Mo. next to finish the bridge over Lay-fords Creeke, — Hingham.

upon pay are to be by that time upon paine of 5s.

Thomas Barnes about lace, was admonished, & disharged. — Barnes.

2054. John Jobson for unadvised expressions, was admonished, & disharged. — Jobson.

2055. Warne Wands for want of proofe was disharged. — Wands disharged.

2056. Dorchester fined. — Dorchester fined.

2057. Dorchester for defective wayes was fined 5s. & all till the 2d. Mo. — Worlaln recompence Pen.

It was referred to indifferent men to judge what recompence Mr. Franklin ought should

2058. returne to James Pen. — David fined, bound.

William Davies for keeping an house of disorder, by giving entertainement against

2059. Orders, was fined 20s. & bound in 10s. not to sell ale, strong beare, wine, or strong water. — Dudley.

2060. Mr. Dudly was gone out of the Countrey before Court. — Dawkins fined.

2061. Thomas Dawkins for making drink strong was fined 5s. and enjoyned to give one — Boston fined.

witnesse, Edward Bates, 2s 6d.

2061. Boston for defective way towards Roxbury is fined 10s. & enjoyned to mend them, by the — Cambridge fined.

24th of the 2d Mo. upon paine of five pounds.

2062. Cambridge for a defective way to Groonstowne is fined 5s. — Fuller respited.

2063. Fuller was respited till the next Quarter Court. — Knight. Barter wife.

2064. John Knight bound to be bayed by action. Barters wife was admonished, & disharged.

At a Court at Boston the 27th 11th mo. 1641. Present The Governo. Mr. Winthrop. Mr. Dudley. Mr. Increase Nowell.

Knowers Estate. The administration of the Estate of Thomas Knower is granted to James Browne & William Britton. Debts & legacies to be brought to the next Court to answer things objected against them. 2866

Willmore. Elizabeth Willmore had warrant to the Constable of Watertowne to provide her a place in Boston or elsewhere. 2867.

Williams. Read. Daniel Williams put himselfe to John Read for 4 yeares from the 12th of this present Mo. 2868.

ffox. Everell. John ffox put himselfe apprentice to James Everell five yeares from this present day. 2869.

At a Quarter Court at Boston the 1st of the 1st mo. 1641/1642. Present. Mr. Governo. Mr. Winthrop. Mr. Dudley. Increase Nowell and Mr. Bradstreet.

Mr. Ballards Estate. Mr. Timothy Tomlins & Thomas Skington were granted administration of the Estate of Mr. Ballard, & they are to account for the debtors & other Estates. 2870

Story committed &c. George Story upon his misdemeanor was committed, & after upon his submission & acknowledgement of his fault he was discharged. 2871.

Charlestowne. Sudbury. Dedham Land. Charlestowne delivered in a transcript of their lands. Sudbury did in a transcript of their lands. Dedham delivered in a transcript of their lands. 2872.

Browne. Penry. Robert Browne & the selectmen of Greene desire graunted against Francis Penry, for warning him to appear & not prosecuting him. 2873.

Mr. Edwards fine remit. Mr. Douglas Trevite of forty shillings is required him. 2873.

Platform. Collaine. Alden. Barton. Injust. Peter Platform for selling Penry was committed, & to be rebuked. Matthew Collaine, Robert Allen, & Marmaduke Barton were wronged for concealing the plot of Penry. 2874.

Sherman fine remit. Samuel Sherman is remitted his fine of 20s. 2875.

Smiseman. ffuall bound. Henry Smiseman is bound in 20li to be of good behavior & to appear at the Quarter Court in the 7th mo. 1642. & Samuel ffuall is bound in 10li for his good behavior & appearance of Smiseman. 2876.

Hawkins injust. James Hawkins for prophaning the Sabbath he was reproved to be more out of his house with his Barber Thomas Hawkins in 40s to appear at the generall Court, & answer for vttering his corrupt opinions, & to be of good behavior till then. 2877.

Sedgwicke for theft. Idol. &c. Elizabeth Sedgwicke for divers many theftes & lyes, was reproved to be severely whipt, & condemned by slavery, till Sir Save recommended double for all her thefts. 2878.

Dobson banished. Robert or George Dobson Indian was banished not to come amongst the English a weeke. 2879.

Mainwaring admonisht. Mainwaring the Starkmore was admonished, & dismissed. 2880.

Smith admonisht. John Smith was admonished, & dismissed. 2881.

Dobs restitution. Susan Dole was enjoyned to make double restitution. 2882.

At a Court at Boston 20th 2d mo. 1642. Present. The Governo. Mr. Winthrop. Mr. Dudley. Mr. Shaughton. Increase Nowell.

Barton committed. Marmaduke Barton for his theft, & running away, was committed to the Keeper as a slave, till the next generall Court. 2883.

Briant injust. Thomas Briant for concealing Mathews Plott, & consenting to it, was reproved severely, wronged. 2884.

Jackson. Elias Jackson was with his owne consent turned over for his time from George Barrell to Hugh William. 2885.

The 12th 3d mo. 1642. Present The Governo. Mr. Winthrop. Increase Nowell.

Woodcocke injust. John Woodcocke for his many misgovernings was reproved & wronged. 2886.

At a Court at Boston 20th 12 mo. 1642. Present. The Governo. Mr. Dudley. Mr. Belingham. Increase Nowell.

Woodworks fine discharged. Daniel Opewine is discharged of his fine of 3s 4d. & John Whitney of Dorchester is fined 2d for not warning him. 2887.

Whitney fined.

Story discharged. George Story appearance is discharged of his bonds for appearance to answer Baptisme, & leave this Court. 2888.

Charlestowne Constables allowed. It was ordered that the Constables of Charlestowne shall be allowed for their charge of 12d for the 2889.

Mr. Dunk. Stow. Andrew Thomas Dunke, & John Stow appearing, were appointed to appear at the next generall Court to give in their finall answer about the goods committed into their hands. 2890.

2891. It was ordered James Davies should have 3s. 12d. for keeping of John Kempe for 12 weeks, at five shillings p week. — Davies. Kempe.

2892. Mary Deane was ordered to pay John Read 10s. for her lyght & trouble of him. — Deane. Read.

2893. It was ordered that Sarah Bragman should be allowed 1s. for 9 days travell, & 2s. 6d. to buy out of purse. — Bragman payd.

2894. Order was lent to the Constables of Bingham, that Wm Stranger & his child should be provided according to their necessity, that they may be comfortable maintained by the place of their abode, as far as it will bear, & greeve not to seek, as they will answer it. — Wm Stranger Bingh.

2895. It is ordered John Stiles should be allowed nine pound per annum for the time he time he hath served, & twenty shillings for his mare burned away in winter, unprovided. — Stiles allowance.

2896. It is ordered that Thomas Warvin should be allowed nine pound p annum for the time he served, & twenty shillings for his mare burned away in winter unprovided, & for his 2 wolves killed. — Warvin allowance.

The 10th of the 12th Mth 1642. Present. The Governor.
Mr Gillingham. Francis Rowell.

2897. Daniel Birks ye mayor before ye for drinking part of a quart pint of wine, in the William Willoughby was fined ten shillings. — Birks. Willoughby fined.

2898. William Willoughby for being distempered with wine, & misspending his time & neglecting both publique, & private businesses, was committed to Prison to be kept to work there. — Willoughby committed.

At a Court at Boston 7th of 1st Mth 1642/3. Present. The Governor.
Mr Dudley. Mr Dudley.
Mr Gillingham. Mr Bradstreet.
Mr Flint. Francis Rowell.

2899. Mr Nathaniel Briscoe for verbum mutinous speeches & revilings was fined 10s. — Briscoe fined.

2900. John Petrot was dismissed with an admonition. Mr Winter & Mr Richard Collard his bill of 2li 9s. 10d. was allowed to be paid him, & for himselfe for 10s. — Petrot. Winter dism. Mr Collard payd.

2901. days, 2s. 4d. & for Mr Holman, for 10 days 2s. 4d. — Mr Richard Browne being suspected for unmeete, & filthy dalliance with Sarah now wife of Thomas Doylston, for want of full evidence, they were dismissed with an admonition. — Browne. Doylston wife dismissed.

2902. Will. Bull & Alice now his wife were fined 2s. for fornication committed before marriage. — Bull. Alice fined.

2903. John Stowers for rendring to divers officers speeches before comp. out of a booke against the Officers, & Court of Waterborne, & for making disturbance there, was fined forty shillings. — Stowers fined.

2904. Sarah Bell for her theft, stealing money from her master, was ordered to be whipped, except she bring forth well advised that she next Court, & so as the Court see cause to remit it. — Bell's theft.

2905. John Dorrish was committed, & after was ordered to be released upon his owne bonds for his good behavior & appearance, & the next Court. — Dorrish committed &c.

2906. Susan Hewet & other wives with Sarah Bell goods were ordered to take their goods back, & pay the money to Mr Wenlake. — Hewet repay. Wenlake repaid.

2907. Mr Grimi for a fowle, wicked, & desperate attempt to hugger a cow of Mr Wenlake's, was ordered to be carried to the place of execution, & there to stand with an halter about his neck, & to be severely whipped. — Grimi punished.

2908. Robert Weyal, & Joan Cartlands being indicted for wearing two yong children, the first confessed by the Girls, & the Court the boy was found to give indefinitely, & filthy dalliance contested by the boyes, the Jury found them not guilty, with reference to the Capitall Law. — Weyar. Cartlands. Weyar. wright, & finded.

2909. The Court judged the boyes to be openly whipped at Boston, the next market day, & against to be whipped at Cambridge on the ordinary day, & caused them to pay 5s. a peece to their master in service. It was also judged that the two girls Sarah Wyffes, & Mehuta Cole being both guilty of fornication shall be severally whipped at Cambridge in the presence of the Secretary. — Wyffes. Cole whipt.

3000. The 15th 2d Mth, Mr Francis Norton, & John Pentecks being formerly chosen Constables of Dorchester, by the Court, did take their Oaths to discharge that Office. — Mr Norton. Pentecks. Dorchester Constables.

At a Court at Boston, the 27th 2d Mth 1642.
Present.
The Governor. Mr Deputie. Mr Dudley.
Mr Gillingham. Mr Flint. Francis Rowell.

3001. An Inventory of the Estate of Edward Wood deceased, was delivered in, & an account now the Women and children of wife the Court doth approve. — Wood Inventory.

3002. Richard Taylor being enjoyned to appeare at the next Court to answer for his rude & unmeete speeches, he was dismissed with an admonition. — Taylor admonished, & dismissed.

3003. Henry Neale appearing his servant Henry Dobson was freed from him, and put — Dobson freed.

Weale to pay witnesses. to whom ye Weale was enjoyned to pay all ye witnesses, & deliver up all lands, & so all things were ended betweene them.

Hobson to Weakins. Henry Hobson is put to Goodman Thomas Weakins for ye rest of ye time for ye gramma and upon yd good behaviour to pay 2s 6d at ye end of yd time. 3004.

Stone, Armitage rest granted. John Stone, & Joseph Armitage, upon a warrant from Joshua Hubbard, said he fell long rest granted them against Joshua Hubbard for not prosecuting. 3005.

Wells servant to Throng. Daniel Wells is put to Servant William Throng for a years, upon to be bound again to ye Court to give further consideration of ye sale upon Ley's Servant, and sufficient recompence for ye loss of yd servant, Edward Wallis, upon Wells runaway, yeilding to run away, & counselled hereto. 3006.

Smith bound. Richard Smith runaway yd bondman Edward Walter yd intent of running away, is bound in ten pounds to appeare at ye next Court. 3007.

Weyar to Bowlle. Robert Weyar is put to Lenard Bowlle with yd master remain ye rest of yd time. 3008.

Browne reject. William Browne for running away, & doing an Ordinance of ye Court, refusing to give account what he had learned, & refusing to obey his master, was returned to be severely whipped. 3009.

Wendam disgraced. Robert Wendam appearing guilty of his misprisonment upon an attachment by Mr. Hampan, upon petition of the debt of 3s 3d to Mr. Prince, he was disgraced, bearing no action entered, nor none appeared to prosecute. 3010.

Quick reject. The 16th day of 2d m. Richard Quick for being distempered by drinking wine, & for yd idlenes, stubbornes, & dallianes was returned to be whipped. 3011.

Roberts fines 12d. Edward Roberts was appointed & appointed to pay 12d for drinking to Richard Quick. 3012.

Berry reject. John Berry for running away was returned to be whipped 17th 3d 2d o. 3013.

Hardwin, Hollister, Weymouth constables. John Hardwin, & John Hollister being chosen constables of Weymouth, did take their oaths to set close apprentices 23 3 1642. 3014.

Baker Ordinary keep. Mr. Baker of Weymouth is allowed to keep an Ordinary instead of Robert Thomas. 3015.

Goodman Clarke by Bond. Edward Goodman being now Clerke of the Lands did take yd Clerke's oath 4th 2d 1642. 3016.

Mr. Combins Inspector. Mr. Edward Combins being chosen is allowed Inspector at Lyme. 3017.

Mr. Dory Inspector. Mr. William Dory is appointed Inspector at Weymouth. 3018.

Jepson. Edward Jepson is appointed to examine the Company at Dorchester. 3019.

The 7th day of the 4th mo. 1642.

Present.
The Governor. The Deputie. Mr. Dudley. Mr. Bellingham.
Mr. Bradstreet. Mr. Stoughton. Mr. Flint. Francis Norell.

Bodgum Lands. Bodgum delivering up a transport of his Lands, the Court gave Mr. Allen leave to give the transport back again. 3020.

Harbourmaster. The other Towns, to wit Boston, Dorchester, Braintree, & Roxbury, yd time granted them till the 4th 2d m. 1643. 3021.

Paine disgraced, rest granted. Mr. Edward Paine upon yd appearance was disgraced, bearing no action entered by Clement Campion, and Mr. Paine was granted 8 days rest against Clement Campion. 3022.

Wood fined. Edward Wood was fined 5s for taking wheat meale contrary to Order. 3023.

Scott & yd wife, no fines for fornication. Thomas Scott & his wife for committing fornication before marriage were enjoyned to stand aside upon the ladder in the market place, with each of them a paper with great letters on their backs. 3024.

Warrie, will delivered. Thomas Warrie yd wife was delivered to him as testified by Edward Wolcotone, & William Hudson. 3025.

Westmore dismissed. Thomas Westmore servant of yd Lady was dismissed with an admonition. 3026.

Howard transport imperfect. Edward Howard delivered in a transport of his Lands, but testified, yd not being according to Order, was delivered back again to him to perfect. 3027.

Coyse committed & Amie Coyse for her gross failing in not testifying her being married when she was called upon at ye Court was committed to ye keeper, & upon petition, & confession of her fault she was released. 3028.

Delworth bound, & to find witnesses. Jonathan Delworth for disorderly carriage & untruth, was remitted till he find witnesses Samuel Ward, & Nicholas Parrot were bound in 10li appeare for Jonathan Delworth yd good behaviour, & appearance at the next Quarter Court, & Jonathan Delworth himselfe was bound in 20li. 3029.

Mr. Strange dismissed. Mr. Strange upon acknowledgement of his in error with an injunction to acknowledge his fault publicquely at Weymouth, & yet to be certified by ye Court, he was dismissed with an admonition. 3030.

Jones dismissed. William Jones upon yd acknowledgement here, being enjoyned to acknowledge the like publicquely at Weymouth with an admonition, & an injunction to pay ye witnesses yd appeare, he was dismissed. 3031.

Richards fine abated. Mr. Richard is abated twenty shillings of his fine. 3032.

3033. John Long Gent. for his misdemeanor, distemper in drinke, swearing & rusling was fined twenty pounds, & to put in sureties before his departure. — Wd. Long fined.

3034. Thomas Willson his fine is respited till the end of the second Michell, 1643. and Anthony Stamiard is bound in twenty pounds for the payment of Thomas Willsons fine. — Willsons fine respited.

3035. Isaac Morrell was fined 5s. for his absence, wch soe it to pay to the rest of the Jury. — Morrell fined.

3036. Nicholas Rowell is appointed Surveyor of the Armes for Dedham. — Rowell Surveyor of Armes.

3037. It was Ordered that Wd. Loader should gave three pounds of Wd. John Long, for himselfe, & ten shillings for the rest of his Company, for the trouble, & damages he suffered by Wd. Long. — Wd. Loader damages.

At a Small Court at Boston, the 20th of the 5th Mo. 1642.

Present. The Governo., Wm. Dudley. Wd. Stoughton. Furnease Morrell.

3038. Henry Smith not appearing being warned by the Governo.) — Smith.

3039. Mawardot Stepheson is adjudged at liberty to be married to Benjamin Graff. — Stepheson liberty granted.

3040. The Constable of Roxbury was Ordered to take care of John Kempe, servant formerly to Isaac Morrell, both for his maintenance, & cure, till the next Quarter Court, and then further Order should be settled. — Kempe cared for.

3041. The Court thought meet Dermond Matthew should be set to worke by turn, as give occasion to imploy him, untill his Wd. shall appeare, & take care about him. — Matthews to worke.

3042. Robert Bradley is granted administration of his husband Estate, wch gave his all his Estate, only some rlatges, & legacies to his brother. — Bradley Administration &c.

Present. At a Quarter Court the 6th of the 7th Mo. 1642.

The Governo. The Deputie Gov. Wm. Dudley. Wm. Bellingham. Wm. Coltersall. Wm. Stoughton. Wm. Broadstreet. Wm. Flint. Furnease Morrell.

3043. George Roberts was remitted to the Keeper for his ill carriage, but after sadliare to goe take care of his corne, being it lay upon spoyling. — Roberts remitted.

3044. Thomas Cooper, & Joshua Hubbard Constables of Lynnegam. — Cooper. Hubbard.

3045. Edward Cotterse Constable of Woobourne. — Cotterse Constable.

3046. Jonathan Bennett is discharged from his bonds. — Bennett discharged.

3047. Robert Sever for his misbeariage in neglecting his watch is fined twenty pounds wthin the Court doth respite. — Sever fined.

3048. Severall of the Members of Lynnegam, upon admonition of the Court did refer it to the Court to speake to the Elders to consider the case, & to send some of themselves to see, if it may please the Lord by advice to give to reconcile their differences, and settle them in a way of Christ. — The Elders advice desired.

3049. Wd. John Woodrice was fined 3s. & enjoyned upon paines of 5s. to acknowledge his offence at Boston, Dorchester, & Cambridge, reading an acknowledgment, written for his drunkenesse, & swearing. — Woodrice fined.

3050. Wd. Edmund Batter paid six shillings, eight pence rest granted him against Wd. John Humphrey for serving him to appeare, & not prosecuting. — Batter rest granted.

3051. John Lewis for running away, and breaking an house, was resolved to be whipped, & sent home to his Master. — Lewis rejpt.

3052. Richard Dole was remitted to worke for his hire, till a master be found for him. — Dole to worke.

3053. William Walrot was resolved to be whipped, & kept in Prison, till further Order, for his idlenesse, & abuse of his friends. — Walrot wpt.

3054. Richard Wyate being remitted for refusing to wait, upon his submission, he was released. — Wyate remitted release.

3055. Anne Bett for attempting to drowne her child was resolved to be whipped, & kept to hard labo. & spare diet. — Bet wpt. &c.

3056. Thomas Colrine was resolved to be severely whipped, for his rude dallyance with two, or three Girles. — Colrine wpt.

3057. The Jury returned Verdict about the death of Richard Silvester his child. — Juryes Verdict returned.

3058. The Governo. gave in his sense about the state of the State of one Mr. Wainwright Mystery, a French man, that dyed here. — Part of Mr. Wainwrights opinion.

Watts fined. George Watts is appointed to give ten shillings in cotton wool for swearing. 3059.

Bell put to Barnard. Richard Bell is put to William Barnard for a year, upon pay wages, & shall be subject to his ordering. 3060.

At a Court at Boston the 7th of Nov. 1642.

Present. The Governor. Mr. Dudley. Mr. Bellingham. Mr. Fletcher. Mr. Newell.

Fines Gordon & others. Samuel Fling, & five others, for not appearing upon the alarme, their excuses were accepted, & they freed. Robert Dunion not appearing upon the alarme, his fine of 5s is remitted, the Generall Court. 3061.

Widdow Wiseman administration granted. Widdow Wiseman is granted administration of the late Richard Wiseman his estate. 3062.

Web fined. William Webb for his neglect in not carefully attending the Order of Court about the dead, is fined ten shillings. 3063.

Committee appointed. Upon consideration of severall Petitions offered to this Court, it was ordered that Mr. John Smith, Mr. William Barrow, together with the Worp. Mr. Winthrop, Deputy Gov., Mr. Hathorne, & any three of them, whereof the first Mr. John Smith, & Mr. John Winter to be two, shall have power to take into their custody all the books, & writings of the said Edward Allen, to transport, & to clear the accounts, for debtors, & of the interests of the severall Partyes, & to pay, & receive all debts, and to certify the Court with what speed they may. 3064.

Mr. Oliver's time. The Treasurer had order to pay Mr. Oliver the same of 12li for his paines about Mansfield. 3065.

Administrators granted. John Newton, & Edward Allen are granted the administration of the estate of Mr. Edward Allen. 3066.

Conway reprved. Darby Conway servant to Mr. Beamsley for resisting his master and threatening to be revenged. 3067.

Deale committed. Hugh Deale servant to Mr. Dudlaye was committed upon suspition of felony. 3068.

Hudson costs granted. William Hudson was granted six shillings, eight pence, against Simon Kempthorne, for attaching, & raising him to attend, & not prosecuting. 3069.

Mr. Allen's gift confirmed. Francis Pinchinde tooke his oath that Mr. Allen, upon his death bed gave his estate to John Newton, & Edward Allen his kinsman, & that he was then, & after in good memory, & understanding, the 14th of the 9th Mo. 1642. Daniel Mansfield is put to William Denny for five yeares from this present day. 3070. 3071.

Present. At a Quarter Court at Boston, the 6th of the 10th Mo. 1642.

The Governor. Mr. Dudley. Mr. Bellingham. Mr. Fletcher. Mr. Newell.

Broderick & Holmes fined. Charles Broderick, & Robert Holmes are fined three shillings, four pence a peece, for being absent, being warned. 3072.

Searchers appointed. Edward Lewis, William Johnson, John Sherman, & George Drummer are appointed to view the leather wrought in Watertowne, & to certify upon their oaths, in particular, leather tanned by John Winter for wrong he was charged, which John Winter can testify, at the next Quarter Court. 3073.

Sheppard fined. Dopland fined. William Sheppard for tobacco, for 18 waies of annum is fined two pounds. Lawrence Dopland for servant mis for 6 waies of annum is fined 7s, Denis Lahore released one half of the time, which was ordered to be payed in John Browers hands, and by him to be payd two shillings to Martin Saunders, & 3s 10d to the Treasurer. 3074.

