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GENEALOGY COLLECTION

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RECORDS  
OF  
PLYMOUTH COLONY.

COURT ORDERS.

VOL. V.

1668—1678.



RECORDS  
OF THE  
C O L O N Y  
OF  
NEW PLYMOUTH  
IN  
NEW ENGLAND.

PRINTED BY ORDER OF THE LEGISLATURE OF THE  
COMMONWEALTH OF MASSACHUSETTS.

EDITED BY

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COURT ORDERS:

VOL. V.

1668—1678.

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## REMARKS.

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**I**N the following pages is included a copy of the fifth manuscript volume of Court Orders of the Colony of New Plymouth, embracing the acts of the General Court and the Court of Assistants of that colony, with grants of land and other entries of a more miscellaneous character, among which will be found a list of the freemen transcribed on the twenty-ninth of May, 1670. All the entries in the volume are in the handwriting of Secretary Morton.

Governor Prence was at the head of affairs in the colony at the time when the volume commenced, on the fourth of June, 1661, and continued so to be until the time of his decease, which event occurred on the twenty-ninth day of March, 1673. During the remaining time covered by the records of this volume, ending on the thirtieth day of October, 1678, Mr. Josiah Winslow was Governor, having been elected to the office on the third day of June, 1673. The period of time included was about ten years.

N. B. S.



## MARKS AND CONTRACTIONS.

A Dash  $\bar{\text{~}}$  (or straight line) over a letter indicates the omission of the letter following the one marked.

A Curved Line  $\sim$  indicates the omission of one or more letters next to the one marked.

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

A Caret  $\wedge$  indicates an omission in the original record.

A Cross  $\times$  indicates a lost or unintelligible word.

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

Some redundancies in the original record are printed in Italics.

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

Some words and paragraphs, which have been cancelled in the original record, are put between  $\ddagger$   $\ddagger$ .

Several characters have special significations, namely: —

<p>@, — annum, anno.</p> <p>ā, — an, am, — curiā, curiam.</p> <p>ā, — mātate, magistrate.</p> <p>h, — ber, — numb, number; Robt, Robert.</p> <p>ē, — ci, ti, — acōn, action.</p> <p>ō, — tio, — jurisdicōn, jurisdiction.</p> <p>ē, — cre, cer, — aēs, acres.</p> <p>đ, — đđ, delivered.</p> <p>ē, — Trēr, Treasurer.</p> <p>ē, — committē, committee.</p> <p>ġ, — ġfial, general; Georġ, George.</p> <p>h, — chr, charter.</p> <p>ī, — begīg, beginīg, beginning.</p> <p>ł, — łre, letter.</p> <p>ū, — mm, nn, — comītee, committee.</p> <p>ū, — recomādcōn, recommendation.</p> <p>ū, — mer, — forfaly, formerly.</p> <p>ū, — month.</p> <p>ū, — nu, — Peñ, Penn; aņo, anno.</p> <p>ñ, — Dņi, Domini.</p> <p>u, — ner, — manī, manner.</p> <p>ū, — on, — mentiō, mention.</p>	<p>ū, — mō, month.</p> <p>þ, — par, por, — þt, part; þtion, portion.</p> <p>p, — per, — pson, person.</p> <p>p, — pro, — pporcōn, proportion.</p> <p>þ, — pre, — þsent, present.</p> <p>q, — qstion, question.</p> <p>ŕ, — esŕ, esquire.</p> <p>ř, — Aprē, April.</p> <p>š, — š, session; šd, said.</p> <p>š, — ser, — švants, servants.</p> <p>ř, — ter, — neutř, neuter.</p> <p>ř, — capř, captain.</p> <p>ū, — uer, — seřal, several.</p> <p>ū, — abou, above, above.</p> <p>ř, — ver, — seřal, several.</p> <p>ŵ, — ŵn, when.</p> <p>y<sup>o</sup>, the; y<sup>m</sup>, them; y<sup>n</sup>, then; y<sup>l</sup>, their; y<sup>s</sup>, this; y<sup>t</sup>, that.</p> <p>z, — us, — vilibz, vilibus.</p> <p>Ł, — es, et, — statutŁ, statutes.</p> <p>Łē, &amp;ē, &amp;ē<sup>a</sup>, — et cetera.</p> <p>viz<sup>o</sup>, — videlicet, namely.</p> <p>∕ — full point.</p>
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**PLYMOUTH COURT ORDERS.**

1668—1678.