Waltertowne presentment. Mr. Bellinge allowed. Waltertowne presentment is referred to the next Quarter Court. 3075.

It was ordered that Mr. Dibbins shall be allowed twenty pounds for his losse killed in Publique service. 3076.

Mr. Bartholmew's rate reprved. Mr. Bartholmew his rate, upon his brothers undertaking to be surety to answer for it, whether at the next Quarter Court, it was referred to the next Quarter Court. And Daphne Reagues Action is referred to the next till Mr. Bartholmew doe come. 3077.

Deare to Gunnison. Deare by consent put himselfe to Mary Gunnison for 3s 10d till Halltide wrought out. 3078.

Addington & Deposition. Mr. Hanchon did depose that since the time for 3d 6 gallons of Mr. Edwards time, Robert Gillam had 3 gallons, William Deare, as he had deposed, 5 gallons, & himselfe had 2 gallons. 3079.

Wrappe to Dexter. Beaumont Wrappe is put to Thomas Dexter for the rest of his time. Dexter gives mislife for any target Beaumont proved to be true, and all is referred to Mr. Sidley, & Goodman Armitage to agree, & end all differences, & the 3 attachments are discharged.

Walton gave his goods againe. It was ordered that Mr. Walton should take his goods againe, which were wrongfully taken, and he doth release to end the business of those some he ran. 3081.

3082. John Lee is graunted six shillings & penne against Richard Letten, for somonnig him to appeare, raysing him to attend, & not prosecuting. — Lee rostd graunted.

3083. Martin Saunders undertooke the Bridge presented should be repaired, so Bramfree was fine not three shillings, foure penne, & disharged. — Bramfree fined.

3084. It was Ordered that Wd. Ruck, & Goodman Stone should be sent vnto to come in at the next Court, & should pew up ivy gave disposed of the 50th. or rooms it in, or pew ivy they should not. — Wd. Ruck. Stone called.

3085. William Davies was fined 5s. for his tankerd, in keeping intoxicating against Order of Ct. — Davies fined.

3086. Hingham upon oath seen, that the way is made out is disharged. — Hingham disharged.

3087. Boston is disharged, the way to Spaldsthorne being made good. — Boston disharged.

3088. The other presentments are respited till the next Quarter Ct. through ill the weather. — presentments respited.

3089. The 11th day 1642. Elizabeth Wright is put to William Wilson for 50s. wages, for the yeare, — El. Wright put to Wilson.

3090. The 12th day. George Wicks being chosen Constable of Barrington tooke his Oath. — Wicks Constable.

At a Quarter Ct. at Boston the 10th of the 4th mo. 1643.

Present. The Governo. The Deputie. Wd. Dudley.
Wd. Bellmorgain. Wd. Saltonstall. Wd. Bradstreet.
Wd. Dillions. Wd. Flint. Increase Nowell.

It was Ordered that forty five shillings of the Estate of Wd. William Bladen, should be payd to James Ridway, who was his servant for his yeares service. — Ridway payd.

3092.

The Towne of Boston, being presented for defect of their high waies, by reason presented for. — Boston presented.

3093. It was Ordered that Wd. Chilton should have for his paines, & errors about the Ayle three pounds, about Wrangs twelve shillings, about Kemp seven pounds, foreafter eleven pounds. — Wd. Chilton payd.

3094.

Robert Beatcherly appeaeing is disharged, upon his bonds, & graunted 10s. rosts against. — Beatcherly disharged.

3095.

James Brittane being presented, & traversing the presentment was respited to the next Ct. — Brittane respited &c.

3096.

and bound himselfe in twenty pounds to appeare then, & answer William Brandon to appeare for a witnesse.

Thomas Layton appearing was disharged. — Layton disharged.

3097.

Richard Smyth being convicted, for being privy to Edward Waldo his intent to run away, — Smyth remitted.

3098.

wing was witnessed by Billy Bull, he was remitted to.

George Willis for a battery is fined ten shillings. — Willis fined.

3099.

Richard Willis for a foule Battery is fined 2s. 10d. & remitted till he pay, or give sufficient surety. — Willis fined. rem.

3100.

William Ayderne, senio. John Low, Robert Butler, William Affield, John Woodward, Ambrose Long & Richard Bosworth were fined 10d. a peare for drinking too many. — Aydborne. Low. Butler. Affield. Woodward &c. fined.

3101.

Ralph Selthorpe is fined 10s. for being distempered, drunk. — Selthorpe fined.

3102.

William Hilyot was admonished to take heed of suffering drinking in his house. — Hilyot admonished.

3103.

Arker Chisholm being presented for taking excessive wages, it did not appeare & so he was disharged. — Chisholm disharged.

3104.

Wd. Drayton sueth against Wd. Warnerton is transmitted to the Ct. at Pescatag. — Drayton and Warnerton.

3105.

Wd. Flodder being presented for selling rye at an excessive rate, it appeared not excesse, in him, so he promising to satisfie Wd. Dame was disharged. — Wd. Flodder presented &c.

3106.

Henry Lake, & his wife for fornication were enjoyned to appeare the next Lecture day at Dorchester after the Lecture, and to acknowledge their fault. — Lake, & his wife for fornication to acknowledge.

3107.

Robert Daly, John Smyth Clarke of the Bands at Dorchester. — Smyth Clarke of the Band.

3108.

Francis Pemble bound him in 20s. to appeare at the next Ct. to answer for his lewd, & reproacfull speeches. — Pemble bound.

3109.

Present The 27th of the 3d mo. 1643.

Wd. Governo. Wd. Dudley. Wd. Bellingham. Wd. Dillions. Increase Nowell.

Edward Rogers for being distempered with wine, or strong drinke, was fined 2s. 6d. — Rogers fined.

3110.

Ugo being imprisoned is remitted to ten shillings. — Ugo rem.

William Stutt for selling powder, & shot to the Indians was fined 10s. to pay the halfe, — Stutt selling powder to Indians fined.

3111.

when corne is payable, & the other halfe a 12. mo. after & Thomas Spaulding surety.

Samuel Baron for stealing wine, & other things, was censured to be severely whipped, & — Baron stealing wine &c.

3112.

to make double restitution, to Wd. Bull, & his Dame.

Robert Rogers was for receiving stolen wine, being consenting in it, enjoyned to pay — Rogers consenting to theft, fined &c.

3113.

Wd. Manning 32s. & fined to the Countrey 40s.

Willi. Compson for drinking with them, & being privy was to pay Wd. Manning 10s. — Compson.

3114.

Tho. Davies being privy & drinking with them was to pay Wd. Manning 10s. — Davies.

Wyard
Draper
Doppinge for hogs, wpt.
Langley Constable.

Robert Wyard for drinkinge with Burrow, beinge prayd to his taking of it was enjoyned to pay iij^s.
Thomas Draper for drinkinge, beinge prayd to his manner of taking it, to pay iij^s iiij^d.
Nathaniel Draper for breakinge & breakinge into severall ground, and stealinge severall hogges was confessed to be wipped & put to Godman Gillson.
William Langley beinge noyse Constable of Lynn took his Oath.

3115.
3116.

Jurye.

At a Quarter Sess. at Boston the xb of the 7th Month 1633.

Wm Deputie gov. Wm Dalley. Wm Billingham. Wm Saltonstall. Wm Pinson.
Wm Greatrest. Wm Flint. Wm Symons. Wm Bibbens. Furnace Fowell.

Gillowes fined.
Goldborow fined.

John Gilowes is fined v^s for his offence when the fury was called.
Ralph Goldborow was fined 3^s for his disorder in drinke, & is to pay it, that against to

3117.
3118.

have corporall punishment.

It is Ordered that upon the Letter of Attorney, Edward Gaves indeed, the Legacyes shalle be

Legacyes payd.

payd by Wm Smith of Stainesfeilde to John Porter.

3119.

Willson formication fined.

Dawen Willson is fined twenty shillings for formication, which Wm Brown Allen undertake to satisfye in robin: Work by Wm Goldmore.

3120.

Rapper disharged.

George Rapper was disharged & committed to his Master and to stay with him, for mury longer for the time he pay his abbot.

3121.

Bartlow disharged.

William Bartlowe appearinge was disharged.

3122.

Ale-Dane committed.

Walter Dane for his misbarriage in abusinge one of his neighbours Wm Dentrake was committed at the pleasure of the Court & upon his humble Petition & acknowledgment had robin. ed.

3123.

James Hingham Const.
Gell wipt runnaway.

Francis James Constable of Hingham broke his Oath.
Richard Gell servant to Francis Hollingham of Salem, for runninge away was confessed to be wipped & sent to his Master, whom he is to serve for the time he hath lost.

3124.
3125.

Bartlet wipt fined.
Hey committed.
Gammer wipt.

John Bartlet for his swearing, theft & drunkenes was committed to Prison & sentenced to be wipped & fined twenty shillings. Stephen Day for his defraudinge Joyrell was committed. John Gammer for his swearing, drunkenes & other prophane & disorder was sentenced to be well wipped.

3126.

Arbitrators.

Wm Symons, Wm Hovie, Wm Smith, Wm Dan & Goodman Bendall are appointed by consent to arbitrate betweene Wm Burrowes & Wm Robert Saltonstall.

3127.

Ducker fined.
Wm Pendleton Sudbury.
Watts fined.

Thomas Ducker payd v^s for his disorder in drinke wipt.
Wm Briant Pendleton is appointed to exercise the Company at Sudbury.
George Watts for his disorder in drinke, swearing & abusing his mother was fined xx^s & to pay to ~~his~~ pay, or give sufficient security before you be released.

3128.
3129.
3130.

Seryt Wardall Exeter.
Lewis enjoyned.
Lewis freed.

Seryt Wardall is appointed to traine the Company at Exeter.
Lewis is enjoyned not to strike his servant John Lowe, & to set his said John Lowe free the 24th of the 4th Month 1644.

3131.
3132.

Administration granted.

Andrew Allen is granted administration of his Brother Edward Allen his estate, who was killed the fourth of this present Month.

3133.

Rogers wipt. Lewis fined.

The eight & twelfth Nicholas Rogers for his drunkenes, and makeinge offence drunke with his strong water, was sentenced to be wipped. Edmund Lewis for his beinge drunke was fined ten shillings, which he paid.

3134.

Hart fined.

The 19 day Israel Hart is fined twenty shillings for neglectinge the watch, and enjoyned also to pay the two witnesses and the Officers.

3135.

Wood Ordinary.
Burges admonish.
Dyke rebd granted.
Baldwin committed.
Wright fined.

The 20 day Richard Wood is allowed to keepe an Ordinary at Roxbury.
Thomas Burges for his distempers was admonished with an admonition to take heed of the like fayling.
Thom. Dyke is granted 13^s 4^d against Andrew Belcher for the 5^lb of powder & trouble & bill paid him to.
Thomas Baldwin for his misbarriage to his master, and striking him was committed to prison.
Robert Wright is fined twenty shillings for beinge twice distempered in drinke, or to set an houre in the stocks, the next Market day at Boston.

3136.
3137.
3138.
3139.
3140.

Barnes fined.
Linsey disharged.
Light foot payd.

William Barnes for swearing is fined ten shillings.
James Linsey appearinge for want of proofe was disharged.
It was Ordered that Francis Light foot should have paid 5^s, by Wm Edward Gately ten shillings, and by Joseph Dudley foure shillings, for his trouble & attendance they caused him.

3141.
3142.
3143.

At a Court at Boston the 25th of the 8th 1672.

Present. The Deputie Governor. Mr. Thomas Flint. Francis Newell.

3144. Leonard Fryar for swearing was fined 10s. Leonard Fryar, James Helme, & David Wayne all 3 are bound in 40li a peece to appeare at the next Quarter Court to answer for excessive drinking & disorders. — Fryar fined. Fryar, Helme, Wayne bound to appeare.

3145. John Garland for stealing Indian Corn to the value of 3s 6d was enjoyned to make double restitution. — Garland to make restitution.

3146. Thomas Arnold being chosen Constable of Watertown broke the Constables oath. — Arnold Watertown Const.

3147. The Will & Inventory of William Story late the Porrider was delivered the mistr of the mistr. Wayneth the executrix with the Witnesses Thomas Dash, & John Burrows took their oath. — Story's will recorded.

3148. David Dauling, Mary Dudley, & Jane Jeffrey for their filthy & unchaste practise were confessed to be severely whipped. — Dauling, Dudley, Jeffrey whipt.

At a Court at Boston the 8th of the 10th Mo. 1672.

Present. The Governor. Mr. Dudley. Mr. Winthrop Junr. Mr. Houghton. Mr. Bidenell. Mr. Flint. Francis Newell.

3149. Captaine John Gardiner for swearing many oaths, and other disorders is fined twenty pounds. — Capt. Gardiner fined.

Captaine Aaron Williams for distoring in drinke is fined ten shillings, which he paid. — Capt. Williams fined.

3150. It was ordered that John Hopson the Swinger shall take out of the Bullock which came from Providence, the money disbursed for that Company, & moderate the rest of it twenty five pounds three shillings & nine pence as it stinds. — Indians Swinger disbursed.

3151. The owners of Sudbury Mill are fined 3s 4d for want of Scales & Weights, and they are to provide them by the next Quarter Court in paine of twenty shillings. — Sudbury Mill fined.

3152. Dodgam delivered in a transcript of their Lands, and was discharged, and for the way between Dodgam & Dan[illegible] order is gave time till the fourth Monethy next. — Dodgam transcript accepted.

3153. Thomas Painter for disturbing the Ordinance of Dorchester, was refused to be set in stocks a Lecture day, at Lecture time, except he publicke his sorrow for their satisfaction. — Painter stocks.

3154. Abner Lindway being arrested for taking his Lindway, Gilles for want of proofe he was dismissed upon admonition. — Lindway arrested. dismissed.

3155. John Read for refusing to watch he was dismissed and the Grand to be considered. David Williams for assaulting his Wife was confessed to be whipped at Braintree, and warrant to George Read to stop out of his wages to pay the witnesses. William Porter for refusing to watch to be considered of. — Read dismissed. Williams whipt. Porter considered of.

3156. John Draper for refusing his Master was confessed to be whipped, which is respited. — Draper whipping respited.

3157. James Loxton, John Caldwell, Samuel Danford, John Gill, and his wife, with John Pope being presented for sitting to mugwots, to be considered of. — Loxton, Caldwell, Danford, Gill, Pope mugwots considered of.

3158. Edward Johnson being chosen Lieut. of Woburne is allowed of. — Johnson chosen Lieutenant.

Henry Merryfield being presented for lewd speeches is respited. John Bennit for swearing his servant against Eaton was fined ten shillings. Mr. Broughton is dismissed, for being not responsible for it. John Barnard for his swearing was fined 10s and enjoyned to make it safe with 20li, upon paine of 40s. — Merryfield respited. Bennit fined. Mr. Broughton dismissed. Barnard fined.

3160. Henry Adams being chosen Constable for Braintree broke his oath. — Adams Braintree Const. broke oath.

3161. Ralph Gillmore for being drunke was dismissed with admonition, was confessed to be whipped, which he for being lewdly for his lewde behaviour and pay twenty shillings, he is dismissed. — Gillmore whipt, or fined.

3162. Samuel Dampier is granted three pounds ten shillings to appeare against Jon Rogers, for alledging him to be a lyeing. — Dampier costs granted.

3163. John Gillmaster for being drunke distempered with drinke was fined twenty shillings, John Betts swearing, for want of proofe was dismissed. Thomas Wadsworth for swearing & quarrelling lewdly fined twenty shillings and to pay the witnesses five shillings. — Gillmaster fined. Betts dismissed. Wadsworth fined.

3164. William Hudson Junior is allowed to keepe an house of entertainment. — Hudson Ordinary keep.

3165. Mr. Stileman appearing about the way, for want of witnesses was discharged. — Mr. Stileman discharged.

3166. Leonard Fryar, John Helme, & David Wayne forfeited forty shillings a peace for not appearing. — Fryar, Helme, Wayne forfeit.

3167. George Wright for his assault to mutiny with a married woman, is bound to give good behavior in forty pounds, & to appeare at the Quarter Court the first Monethy, and to pay the witnesses. — Wright bound.

3168. William Knapp wife is allowed to keepe an house of entertainment. — Knap ordinary keep.

3169. Richard Osborne was granted five shillings costs against Thomas Turner for warning him to appeare, & not prosecuting. — Osborne costs granted.

3170. Captaine Aaron Williams is discharged from Captaine John Gardiner, in regard he swore he would bill him, and was satisfied. — Capt. Williams discharged from Captaine Gardiner.

3171. Attachments have granted against Fry & Lamy warned did not appeare, as Darcus Lathum, Richard [illegible] — Attachm[illegible] granted.

3172. Lieut. Samuel Flint his wife &c. Mr. Dunsters Petition is granted him, & any two of the Assistants to give power to dispose of his goods, and to receive, & pay his debts. — Mr. Dunsters Petition granted.

Present. At a Court at Boston the 25th of the 11th Mo. 1672.

The Governor. Mr. Dudley. Mr. Bidenell. Mr. Flint. Francis Newell.

3173. The Constable of Boston is fined ten shillings for not returning his warrant. Thomas Grub not appearing upon the Jury is fined 5s his is discharged. Thomas Wheaton for his lewd carriage is bound in ten pounds to be of good carriage, and to appeare at the next Court. — Boston const. fined. Grub fine discharged. Wheaton bound.

Barnard stealing.

Bridget Barnard for stealing from Wm Slinner 4 yards of ribbon 3s. 24 dozen of buttons, 4s. from William Kings servt 1/2 yard of lace 1s. 8d. from Gordon Sutton a pair of ruffs, 8d. & from John Brotman 2 paire of hose, 6s. 3173

Flint fornication finish.

William Flint being a married man gavening cotton a suit with a gill is fined 20s. wherof 10s. is left to the Towne of Salem to bring up the childe, and the other 10s. provided to his Mastiffe, and to lie in Prison till he pay it, or give security. 3174

Do. & Disarged.

Wm Trealow was dismissed to ride my Goodm Turners bill, & if it be found right 5s. 19s. 6d. to allow it. 3175

Weanes, Welmes fine in part remitted.

David Weane is remitted 10s. of his 40s. forfeited for non appearance, to pay the other 20s. 3176
wife George Swidon undertake to pay, upon a friend. Jose Welme is remitted 20s. of his 40s. fifty — fillings forfeited to pay the other twenty fillings.

Deadborne. Shaw

William Deadborne appearing to answer Joseph Shaw is disharged for the present. 3177

Waterborne Lands transport respited.

The transport of Waterborne Lands is respited till the Quarter Court in the 4th month next. 3178

Bentley stealing restitution.

Mary Bentley for stealing for stealing Wm Waltons jewell of 11s. price, he gaveing him a jewell 3179.
againe, and 9s. 6d. of his wages he is to pay 10s. more.

Parker. Lendall.

John Parker appearing upon summons from John Lendall, & Lendall not prosecuting, John — 3180.
Parker is graunted for killing eight geese against Lendall.

Mason. Nummes. Scalter. Bayly to Bill.

The 2d day of the 12th mo. Rob. Mason and George Nummes being presented for stealing, & searched of 3181
leather. Richard Bayly put himselfe for 13 yeares to Abraham Bill, from his 13. day of 11. mo. last.

Jo. Jonst. At a Quarter Court at Boston the 5th day of the 1st mo. 1643. 1644.

The Governo. The Deputie Gov. Mr Dudley. Mr Bellingham. Mr Winthrop jun.
Mr Bradstreet. Mr Willson. Mr Hume. Mr Symonds. Francis Willoughby.

Frost distempered fined.

George Frost being distempered with wine was fined ten fillings. 3182.

Hart distempered fined.

John Hart being distempered with wine was fined twenty fillings. 3183

Grover. Gillam } fined.

Thomas Grover being absent from the grandjury, when it was called, is fined five fillings, except 3184.
young Benjamin Gillam being absent from the Jury of Triall is fined five fillings.

Balstoods Inventory. Eldest son Administrat.

The Inventory of Nathaniel Balstoods amounting to 21l. 13s. 3d. was presented & it was ordered: 3185
that the eldest son, who gave 10l. 10s. & the other 2 children, the other 10l. 10s. & the eldest son —
William is graunted to be administrator.

Fryar. Forfeiture remitted. to Doctor. fined.

Leonard Fryar his forfeiture is remitted, & he is fined 10s. for distemper in drinke, & disorder. 3186.

Latham. Johnson. Baulderson. fined.

Darcas Latham is fined 10s. for his disorder, & dismissed. Edward Johnson jun. for moderate drinking 3187.
was fined 5s. & dismissed. John Baulderson for excessive drinking was fined 5s. & dismissed.

Anne Clarke discharged.

Anne Clarke being detected by Dorothy Clarke her sister, & she refusing to accompany with her, 3188.
she is graunted to be whipped, & strictly will under his hand & seale, wherby she gave Esther Wm John
Bonithon jun. Wm Emanuel Downing. Wm Hezekiah Beale, & Richard Dalmerton all she was respecting
she lively in adultery with one by whom she hath had 2. & refuseth to forsake him, wherby she had 2 children by

Wright disharged. William Disharged.

George Wright appearing & testimony of his good behaviour he was disharged. 3189.
John William appearing, & detaining he had his liberty of Wm Sturgeton for 3s. he was disharged. 3190.

Wm Butchfield fined. Amedowne. Bawis.

Wm Thomas Butchfield for distemper in drinke is fined 10s. & admonished & dismissed. 3191.
Rogers Amedowne was enjoyned to pay 2s. 6d. for admonishd. & disharged. Joseph Bawis 3192
to pay two 6d. fees, was admonished, & disharged.

Brittaine. Latham for adultery condemned.

James Brittaine being found guilty of adultery with Mary Latham, he was condemned to 3193.
death. Mary Latham being found guilty of adultery with James Brittaine, she was condemned to death.

Taylor.

Rebecca the wife of John Taylor. 3194.

Betson. Smith. Dept fined.

Stow. Bounds 222 acres.

Moulton disharged.

Richardson sequestred from Fryar.

Dept disarged.

Stephen Betson for his sinfull attempt he was bound to his good behaviour, & enjoyned to answer at the 3195.
Court. Nathaniel Smith for his theft was adjudged to pay double 4s. & fined 20s. for his intemperate 3196.
drinking.

Upon redelivery of John Stow, Bounds men are graunted power to seize the 222 acres of 3197.
Lands, & pay the debts due by any rent of the said Lands.

Thomas Moulton appearing was disharged. 3198.

It was Ordered that John Richardson should be sequestred from Elizabeth Fryar to whom he 3199.
was married the 12th of the 8th mo. & neither to meddle with her Person, nor Estate till he shall
be cleared by advice from England & Doctor Cousin is to keepe her out of his yearnings —
upon his debts are paid.

Francis Smith is graunted his bill of 2l. 3s. 11d. for tendre & sorle nature of Magistrates & 3200.
Deputies sorted from the 25th of the 2d mo. 1642. to the 5th of the 1st mo. 1643. 1644.

3201. James & John Wenrike for drinking intemperately and suffering others to drinke at their
houses & selling wine, are fined 10s apiece, & to pay 2s 6d apiece fees. Thomas Greton for
intemperate drinking is fined 5s & 2s 6d fees. Thomas Sharp for intemperate drinking is fined 5s & 2s 6d fees.

Wenrikes fines.
Greton. fines.
Sharp. fines.

3202. The 27. of the 3. mo. Nat. Barnabas Fowler took his oath for Constable for Dorchester for 1 yeare ensuing.
The 30th day. Thomas Rugard, & William Read being chosen Constables of the Towne of Way-
mouth did take their oaths.

Fowler. Dorchester Constable.
Rugard. Read Waymouth Co.

3203. John Johnson, & William Parkes are appointed a Committee to examine by the former Commissions
or otherwise, to find out takers up, & receive into their custody, what Goods they are authorized to do &
to certify how they found things about Mr. Samuel Cooke his state.

Johnson. Parkes. Committee
Cookes State.

At a Generall Court of Election at Boston 29 3 mo. 1644.

Present	Mr. Dudley	Mr. Winthrop jun.	Mr. Flint
The Governor	Mr. Bellingham	Mr. Bradstreet	Mr. Gibbons
The Deputie Gov.	Mr. Saltonstall	Increase Nowell	Mr. Symonds

Executives present.	William Parkes	Wm Tory	Mr. Dw. Charlton
Mr. Wm Hathorne	Mr. Thom Wayne	Lieut. Wm Perkins	Mr. Boyse
Mr. Eza Thorning	Lieut Humphrey	Brazen Allen	Stephen Kingsley
Major Ro. Sedgwicke	Capt. Robinson	John Porter	Thomas Putnam
Lieut Ra. Savage	Mr. Dw. Tomlins	Thomas Brattle	Wm Ward
Mr. John Alden	Capt. Ro. Cooke	Thom. Gibbons	Wm Hilton
Lieut. Ch. Gookin	Mr. Nat. Warren	Wm Sayward	Mr. Jos. Winthrop
Mr. Wm Tyng Treas.	Mr. Wm Hubbard	Wm Stowe	Wm Hosford
Capt Thom Hawkins	Jeffrey Mountfort	Mr. Phil Gurner	Lieut. Eb. Johnson
Mr. Dudley Bradstreet	Edward Rawson	Mr. Sam. Dudley	Jeffrey Mayflet

John Endicot Esq was chosen Governor, & tooke his Oath to that Place.
John Winthrop Esq was chosen Deputie Governor & tooke his Oath.
Thomas Dudley Esq was chosen an Assistant & tooke his Oath.
Richard Bellingham Esq was chosen an Assistant & tooke his Oath.
Richard Saltonstall Esq was chosen an Assistant & tooke his Oath.
Mr. John Winthrop jun. was chosen an Assistant & tooke his Oath.
Mr. Simon Bradstreet was chosen an Assistant & tooke his Oath.
Increase Nowell was chosen an Assistant & tooke his Oath.
Mr. Israel Stoughton was chosen an Assistant.
Mr. Thomas Flint was chosen an Assistant & tooke his Oath.
Mr. William Gibbons was chosen an Assistant & tooke his Oath.
Mr. Samuel Symonds was chosen an Assistant & tooke his Oath.
Mr. William Hutchinson was chosen an Assistant.
Thomas Dudley Esq was chosen Sergeant Major Generall.
Increase Nowell was chosen Secretarie for this yeare.
Mr. William Tyng was chosen Treasurer for this yeare.

It is Ordered that Mr. Patrick Gale Servant to Mr. Foxcroft shall bring in
to the Court a true Inventorie of what Estate he hath in his hands (or that he knowes to be
in the hands of any other in his Dominion of his late Mr. Foxcroft within five dayes ensue-
ing) in case the said Mr. Gale refuseth to give Mr. Sewall satisfaction, & content for
a debt wch was right his late in execution granted him against the goods & chattels of the said
Mr. Foxcroft.

Mr. Foxcrofts Agent.

3204.

Mr. John Low is granted leave to sell his servant Thomas Rocord free, vp-
on his Petition of Edward Browne Sheriff of his Armes at Jeffries Hayes.

Browns Petition granted.

3205.

It is Ordered that all Inhabitants as well Women, as others are to Armes in
their houses, allwaies ready fixt for service.

Armes in readiness.

3206.

In consideration of the great default & neglect of the Inhabitants of Marblehead
in not exercising themselves in Martiall Discipline: It is Ordered that the Inhabi-
tants of Marble-head, shall make choyce of some one of them, who shall exercise themselfe, that
they may not be forced to seeke vnto Generall Captaine rather for their assistance.

3207.

Marble-head trainings.

Mr. Wooldwright his banishment taken off. It is Ordered that Mr. Wooldwright (upon a certificate, solemne & serious acknowledgement, & confession by letter of his evill Demeanor & of his Court justice upon him for form) sate his banishment taken off & is restored in as a Member of this Common-wealth. 3208.

Mr. Humphrey allowed 100. It is Ordered that the Deputie Governor Mr. Winthrop Late Governor shall be allowed one hundred Pounds for his last yeares service. 3209

Worcester Company named by George Norton. It is Ordered at the request of the Towne of Worcester that Tower Norton, at the request of the ffreemen of Worcester that Thomas Smith in the Name of Mr. Stephens shall be one of the three men of the Towne to end small Controversies. 3210.

Tom. Smith one to end small Controversies.

Consideration upon: Deb. about allowance to Registrates. It is Ordered that it may be lawfull for the Deputies of this Court to advise with their Elders, & ffreemen, & take into serious consideration, whether Gods word expect, that all the Inhabitants of this Plantation allow to their Registrates, & all other that are called to Countrey service, a proportionable allowance answerable to their Place & Employments, & if so upon what grounds & that they send in their determination, & resolutions the next Generall Court. 3211.

A Committee for Hampton. Mr. Bellingham, Mr. Saltonstall, & Mr. Symonds are appointed a Committee, & have full Power to heare, & determine all businesses at Hampton, both about their Differences & Plantations: & about a new Plantation according to their Generall Petitions. 3212.

Mr. Blackleach Petition. Mr. Blackleach his Petition about the Ministers was consented to, to be remitted to the Elders to informe us, of the mind of Christ herein, & then further to consider it. 3213.

Broad intent of erecting a Quarry defined. Whereas it appeared to this Court that some of the Inhabitants of Braintree intend partly to gather a Church, & Call Mr. Capen to be their Minister. And fearing as the Occasion, & Contentions wrigs are among the Inhabitants here, and Judged by this Court to be useful as for the present they cannot comfortably, & with approbation proceed in the worke, & Judged Affaire: It is therefore Ordered, that direction shall be forthwith sent to the said Inhabitants, to desire the Gathering of a new Church, & Call Mr. Capen, untill this Court, or the Court at Boston upon further Consideration of their Petitioning & Petitioned shall give allowance herunto. 3214.

Bounds. The 20th of the 8th Mthe 1640. This Agreed by the Inhabitants named are underwritten, that the line between the East. & the Corner bounds, at the Markets Cross, shall be devided in three Parts, whereof the Captaine is to have one third & three poles, as also the other side of the plaine from the Head-line to the Meadows shall be so devided, & from thence upon a strait line into the Village Bounds upon Braintree Head line. 3215.

Richard Sadler. Thomas Marshall. Abraham Palmer.
Richard Walker. Robert Lodowick. Edward Denerse.

Warrants in Generall Court. 2. 4. 41. Upon the humble request of certaine men now Inhabitants of Sarumke, it was Ordered as followeth, viz. That Sarumke men now Inhabitants shall be accepted under the Government, if it fall not in Plimouth Patent, & upon Bidding shall be accepted under the Government, if it fall not in Plimouth Patent, & upon was understood that now they addresse themselves to Plimouth Jurisdiction, by reason of their claime Calling, nothing shall appeare to prove their right by Patent, upon which Ground & Judgment, & an apprehended order of the Place by pd. It is now Ordered & hereby declared that this Court doth assume, & reserve Sarumke Plantation in this Jurisdiction, & that the Inhabitants thereof are Subjects of this Government, provided, if the ffreeman of Plimouth, or Inhabitants of Sarumke shall doubt of the Equitie thereof, we shall be content to informe the resolution of the question to the Commissioners of the United Colonies. By the Commissioners it was judged to Plimouth. 3216.

Sarumke addressed to Plimouth.

Aforesaid for Salem Jailing. It is Ordered that Mr. Corning, Mr. Batterne, & Captaine Endicot shall be Officers for Salem Court, & Mr. Dummer, & Mr. Hilliard shall be Officers for Jailing Court. 3217.

Commission for the Jailes. It is Ordered that the Commission for the Domainideof of the Castle shall stand in force till the next Session of this Court. 3218.

The Commission to be granted to the Commissioners for the United Colonies.

Commissioners. At a Generall Court holden at Boston, for the Jurisdiction of the Massachusetts the 29th of the 3d Mthe 1644. Mr. Simon Bradstreet, & Mr. William Batterne were chosen Commissioners 3219.

mysions & for his Pedigrees, for a full, and true leaves, years, & ancient evidences, or exemplars may
required, & particularly for the next meeting at Bearford the first day of April next, & were in-
ported with full Power, & Authority to treate of & conclude of all things, according to the true bone
& meaning of the Articles of Confederacion of the United Colonies of New England, concluded
at Boston the 19th of the 3d Mo. 1643. And in case either of them be embarked in this business, either
by sickness, or some other like Providence, that then Mr. Willoughby may supply Mr. Bradstreet's
place, & Mr. Tho. Cromwell may supply Mr. Richards place.

3220. It is Ordered, that for the better building of Shipping within this Jurisdiction, & for the avoiding
of some inconveniences, lately grown, that Mr. Willoughby, Mr. Hallowell, and Richard Hutchinson, be a Companie
of that Trade, according to the manner of other places, with Power to regulate building of Shipps,
& to make such Orders, & Lawes amongst themselves, as may conduce to the Publique good, & ame-
nitie, according to Reason, & that Lawes for ratification.

Ship-wrights Companie 574

3221. William Lewis 29th — Edward Wilkinson — Henry Dunster — Stephen Nicott
3 Mo. 1644 — Timothy Wood — Nath. Hardwood — John Maynard
Mark Dan Cakins — George Gibbs — Thomas Dyer — Philip Cory
Humphrey Bailey — Symon Bird — Edward Willson — Richard Wood
Robert Lord — Henry Hommes — Jos. Wilkinson — Edward Shotwell
Christopher Lynds — Tho. Pollitor — John Blisset — Lewis Jones
Wm. Battelle — Robert Cromes — Robert Ruff — Tom. Gamblin
Wm. Smith — John Lake — John Tail — John Russell
Wm. Groome — Thomas Trout — Richard Clark — Allen Converse
Robert Hills — John Hrons — John Smedly — Lambert Button
Tom. Marshall — Richard Paulo — Thomas Fox — John Danton
Robert Cooke — Douglas Boulton — Barfield Smedly — James Parker

freemen.

3222. Whereas the Devill wanders, & disperseth in a Native Country, sowes his Tares — Against Mutiny 575.
in America, some endeavoring hereby for the King, & others for the Parliament, not considering
that the Parliaments Honorable Priviledges, that the Tares for the King, & Parliament against the Ma-
lignant Papists, & Delinquents in that Kingdome. It is therefore Ordered, that what Person so-
ever shall by word, writing, or action, endeavor to disturbe, or Hearer directly, or indirectly, by endeaving
a Faction under pretence that he is for the King of England, & further, as shall from accrewe for the Par-
liament shall be accounted as an Offender, for that nature against this Common-wealth, & to be
proceeded with, either rapidly, or otherwise, according to the qualitie, and degree of his Offence, provided
allwaies that that this shall not be extended against any Ignorant Strangers, & Women that come
hither indeed for matter of trade, or merchandice, albeit they should come from any of those Parts that
are in the Hands of the King, & further as before to them against the Parliament, taking the Gentlemen
are quietly, & free from raising, or nourishing any Faction, mutiny, or division amongst us
as aforesaid.

It is Ordered that the Deputy shall direct his warrants for payments for the Country, — Warr. for Country payment.
3223. only to the Treasurer, for the time being, & that the Treasurer only make, or against the same.

It is Ordered that the Treasurer for the time being, shall make enquiry of Hosteries & Ordi- — The Treasurer to take
3224. naries within the Country, & to require the name of every Person, or Persons as shall find pos- care of the Country stoke.
sessed thereof, or any part thereof, & to make Lists, wherein are recorded the name of the Country, & what
debts shall be from, according to the learned Law, claims from that Jurisdiction, or otherwise to Accounts of them
with the Committee, & Mr. Clover, & Mr. Prigard, or one of them, as in their judgments shall
best for the Country's advantage, that at all times we may on his account find how it stands with
the Country State, & that we may the better satisfie what we are indebted.

It is Ordered that Thomas Dexter shall be Bailiff, & or a Jurymen till he next Sessions of — Dexter forborne.
3225. the Court, provided that he may not Arrest the Inhabitants by what may fall out upon the State
of the Petitions, in the matter touch of and due debt from the said Petitions.

It is Ordered that the Towne of Roxburie shall save 20 Lambs lately delivered them by the Surveyor. — Lambs stay for Roxbury.

It is Ordered that the Towne of Dorchester shall save 2 great Guinnes of wyld Mr. Wolcott and Tooke upon. It is Ordered that — Dorchester.
3226. the Towne of Dorchester shall save fourte great Pigs delivered them by the Surveyor of Guinnes,
the Towne of Dorchester shall save fourte great Pigs delivered them by the Surveyor of Guinnes, — Lynne.
for their 3. great Guinnes of wyld Mr. Dunster tooke upon. It is Ordered that the Towne of Lynne
shall save three Lambs that delivered them by the Surveyor of Guinnes, for their two great Guinnes
of wyld Capt. Bridges tooke upon.

It is Ordered that Mr. Mr. Hathorne of Salem shall be released from the ordinary Train- — Mr. Hathorne exempt
3227. ing of eight times a year under Capt. Traske, in regard of the ancient Country service he — from training.
was employed, & if at any time he shall be absent from their training, he shall pay
that he

Strawberie banks.

Dispatched

Mr. Petition referred.

Commissioners Charge.

A Publique fast

The Printer.

Franklin.

Adjournment.

Mr. Fogg his petition referred.

Mr. Winthrop his petition granted.

Arbitrators

Order made

Strawberry banks

that he shall be cleared from the same Proceedings, if there be any Malitious Complaints in the Country against him, & he is hereby discharged from.

It is Ordered that Mr. Francis Williams, Thomas & Ab.m Wicks, or shall one of their Tenants of Strawberie banks. 3229.

Mr. Winthrop his Petition for the ferry, & also Mr. Higlands is referred to the Country, to be dispatt into several mens hands, that they may lie out Orders made, & report unto the next Sessions of the Court, for the more ease of the Country. 3229

It is Ordered that the Commissioners now appointed by his Majestie, & per. shall be continued from time to time for to meete with the Commissioners of the United Colonies, shall take their charge with 2. men, & 4 Gentlemen, & they have power out of the Treasury. 3230.

It is Ordered that the 20 day of this present, be kept a day of Publique Humiliation in all the Churches in ye Jurisdiction, in regard of the Native Country, the Sickness, Drought, & other dangers to be feared. 3231.

It is Ordered that Mr. Dormer shall have leave to print the Sermon, & the Book of Calvary Sermon, with Mr. Rowlands content. 3232.

William Franklin is referred to the Magistrates, if they see cause he may take for tond trial for his life, the next Quarter Court. 3233.

It is Ordered that the Court shall be adjourned not untill the last fourth day of the next Court. 3234.

Provided that if Houghton shall request, the Governor, (or in his sickness, death, or being surprized by an enemie, the Deputie Governor) may give Power to Simon a Freeman, if he Court before the day limited.

Upon Mr. Fogg's Petition, it was granted, that what Limbs he wanting, in the Cow-pile hereby may be made up by the Fines raised in Salem Court, as in their Discretion they shall see meete.

Upon the Petition of Mr. Winthrop, June inclined to his Ma.ties Letters to make a Plantation at, or neere Pequot, It is Ordered that the said Petition is granted, & that the Petitioners shall have liberte to make a Plantation under said Pequot Country, allowing of such as shall present themselves to joyne with them in the Plantation, & they shall enjoy their liberties, as are neighbours, & other free men Plantations do enjoy, & also to lay out a convenient place for iron works. Provided shall a convenient number of his Majestie's to carry on the said Plantation, & approve to be grounds by some order from Court. Dated the 20. of the 4. mo. 1646.

By Order of the last Generall Court, were under written were appointed to part & determine the ancient controversie, a quantitie of Land in question between the Towne of Dover, on the one side, & the Inhabitants of Strawberie banks, on the other side, in regard of their mutuall Interest, & free grounding to the Parties aforesaid, we find a following Title, that the Inhabitants of Strawberie banks do affirme, that they cannot make a Title without the Land in question: and, on the other side, it is affirmed by the Towne of Dover, that they cannot continue or subsist as a Towne, or Towns without the Land in question: for that the Inhabitants from the necessitie of tabeing & enjoying the Land in question, they equall it in union to them, by order the said manor things were followed, which we cannot ground upon, which we did vewed the Bounds, that belonge to Strawberie banks & Dover. 2ly We find it is the Inhabitants of the Inhabitants, which are in question, that they may belong to Dover, in regard of the Inhabitants the said Land are 2. things considerable. 1. that have a right to the Ordinances at Dover, is much more than the Inhabitants of Strawberie banks. 2ly that many of the Inhabitants aforesaid are now Members of the Church at Dover. 3ly We find that the Land in question hath been a long time planted, & enjoyed by Dover, without any interruption, or opposition made against them, excepting only what was done by Captaine Neale, which proceedings were illegall, & mutinous, as is affirmed by Captaine Vaughan. 4ly The Inhabitants of Dover, that the Land in question might not be taken from them by the Generall

Order, having liberty given by generall of the Indians & Englishmen, as aforesaid, & hereafter in the Articles of their Submission to the Government (they being) their right in the, & other Lands, as properly reserved.

Richard Collicott. Richard Sallonstall. 12th 4th Mo: 1644.

It was Ordered that his returne of the Commissioners be entred, & that the Land in question between Dover, & Stranburie banks, be left to Dover.

Dover.

3230. The Court taking into Consideration the weak condition of Hampton, & Salisbury, & their friends that are joyned to them, & how much it behoves unto them, & great dangerous consequence it might bee unto them, if we should allowe no lett them, & leave them to the mercie & the Enemie Indians assisted.
Indians of Narragansett, who two Sachems gaveing sent unto the for aide, if we failed them, we betrade & Ordained with them, namely the name of God will helpe, & Reason will bee still spoken of and the whole Nation will bee offended in their ill dealing, it will prejudice truth not only them, but all the rest of the Indians that have put themselves under our Jurisdiction, & consequently the revolution, to fly of from us, & to fall to our Enemies, & the Christians against us; The Court therefore doth believe that there may bee sufficient for English men well armed, sent unto them, according to the Sachems request, & that they may there build the Indians a strong fort of palisado, & bee a guard unto them for such a season, as shall be agreed of the Indians finding them victuall, wise they have promised to doe.

3239. It was agreed that the Order that was Ordered to bee of the Office of Orders of Constable Court watchmen. 576
land, to punish the Delinquents of such companies, & that that part of the Order concerning amercing, & whipping of Watchmen, it may stand in force till the Court take further Order. 1587

It was Ordered that the Surveyor of Armes shall deliver to the Deputies of Roxbury, two sharp pieces muskets, mistaken of both was sold them, & not of better value. Roxbury.

3240. It was Ordered that Lieut. Dunton, & Mr. Weatherhead shall be a Committee to take the Cus- A Committee.
tomes accounts, & that Mr. Cradock has joyned with them, to take all other accounts, from such as are accountable to the Country, & to make returne thereof to the Court, at the next, the next Gen: Court.

3241. It is Ordered that the Court at Salem shall be adjourned to the 5th of the 5th Mo: next. Adjournment.

3242. Richard Waterman being found convicted, probitall, & obstinate, it was agreed that he shall Waterman.
be detained Prisoner, till the Quarter Court in the 7th Mo: before such time as the Magistrates find reason to find him away, wise if they doe, it is Ordered he shall not returne within the Jurisdiction upon paine of death.

3243. Wahanawaway, & his sons observing, & desiring to come under this Government, according to Wahanawaway.
their Articles, as Christians, & offered their Hostages, their wives and children, & they, and one Indian.
of his sons subscribed the Articles, & are indentured for the same.

3244. Upon Lieut. Gould's Petition, it is considered to be for the generall good, & very convenient Gould's Petition answered.
that there shall be a Village about the Farme, & that the Towns of Reading shall transport from thence.

3245. If it be Ordered that Linne Village at the request of the Inhabitants thereof shall be called Reading. Reading.

3246. If it be Ordered that the 100li per annum formerly granted towards the maintenance of the Free- Castle Island 100li.
3247. schoolmaster at Castle Island may from a bone, as they take a Commander, & a Garrison there, and to be paid twice for a month, if they shall finish the work, & continue the Garrison there, according to the former Order.

3248. It is Ordered that the Governor shall take 20li yearly, payd him, in part of that Farme the Town Dr. Governor. 20li.
by intitled to allow him for his 3d years service enforme.

3249. It is Ordered that Mr. Richard Brown, James Barnard, & Henry Short, shall end small Controversies Small Causes. Rowley.
at Rowley. Mr. Samuel Sudth, Robert Ditto, & John Saunders, have power to end small causes at Salisbury. Linne.
Causes at Salisbury, Captaine Robert Lindsey, Captaine Cammock, & Nicholas Barrons to end small Causes at Linne. Mr. Mr. Hawthorne, Mr. Cary, & John Upham have power to end small Causes at Weymouth. Weymouth.

3250. It is Ordered that the Generall Surveyor of Armes for Dover given him, and it is commanded, to Surveyor of Armes. 577
take into his hands (between his, & the new Generall Court) all the Combres Armes, & Ammunition within all the Towns from the Southward into Linne, that are within his Jurisdiction, & to sue, & recover the same from those that shall refuse to deliver them into his hands, & it is allowed for his pained Incentives, & that all the Officers of the Generall hands, & companies of Linne, & Newbury, shall take into their hands, the Combres Armes in their companies by law, or otherwise, as they shall see cause, & the Generall Court, and the Surveyor of the Trained Bands and Company required to take an oath suitable to their place; & yet if Clarke, or Surveyor of Armes Dover, shall refuse to take his oath for the faithfull & diligent execution of his place, shall be fined 40s, & that yet gave forgiv pained the Bind

part of the fines for not bill of training, & for their defect of arms, and time, when.

Dult.

It is ordered that Dult shall be in the Bull. 3251.

Weymouth Weatag. Ex. 1.