# PLYMOUTH RECORDS.

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## THE RECORDS OF THE COLONY OF NEW PLYMOUTH IN NEW ENGLAND.

[The fifth volume of the Court Orders of the Colony of New Plymouth properly commences on the second folio of the original manuscript volume, the first page belonging to the earliest portion of the preceding volume. The volume is in the handwriting of Secretary Morton, and contains the records of the Court held on the twenty-ninth of October, 1668, and of those held subsequent to that time as far as and including that which was held on the thirtieth of October, 1678, and closes with a list of the freemen of the Colony transcribed on the twenty-ninth of May, 1670. The index at the end of the printed volume has been prepared from that contained in the original by proper enlargement.]

### ACTS AND PASSAGES OF COURT AND GRANTS OF LAND FROM THE YEAR 1668 UNTIL THE YEAR 1678.

PRENCE, GOV<sup>R</sup>.

*\*At the Generall Court held att Plymouth, in New England, the  
4<sup>th</sup> of June, 1661.*

1661.

4 June.

[\*1.]

**T**HE said Court graunted vnto M<sup>r</sup> Richard Bourne, of Sandwich, a certaine tract of land, lying on the westerly side of Pampaspeticke Riuer, wher Sandwich men take alewiues; the land is a longe slipp lying by the riuer syde; for breadth from the riuer vnto the topp of the hill or ridge that runs alonge the length of it, from a point of rocky land, by a swamp called Pametoopauksett, vnto a place called by the English Muddy Hole, but by the Indians Wapoampauksett. The meddow is that which was called M<sup>r</sup> Leuerich his meddow, as alsoe the other slippes that are aboute, alonge the riuer side vnto a point bounded with two great stones or rockes; alsoe all the meddow lying on the easterlysyde of the said riuer, vnto Thomas Burge, Seni<sup>r</sup> his farme, all which tracts and psells of land, both vpland aud meddow, with all and singulare the appurtenances belonging thervnto, is graunted by the Court onto the said Richard Bourne, to him and his heires foreuer. Moreouer, the Court haue graunted vnto the said Richard Bourne, that hee shall haue libertie

1661.

4 June.  
PRENCE,  
Gov<sup>r</sup>.

to take yeerly twelue thousand of alewiues att the riuer where Sandwich men vsually take alewiues, to him and his heires for euer.

Likewise the said Court haue graunted vnto the said M<sup>r</sup> Richard Bourne a p<sup>s</sup>ell of meddow lying att Mashpe, the one halfe therof to belonge to him and his heires for euer, and the other halfe to be made vse of and improned by the said Richard Bourne vntill the Court shall see reason otherwise to order.

Moreouer the Court haue graunted vnto the said M<sup>r</sup> Richard Bourne a necke of meddow att Mannamucheoy, with a little vpland in it, the meddow lying between two litle brookes, and the said meddow adjoyning to the vpland called by the Indians Auntanta; the said p<sup>r</sup>omises, with all and singular the appurtenances belonging thervnto, excepting the one halfe of the meddow att Mashpe aboue excepted, to haue and to hold vnto the said Richard Bourne, to him and his heires and assignes for euer.

1668.

29 October.

[\*2.]

\*. *All the Court of his Ma<sup>tie</sup> held att Plymouth, for the jurisdiction of .New Plymouth, the 29<sup>th</sup> of October, 1668.*

BEFORE THOMAS PRENCE, Gov <sup>r</sup> ,	Wiltam Bradford,
John Alden,	Thomas Hinckley,
Josias Winslow,	John Freeman, and
Thomas Southworth,	Nathaniel Bacon,
Assistants, &c.	