It is allowed to Weymouth an order of ancient court in the Bull.

Dorset. Their ancy liberty to keep in Ordinary as they were at the parliament. 3252.

It is ordered that one Ex. shall be held at Dorchester, in the county aforesaid, the Lord Chief Baron, Mr. Salterfall, & Mr. Symonds, at such time and place as the aforesaid Barons and Justices shall appoint, & that any of the Magistrates, that may, or will attend the same, shall be bound to be present at the same, & also all the Magistrates, or some of them shall appoint. 3253.

Con man for the Indians Colony.

It is ordered that the Deputy Governor, Mr. Dudley, Mr. Hibbins, & Mr. Norrell, shall 3254
see with the Treasurer, Mr. Allen, Mr. Gardner, & Mr. Duer, Merchants, or any five of them, shall take power to send the Indian man to the two Deputies, Jamestown, & Croonoke, & to agree with them upon the best bargain they can for the benefit of the Commonwealth, & if they shall not find such a place, then to take their right, still to provide for them by working, or any other way, they shall be good.

Castle Island Dorchester for Simonnatos.

Whereas there is yet no Commander appointed for the Castle, It is ordered that if the Governor 3255.
in the Bay agree with Mr. Dolman for taking upon of the Castle, he shall be provided as Dorchester
Island, during the Governor, the agree with him for two from time to time, during their pleasure, as
shall be ordered to him by the General Court or Council by them ordained, & in case that they cannot
agree with him, then that they shall take the Island into their hands, & some other man fit for next
Option of the Court, & then make their order of such as they shall consider meetest, to be kept in charge for
the future.

Colchester 103. to

It is ordered that the 103. with the Deputie Governor, allowed for their wardes of the Cate- 3256.
future, shall be allowed to Mr. Emes the Treasurer.

Mrs. Coles, a bill of reversie.

Mrs. Elizabeth Coles is allowed a bill of reversie in the Court, against Mr. Coles and others, 3257
against Mr. Coles and others, & giveth the costs that was awarded, and the same good, all before the
mentioned Honors.

Rasmuake Plantation.

The petition of Mr. Reginald Bennington, Robert Gibbs, Morgan Day, John Fillet, & for a plan- 3258.
tation at Rasmuake is granted, provided that they shall neither more nor allowed to the Crown,
or particular man (notwithstanding their pretence of lands of the Indians) from the Commonwealth shall allow.

Mrs. Ffoxcroft debt.

It is Ordered that Mr. Barnard shall take his debt in the plantation, Nicholas Ffoxcroft, as ancient of 3259.
Mrs. Ffoxcroft) at Salem, in lieu for them, as they will account their prices by their men
according to that, to be rendered shall, & their commodities they have taken from, or in their hands, Demand
they will at most goods in the Island upon their hands, in money, tallow, or leather, & if they shall under-
take in the judgement of Mr. Ffoxcroft, Mr. Barnard, they shall give the liberty of two days to make up the
good way, & not shall be wanting, & Mr. Barnard, to be paid out of the debt of Mr. Ffoxcroft's estate,
& Mr. Ffoxcroft shall bring in an inventory, according to order, within 7 days, after approbation,
but for the debt, by note.

Ffine remitted.

The fine of Mr. Ffillmore for that they did want a water pipe, in his house, now in the 3260
Salt Factor. Salt Burnie. good.
It is remitted. It is ordered that the Order of the Court, about salt notice, shall be observed by Mr. Ffillmore.

Ffine remitted.

Bampton is remitted their fine of 20. they become to appear upon the next court, and time to come.

Small Cannon.

Mr. Dwight is allowed in the place of Jonathan Corbett, in ordinary small Cannon at Dumbarton. 3261.

Rodney & Dorchester bounds.

A Copy of the particular made between Rodney & Dorchester, now before the Court, 3262.
Now being appointed by the Court to settle the bounds between Rodney & Dorchester, & have accordingly
Rodney & to agree that the line of partition between them, has been at the first made in Hartley Lake:
Dorchester. Dorchester, it formerly, to have towards the North East, as far as called, upon Hartshorne
Point line, & to run North, & by East into the Country, the point being taken from the middle of that
allowance for the variation, Entering Agreement, this five of the 3rd of the 3rd Month 1654.

George Cooke. John Allerton.

Mrs. Ffoxcroft's estate.

It is concluded that Mr. Ffoxcroft's debt may be paid, Mr. Ffoxcroft shall be allowed in the Court, upon 3263.
a commission of judgement, & upon execution, if Mr. Ffoxcroft shall not make full satisfaction to the
Creditors upon oath, that shall be in their power, upon the adjudication and proceed, upon forfeiture of
the land and chattels.

Wilson allowance 16.

It is ordered that Mr. Wilson shall be allowed for his pains and charge, for building of the fort in 3264.
and for his Orison.

Mr. Batter fine abated.

It is ordered that Mr. Dummer Batter shall be abated his fine of five pounds 3265.
for not to pay for the Order for lack.

Mr. Hawthorne to Mr. Haggins.

It is concluded by consideration of the Inhabitants of Rowley, & some of Salisbury, concern- 3266.
ing the Court, that it will not be prejudice to the Plantations for to be an Indian to be

any other Plantation) it is consented that Mr Wayghte should have his request, & Mr Peter Noyse, & Edmund Goodnow are appointed to lay out the said 300 acres of land.

3267. It is ordered that the last umperage shall bee graunted to Joseph Armitage, which was by Mr Downing & Mr Hathorne.

Armitage umperage

3268. It being conceived not to bee to the advantage of Adam Otely to have his Petition graunted him, but rather to stand to what hath bin formerly awarded to him by Comission's, it is therefore conceived meete that Jonathan Thing shall continue his time with Henry Ambros, giveing security to Samuel Greenfeild for the 20li to bee paid by 4li a yeare, after his time expired, with his new Master, if hee shall live soe long, as to make yearely payment thereof.

Mr Otely.
Jonathan Thinge

3269. The Comission's are desired to bring into the Court how they have issued the difference betweene Sr Richard Saltonstall, & the Towne of Watertowne.

Comission's

3270. Mr Robert Saltonstall is fined 5s for presenting his Petition in soe small & bad a peece of paper.

fine. 5s

3271. It is ordered that the river at Shawshin shall bee called by the name of Shawshin River, not only below, but also above the riverett, which falls into the said river in Woburne bounds above halfe a mile from Cambridge line.

Shawshin River.

3272. Wee conceive that whatever Edward Mitchelson can make to appeare upon good account, which hath not bin formerly reckoned for, hee shall have that sume abated out of the fortie pounds, and that then the Marshall pay the rest.

Mitchelson.

3273 Wee conceive that there should bee as much land graunted to Thomas Venn, as may answer the sume of money, that hath bin by his ffather Mr John Venn, put into the Countrey stocke (that is) soe farre forth, as others have, upon his showing Power from his ffather to receive the same.

Mr Venn.

The Comission of the Serjeant Major Generall. By the Generall Court
Assembled at Boston the 29th 3d mo: 1644. To Thomas Dudley Esq
Serjeant Major Generall.

3274. Whereas you are chosen Serjeant Major Generall of all the Military fforces in this Jurisdiction, you are according to the Trust comitted to you, & by vertue of this Comission, to take speciall Care, that all yor Inferior Officers doe (according to the Power, & Trust comitted to them) faithfully, & dilligently discharge their severall Places, by exercising their Souldiers in Military Discipline, according to the Orders of the Generall Court, that soe they may bee made fitt, & expert in such services, as by the Providence of God, they shall bee called unto, & for the furthering thereof you may with the assent of the Counsell of the Comon Wealth, or the Major part of them issue forth yor warrants for a generall training of one or two, at the most (at one time, & place) of the Regiments of this Jurisdiction, to bee exercised by yor selfe, & yor Inferior Officers in a Military way, & upon any sudden occasion, or appearance to yor selfe of any danger, that may call for a Military watch, before the Counsell of the Comon-Wealth doe Assemble to appoint the same, you are forthwith to give Order for it in all Places you shall judge needfull, & in case of any approach or assault of any Enemie, fforreigne, or Domesticke, or apparent danger thereof, though you have as yet received noe particular Order from the Generall Court, or Counsell of the Comon Wealth, you are forthwith to rayse such fforces in one, or all the severall Regiments, as you shall judge necessarie for the present service, & safetie of the Countrey, which are to bee employed (till the Counsell of the Comon Wealth doe meet, & give direction) according to the advice of the Counsell of warre; which are allwaies to consist of such Serjeant Majors, & Captaines, as shall bee in the feild with you; together with some other few select Persons, that yor selfe, & said Counsell, shall make choyce of, if you see cause soe to doe (unlesse the Generall Court, or Counsell of the Comon Wealth shall appoint the same) in which Counsell of Warre, yor selfe shall allwaies have a casting voice, which aforesaid fforces soe raysed, together with such further supply as the Generall Court, or Counsell of the Comon-Wealth, shall from time to time see cause to comitt unto you; you shall conduct, lead, & comaund according to yor best skill, & abilitie for the securing of the whole, & killing, & destroying, or taking captive all, or any of yet professed Enemies, that by open hostility shall manifest themselves soe to bee, & pursueing them out of this Jurisdiction, if you, & the Counsell of Warre shall judge it to bee meete. You have also hereby Power graunted you in all Places, where you come, to presse great Ordinance, Muskets, pikes, shott, match, bulletts powder, headpeeces, shovells, pickaxes, wheelebarrowes, and all other instruments fitt for warre, other Pinnases, boates, or other vessells, horses, oxen, carriages, men to manage them, & all things belonging thereunto, to supply the present, & urgent necessitie of the Army, as also victualls, and provisions for the man, & beast, keeping an exact account thereof, & giveing a ticket by an Officer, to such, of whom you shall receive the same; that soe due payment, & satisfaction may bee seasonablie made; & when the Army is on foot, yor selfe together with the Counsell of Warre are to appoint Captaines, Leivtenants, & Ensignes in the roome of any such as may

Serjeant Major Generall his Comission 57

bee slaine, &c., [illegible] whatsoever remained upon due desert. And further, you have hereby power given you, & are required, as soone as the Army is on foot, to call together yor Counsell of Warre, which shall not consist of fewer then eight, yorselfe to bee one, who being mett togeather shall have power to consult, & determine by the major parte which way will bee most safe & advantagious for the carrying on of the maine designe for which the said forces are raysed; the determination of which Counsell you shall not faile to observe, in all points which properly belong to the Counsell of Warre to direct in; but for the managing & ordering same battell in time of fight, it is wholy left to yorselfe. Also yorselfe, togeather with yor Counsell of Warre shall have power to make such wholsome lawes agreeable to the word of God, as you shall conceive to bee necessary for the well ordering of yor Army, untill the Generall Court shall provide for the same, which being sufficiently published to you, with the said Counsell have power to put in execution, bee it to the takeing away of life, or otherwise; & further you shall as much as in you lyeth labor to prevent & suppresse all mutinies in yor Army, & in case any one or more shalbee convicted thereof by confession, or [illegible] yor selfe, & Counsell of Warre, upon due conviction of such offenders by sufficient testimonie, shall have full power to sentence & punish according to their demerits, to which end power is hereby given to the said Counsell, to examine witnesses upon oath. Provided alwayes, that the said Counsell & yorselfe bee carefull to observe the orders, instructions, & messages, & directions which already are, or from time to time shall bee, directed to you from the Generall Court in the time of its being, & at other times from the Counsell of the Common Wealth, And this yor Commission to stand in force till the next Court of Elections. In full confirmation of all the premisses, wee have caused the common seale of this colonie to bee hereunto affixed: Dated the day & yeare above written.

Adjo'nment. The Court is adjo'ned at present to the 30th of the 8th mo. 1644. 3275.

At a Session beginning the 30th of the 8th mo. 1644.

Countrey stocke. It is ordered that the 4li 10s 0d in the hands of Mr Prichard, belonging to the countreys stocke shall bee converted into such comodities, as may bee vendible in England by the said Mr Prichard, & Richd Duncan, & by them delivered into the hands of Mr Wm Tyng, who is desired, & intrusted by this Court to buy powder, & lead, for the use, & benefit of this colonie, with so much of the mony, as shall bee by them delivered to him. 3276.

3 li Mr Tyng. [illegible] till for three pounds 16s 4d & Thomas [illegible] hath paid 1li 3s 0d are accepted for [illegible] from Mr Tyng. 3277.

279 Weights & measures. It is ordered that the 2 former orders made by this Court, the one of the 3d 4th 1635, the other of the 12th 1st mo. 1637, concerning weights & measures, shall still remaine in force, & from yeare to yeare bee put in execution, & that by the Marshall within one month next ensuing, who is required to put the said orders in execution for this present yeare. 3278.

Guns lent. Ano 20th 9th 12th Mr Thomas Bradreke was granted a warrant to receive two small guns from Winter Iland by Salem; Mr Tyng, Capt. Robert Keayne, & John Millam are securitie for the redelivery of them there, or the value of them, by Midsomer next. Mr Thomas Fowle is granted the two small guns, provided hee give securitie to returne them by Midsomer next. 3279

Else Lissaw. Roger Else, & Jane Lissaw are permitted to marry though not there published, upon a certificate from Yarmouth, & upon the deputies information that they are free. 3280

Commissions. It is ordered that Mr Samuel Dudley, Mr Carleton, & Mr John Saunders of Salisburie shall bee commissioners to heare, & determine all matters concerning Mr Batchelor & Hampton, & they have power to examine witnesses upon oath whereby they may returne the truth of the case to the next Generall Court of Elections. 3281.

Capt. Hawkins. It is ordered that Capt. Hawkins shall have a commission granted him to take anie shipp that shall assault him, or anie other shipp that hee shall have certaine knowledge to have taken anie other shipp, or goods of this [illegible], or to take anie shipp that hath commission to make prize of anie of ours. 3282.

Countrey charge. It is ordered that Mr Hawkins shall pay out of the countreys stocke due from Mr Houghton, to Mr Symon Bradstreete, & Mr Wm Hathorne the account of their charge expended in their voyage to Conecticut. 3283.

Treasurers account. The account of Mr Wm Tyng the late Treasurer, being examined by Mr Duncan & [illegible], was allowed. 3284

Dartmouth shipp. ~~It is ordered that~~ Capt. [illegible] [illegible] shall allow him by way of action, about the Dartmouth shipp which hee had in this case. 3285.

The Portingall shipp. Whereas 12li 10s was paid to [illegible] of the Portingall shipp (which is now gone) for satisfaction of the money, which was unjustly taken from them by some of Capt. Smiths company, who had warrant from the Magistrates to require the said Portingall shipp to give satisfaction for some wrong they had done to the inhabitants of [illegible], which happened [illegible] the said Capt. Smith, & after his company is now at sea, & the said 12li 10s was paid by Mr Hawkins upon the request of the Deputie Governor, to the end the said Portingalls might not depart under some sense of just injurie, it is judged most meete that the said money bee payd by those that have undertaken for Capt. Smith, & his company, it being due from them. 3286.

Attachment by forreiners p. 36. Noe attachment shall bee granted (in anie civill action) to anie ~~against a~~ forreigner against a setled inhabitant in this jurisdiction, before hee hath given sufficient securitie, or caution to prosecute his 3287

Action, & he answer the Defendant fully & fully, as the Court shall award him.

3288. For all Attachments of Goods & Chattels, with Lands & Tenements, shall endure & shall be given to the Sheriffs, & bind in Writing at his peril, & place of Week aboute [illegible] shall not proceed, if he be out of his Jurisdiction the week shall mean to Bailiff [illegible] shall not be abated before the next [illegible] & if he default not the 2nd upon appeal judgment shall be [illegible] Solution shall not be granted before the Plaintiff shall given Bonds to be responsible to the Defendant, if he shall recover the Damages taken and [illegible] at his Pleasure time as the Court shall limit. — Attachments. H. 5. 9

3289. A Judgment obtained before one two Justices, in the Sessions or Recorder, shall be said in Law, to be for taking & recording the same, shall be only, 12d. if the Sessions or Recorder be a Justice of Peace, and other Principle may [illegible] — A judgment obtained before Recorder.

3290. The Court doth order, that the Widow Hollight & Mistress Hollight make over for ever shall as shall [illegible] 10th to Samuel & Sara Hollight the Grounds called the Pigeon Parcel in Stourbridge Street, [illegible] & satisfaction of [illegible] Debt, [illegible] & Bridge [illegible] not mistaken in the Bonds by the Court, the Bonds to be given within a Week. — Widow Hollight &c.

3291. Edd. Parson Allen & Joyce Husband are remitted their fine of 20s upon their Petition, their crime become [illegible] — fine remitted.

3292. The Court doth by their procedure that they [illegible] Sr. Richard Saltonstall [illegible] right to the Land that he shall prove to be mere and found yearly Tenter. — Sr. Richard Saltonstall.

3293. Glister is granted 20th out of the next payment of Mr. Chidwell's gift, towards the making of a Mill Stone. — Glorstor allowed 20 to Mr. Chidwell.

3294. It is ordered that Mr. Rainsborough, Mr. Clifford shall be paid 10th out of the Country stock for his pains of Mr. Edward Ring and Mr. Thomas Slaughter, without further delay in order to said Solution. — Mr. Rainsborough 100.

3295. Robert Adams & Edward Nicholson are forgiven for the 10th due to the Country upon the Grounds called by them. — Country debt forgiven.

The 13th of the 9th Mo. 1644. Agreed to the last Proposition sent into us by the Undertakers & Adventurers in the Iron Works. — Adventurers in the Iron works, their Proposition agreed.

The 18th Proposition. The Court doth hereby grant to the said Undertakers &c. that they shall have 1000 years time from the date hereof for the performing of their works, & Improving the Country with all sorts of Iron, provided that it shall be in the liberty of the Plantation or any of the Inhabitants within the Jurisdiction to become Adventurers with the Undertakers, if within 12 Mo. they shall according to the former proposition being in their Adventure of one third upon 100 a share with allowance to the Adventurers before admitted, provided also that the Adventurers shall with all expedition prosecute the work to good perfection as well the principal work as the Iron Works, the Court may have benefit with all manner of burdens for their use during the water of Stourbridge. 2d. Granted that they shall have Undertakers &c. to their further encouragement 3 miles round about, which is 12 miles in compass of land not yet appropriated to any Inhabitants, which they shall actually set up, & perfect and the five Anchor Anvils mentioned, & the said Land so granted shall be to them & their Heirs for ever. 3d. It is further ordered by the Court that in all Waste of wood, not yet appropriated to any Towns or Inhabitants &c. shall have liberty to make use of all wood fitting for Burning, Timber, Clay, Wood & all sorts of Furniture and thing else, that they shall find useful for them, & to make Weirs, Dams, Ponds, Water Courses, & Ways for them as they shall be needed, & useful for the furtherance of their works, & in proportion liberty for Ways, & to lay Rails, & all the Inhabitants are bound unto to give all other Accommodations if it may not be to Injunction or not injunction to weaken proportion. 4th It is granted by the Court that the Undertakers & Adventurers shall have all liberties & immunities both for themselves & servants equal with any within the Jurisdiction according to the Laws, & Orders of the time, & according to the rights & liberties of the Country. 5th It is also granted that the Undertakers & Adventurers in their Works together with their Servants shall be free from all Taxes, assessments, contributions, & all other public charges whatsoever, the mere of Ships, Forts, Fleets, or Forts, as shall be thereon employed for the Learning of 20 years, yet to come. 6th It is defined that in all the Islands where an Iron-Works is set up, no Inhabitant shall be any or disturbed, but with their name consentedly come that the Undertakers shall be allowed towards some good manner of the offenders may be instructed in the Knowledge of God. Lastly, It is Ordered that Fishers, Workmen, Hunters, Foresters, Finders, & other workmen that are continually employed in the work, shall be free from training, & watching. — Iron Works.

3296. Adam Winthrop junr. is granted by the Court to be Antelope, about 50 miles Northward in the Pequots land, & liberty to purchase land there of the Indians. — Mr. Winthrop jun.

3297. Upon the petition of Gilbert Dampolor, it was put to vote, whether he would give the order for the [illegible] was made by the Governor & Company, [illegible] the Dartmouth's ship. It was [illegible] not to be revoked. — Dampolor, &c.

3298. It is Ordered that the Commissioners for laying out the main way between Lynn & Salem shall give power to allow the way broad, Bargain towards the East, & to lay it through the Common if he shall judge it meet. — Bridge way.

3299. It is Ordered that the Servants shall have 10s a day allowed them. — Servants way.

3300. It is Ordered that every Inhabitant or other person that shall have to draw wine within the Jurisdiction shall pay unto the Officer or Officers appointed by the Court, for every tun 20s for every tun of Lime, Oil, Wine, to be drawn by gross & proportionally for every greater or lesser quantity. — Composition upon wines.

for divers [illegible] of [illegible] named & to be proportionally be [illegible] & before
[illegible], & it is further ordered that same [illegible] of [illegible] shall [illegible] every
[illegible] Quarter & [illegible] at the [illegible] & [illegible] within his [illegible] shall be [illegible]
[illegible] for [illegible] of what quantity of [illegible] delivered, & [illegible] to be [illegible] & accordingly
[illegible] in [illegible] what is due to [illegible] in manner & form aforesaid. And it is further Or-
dered that all such wines as [illegible] in the [illegible] of Dronsfield, or Dunford, that shall be [illegible] into
small [illegible], or retail, to be spent in the Country, shall proportionably be [illegible], which is notoriously
[illegible], as are allowed to all wine by retails.

Dumbrey Forbes. That upon this [illegible] by account 6l. 8s. 9d. in the [illegible] of Mr. Edmund Cary, & 25l. in 3301
the [illegible] of Capt. Stourton & the [illegible] Forbes. It is ordered & demanded that the Captains of the
[illegible] shall give [illegible] full power to receive, & to recover by law or otherwise the said [illegible] of
the said Marshall in the [illegible] of the [illegible] & [illegible] of the said money, [illegible] and
[illegible] 100l. to Mr. Stephen Whitaker the [illegible] of Mr. Hamilton [illegible], & the remainder of the said [illegible]
[illegible] shall deliver to the said Mr. Whitaker, out of [illegible] he is ordered to pay Mr. Decorte in Scotland
100l. in case he did not pay already, & the remainder, which is 111l. 8s. of the said Mr. Whitaker [illegible]
[illegible] & desired to return from England 1000. weight of musket bullets, 1000. weight of [illegible] and
the rest in powder.

Mr. Pilgrim. Mr. Pilgrim Mr. of the Ship Flower intending to require freight, & to go, the Date was do- 3302.
[illegible] divers weights [illegible] Merchants.

Major Sedgwick. It is ordered Major Sedgwick be may take 3000. of bricks out of the Cargo, now in the [illegible] 3303.
of the Ship [illegible] to pay [illegible] [illegible] [illegible] called for, to content.

Waterhouse. Waterhouse [illegible] in the [illegible] [illegible] [illegible] [illegible] debt not appeared. 3304.

Capt. of the Castle 50l. It is ordered that 50l. should be given by the Country towards a gift for the Capt. of the Castle 3305.
Lieu. Barry [illegible] [illegible] provided, it be finished by the [illegible] of the [illegible] Lieut. Barry [illegible] [illegible] of the Castle
to begin the [illegible] of the [illegible] & then [illegible] to begin.

Deliges Palmer Clerke &c. Deliges Palmer [illegible] [illegible] of the [illegible] in Gentlemen in the [illegible] of Mr. Bulkeley 3306.

Capt. Bayly &c. Capt. Jos. Bayly [illegible] a judgment for 6l. [illegible] freight, & [illegible] to Mr. Pilgrim, [illegible] 3307.
Company [illegible] Mr. [illegible] [illegible] [illegible] [illegible] according to Charter Parties.

Goodman Cumber. 100l. It is ordered that Goodman Cumber should be allowed 100l. out of the Children's money. 3308.

Mr. Russell 40l. It is ordered that Mr. Russell should have 40l. assigned out of the Children's money.

The Servants 11l. 1s. It is ordered that the Servants should have 11l. 1s. assigned him out of the Children's money.

Edmund Fairbankes bill. It is ordered that Edmund Fairbankes bill should be satisfied him out of the Children's money.

Mr. Russell &c. Mr. Russell is [illegible] to [illegible] the Servants [illegible] Place [illegible] [illegible] [illegible] of Scotland. 3309.

Mr. Broadrake. Capt. Thomas Broadrake [illegible] Country [illegible] [illegible] for a 12 [illegible] [illegible] [illegible] [illegible] 3310.

Salem Shex Victuallers. It is ordered that [illegible] in full [illegible] [illegible] [illegible] 3311.

Trades &c. Mr. Broadrake [illegible] Mr. [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] 3312

Capt. Cocks & Mr. Cumber, [illegible] [illegible] [illegible] to [illegible] & [illegible] [illegible] [illegible] [illegible] [illegible] but the Trades for the remainder.

Knight felloni. It is ordered that Mr. Richard Bolington shall have power & [illegible] & determine the 3313.
Cause concerning Richard Knight of Salisbury, about [illegible] of felony, [illegible] all the said
Richard is not able to travel.

Capt. of the Castle 50l. It is ordered that 50l. [illegible] shall be allowed out of the [illegible] for the Capt. of the Castle 3314.

Mr. Dunster 150l. It is ordered that Mr. Dunster 50l. [illegible] of the [illegible] at Cambridge shall have 150l. 3315.
assigned him (to be [illegible] by the [illegible] for the Children) out of the money due for the [illegible]
[illegible] out of [illegible] to be [illegible] [illegible] a [illegible] house, built for the said [illegible] in parcels
the [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

Mr. Pilgrim &c. It is ordered that Mr. Pilgrim shall bring in his 27. [illegible] into [illegible] [illegible] [illegible] 3316.
in [illegible], & bill of lading, of all such goods as he has laden at London, & [illegible] account of all such
goods & merchandise, as were [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] or [illegible] [illegible] belonged to the [illegible] of the [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
in a true account to them [illegible] [illegible] [illegible] [illegible]

A Publique fast. It is desired that the 19th of the [illegible] shall be kept a day of Publique Humiliation throughout 3317.
[illegible] Salve Country for prevailing of [illegible] & [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] of [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

Dare of Gloucester County Courts. It is ordered that the [illegible] in [illegible] Gloucester shall take care that the [illegible] & 3318.
[illegible] in the [illegible] shall be [illegible] & they shall also [illegible] to take order from
time to time [illegible] [illegible] in the [illegible] [illegible] [illegible] [illegible]

[illegible] of [illegible] The [illegible] taking into serious consideration the [illegible] of the [illegible] of the Country, [illegible] 3319.
disorderly dispersing of [illegible] into several [illegible] for private [illegible] to the damage of the Publique:-

581

It is therefore Ordered that the Surveyor of Armes shall have Power by suite, or otherwise, to take into his Custodie all such Armes of anie kinde that belong to the Countrey from the severall Townes, & Persons which have anie of them, & to bring them to some Place, or Places to bee safely layd up till the Co.rt shall give further Order for the disposeing of them, & this to bee done by the end of the 1st Month next; & it is further Ordered, that the Surveyor shall sell the remainder of muskets, or Bandiers to such as will buy them.

3320. Mr. Aspinwall is chosen Recorder till the next Co.rt of Elections. Recorder

3321. It is Ordered that all those former Orders made about Apparell, & lace, are hereby repealed. Repeale. 582

3322. It is Ordered that the Magistrates, & Deputies of the Co.rt, their Passages over the fferries, togeather with their necessarie Attendants shall bee free, not paying anie thing for it, except at such fferries, as are appropriated to anie, or are rented out, and are out of the Countreys hands, & there it is Ordered that Passages shall bee payd by the Countrey. Magistrates ferriage free. 583

3323. It is Ordered that there shall bee a bushell of Indian corne, or three quarts of wine paid to anie Indian, by the Constable of everie Towne, for everie wolfe killed within the Bounds of that Towne, where such Constable dwelleth, upon the Townes account; provided that the Indian bring the head to the Constable, & make good proofe, where such wolfe was killed, for the better satisfaction that it was killed within such Towne Bounds. Wolves.

3324. The Co.rt apprehending that it is not fitt to deprive the Indians of anie lawfull comfort which God alloweth all men by the use of wine; doe Order that it is, & shall bee lawfull for all such as are, or shall bee allowed licence to retaile wines to sell also to the Indians so much as is fitt, for their needfull use, & refreshing. Indians allowed to buy wine. 584

3325. fforasmuch as often, & plentifull experience hath proved, that since the first ariseing of Anabaptists, about 100. yeares since, they have bin the Incendiaries of Common-wealths, & infectors of Persons in maine matters of Religion, & the troublers of Churches in all places where they have bin, & that they who have held the baptising of Infants unlawfull have usually held other errors, or heresies togeather therewith, though they have (as other Hereticks use to doe) concealed the same, till they espied out a fitt opportunitie, & advantage to vent them, by way of question, & scruple, & whereas divers of this kinde have since o.r first comeing into New England appeared amongst o.r selves, some whereof have (as others before them) denyed the Ordinance of Magistracie, & the lawfullnes of makeing warre; & others the lawfullnes of Magistrates, & their inspection into Matters of the first Table; which Opinions if they should bee connived at by us, are like to bee increased amongst us, & soe must necessarily bring guilt upon us, infection, & trouble to the Churches, & hazard to the whole Com.welth: It is therefore Ordered, & agreed, that if anie Person, or Persons within this Jurisdiction shall either openly condemne, or oppose the baptising of Infants, or goe about secretly to seduce others from the approbation, or use thereof, or shall purposely depart the Congregation at the Administration of the Ordinance, or shall denie the Ordinance of Magistracie, or their lawfull right, or authoritie to make warre, or to punish the outward breaches of the 1st table, & shall appeare to the Co.rt to continue wilfully, & obstinately therein, after due time, & meanes of conviction, everie such Person, or Persons shall bee sentenced to banishment. Anabaptists. Lib. 1. f. / p. f. 48. 585

3326. In regard of the Magistrates which dwell farre remote have bin detained from their owne Occasions a long while, & that travell is like to prove verie tedious this season of the yeare, as also in respect of manie of the principall Occasions, which should have bin heard &c. at the next at the next Co.rt of Assistants have bin heard, & determined dureing the time of this present Co.rt: It is therefore Ordered that there shall bee five Magistrates at the next Co.rt of Assistants, they may proceed in the Affaires of the said Co.rt, & all their proceedings, & judgments shall bee of as good efficacy & effect as if the said Co.rt ~~had~~ should have bin held by 6. or more of the Magistrates. five Magistrates &c.

3327. It is Ordered that Mr. Wm Aspinwall shall bee appointed a publique notarie for this Jurisdiction. Mr. Aspinwall.

3328. Upon Motive from the Commissioners of the United Colonies for Generall care to bee taken for the encouragem.t of Learning, & maintenance of poore schollers in the Colledge at Cambridge: It is Ordered that the Deputies shall commend it to the severall Townes (& the Elders are to bee desired to give their furtherance hereunto) with declaration of the course, which was propounded by the said Commissioners, & hath bin putt in practise alreadie by some of other Colonies; viz.t of everie family allowing one pecke of corne, or 12d. in money, or other commoditie to bee sent unto the Treasurer for the Colledge of Cambridge, or where else hee shall appoint in Boston, or Charlestowne. Countrey allowance to the Colledge. 58

3329. This Co.rt takeing into serious Considerations the Propositions of the Commissioners for the United Colonies, concerning the setling of a Generall way of trade with the Indians, & well weighing the necessitie of these Plantations, to make improvement of such helpes, & advantages, as the Countrey affords, for the the more comfortable clothing, & subsisting of the Inhabitants thereof, have thought meet to entertaine the said Propositions, & accordingly to Order that that Trade with Indians. 58

298

way of trading with the Indians shall bee established, & confirmed for the space of [illegible] yeares, [illegible] the [illegible] to bee [illegible] according to the [illegible], [illegible] of the said [illegible], & that all [illegible] & others shall bee restrained, as [illegible] may [illegible] as further agreed [illegible] the [illegible] of the [illegible] in the severall Townes, to the end that everie Inhabitant within this jurisdiction may have [illegible], & liberty to [illegible] his adventure, & that notice bee given to the severall Townes, that such as are undertakers, [illegible] with [illegible], & [illegible] to [illegible] at Boston, upon the [illegible]

Letters of thankes. It is ordered that a letter bee drawne, & sent from this Court, wherein thankes may bee returned to Mr Andrewes, & the [illegible] Ladies, & every such other person, as have bin beneficiall unto us, & Mr Deputie, Mr Endicot, & Mr Hibbins are appointed a Committee to draw up the said letter. 3330.

The sergeant 2lo 19s. It is ordered that the Sergeant [illegible] 19s paid him out of the [illegible] June, which is due to him [illegible]. 3331.

Hutchinsons marriage void. Upon the testimony of Edw. Hutchinson, that hee did see the wife of John Richardson (late of [illegible]) live in England with [illegible] & a former testimonie concerning the [illegible], the Court doth declare her last marriage (which was with Elizabeth Fryer) to bee void. 3332.

Mr Rawson. Mr Edw. Rawson hath hired to farme the rent due for wine drawne in the Countrey for 107li 10s for a yeare. 3333.

A Committee. Mr Dep. Governor, Mr Dudley, & Mr Hibbins are appointed a Committee for [illegible] these [illegible]; 3334. first, to answer for us in all occasions, as may bee objected to the Parliament concerning us, as [illegible], but not to engage us without our consent; 2ly to receive all letters, & other dispatches of publique nature, as concerne us from us; 3ly to advise us of all such occurrents as may happen touching our Colonie; 4ly to receive all moneys, & other things due to us from any person in England by gift, or otherwise, & dispose them according to direction under our publique seale.

Bake at Ipswich. It is ordered that John Baker only hath liberty to sell wine at Ipswich. 3335.

Goodm. Smith &c. Goodman Smith of [illegible] hath liberty to sell wine, & to keepe an house of common entertainment. 3336.

Fyske Wenham. William Fiske of Wenham hath liberty to sell wine. 3337.

Brigham Rowley. Sebastian Brigham hath liberty to sell wine, & to keepe an ordinarie. 3338.

Rogdale.

Election of new Magistrates. Whereas there is an Order in force that noe man shall bee put to election for a Magistrate, at the Election but such as are nominated at the Generall Court next before the, which is [illegible]: And for an orderly proceeding in a way of nomination that every freeman may have his full liberty in voteing, It is ordered that the freemen of this Jurisdiction shall meete in their severall Townes within one month after the date hereof, to consider of whom they would nominate to put to vote, upon the day of Election for new Magistrates, & the number of [illegible], at which meeting, every freeman shall have liberty to put in his vote for whom hee thinkes fitt, all which votes shall bee sealed up at that meeting, & sent by one or two (whom they shall chose) to the shire Towne in each shire, upon the last [illegible] day in the last month at which meeting the said select men of [illegible] (by whom the votes being brought) shall not have power to open them being sealed as before, but shall [illegible] one or two from amongst themselves, by whom they shall send the aforesaid votes being all sealed up in one paper unto Boston, on the last third day of the [illegible] month, at which meeting there shall bee 2 Magistrates, before whom the votes shall bee opened, & counted, & those persons nominated for Magistrates that have most votes, to the number of 7 shall bee they that shall bee put to vote, at the day of Election, & that such as have most votes, to bee first nominated & put to election; that the freemen may know for whom to send in their proxies, the select men of everie shire being at this meeting, shall take care to send to the said select men of everie Towne, whom they bee, that are to bee put to vote, which select men of everie Towne shall call a meeting of their Townes, & acquaint them whom they are, that the freemen may have time to consider of them, & send in their proxies accordingly, & noe other shall bee put to vote, but such as are agreed upon as before. 3339.

Generall Court.

Shire Deputyes attempted. Whereas wee have found by experience that the charge of this Generall Court growing very great and burdensome in regard of the continuall increase of deputies sent unto the same, & further foreseeing that as Townes doe still increase, the number will bee still augmented, to the [illegible] burden of the common wealth, as also it being thought a matter worthy the serious consideration, the [illegible] of this Court, to [illegible] the [illegible] of the [illegible], both by Magistrates & deputies [illegible] considered: It is desired [illegible] that the freemen shall [illegible] that a lawe shall bee made for [illegible] upon the day of Election next, by choise of twentie deputies out of the [illegible] shires, to equall the number of Magistrates, chosen upon the day of Election, the choise of them to bee thus divided, Suffolke shall chose 6, Middlesex 6, Essex [illegible], Norfolke being joyned in one shire with 8. And further to the end the ablest men may bee made use of in the weightie affaires, it shall bee at the libertie of the freemen to chose them in their owne shire, or elsewhere, as they shall see best; the choise to bee after this manner, the freemen of the severall shires meeting in their owne severall Townes together, within 2 weekes next following, shall send in their severall votes for soe many deputies as belong unto their shire to chose, which votes shall bee forthwith sealed up & sent by one chosen to carry them to their shire Towne the last [illegible] day of last month following, where in the presence of one Magistrate they shall bee opened, & confirmed [illegible], & soe many as have the major vote of the shire, and them not exceeding the number aforesaid, [illegible] shall assemble themselves at the next Court of Election, presented under the hands of those, which were sent [illegible]. 3340.

from the Counties to the Divine Worshipp aforesaid, the number, & overall number of Votes, they have gaine from vpp, assembly the only, that the greatest number of votes, to equall the number of Magistrates then vpon shall be confirmed, & the rest dismissed from every Town allow number for more, as may be. The Magistrates & Deputies that vpon shall sit together as a Court, & sufficient Generall to act in all things, by the major vote of the vpper Court, & further it is declared that every Towne shall sufficiently, namely, by the last day next about, send in vnder the hands of their late Deputies, their vote of Shewing, or dissenting from the Nomination to the Place of the Generall, wch together with one of the late Deputies of Braintree, & one of Cambridge, & one of Boston, shall give Power to receive the said Votes, & they shall find out the greater number of Counsell shall order that the way proceeded to from shall go=1339. they shall hereupon sufficiently, know of certainty the Generall, wch shall hereupon give speedy notice to every Towne that they may proceed according to the Declaration, & ordered it may shall out that fine, or more Votes may make voyce fine, & the same man, it is hereby ordered that Suffolk to shall begin, making answer to Middlesex vpon they gave vpon, wch the next Day following shall make their voyce, & so forward to Essex, & Norfolke, & from Suffolke, & Hampshire gave vpon, from the next same day shall Essex, and Norfolke make their voyce.

3340. It is Ordered that for an equall distribution of the Indiuers gift to each Towne, the 12. Counsellors said nothing, to wit, Weymouth, Boston, Salem, Hingham, Newbury, Ipswich, Malden, Roxbury, Sudbury, Dorchester, Concord, & Salisbury shall take 5. a piece, or a two, & from all to gate 5. on a Court, before Roxbury gave anie thing, in the order following, Salisbury, Concord, Newbury, Sudbury, Rowley, Watertown, Ipswich, Hingham, Malden, Salem, Boston, Weymouth, Glocester, Dedham, Ipswich, Hampton, Lynne, Braintree, Cambridge, Gloucester, & Dunstable. Indiuers gift distributed.

3342. It is Ordered that all the Generall Bordes of generall conuersionment agreed on this vpon Generall Court, shall be forthwith multiplied to the Generall Towns within this Iurisdiction, & that the Generall Towns shall procure a Copy of Ipswich 3 Bordes the Generall Court. Bordes Multiplied.

3343. The Court thinks it fit, that Mr. Treasurer doe give Mr. Downing an acquittance of what pay=d paid into the Treasury, & that Mr. Downing give also an account to his Ma.ty, what children were taken into the Pay, & their names, & also what that children were landed, & to whom they were delivered. Mr. Downing.

3344. It is Ordered that Herbert Pelham of Cambridge, Esq. Mr. Thomas Flint & Lieut. Willard of Concord, & Peter Noyes of Sudbury shall be Commissioners to receive, at survey, the inhabitants of Merrimack River, & take Liberty, & gave Power given them, to sell some Bordes, which may profitably improvedly, of the said meadow, & fencing, & Fencing of the Lay Towne gotten, order by Diuiding the same, as aforesaid, & to proportion the Charges laydout about it, as equally & justly, only upon those that are for land, as from their neighbourhood shall be needs. Commissioners.

3345. Robert Pallmstall Ent. Complaynant by Petition, on the behalf of Sr. Richard Saltonstall, against the Towne of Watertown the Defendant, & Petition, the Bordes road entered for the complaynant, the Deputies of Watertown after the Bordes road entered made exception against it, alledging that some the part of the Magistrates Court of Boston for the complaynant, Plead therefore put to the vote of the Court, whether the said Bordes should be judged to be good, & essentiall, notwithstanding the allegation, and the vote road that it should stand good. Robert Pallmstall. Sr. Richard Saltonstall.

3346. Upon the Petition of Sarah Barnes, it road Prayer, that her fine should be respited, till she pay=d Sarah Barnes.
Gathered returns against into the Country, praying to have answere a competent estate in the Lands of her Father to discharge his fine, & the marquantity of Corne [illegible] in Kind of the said Bill of the Petitioners.

3347. It is Ordered that the rent due from the ferry from Boston to Winnetimott shall be remitted and for the time to come, that the said ferry man in stead of their rent shall till the Court take further Condescency over all the Magistrates, & Deputies freely into their necessary Mondants at all times. Boston ferry.

3348. William Kinge his fine of 5. is abated to 20. fine abated. Kinge.

3349. Upon Mr. Stoughton his Petition it road answered the Court concerning they gave not Power to call Mr. Stoughton Credit.
Mr. Houghton Credit in question, but if he will pay it into the Treasurer it will be received.

3350. Thomas Richards said it thought did more properly belong to the Court of Assistants, to whom David Richards.
referred, & the Court were decided, either in the same.

3351. It is Ordered that at Weymouth ferry every Single man shall pay 2d. for his passage. Weymouth ferrie. 590

3352. Henry Kane is abated half of his fine, if he can satisfie the Court, to be certified within 2 months. Dand. fine abated.

3353. The request to Thomas Richards Petition the Magistrates gave called Huddleady, & Lloyd Diuers Wrecton.
things to his Grance, which goe down, & therefore he hands till that further evidence be had for into England & that Mr. Downing may give instructions to draw out evidence against him, & goe to lye in Prison in the meane time, unless he gave sufficient bail.

3354. The ship was put to bale, for name, at judge that he could carried a good out of the Ship Gillyflower & put into the custody of the Dutch and the Petitioner of Mr. Pulgram Masters of the said Ship, & to be paid for out of the same, the major vote was not to be paid, good, but it road stopped by a Minutes vote of the Court. Ship Gilly flower.

3355. Mr. Edward Richard to Petition Questions proponnded to him. Mr. Edward Richard.

Q. 1. Whether the Magistrates are by Patton, & Election of the People, the standing Counsell of the Common-Wealth, in the Parliament of the Generall Ca.t, & gave Power and ability to act in all things, subject to Government, according to the said Patton, & the Laws of this Iurisdiction, & upon any

necessarie occasions call for action from Authoritie, in cases where there is no particular expresse law provided, there to be guided by the word of God, till the Generall Co.t shall give particular rules in such cases. [illegible] 1644.

A. 1. The Magistrates are by Patent, & Election of the People, the standing Counsell of the Common Wealth in the vacancie of the Generall Co.t & accordingly may act in all cases according to the Patent subject to the cognizance of the Governm.t & the Lawes made by the said Generall Co.t of this Jurisdiction. This Answer is grounded upon such passages in the said Patent, as p. 10. where it is said that the Governo.r Deputie Governo.r & the Assistants shall apply themselves to take care for the best disposing, & ordering of the Generall Affaires, & busines of, & concerning the Lands, & Premises, & the Plantation thereof, & the Government of the People there. Also p. 11. It is said that the Governo.r, Deputie Governo.r, & Assistants, or anie such number of them as is expressed shall have a full, & sufficient Authoritie for the handling, ordering, & dispatching of all such businesses, & occurrences, as shall from time to time happen touching, or concerning the said Companie, or Plantation: And it is said p. 12. that it is in the Power of the Generall Co.t to make Lawes, & Ordinances for the good, & welfare of the Companie: & p. 13. they may make wholesome Lawes, Statutes, & Ordinances for the setling of the formes, & ceremonies of Government, & Magistracie, & for managing, & setling of all sorts of Officers both superio.r & inferio.r, & for the distinguishing, & setting forth the severall duties, powers, & limits in every such Office, & Place. 2ly. We doe not find that by the Patent they are expressely directed to proceed according to the word of God, but wee understand that by a Law or Libertie of the Countrey, they may act in cases, wherein as yet, there is noe expresse law, soe that in such acts they proceed according to the word of God.

Q. 2. Whether the Governo.r & Assistants have anie Power by Patent to dispence Justice in the vacancie of the Generall Co.t without some law, or Order of the same to declare the Rule?

A. Wee doe not finde in the Common Wealth soe constituted by the Patent, that the Governo.r and Assistants have anie Power to dispence Justice in the vacancie of the Generall Co.t without some Law, or Order of the same, to declare the Rule of their Administration, which wee conceive must be soe expressed, for the regulating of all particulars as farre as may be, which cannot be supplied by Generall Rules.

Q. 3. Whether anie Generall Co.t hath not Power in particular cases to choose anie Commissioners, either Assistants, or Freemen, exempting all others to give them Commission to sett forth their Power, & Places (by anie particular case wee meane in all things, as in the choice of all Officers the Common Wealth stands in need of, betweene Election, & Election, not taking away the Peoples Libertie in Elections, nor turning out anie Officer so elected by them without shewing cause)?

A. If the termes (all others) intend or imply all exclusion of constant Judicature, & Counsell, wee answer negative by wee. that the Generall Co.t hath not Power by Patent in all such cases to choose anie Officers, or Commissioners, either Assistants, or Freemen exempting, that is excluding all others to give them Commission to sett forth their Power, & Places, because it would then follow, that the Magistrates might be excluded from all cases of constant Judicature, & Counsell, which are their principall worke, whereby also the end of the Peoples Election would be made frustrate. 2ly. But if these termes (all others) imply, or intend cases, rather occasionall or other, belonging neither to constant Judicature, nor Counsell, wee answer affirmatively, that the Generall Co.t hath Power by Patent in such particular cases, to choose anie Officers, & Commissioners, either Assistants, or Freemen, excepting all others to give them Commission to sett forth their Power, & Places, which yet wee understand with this distinction, that if the Affaires committed to such Officers, or Commissioners be of generall concernment, wee conceive the Freemen according to Patent are to choose them, the Generall Co.t to sett forth their Power, & Place; but if the Affaires committed to such Officers, or Commissioners be merely of particular concernment, then wee conceive, the Generall Co.t may choose them, & sett forth their Power, & Place. Whereas wee graunt these of constant Judicature, & Counsell to the Magistrates, wee thus interpret the word (Counsell) Counsell consists of word, & action; in respect of word they are not to be limited; in respect of action they are to be limited by the Generall Co.t as the supreame Counsell. Finally, it is our humble request, that if anie difference grow in the Generall Co.t betweene Magistrates, & Deputies, either in these, or anie other like weightie cases, which cannot be presently issued with mutuall peace, that both Parties will be pleased to deferre the same to further deliberation for the hono.r of God & of the Co.t 12th 5th mo. 1644.

Q. 1. Whether the Deputies in the Generall Co.t have Judiciall, & Magistraticall Authoritie?

Q. 2. Whether by Patent the Generall Co.t consisting of Magistrates, & Deputies, as a Generall Co.t have Judiciall, or Magistraticall Authoritie?

A. 1. The Patent in expresse words giveth full Power, & Authoritie, as to the Governo.r, & Assistants, soe to the Freemen also assembled in Generall Co.t p. 11. 2ly. Whereas there is a 3 fold Power of Magistraticall Authoritie; Legislative, Judiciarie, & Consultative, or directive of the Publique affaires of the Countrey, for provision, & protection, the 1st of these, namely, Legislative, is expresly given to the Freemen jointly with the Governo.r, & Assistants, p. 12. Consultative, or directive Power of the publique affaires of the Common Wealth for provision, & protection, is graunted also by the Patent unto the Freemen, as to the Governo.r, & Assistants, p. 11. But now for the Power of Judicature, if wee speake of the constant, & ordinarie Administration thereof, wee doe not find, that it is graunted to the Freemen, or Deputies in the Generall Co.t either by the Patent, or by the Election of the People, or by anie Law of the Countrey. But if wee speake of the occasionall Administration thereof, wee find the Power of Judicature administrable by the Freemen jointly with the Governo.r, & Assistants, upon a double occasion. 1st in case of defect, or delinquencie of a Magistrate, wee find the whole Generall Co.t of Governo.r, Deputie Governo.r, Assistants, & Freemen may proceed to remove him. p. 12. 2ly. If by the Law of the Countrey there lie anie appeale to the Generall Co.t, or anie other speciall causes be referred to their Judgment, it will necessarily infer, that in such cases, by such Lawes, the Freemen jointly with the Governo.r, & Assistants have Power of

judicature, concerning the Appellants, & cause the Appeale, & false, reversed & defed. Yet it seems Praise of the Earl of Essex men, that some may be kept of Speaker for fault sake, at the Honour of the Earl men & delighted to him, by order of law.

Q. 3. Neither we may warrantably prescribe Penalties to Offences, which may probably admit probable doubt of guilt.

Q. 4. Neither a Judge has power to pronounce his sentence, as a Positivell Law prescribes in case it be apparently alive, or probably upon merit of the Offence.

A. 1. Offence Penalties may, & ought to be prescribed to Capitall Crimes although they may admit a probable degree of guilt, as in case of Murder, upon premeditated malice, & upon sudden provocation upon ill will the same death in both, by murder upon premeditated malice be a same greater guilt then upon sudden provocation. Numb. 35. 16. 17. 18. with Deu. 20. 21. also in crimes of lesser guilt, as in theft, being same theft be of greater guilt then other, as for some man to steale a sheep, that only lesser need is of penalty for guilt then for another, with only more need the Law should prescribe necessary restitution to be made. Exod. 22. 1. 2. 3. In case that variable circumstances of an offence do so much vary the degree of guilt, as that the offence is raised to an extreme nature, then the penalties must be varied to an extreme, in proportion, proportionable provocation, the Murderer & Thief may be punished with some pecuniary mulct, upon the striking of a stripper may be punished with death, for one in comitted with an high hand, as the gathering of sticks on the Sabbath day may be punished with death, upon a lesser punishment might serve for a common theft privately, & in some kind. 3. In case circumstances do so vary a crime, as that many sins are complicated, & mixed, so as it the penalties are to be varied according to the penalties of those several sins, & privately may be punished with a lesser mulct, then if it be both before the Judge and Tribunal, in disorder to the damage of some person, wronged in his good name by slander, or in his state by bodily wrong in his conscience in respect of a lye aggravated by circumstances, is to be punished with severer fine to a lye, & a slander, & to the detriment, respect, authority of worthy dignity. 4. In case that the circumstances varie the degree of guilt, concerning only the person of the Offender (as respect it was his first offence, or customarie, respect per were entired thereto, or the author, respect per were principall, or accessary, respect undisguised, or wittingly, & willingly. He upon it seems that the penalties should be varied, & mitigated, respect the lawfull degree to be exercised, because 5. 6. as also in case may be 5. friends, & the Lawfull Degree 2. 3. or 4. friends, more or lesser within the compass, or latitude it may be fixed to a magistrate to aggravate, or mitigate the penalties, as the circumstances do require, or allowable the Offence. For prescribe cannot be to be set a magistrate at bond in his sentence to a certaine mulct, as may be in his circumstances, he's some Offender, respect his also circumstanciates, with another, if his punishment be not equall the one with the other, one may think himself in an unequall dealing with another. 4. In case that upon a person a person doth in conscience that a crime deserveth a greater punishment then the Law inflicteth, yet may lawfully pronounce sentence according to the power penalties of the Law, because yet committed to him by law to end his part. but where the Law may come to the conscience of the Judge to inflict a greater penalty then the Offence deserveth, it is his part to lessen his sentence till by conference with the Lawgiver penalty, either to inflict the sentence, or to mitigate it. 5. The penalties of great crimes may be sometimes mitigated by law, as we in capite Moses, using in his Country, as the generall Defence of a person to the Bullrushes and Pitch, after the Delinquent was done to the state in former kinds. so Solomon mitigated the punishment of Abiathar for his crime done to his Father formerly. 1. Kings. 2. 26. 27. 28. Exodus 21.

Q. 1. Neither the Estimation of Power, & authority in Magistrates, & only liberties of Commoners in the Peoples has according to the Patent with respect to the Magistrates, & the in generall Office.

A. Now concerning that by Patent, as the People gave liberties of a Parliament, the they gave also other Power, & authority, as was said exercised in a Answer to the first question sent into his by Honoured Magistrates.

Q. 2. Neither the generall Office of constituting of Magistrates, & Deputies, has not the People Power in Commonwealth, to prescribe the Power of Magistrates, & to limit Laws to all by Power of their Office, for long to be a Power.

A. The generall Office of constituting of Magistrates, & Deputies, is to the People, & will Power of the Commonwealth, for as to prescribe the Power of Magistrates, & to prescribe in a Civill way Laws unto all not repugnant to the Laws of God, nor to the Patent, nor to the fundamentall Laws, & liberties of the People in the Commonwealth, & accordingly may do all other duties, which belong to such a Power, as, namely, the duties of Counsell, binding to the Promotion, & Protection, & Guard of the republick, & also duties of Judgement, for same, as according to the Answer to the five former questions of the same, as Magistrates, & the Patent or rights of the People, as Laws of the Common Wealth received to them, & stated in them.

Q. 3. Neither a Government has a mixed Aristocratic or mixed with a Democratic if not neither it should not be mixed in all the administration of the same.

A. 1. Our Government is not a mere Aristocratic but mixed of an Aristocracy, & Democracy in respect of the generall Office. 2. Notwithstanding it be mixed in the generall Office, yet it ought not, & in administration of Justice, which follows, not regulated upon, but it should not be mixed in all the administration of Justice, because it affirms, as all other affirmed of civill Government, is the Ordinance of God: therefore as it was free to make it mixed, so lawfull for after to make it mixed in the generall Office, & mixed, & Patent, notwithstanding other, according to the pleasure of the Ordained Power of Aristocracy, & Democracy, respect it was made Government mixed in the generall Office, yet it seemed to have instituted subordinate Administration of Justice, to be administratively disposed by the Office of Assistants; yet even

in Gods Word, there is some place for a Democratical Discretion, in respect of the Peers 139 to 44.
It was Voted that all the Answers given in by the Peers to be Voted to the General Question, were approved just as since Answered to the Question, except Juryes are not put to Vote.

Propos. 1. That the Assistants have no Power to doe in Judicature, but what some Law, either particularly expressed, or in General bestowed in Court Records by the General Court, as the Rule of their Determinations.

Propos. 2. That the General Court consisting of Magistrates & Deputies is the highest Power of this Common-wealth, & may act in all things belonging to such a Power, being sovereigne Counsell, in resolving about the Election of Magistrates & Common-wealth, & concerning Lawes, also concerning Peace & War, in Judicatory, imposing sentence, & remitting, same Offences, the highest Appeals, in Civil causes in Criminall Causes, upon Appeals are called to be allowed by the General Court.

Propos. 3. That the Magistrates only Power to vary from the penalties of any Law, either to mitigate or exceed the same.

Propos. 4. That the Magistrates only Power to vary from the penalties ordained in any Law either to mitigate or exceed the same, without including with the General Court.

Propos. 5. That the Petitioner in Court, hath only full Power, & Authority, as the General & Assistants, for the Common-wealth, & Delinquents, to the General Court, & not only, to the Governor & Assistants but also to the Common House assembled, & sitting with Common Consent.

Propos. 6. That inferior penalties may be accepted to be inflicted in Court, although the Offender admitt a variable degree of guilt.

Propos. 7. That inferior penalties may be accepted to be inflicted in Court, although the Offender admitt of variable degree of guilt.

At a Court of Election held at Boston 14th 3d Mo. 1646.

Mr Winthrop.	Mr Hallett.	Mr Henry Alderton.	Mr Mr Wm Hubbard.	Mr Eliz. Howard.
Mr Gibbons.	Mr Gibbons.	Mr Wm Collins.	Mr Mr Woodcock.	Mr Mr Leverett.
Mr Willis.	Mr Winthrop.	Capt. Cayne.	Mr Mr Richard Saunders.	Mr Mr Brackett.
Mr Endicott.	Mr Symonds.	Mr John Glover.	Mr Mr Dio Lewis.	Mr Samuel Sydo.
Mr Coggan.	Mr Dudley.	Mr Wm Pynchon.	Mr Mr Wm Hubbard.	Mr Mr Denton.
Mr Bellingham.	Mr Mr Bellingham.	Capt. Cammock.	Mr Mr Wm Allen.	Mr Mr Hall.
Mr Willoughby.	Mr Mr Willoughby.	Mr Wm Coddington.	Mr Mr Richard Bubbard.	Mr Mr Edward Rudnow.
Mr Mr Winthrop jr.	Mr Mr Ralph Parker.	Capt. Cudworth.	Mr Mr Willard.	Mr Mr Hubbard.
Mr Mr Bradstreet.	Mr Mr Thomas Flint.	Capt. Dennis.	Mr Mr Wm Worthley.	Mr Mr Hilton.
Mr Mr Francis Norrell.	Mr Mr Simon Bradstreet.	Mr Mr Wm Hayward.	Capt. Wainwright.	Mr Mr Francis Norton.

Thomas Dudley Esq was sworn Governor, & broke his oath.
Mr Mr Winthrop Esq was sworn Governor, & broke his oath.
Mr Mr Endicott Esq was sworn Deputy Governor & broke his oath.
Richard Bellingham Esq was sworn Deputy & broke his oath.
Richard Saltonstall Esq was sworn Deputy & broke his oath.
Mr Mr John Winthrop junr was sworn Deputy & broke his oath.
Mr Mr Simon Bradstreet was sworn Deputy & broke his oath.
Francis Norrell was sworn Deputy & broke his oath.
Mr Mr Thomas Flint was sworn Deputy & broke his oath.
Mr Mr Wm Pynchon was sworn Deputy & broke his oath.
Mr Mr Wm Hutchins was sworn Deputy & broke his oath.
Mr Mr Samuel Symonds was sworn Deputy & broke his oath.
Mr Mr Robert Walcott was sworn Deputy & broke his oath.
Mr Mr Endicott Esq was sworn Servant Major General.
Mr Mr Richard Russell was sworn Treasurer.
Thomas Dudley was sworn Secretary.

Mr Mr Edward Rossiter 2. Lord Brooke hath sent to the Ship anchoring at Gravesend 3353
for Boston to know what Power it is that he intends.

3354. Hugh Gunnison, & Susan Wilson were dismissed to draw wine. — Gunnison. Wilson. 4.

3355. Bingham Bushes was granted a Portion was pardoned under his hands of 3l. upon their compli- — Bingham Bushes.
Hosiah Bullard, & his sonne, he complaine against the Doctor Greene, he shall for binding him & others with surties to appear at the Quarter Ses. he other for being committed for refusing to give sure bond for his appearance.

3356. Edward Burgam is chosen, & allowed to be Clarke of the Writs at Lincoln, & to continue mannaged — Burgam. Layton.
during his death. Thomas Layton is granted to draw wine for one year at Lincoln.

3357. Thomas Layton, Edward Burgam, & Thomas Footman are chosen to end small controversies in Lincoln. — Small causes.
Wm Samuel Dudley, Sam. Wesley, & Robert Wilde are chosen to end small controversies for years at Salisbury. Capt. Perkins, Wm Cary, Jeffry Wolstenman are chosen to end small controversies in Dorchester.
Hugh Spulking, Thomas Smith, & Nicholas Lindsey are chosen to end small controversies in Glocester.
Wm Edward Woodman, John Lewis, & Richard Knight are chosen to end small causes under 20s in Shrewsbury. Wm Richard Browne, Lieutenant Wagstaff, & Ephraim Gill are chosen to end small causes in Waterford, under twenty shillings.

3358. Hugh Chilton is chosen, & allowed Clarke of the Writs in Sudbury. John Russell is chosen, & allowed Clarke of the Writs in Cambridge. — Clarke of the Writs.

3359. William Walter sate dispensation to be his people marry at Hampton. — Hampton.

3360. Richard Woodby former is granted to sell wine, at Roxburie, provided he take the wine that Capt. — Woodby.
Woods did write sate houses, & pay him for it, as the sate sold the rest of it for to him, in long pay, as was made for the wine to the Commissioners.

3361. John Wolsenman is confirmed Lieutenant of the Company at Yarmouth. — Wolsenman.

3362. It is ordered that the Major General shall have the like Commission under his hand that his former General had. — Major General.

3363. 14th 3 Mo. 1645. — ffreemen.

Wm ads Esq.	Wm Davies.	Abraham Bowdry.	Samuel Pulp.
Wm Herbert Pelham	Edwin Jones Gent.	40 Christopher Wolf.	60 Thomas Daunce.
Wm Hedges Gill.	Samuel Gee Gent.	Thomas Carroll.	Henry Underwood.
Nicholas Smith.	Edward Jackson.	John Morley.	Henry Shaw.
Abraham Hawkins.	Richard Wolfe.	Henry Clarke.	John Brumell.
Abraham Barbione.	John Watson.	Edward Gilman.	Samuel Bright.
Samuel Followes.	Hugh Griffin.	Lambert Cordy.	Wm Woodlane.
George Bassell.	John Lanford.	John Cave.	John Bind.
Abraham Harker.	Richard Newton.	Samuel Wilds.	Harman Atwood.
George Davies.	John Tolt.	John Damsing.	Nathaniel Greene.
Richard Hornbury.	Thomas Rose.	Ralph Day.	Francis Crisell.
Nicholas Bishop.	30 Robert Hemwell.	50 Richard Wadsalls.	70 John Pulsot.
John Stinton.	Edward Wat.	Samuel Sordall.	Wm Warson.
Thomas Lino.	Richard Leeds.	William Holy.	Thomas Tatson.
Anthony Fisher.	James Dumphord.	Henry Fireman.	Robert Long.
Thomas Rhigard.	Richard Blake.	Thomas Roberts.	Richard Roberts.
Wm Warden.	James Ralf.	Robert Wilson.	George Bowdy.
Thomas Holbrooke.	Benjamin Morley.	John Warren.	Henry Alldridge.
George Allen.	Samuel Davies.	Edward Devision.	Wm Warson.
	Richard Bullocke.	Henry Hombolin.	Elijah Overlott.

3364. Thomas Paulet is allowed to keepe Victualing in his house for strangers. — Paulet.

3365. Edmund Pates are to be considered by Justices and appointed 1s. a day. — Edmund.

3366. Robert Turner is granted for 15. or 16. in the Goods of Francis Smith, randmaker, for 10s. — Turner 15.
and his money is not allready disposed of.

3367. It is Ordered that in the entry of Waterstone Offices, Wagon should be put up wood — Wagon.
of Bartlet to be his Lieutenant.

3368. Robert Haywood is remitted 40s. of 5l. he was to pay for his boy, for 3 Mo. Wm Haywood, & — Haywood remitted 40s.
Henry Barkley now have undertaken to pay by the 25th of this Mo.

3369. Capt. Wm Perkins is granted his 400. arrears of Landnext Rockery, & Capt. Reynes farmes. — Capt. Perkins 400. arrears.

3370. It is Ordered that John William, & Thomas Lake shall take a true inventory of the goods in — Sign Rainbow.
the Sign Rainbow, & belonging to it, & safely bolten house, & lock bolts together with the stilds & other materials in the said Sign, & return the said inventory, & they keep of the bolts but of the Wm & only what convenient speech may be, also to enquire after some goods that may be allready gone to some ways, and to be bestowed with the owner.

3371. Samuel Hon is licensed to sell wine for a long time, as the Lords determinate for the Court. — Hon Licensed to sell wine.
Boston, either at his house where he dwelt now lett, or shall hereafter.

3372. It is Ordered that the Coopers of Boston cannot be sent to, that such as desire to joyne with the Coopers — Coopers Corn.
of Boston, about being a Company, & incorporated with Wardes to regulate things in their trade, may come into the next Sessions of Peace, & give their advice or signifie their thoughts concerning.

Petitioners.

A special commission was granted for order of this debt to Robert Holcam Esq. Will. Thomas & Mr. Wood & Mr. Clifford & Mr. Hatton & Mr. Fleetwood for the better [illegible] of the debtors & creditors & suddenly shall notwithstanding that they intend [illegible] the commissioners shall not meet for the same cause, yet and those of them, meet according to the said order. 3371

Fisher Esq. has writ to Mr. Wilkes & Mr. Fisher to appear before the Council at Norham. 3374

Small Grammar Schools. Sudbury.

Mr. Wilkes the relator hath by William Howard appointed to one small grammar school in Sudbury for the years ending 3375

Yeoly Grammar Sch. Yeoly.

Mr. Howard is required that he examine by a quest to be sent to Yeoly, whether there be any grammar school or not, and if there be, whether it be sufficiently endowed, and whether any may be sent to the same school, or whether it be expedient that there should be another grammar school erected in the said town, or not, and certify the same. 3376

Sir John Ramsden.

The petition of about by divers of the Sir John Ramsden being come to London in August last, and having their formerly to be released for the best their debts, upon his bond, for what they be delivered to them, the Council doth conceive it reasonable that the wines which shall be found to be delivered to them. 3378

Johnson 40s. grammar sch.

Ben Johnson is examined to be his bond upon the Country divers years past, which 40s. yearly 1580 wrote for nothing to the one percention of the Council out of his debts. Sir Ed. Montague, that and according to the Country, which and intreated to be from the Country.

Commissioners appointed allowed upon.

It is ordered that Mr. Treadway & Mr. Bateman shall be allowed from Court of the West Country 3379 [illegible] what they gave not [illegible] of the [illegible] 18s. 4d. [illegible] to Cornwall but by Mr. Buckhurst [illegible] Mr. Bateman [illegible] Mr. Buckhurst pale [illegible] 3s. [illegible] 3s. 4d. [illegible] Mr. Bateman pale received 2s. 4d. of the said time [illegible] 3s. 9d.

5s. Parl. Saltersfalls Cancy in Waterstone.

In answer to Mr. Robert Dilmond his petition to pay the Order for meadowes for the future 8s. 3380. [illegible] it is considered by the Council duly [illegible] explained it follows, that 5s. Parl. Saltersfalls Cancy shall [illegible] give a [illegible] to the Lords in the Council of Wales [illegible] shall [illegible] be [illegible] by [illegible] of the Agents found yearly to [illegible] & [illegible] other.

Mr. Wottington Lord Barnard & Edgar Fishing licence to Fine Withypool.

Mr. Wottington is confirmed Lieutenant of the [illegible] according to their [illegible] Thomas 3382.

Barnard & Edgar Fishing licence to Fine Withypool.

It is ordered that no man shall be allowed to keep publique [illegible] of entertainment for strangers, or [illegible] 3383.

It is ordered that no man shall be allowed to keep publique [illegible] of entertainment for strangers, or [illegible] nor shall any one keep a particular [illegible] or lodger of a [illegible] keeper, victuler, [illegible] or publique seller of wine ale, beer & tobacco, [illegible] without a warrant in the Quarter sett in the Shire where such [illegible] shall be [illegible] of [illegible] forfeiture of 20s. per week, [illegible] continue without the said licence, nor shall any person or persons [illegible] such of entertainment & sale licence shall [illegible] above 20 an alderman, [illegible] shall and shall [illegible] and formerly named [illegible] and [illegible]

Drunkard & disorder.

drinke & drunke excessively, or continue tippling above [illegible] an hour in any of their said [illegible] shall be [illegible] penalties of 5s. for every such offence [illegible] every [illegible] found drunke in the [illegible] or offence shall forfeit 10s. for every excessive drinking, [illegible] shall forfeit 3s. 4d. for sitting idle & continuing drinking above [illegible] an hour. [illegible] it is ordained to be excessive drinking of wine, when above [illegible] a pint of wine is allowed, at one time to one person to drinke. Provided that it shall be lawfull for any strangers & [illegible] or [illegible] to continue in their [illegible] of entertainment, during [illegible] time, when [illegible] lawfull [illegible] what time [illegible] shall [illegible]. It is further ordained that every tipling house shall [illegible] for entertainment of strangers [illegible] shall [illegible] for [illegible] & provender for [illegible] shall [illegible] in drunkenness, excessive drinking or [illegible] drinking by 2d. time, he shall pay 6d. [illegible] shall [illegible] into the same offence by second time, he shall pay 6s. [illegible] finds, & if the [illegible] do not able to pay the [illegible] fine, he or it that is found drunke shall be punished in [illegible] in the stocks, or for the offender in excessive, or [illegible] drinking, he shall be put in the stocks for the space of [illegible] hours, whether in [illegible] or [illegible] he shall be [illegible] time, he shall be put in the stocks for the space of [illegible] hours, & shall pay 6s. 8d. [illegible] shall be put in 2. sufficient sureties for their good behaviour.

Dover guestbook maister.

Provided it is ordained that every one alderman within their [illegible] shall may have & determine and [illegible] or [illegible] against their [illegible] & upon due [illegible] by [illegible] of the alderman, or [illegible] confession of the party to be by the said [illegible] time, he present out to the [illegible] for that only, not shall be accountable to the [illegible] of the [illegible] for the same.

forbidden to pay wages to men in wine.

Whereas it is found by the common & said experience in all parts of the Realme, that the forcing of labourers & other workmen to wine in pay for their labor, is a great mischeif, as a particular to drunkenness & unlawfull hiring, overthrowing the private dealings of a professed household, robbery & [illegible] to bondmen, the good creature of God notwithstanding abused by [illegible] of good people may [illegible] the profession of religion [illegible] & the good [illegible] of [illegible]. It is therefore ordained & ordained by this Court that no labourer or workman or servant after the 10th day next coming under what pretence soever shall [illegible] wine or make payment of any debt [illegible] by [illegible] or appointment in the same [illegible] shall be [illegible] & if it shall be found that no labourer, workman or servant shall after the publication hereof be enforced or [illegible] to wine in pay for their labor, & if any lord or [illegible] or [illegible] 3383.

shall notwithstanding offend contrarie to this Order, shall forfeit, & loose 2s. for every quart of wine, soe sold, & disposed of.

3384. It is conceived that John Eales should bee placed in some convenient place where hee should bee employed in his trade of beehive making &c. & that the Towne of Newbury should make up what his worke wanteth of defraying the charge of his livelyhood.

Eales Hive maker.

3385. The Co't considering the difficulties, that such meete with, that make Provisions for this Co't, at his motion who now maketh provision for the same for as much proportionable pay to bee made him out of the next Country Rate, as may enable him comfortably to goe through with that, which hee is called to, & may bee expected from him; doe order that whatsoever charge for dyet shall bee expended for the time to come by the present Session of the Co't, it shall bee satisfied by the severall Townes, according to their equall proportions, in Cattell, wheat, mault, or barley within 3. Monethes after the date hereof. Dated the 16th 4th Mo. 1645.

Provisions for the Co't.

3386. This Co't being sensible of the many publique employments that the Magistrates are called unto (which dayly encreaseth, & necessarily occasioneth much expence of their time to the prejudice of their families, & estates, knowing also the straitnes of things in the Countrey in such places, as they may bee called unto) doe therefore Order, that such as are this yeare chosen to the place of an Assistant, & such as shall hereafter bee chosen thereunto, shall have 500li allowed to each of them rate free, both from Towne, & Country leveyes for the space of three yeares, provided that in case anie such Assistant shall bee left out (at the day of Election, or otherwise) within the said terme of 3. yeares, that then such Assistant soe left out shall not claime the benefitt of this Order, for soe long time as hee is soe discharged from being an Assistant, & that there may bee an equall, just, & impartiall hand carried to each Towne, in the bearing of the aforesaid allowance. It is further Ordered that all such Towne, & Country rates, as shall bee equally, & proportionably layd upon the estate of an Assistant (to the value of 500li. as aforesaid) shall bee paid out of the Treasury by vertue of a Ticket to bee sent by the Constable of the said Towne, unto the Treasurer, signed, & subscribed by such said Assistant, or Assistants, whom it doth concerne, according to the true intent & meaning of this Order.

Assistants 500li estate rate free for 3. yeares. 592

3387. The Traine band at Boston having made choyce of Mr. Edward Hutchinson to bee their Ensigne, hee is confirmed in that Place.

Mr. Hutchinson Ensigne at Boston.

3388. It is conceived that the estate of Linne should bee considered by the Committee that shall bee chosen ~~by~~ for the setting of the severall Townes their due proportion the next Country Rate.

Linne estate considered.

3389. Robert Beacham his Petition is not conceived fitt to bee graunted.

Beachams Pet. not graunted.

3390. In answer to Mr. Phillips his Petition, it is conceived equall (as the ~~judgmt.~~ case standeth) that the judgmt. given to the widdow Hare, may bee satisfied by lands, or goods, or part of one, & part of the other, as the gardians of the children with their owne consent, shall accept of; & such lands as shall bee passed over to the widdow Hare, or the children for satisfaction of the said judgmt. upon acknowledgmt. of the Petitioner, & the gardians before any Magistrate, shall bee recorded by the Recorder of Boston, & shall bee a estate of a good inheritance to them against all men, provided that the Petitioner, with the Gardians of the children, with their consents, cann not agree to sequester such Land, or lands, or goods as may secure Widdow Hare, that then the judgmt. given to the widdow Hare shall bee satisfied according to Law in that case provided.

Mr. Phillips Petition.

3391. It is Ordered that the Treasurer shall pay to John Russe what is due for fferridge of the Magistrates to Dover, & demaund one halfe of the Treasurer of Dover.

Magistrates ferridge.

3392. It is Ordered that all such as received anie coppies of notes delivered in by the Generall Surveyor of Armes of what armes their Townes stand charged with, shall send in the same, or true coppies thereof to the said Generall Surveyor at Richard Fairebankes his house within a fortnight after the end of this Session.

Country Armes.

3393. It is Ordered 20li should bee allowed the Towne of Sudbury toward their finishing of their bridge, & way at the end of it, to bee paid them, when they shall have made the way passable for laden horses, for it to bee done within a 12. Moneth.

Sudbury Bridge 20li.

3394. It is Ordered that all meanes may bee used for the prosecuting & quickening the Order made about salt-peter, & that Edmund Gardiner shall have ~~40~~ 40s allowed him by the Towne of Ipswich, which 40s should bee paid by the Delinquents, & not by those who have observed the Order of the Co't.

Salt-peter.

3395. The meddowes desired by Exeter, none appearing to challenge any propriety in them, it is not thought meete to meddle with them. John Legat is chosen Clarke of the writts at Exeter. Anthony Staniam, Robert Smith, & John Legat are appointed to end small causes att Exeter.

Meddows desired by Exeter. Clarke of the Writts & Causes at Exeter.

3396. Whereas the summe of 40li was by this Co't given to John Johnson, in reference to his service (to the Countrey past, & forasmuch as some part of those moneys which were assigned to him for it, the Treasurer hath received; It is therefore Ordered that the said John Johnson shall gather up all those moneys formerly assigned to him, & what it shall of yt. the said John Johnson is to receive, hee is to receive it of the Treasurer, provided that hee shall give in just account (the next Co't) of what hee receives of those moneys formerly assigned him, & what received.

Johnson 40li.

3397. Whereas great losse, & damage doth accrue this Common Wealth by wolves, which doe destroy soe great numbers of Cattell (& notwithstanding Order hath bin taken by this Co't for the suppressing of them, wee find but little done this way) for the better encouragemt. of anie to sett about a worke of soe great ~~concer~~ concernment; It is Ordered, that any Person, either English, or Indian, that shall kill any wolfe, or wolves, within ten miles of anie Plantation, within this Jurisdiction, shall have for every wolfe, soe killed by him, or them, 10s to bee payd out of the Treasurie of the Country, provided, that due proofe thereof bee made unto the Plantation next adjoyning, where such wolfe, or wolves were killed, & also that they bring a certificate under some-

Wolves. 10s.

306

Magistrates hand, or the Constable of that place, unto the Treasurer; provided also that this Order doth only intend such Plantations as doe contribute to publique charges, & for such Plantations upon the River Pascataq that doe not joyne with us to carry on publique charges, they are to make payment upon their owne charge.

Repeale. The Order for allowing 3 quarts of wine or a bushell of Indian corne to any Indian for killing a wolfe is hereby repealed:

Publique Fast. It is ordered that the 26th 4th month be kept a day of publique humiliation in all the churches. 3398

Adjo'nment. It is ordered that the Courte at Salem is adjo'ned to the 8th 8th month. 3399

Adventurers in the iron-worke. Whereas it is now found by sufficient proofe, that the iron worke is very successfull (both in the richnes of the oare, & the goodnes of the iron) & like to be of great benefit to the whole Countrey, especially if the inhabitants here should be interested therein in good proportion (one halfe at the least) & whereas the time limited for Adventurers to come in will be expired in the 9th month next: This Courte taking it into serious consideration, & being carefull that such an opportunity, for soe great advantage to the common wealth might not be lost, they have taken order that speedy notice thereof should be given to each Towne, within this Jurisdiction, expecting that all such persons as are of sufficient ability, & intend their owne benefit, with the common good, will forthwith appeare to come in to share in this worke, according to their abilities; & for their better instruction, & direction therein, they are hereby to understand that there is allready about betweene 1200 li & 1500 li laid out, wherewith the furnace is built, with that which belongeth to it, & good quantity of mine, coale, & wood provided, & some tunns of sowe iron cast, & some other things in readines for the forge; they are also to know that noe Adventurer is to put in lesse then 100 li but divers may joyne together to make up that summe, for it comes all under one name; there will be need of some 500 li to finish the forge, &c. which will be accepted in mony, beaver, wheate, cattle, or any such commodities as will satisfie the workmen, & they are to be payd in to Mr Henry Webb of Boston, by such direction as they may receive from the Undertakers, Mr John Winthrop Junior, Major Sedgwicke, Mr Henry Webb aforesaid, & Mr Joshua Hewes; the new Adventurers are also to know that they must beare their part in such losse as is befallen the 1st stocke, by sufferance, or otherwise, to the time of the new Adventurers paying in their contributions, & all such as will adventure, are desired to hasten their resolutions, that the worke may goe on speedily. 3400

Mr Symonds house assured to Lawson. Upon the Petition of Christopher Lawson, who purchased the house of Mr Henry Symonds deceased, not having good assurance or delivering of the same, Mr Walker being husband to the late wife of Henry Symonds together with Susan his wife acknowledge the performance of the bargaine, as the Petitioners alledge, we are willing that the Courte should confirme unto him, the house, which Henry Symonds sold unto him; unto which the Courte consented. 3401

Against lying. Whereas truth in words, as well as in actions is required of all men, especially of Christians, who are the professed servants of the God of truth, & whereas all lying is contrary to truth, & some sorts of lyes are not only sinfull (as all lyes are) but pernicious to the publique weale, & injurious to perticuler persons, It is therefore ordered that every person of the age of discretion, which is accounted 14 yeares, who shall wittingly or willingly make or publish any lye which may be pernicious to the publique weale, or tending to the damage or injury of any particuler persons, or with intent to deceive, & abuse the people with false newes, or reports, & the same duly proved, in any Courte or before any one Magistrate (who hath hereby power given him to heare, & determine any offence against this Law) such person shall be punished after this manner: for the 1st offence 10s, or if the partie be unable to pay the same then to sit in the stockes, soe long as the said Courte, or Magistrate shall appoint, not exceeding 3 houres; for the 2d offence whereof any shall be legally convicted the summe of 20s, or if the partie be unable to pay then to be whipped upon the naked body, not exceeding ten stripes; for the 3d offence, forty shillings or if the partie be unable then to be whipped with more stripes, not exceeding 15. & if yet any shall offend in like kind, & be legally convicted thereof, he, or shee shall be fined 10s a time more then formerly, or if the partie soe offending be unable to pay, then to be whipped with 5 or six stripes more then formerly, not exceeding 40 at any time; the aforesaid fines to be levied, or stripes to be inflicted by the Marshall of that Jurisdiction, or Constable of the Towne where the offence is committed, according as the Courte, or Magistrate that shall judge the cause shall direct, & such fines soe collected shall be payd to the Treasury of that shire where such cause is tryed; & if any person shall finde himselfe agrieved with the sentence of any Magistrate out of Courte, he may appeale to the next Courte of the same Shire, giving reasonable security to prosecute his appeale, & abide the order of the Courte, & if the said Courte shall judge his appeale causelesse, the said Appealant shall be double fined, or corrected by whipping as aforesaid, not exceeding the number of 40 stripes, & pay the costs of Courte, & of the partie complaining, or informing, & witnesses in the case; And for all such as being under age of discretion, shall offend in lying contrary to this Order, their Parents or Masters shall give them due correction, & that in the presence of some Officer, if any Magistrate shall soe appoint; provided also that noe person shall be barred of his just action of slander, or otherwise, by any proceeding upon this Order.

Concerning sheep. Forasmuch as woollen cloth is soe usefull a commodity, without which wee cannot soe comfortably subsist in these parts by reason of cold winters, it being also at present very scarce, & deare amongst us, & is likely shortly soe to be in those parts from whence wee can expect it, by reason of the warres in Europe, 3403

destroying in a great measure the flockes of sheepe amongst them, as also the trade & meanes it selfe of makeing woollen clothes, & stuffes, by the killing, & otherwise hindering of such workmen whose skill & labo^rs tended to that end, by wch meanes through the want of woollen clothes & stuffes many poore people have suffered much cold and hardshipp to the impairing of some of their healthes, & the hazarding of some of their lives, & such who were not able to provide for the clothing of their children cotton cloth (not being able to gett other) have by that meanes had some of their children much scorched with fire, yea divers burnt to death: This Co^rt therefore (taking into serious consideration o^r present condition in that particuler, as also having an eye to the good of posteritie, knowing how usefull & necessary woollen cloth, & stuffes would bee, for o^r more comfortable clothing, & how profitable a merchandize it is like to bee to transport to other places, doth hereby desire all the Townes in generall, & every Towne in particuler, within this Jurisdiction seriously to weigh the premises, & accordingly, that you will carefull endeavo^r the preservation, & encrease of such sheepe as they have already, as also to procure more with all convenient speed into their severall Townes, by all such lawfull wayes, & meanes, as God shall putt into yor hands, & for the better effecting hereof wee thinke meete that it be propounded to each severall Towne, being called to assemble together to know who will buy ewe sheepe at the rate of 40^s a peece, under 3 yeares old, & how many they will bee bound to buy, & in what they will make payment that so there may bee some course taken for the sending for them into other partes abroad, & that each Towne will appoint of themselves, who shall take the names of such as are willing to further this worke, together with the number of sheepe they will buy, & the nature of their pay as aforesaid, & shall returne the severall notes to Major Gibbons who lives at Boston, at or before the 1st of the 7th moneth next, & further it is desired that such as have an opportunitie to write to their friends in England who are minded to come unto us, to advise them to bring as many sheepe with them, as conveniently they can, allwayes being mindfull endeavo^r, wee leave the successe to God.

3404 Whereas an imposition was lately sett upon all wines, wch should bee retailed or expended, within this Colonie, in the execution of wch order, much difficulty & inconvenience hath bin found, wch hath bin observed to arise from hence, that all wines not being subject to like imposition, such as were retailed, could hardly be distinguished many times from such as were like to bee free, & so the intent of the said order in great part frustrated: It is therefore ordered that all wines, wch shall bee brought into this Colonie in anie shipp or other vessell either of o^r owne, or of straingers, whether English, Dutch, or others, shall pay (by way of custome or imposition) the 24th part of all the true value of all such wines so brought & here landed to bee sold, to bee rated according to the price current among merchants here, & for this end the master, or merchant of every shipp wherein anie such wines shall bee brought, shall within 48 houres after his coming to anchor, & notice given him by the officer appointed thereunto, repaire unto the Governo^r, or Deputie Governo^r, or in their absence to one of the next magistrates, & before them deliver in a true invoyce of all such wines, as shall bee aboard his shipp, with the quality of them, & if anie such master or merchant (after due notice of this order, as aforesaid) shall deliver on shore, or into anie other vessell out of his shipp anie vessells, or vessell of wine to the value of 20 gallons, before hee have given in a true invoyce, as is here appointed, the same wine so convoyed out of the said shipp shall bee forfeit. And it is further ordered that all such as are or shall bee licensed to retaile wines shall, over & above the imposition above mentioned to bee paid upon the landing ~~thereof~~ shall pay for every butt of wine, & soe proportionable for every smaller vessell, the 20th part of the value of such wine to bee rated according to the currant price among merchants at Boston. And it shall bee lawfull for the officer appointed thereunto, to enter into the houses, & sellers of all such as are licensed to retaile wines, at all convenient times to take notice of the quantity, & quality of all such wines, & may require paym^t of the said imposition quarterly, & upon refusall or nonpaym^t shall repaire to anie magistrate, who shall have power to convent the partie, & upon hearing the cause to graunt execution for levying what shall bee due according to law. And this Co^rt or Co^rt of Assistants shall have power from time to time to appoint an officer who shall have authoritie to demaund, & take the said imposition according to this order, & at the coming in, & what shall bee transported out of this jurisdiction, by such as bring it hither, not breaking of it, shall bee rebated him, or them, when its carried out. This order to bee of force upon the expiration of the tearme of the imposition sett upon wines by the former order, & the former order to stand from thenceforth repealed, & void.

Imposition on wines. 595

3405 It is ordered that the Marshall shall demaund, & take of all masters, & merchants the tunnage, or anchorage (wch by o^r [illegible] times appointed) ordered by this Co^rt to bee paid, & of the masters & merchants of those shipps now come at anchor, & of all others that shall come in hereafter, according to former order, the Marshall to give an account to the five Townes Committee.

Anchorage 6^d.

Questions of the Cap. of the Castle answ.

3406 An Answer to severall Questions propounded to the Generall Co^rt

by the Captaine of the Castle the third moneth 1645.

Imprimis to the 1st Question: Answer, yor constant Garrison from the severall Townes shall bee 20 men for the three Monethes in the sumer halfe [illegible]ing from the first of the 1st Moneth, & 10 men for the winter season beginning the 1st of the 9th Moneth, the which Garrison both in the sumer, & winter season, you have libertie to dispose of according to yor best skill either by day or night, for the safetie of the Castle & Iland, according to the 6th Article of yor Commission, & for provision of dyet for yor Garrison you shall have one Moneths dyet for the wch Garrison allowed in store before hand, above yor ordinary provision, during all the time of their abode there.

To the 2d: Answer, There is noe constant minister to bee expected, but the Lord having furnished yor selfe with able giftes, you are to take care of the Garrison as of yor owne family, only upon the Lords dayes, when there is not apparent danger, you may when you see cause give leave to halfe of yor Garrison to come up to publique ordinances, in their turnes, & yor selfe every other Lords day, if you desire, & substitute some other of the ablest amongst

them to take care of the rest, [illegible]. To the 3d: You shall receive a drumme of the Treasurer, & make
use of the [illegible] till new be provided. To the 4th & 5th: [illegible] that you should have to every
4 peeces of Ordnance one barrell of powder, 20 shot, & 10 [illegible] of match, & one barrell of powder for the musketteirs, with 200
weight of musket bullets still in store, & for all the [illegible] from time to time wee commit
to yo[u]r care & account. To the 6th: There shall bee one only master gunner, [illegible] of the Garrison to traine the rest, to
assist him, as you shall find able & [illegible] that way. To the 7th: One 3d part of the Iland shall appertaine to yo[u]r
selfe for the time of yo[u]r abode there; [illegible] part to the gunner for his [illegible], & the rest to bee disposed of the Garrison, to bee
set out according as yo[u]r selfe shall judge meete, & the [illegible] during their con-
tinuance there. To the 8th: You shall not suffer any stranger that shall come [illegible] the Iland, or [illegible]
by night or day to infringe yo[u]r authority, or to put any affront or [illegible] yo[u]r selfe or Garrison, or any way to en-
danger yo[u]r saftie, & if any shall give you just cause of suspicion of such [illegible] you may [illegible] them, under command, to exami-
nation, & [illegible] from landing [illegible] & commit them to [illegible]
die according to yo[u]r Commission. To the 9th, concerning Goodman [illegible] not [illegible] it [illegible]. To the 10th: You may
send aboard every ship, & acquaint them with the orders of the country. To the 11th wee [illegible]
to the [illegible] you [illegible]. To the 12th: [illegible] you to [illegible]
[illegible] an extremity [illegible]
of some greater strength of yo[u]r enemies, when you are [illegible] without provision [illegible]
[illegible]
[illegible] supply from them, [illegible]
[illegible]
[illegible]
[illegible]
[illegible] of the country, [illegible]
of the country, [illegible]. The [illegible] Generall [illegible]
[illegible] with the former Commission [illegible]

Castle Captaine invested. [illegible] anchor there shipps. It is ordered that all ships [illegible]
quiet riding there [illegible] 3408.

[illegible]. It is ordered that [illegible] shall be [illegible]
[illegible] 3409.
[illegible]
[illegible] shall supply [illegible]
[illegible]

[illegible]. It is ordered [illegible] 3410.
[illegible]
[illegible], either by a Jury of [illegible], or otherwise according to [illegible], & to give the [illegible] shall find
capable thereof.

[illegible]. It is ordered [illegible] William [illegible] shall require [illegible] 3411.
[illegible] to the country, [illegible] demand for [illegible]
[illegible]
[illegible]

[illegible] Comittee [illegible] a Body of Lawes. For the County of Suffolke, the Gov[erno]r [illegible] Duncan, & M[r] [illegible] 3412.
are chosen a Comittee to meete togeather, & draw up a Body of Lawes, & to present them to the consideration of the next
Generall Court. For the County of Midlesex, M[r] [illegible], M[r] [illegible], M[r] Thomas [illegible], M[r] [illegible], Capt.
[illegible], are chosen a Comittee to meete togeather, to consider of, & draw up a Body of Lawes, to present
them to the consideration of the next Generall Court. For the County of Essex, M[r] Bellingham, [illegible]
[illegible] Rogers, M[r] [illegible], M[r] Ward, & M[r] [illegible] are chosen a Comittee, to meete togeather, & consult of, & draw
up a Body of Lawes, & present them to the consideration of the next Generall Court.

[illegible] concerning [illegible]. [illegible] 3413.
Willoughby [illegible] the next session of the [illegible]
M[r] Pelham, & Capt. [illegible] M[r] [illegible] are chosen, [illegible]
[illegible] in their severall shires, [illegible] to examine them, [illegible]

[illegible]. It is ordered, that the [illegible] at Salem [illegible] that they [illegible] 3414.
same the last yeare, according to former [illegible].

[illegible] generall trade. It is agreed, that the [illegible] generall trade, for the adventurers [illegible] 3415.
[illegible] to the last [illegible]
[illegible]
The Clause in the order for the generall trade, [illegible] jurisdiction is [illegible]

[illegible]. M[r] Bradstreet, & M[r] Symonds, are appointed [illegible] for the yeare ensuing; Capt. [illegible] 3415
M[r] [illegible], & M[r] Smith are appointed associates with them.

[illegible] Company [illegible]. Whereas Sergeant Major Generall [illegible], M[r] William Hathorne, Capt. Robert Bridges, & divers 3415.
other Gentlemen of Salem, & Linne out of their care for the safetie of the publique weale, by the advancement
of the military art, & exercise of armes, have desired of the Court to joyne themselves in one Company, and
to exercise themselves at such times, as their occasions will best permit, & that such other privileges [illegible]
might bee granted them, as the Court shall thinke meete for their better encouragement, & furtherance, in the-

dishfull employment who respect of their being poore & considered of all examples, & do order as follows.
Imprimis, that the Bailiffs of Sudbury and Maior and all the Aldermen of Sudbury do relieve & order the Poore
in Sudbury from Michaelmas Eve last past, viz. Sergeant Thomas Dolfray, & his company, & they shall from time
to time take into their Company, shall be called the Military Company of Salem, & limit to 30 Men, & the
greatest number of them shall be the Corp. Lord, & all other Officers, the Corp. Lord to have
allowed for his pay the next [illegible] the same time shall allow 1. 30s. Yearly Liberty, & order to be order
ed amongst themselves for the better managing of their Military Affairs, not repugnant to the Lawes of the Re
gimition, nor to order care of them after their multiplying of them, to the said Military Company, & they may ap
point an officer to be said Sergeant or Corporal, after they shall myster in the said Company, for
the [illegible] same purpose, so as the same do not exceed 20s. a month, & that the Military Com
pany shall provide & provide themselves Households for their Military Service, & other of the Council of Salem, as time
ad shall, as they think.

Now we Mr. Simon Bradstreet, Capt. Dan. Denison, Lieut. Dennis Crane: Militaris Companie of
Lynn, Newbury, Rowley, &c.
Capt. Sergeant John Remington, Left. Richard Wise, Gentlemen of Lynn, Newbury, Rowley, Ipswich, & Hampton, out of their care to their multiplying & the advancement of the Military Affairs of
the Country, gave desired of the Court to grant them Households in and amongst them, to give liberty to exercise themselves,
at their times, as their occasions will best permit, & that they should be granted them
as the Court thinks meete for their better encouragement & furtherance in their dishfull employment, respect of
their poverty, considered of all examples, & follows.

Imprimis, that the above said Gentlemen, & officers of the Country of Ipswich
Newbury, or Rowley, or any of their Bailiffs.

Now we Mr. Gentlemen, & officers of the County of Ipswich, Newbury, or Rowley, or any of their Bailiffs, by the advancement of the Military Affairs & security of Country, gave
desired of the Court to grant Households in our Company & give liberty to exercise themselves, at their times, as their
occasions will best permit, & that they should be granted them, as the Court shall think meete
for their better encouragement & furtherance in their dishfull employment, respect of their poverty, & con
sidering of all examples, & follows.

Imprimis, that the said Gentlemen, Sergeant Thomas Crane, Lieut. Dennis, Left. John, & their officers are and should be granted them, & their as they shall from time to time take into their Com
pany, shall have & be called the Militaris Companie of Middlesex. 2. That they, or the greatest number of them,
shall have liberty to exercise themselves, & all other officers, their Corp. Lord, & Lieutenant to be sworn and have
all that this shall allow of. 3. That they have liberty, & power to make Orders amongst themselves for their best
managing of their Military Affairs, not repugnant to the Lawes of this Country, nor Orders shall be of force to
be pressed in pressed to the aforesaid Company. And they may appoint an officer to levy fines, & forfeitures, which
they shall report upon oath to the said Company for the levying of same, so as the same exceed not 20s. for
one Bond. 4. That the said Military Company shall assemble themselves for their Military exercises in our
Country by them ordered to be assembled in, in the County of Middlesex, at their pleasure, provided this Days
of exercise be not at any time, as may hinder the Military Assembly of Suffolke.

Militaris Companie of Middlesex.

3416. Dorchester, & Sagamore complaining to us, to many Indians dwelling 20. miles beyond Boston, Indians &c.
desired to be Mercamandled in their present warrants with Dnall are now upon their Lands, & have planted upon
the same against their wills, they not being able to remove them, & therefore desired Counsell & help, how
we should do in this case, & seeing a Messenger to the Sachim of Pocasset intended to come to us, to give an account of their
old intrusion, if we refuse to come, then it is to be feared we should be forced to wrong them, & deprive them of their Lands,
Sachimes their Lands, with allso if they refuse to come, then we shall account them as Enemies.

A Rate.

3417.

Ipswich	095.	00.	0.	Dedham	020.	10.	0.	Lynne	025.	00.	0.
Weymouth	050.	00.	0.	Dorchester	035.	00.	0.	Hingham	060.	00.	0.
Braintree	090.	00.	0.	Watertown	044.	05.	0.	Roxbury	023.	00.	0.
Concord	049.	17.	6.	Cambridge	045.	00.	0.	Salisbury	010.	00.	0.
Roxbury	00.	00.	0.	Charlestown	050.	00.	0.	Newton	060.	00.	0.
Boston	100.	00.	0.	Salem	050.	00.	0.	Rowley	035.	00.	0.
	2n.	17.	6.		3[illegible].	05.	0.		[illegible].	10.	0.

Sudbury	011.	05.	0.
Glocester	007.	00.	0.
Medford	007.	00.	0.
Woburne	009.	00.	0.
Woodman	003.	00.	0.
Glocester	004.	17.	6.
	033.	12.	6.
	583.	02.	6.
	616.	15.	0.

The Levy of 4 616l. 15s. 0d. on Towns proportion is, as above specified, it determined, that Towns
shall pay no calls of their Rate to the Treasurer, unless 3. Men of a Town in Detail to be valued, by 3 men of
Differently chosen by the Deputyes, & Brewer Bonded in Water money, wheate at 4s. 4d. barley at 4s.
rye at 3s. 6d. peas 3s. 6d. Indian corne 2s. 8d. & Russell in the other, Rates at or before the last of the Month next.

3418. Upon a very the weighed moveing. It is Ordered that Mr. Samuel Sewall and Mr. Hilton, be Members of Court
Stoughton (lately a worthy Member of this Common Wealth) shall be allowed out of the Publicke gift, a Boy, or
Girl.

3419. Upon sight & consideration of a letter from Mr. Graine of Lynfield, concerning the great losse, & full simplicity
some upon the of the Indians gave Justinian, by the loss of the Ship taken by Capt. Slade in the Darbie
how desire unto all, that the Court would please to provide [illegible] for their redress. It is Ordered

usefull employmt, which request of theirs being heard, & considered of is graunted, & doe order, as followeth. Imprimis, wee doe order that Sergeant Maior Generall John Endicott, Capt. Robert Bridges, Mr. Wm. Hathorne, Mr. William Clarke, Ensigne Wm. Dixie, Sergeant Thomas Lathrop, & the rest, as they shall from time to time take into their Companie, shall bee called the Military Companie of Salem, & Lynne &c. 2ly They, or the greatest number of them, shall chuse their Capt. Leivt. & all other Officers, their Capt. & Ensigne to bee allowed such as the next Gen. Ct. for the same shall allow of. 3ly They have liberty, & power to make orders amongst themselves for the better managing of their Military affaires, not repugnt to the lawes of the jurisdiction, which orders are of force after the publishing of them, to the said Militarie Companie, & they may appoint an officer to levie anie fines, or forfeitures, which they shall impose upon anie of their said Companie, for the breach of anie such order, soe as the same exceed not 20s for anie one offence. 4ly That the said Military Companie shall have libertie to assemble themselves for their Military exercise in either of the Townes of Salem, or Lynne, as often, as they please. Whereas Mr. Symon Bradstreet, Capt. Dan. Denison, Leivt. Edmund Greenelefe, Ensigne John Whittingam, Sergeant John Remington, with divers other Gentlemen of Ipswich, Newbury, Rowley, Salisburie, & Hampton, out of their care to the publique weale, & the advancemt. of the Military Art, & exercise of Armes, have desired of the Ct. to joyne themselves in one Companie, & to have libertie to exercise themselves, at such times, as their occasions will best permitt, & that such other liberties, & priviledges might bee graunted them, as the Ct. should thinke meete, for their better encouragement, & furtherance in soe usefull employmt, which request of theirs being considered of is graunted, as followeth. Imprimis, Wee doe order that Mr. Symon Bradstreete, Capt. Denison, Leivt. Greenelife, & the above named Gentlemen, & such others, as they shall from time to time take into their Companie, shall bee called the Militarie Company of Ipswich, Newbury, & Rowley &c. 2ly That they, or the greater number of them, shall have libertie to chuse their Capt. Leivt. & all other Officers, their Capt. Leivt. & Ensigne to bee allwayes such as the next Gen. Ct. [illegible] shall allow of. 3ly That they have libertie, & power to make Orders amongst themselves for the better managing of their Militarie Affaires, not repugnant to the Lawes of this jurisdiction, which Orders shall bee of force after the publishing of them, to the aforesaid Companie & they may appoint an Officer for the levying of anie fines, or forfeitures, which they shall impose upon anie of the said Companie, for the breach of anie such Order, soe as the same exceed not 20s for any one offence. 4ly That the said Militarie Companie shall have power to assemble themselves for their Military Exercise in either of the said Townes of Ipswich, Newbury, or Rowley, as oft, as they please. Whereas divers Gentlemen, & others of the County of Middlesex out of their care of the publique weale, & safetie, by the advancemt. of the Militarie Art, & exercise of Armes, have desired of the Ct. to joyne themselves in one Companie, & have libertie to exercise themselves, at such times, as their occasions will best permitt, & that such other Priviledges, & Liberties might bee graunted them, as the Ct. shall thinke meet, for their better encouragement & furtherance in that usefull employment, which request of theirs bee heard, & considered of, is graunted them as followeth. Imprimis, Wee doe order that Capt. George Cooke, Leivt. Mason, Leivt. Johnson, & such others as are alreadie joyned with them, & such as they shall from time to time take into their Companie, shall bee called the Militarie Companie of Middlesex. 2ly That they, or the greatest number of them, shall have libertie to chuse their Capt. Leivt. & all other Officers, their Capt. Leivt. & Ensigne to bee such as the next Ct. of that Shire shall allow of. 3ly That they have libertie, & power, to make Orders amongst themselves, for the best managing of their Militarie affaires, not repugnant to the Lawes of this jurisdiction, which Orders shall bee of force, when they have bin published to the aforesaid Companie; And they may appoint an Officer to levy fines, & forfeitures, which they shall impose upon any of their said Companie for the breach of anie such Order, soe as the same exceed not 20s for one offence. 4ly That the said Military Company shall assemble themselves for their Military Exercises, in anie Towne by them ordered to bee assembled in, in the County of Middlesex, at their pleasure, provided, their dayes of exercise bee not at such times, as may hinder the Military Assembly of Suffolke.

Militarie Companie of Ipswich, Newbury, Rowley &c

Militarie Companie of Middlesex.

3416. Pomham, & Sacononoco complayning to us, so many Indians dwelling 20. miles beyond (being friends, & subject to the Narrowgansetts in this present warre with Uncas) are now upon their Lands, & have planted upon the same against their wills, they not being able to remove them, & therefore desired counsell, & helpe, Wee therefore advise them to send a Messenger to the Sachim of those Intruders, to come to us to give an account of such his intrusion, if hee refuse to come, then wee would have a Messenger to charge him to depart from Pomham, & Sacononocos Lands, which after if they refuse then wee shall account them as Enemies.

Pomham &c

3417. A Rate.

Hingham	035.00.0	Dedham	020.00.0	Linne	025.00.0	Sudbury	011.05.0
Weymouth	0[illegible]0.00.0	Concord	015.00.0	Ipswich	06[illegible].00.0	Medford	007.00.0
Braintree	030.00.0	Watertowne	041.05.0	Newbury	023.00.0	Woborne	007.00.0
Dorchester	045.17.6	Cambridge	045.00.0	Salisbury	010.00.0	Wenham	003.10.0
Roxbury	05[illegible].00.0	Charlestowne	05[illegible].00.0	Hampton	010.00.0	Glocester	004.17.6
Boston	100.00.0	Salem	0[illegible].00.0	Rowley	0[illegible].00.0		033.12.6
	2[illegible].07.6		2[illegible]1.05.0		1[illegible].10.0		583.02.6
							616.15.0

This Levy of £ 616li 15s each Townes proportion is, as above expressed, its determined, that each Towne shall pay one halfe of their Rate to the Treasurer, within 3 Moneths in Cattell to bee valued, by 3 men indifferently chosen by the Treasurer, & the remainder thereof in beaver, money, wheate, at [illegible] 4s barley at 4s rye at 3s 6d pease 3s 6d Indian corne 2s 8d ye bushell, & the other halfe at, or before the last of the 1st Month next.

3418. Upon weightie reasons moving: It is ordered that Mrs. Chamberline widdow sister to Mr. Israel Stoughton (lately a worthy Member of this Comon-wealth) shall bee allowed out of Mr. Andrews gift, a Cow, or

3419. Upon sight, & consideration of a letter from Mr. Browne of Bristoll, concerning the great losse, which himselfe & some other of his friends have sustained, by the losse of the Shipp taken by Capt. Stagg, in Ch. Harbor, & their desire withall, that this Court would please to Petition the parlamt. for their releife: It is order

Warrant for the Sheriff of Gloucester. 3420.

Dorcam behind delivered. 3421.

Moved Overhead.

Petitioned fines 13s. 10d.

Barnet to have possession.

Mr. Winstanley moved.

Mary to have the warrant at Chancery.

Petitioned at Chancery.

Petition for more bounds.

Petition granted. 3422

Petition. 3423.

Petition. 3424.

Petition. 3425.

Petition. 3426.

Petition. 3427.

Petition. 3428.

Petition. 3429.

Petition. 3430.

Petition. 3431.

Petition. 3432.

Petition. 3433.

Petition. 3434.

his warrant be discharged, & satisfied under the penalties of the Chamberlaine defaut you shall make be given in order
to be on yor personall estate, bailiffe marshall within 24 houres after same before made by you in ample & sufficient
sort, also you are required by the 6th of August next to bring on yor Chamber part of yor rate, 14s, & to pay the same
to Mr Richard Dauenport in regard as long as they may, and he shall finde the bring to be paid in, at that
period, for default whereof this shall be the sufficient warrant that shall issue out of the Court to the generall Constable,
Constables, Tithingmen, & Burghers to send for that 2 men & pay, & pay the power & charge to pay & pay
no supplies of town, & not men.

3432 It is Ordered that Major Fry indeed shall allowed him fourtie left yearly service, and Governor, & yearly
yearly satisfied a part of the said 100 Lib. Lib. further granted that in case the said Major General shall put
in bailes to the Court for the accompt of the mutineers and the aforesaid received in part of the said Summe
into the Treasurie within 2 years after Michaelmas of the date hereof that then the Court doth by warrant to the
said Major General, the summe of 100 to be paid him, or his assigns out of the Treasury.

3433 Whereas you Sergeant Major Gibbons are upon the Illustrious affairs of the Trained Bands of the Towne
of Boston, you are by this Court required & authorized to supervise & have to be kept before the said Trained Bands
from all scandal & mutinous attempts, or insurrections, & the said Bands is committed into your charge, all
sort of Armes, with the said Towne, with all the Ordnance & ammunition to the same belonging, & you
shall give allowance in redeemed, no Barrell of powder, for every 6 pound of Ordnance, with 12 shot, & so
many, if any shall within the garrison shall quarrell, & stole out at unseen, upon the people, as shall
be ordained, you shall use your best endeavour & power to stay & suppress the mutiny, & endeavour to come shall
the ringleaders, under Commands, & so keep in order until the Magistrates may assemble, with further Order
& direction you are to observe & you shall take order to have allowance some indeed Lib. for the in ad-
dition, for ample service you shall have occasion to employ them in by order of a Commission, & you are to give no-
tice of the Order of this Commission to all Officers within the Towne of Boston, Charlestown, Dorchester, within 24 houres
after the receiving to assist upon ample occasion of yr delegates, you shall bind yr bond, or
recognizance to the Court to take care of yr charge, this Commission to continue during the pleasure of the Court.

3434 The like Commission is granted to Sergeant Major Gibbons in Charlestown.

3435 It is Ordered that Brantree shall pay about out of the next levy for their Deputies lodging 10s.

3436 It is Ordered that the Towne shall pay unto Charlestown Deputies for their lodgings 2s.

3437 It is Ordered that Goodman Norman shall pay 13s 4d to the Court of Richard Norman as gratuity for his service and
pained his Deputies about the Court, and a debt to the above Richard in the Court.

3438 The Court have appointed James Penn to take account of what is due to the Country for the Beaver Trade
& for the 4th 6d for every pelt, & to give to the Gunners and Mr Cotton Johnson Finds, at 13s to
pay to take the Gunners & Mr Holland can direct about the Beaver Trade.

3439 It is Ordered that letters shall be forthwith written & sent to the Commissioners of the United Colony,
to desire their speedy meeting here at Boston to consider of the matters and ample urgent needs by
this Court to the Commissioners, that their determinations & Resolutions may be sent to the Court.

3440 It is Ordered that Richard Norman shall have allowed 13s for lodging 3 of the Deputies, & the Governor
man & Deputies 10s for lodging one Deputie.

3441 It is Ordered that a letter shall be sent to the Narragansetts to desist from wars upon Indians.

3442 It was Ordered that a letter shall be sent to Benedict Arnold & Deputies delegate to the Sagamore of the Pe-
quidoes to require him to come to the Court from the Lands of Mohegan & Groton.

3443 Upon a debate about the rate of Sergeant Major, & other ranges for Marshal of the Towne with five pounds
each, & Millitary watches. It is hereby concluded & ordered that it is a burthen of the Office of Sergeant
and Major of the Towne at this time, that from the 16th Day of the 8th Month, being the 4th Day of March
the Trained Souldiers of every Towne in each Towne within this Jurisdiction shall nominate & choose a
man or men, as they shall see fit, to be the Sergeant Major of the Regiment, & that not only those
that all that have been Officers or shall have been before the date hereof, but all others
may take a Book of the Roll of Trained men Names, find it a great burden to some, yet they have so much
work need, to carry the name of their Regiment for the Office aforesaid. It is Ordered that Mr Wood is
hereby given to the Court, as in before specified, to the next Court Officers of the Company in all Towns to dismiss
that he shall satisfy the Court, or shall be satisfied and are willing to take the same before the Court in their Order, & that all
that do take the Order, to be certified to the next Court of that Company to be warned, upon Order of the Court
Summons shall be sealed up, & delivered to one or both the Constables of the said Towne in ample other Officers that
the Towne shall appoint, & they to carry them to the Five Towns of every Company then the 23 Day of the 8th Month
& the Order in the Summons, & Warrants are in 2 of the Magistrates of the Towne to upon the service, to be
said Deputies, a Freeman of the Court shall take the greater number of votes, being a Freeman to be a Deputie
by one of the Magistrates of each Five Towns to the Sergeant Major Generall within one week at most after the
Election, the Court shall establish, confirm, & shall be each Sergeant Major, & shall be for one years, & they to elect their
place, & Warrants a new Election be made by order of the Generall Court, this to avoid the tyranny of a place for
ever, & that still a new Election be made by order of the Generall Court, this to avoid the tyranny of a place for
ever, & that to some of ample Burthen of the place, & be removed out of them, the Sergeant Major Generall
shall within one Month at the further place, & ranges, shall be one of the Towns, in the same
place to make up the one, or other Marshal according to the same above mentioned. And that every Sergeant
Major shall not only be, but also be one year, or two of years at least, & after upon ample occasion
& contained, shall be Major General, to draw up the Trained Souldiers, & to put the
Regiment, & chief of the Companies in their place, & to instruct them in their duties according to the rules of -

Mr Endicot 100.

Major Gibbons to keep peace in Boston, & Charlestown.

Major Gibbons at Charlestown.

Brantree debted 10s.

Goodman Charlestown 20s.

Goodman Norman 13s 4d.

Account about the Beaver trade, & yearly for taxation.

Commissioners United Colony.

Deputies charged.

Letter to the Narragansetts.

Pequoyes to come.

Sergeant Major Gibbons in Suffolk.

Major General shall be Sergeant for a new Regiment.

Power to Mayor [illegible]

Constables [illegible]

Nobelle

Ord. [illegible]

Clerkes oath.

[illegible] Pynes.

[illegible] Clerkes of [illegible] Bonds.

3441

3442

and hereinall to hazard the killing of any person or persons, except in his own necessary defence: but if he shall require it, he shall raise an alarme or retreat to the Corp: of Guard.

3446. In regard that there is no Magistrate at Westratogue Commission is granted by his Maiest: to Capt: Wiggon, & he other Officers, there, to see to the preservation of the peace & any 2 of them, to heare & determine small Causes, of civill nature, not exceeding 5li, & keep criminall Offenders as the Law shall appointed, to some penalties for, either by whipping, stocks, or fines not exceeding 20s, & referring liberty for appeals.

3447. Also was granted to 7 of Rhuylier Colonel men La Fontaine, Delambie, St Julien, La Diette, La Roche, La Gruenne, La Diette, Esquire, & Egg 7 shall bee allowed 7th in provisions, on the Commoys Tenge. 7 men of Colonel 7.

3448. The Order agt drinking one to another is generally repealed. Repeal.

3449. The Court is adjourned till the 1st 4th day of the 8th Moneth, Forenoone, the Governor shall call the Court together. Adjournment.

3450. To the Right Honorable the Lords & Commons of the High Court of Parliament in the Kingdome of England. Petition to the Parliament.

The humble Petition of the Court of the Massachusetts Bay in New-England.

Humbly showeth that wee had a Ship of Bristol called the Mary, being a reputable trading ship, in our Harbour, was surprised by Captaine Stagge, without our leave or privitie, and wee had being called to an account for the same, we showed by a commission from the Authorities of this Kingdome to take any Ships belonging to Bristol &c. by meanes wee of our Court of our due respect to this honorable Court wee thought not fitt to restrain him, but only permitted him to carry away the said Ship: but for it is not the Merchants, Mr Browne, & Mr Philip Jackson two of them, being men as wee are informed, well affected to the King, & Parliament, and greatly injured, & by Households & divers others are off disregarded from sending and supplying trade, wee are like to bee much distressed, for want of Ship necessary Commodities, as they were wont for many yeares to send us: May it therefore please this Hon: Court to take this Case into serious consideration & to render the great loss of the said Merchants & the interruption of our trade by this meanes, as it may be declared by some Act of the same, that new Ships may be made greater for our use, in our Harbours, or any of our Confederates in New-England, & that such encouragement may be given to the Merchants of the City of London, or other Places for supplying of us in the time, as to the wisdome of this Hon: Court shall seem expedient.