**A**N order sent vnto Bridgewater as followeth: —

Gentlemen: Vpon the complaint of M<sup>r</sup> Nicolas Birom, in the behalfe of himselfe and some others of your towne that apprehend that they are oppressed by your way of rateing, and p<sup>t</sup>icularly your putting too much vpon dormant lands, and too little vpon faculties and p<sup>r</sup>sonall abilities, notwithstanding that some gett a great p<sup>r</sup>te of their liuelyhood off the townes co<sup>m</sup>ions, to the great wasting and destruction therof, and haue little else to be rated for, the Court haue ordered mee to signify their advice vnto you, that you would consider of some more equall and just way and course, that some men that are on all occasions vsfull in the place be not oppressed, and others that liue mostly vpon the spoyle of your co<sup>m</sup>ions, and put not themselues vpon any improouement that might be to publike benefitt, goe free; and that you would be more obseruant of such orders as the Court haue provided respecting rateing; that

you may, att least for the future, prevent the like complaints, which if you doe not, the Court wilbe nessesitated to make further enquiry, and improve theire authoritie to regulate you therein. But in expectation that you will doe your endeauors for redresse of such injury complained of, wee rest, &c.

1668.

29 October.  
P. R. S. O. F.  
G. O. E.

Wheras, att the request of John Jacob, of Hingham, in the behalfe of himselfe and diuers others of his ptenors, the Court haue formerly graunted that there should be a deuision made of the land soñtimes graunted vnto M<sup>r</sup> Hatherley att Accord Pond, this Court ordereth, that in case the ptenors in the said land doe not agree to make deuision therof in a cheaper way, that then the cheife marshall shalbe authorised to impanell a jury to make deuision therof.

Wheras a former graunt hath bine made by the Court vnto Experience Michell, Henery Sampson, Richard Church, and Thomas Little, to looke out for land for their accomodation, and that since the said graunt they haue sought out a pcell of land for that end lying att Namassakett Pond, these are to be a memorandum that none shall interpose soe as to deprive them of the said land vntill the Court haue taken course for the purchase of it, and settling such a proportion therof to the said psons as shalbe by the Court thought meet.

Wheras a certaine tract of Land was formerly graunted vnto the children of Clement Briggs, of Weymouth, deceased, lying neare the bounds of Bridgewater; and a graunt alsoe of meddow, if it could be found; and that Remember Briggs, the son of the said Briggs, appeered att this Court, and certified the Court in the behalfe of himselfe and the other children of the said Clement Briggs concerned in the said graunt, that they haue found out a pcell of swampy ground lying neare to the said land,—the Court haue settled and doe heerby confirme twelue acres therof or therabouts vnto them, to be layed out vnto them by M<sup>r</sup> Constant Southworth and Cornett Robert Studson.

The Court doe allow and aproue of Captaine James Cudworth to be guardian vnto Gorge Russell, the son of Gorge Russell, soñtimes of Namassakesett, in the township of Duxburrow, deceased.

\*In reference vnto the request of James Lowell for to haue an addition of swampy land neare vnto his land hee hath in the right of M<sup>r</sup> Nathaniel Souther, the Court haue ordered, that M<sup>r</sup> Constant Southworth and Cornett Studson shall view the said land, and allow him twelue acres therof, besides that which hee hath alreddy graunted vnto him with Phienias Pratt.

[\*3.]

The Court haue graunted libertie vnto the Gou<sup>r</sup>, M<sup>r</sup> Thomas Prence, to exchange fifty acres of land adjoyning to his land on the southsyde of the brooke that falls out of Tuspaquins Pond.

1668.

29 October,  
PRENCE,  
GOU<sup>r</sup>.

Likewise that incase it may be purchased, that a competencye of land be graunted and reserued therabouts or neare vnto it, for the vse of the minnestry att Namassakett.

Att this Court Thomas Faunce appeered in the Court, and being of full age was taken notice of by the Court, and owned and acknowledged to be the right heire apparent to the lands of John Faunce, Seni<sup>r</sup>, so<sup>m</sup>times of Plymouth, in New England, deceased.

In answare vnto a letter from Phillip, the sachem of Pocanokett, &c, by way of petition, requesting the Court for justice against Francis Wast, for wronge done by him to one of his men about a gun taken from him by the said Wast, as alsoe for wronge done vnto some swine of the said Indians, the Court haue ordered the case to be heard and determined by the elect men of Taunton, and incase it bee not by them ended, that it be refered vnto the next March Court att Plymouth to be ended.

At this Court an order was directed to Clement Kinge, the constable of Marshfeild, to require and to take into his custody certaine goods attached of Captaine Thomas and his son William Thomas, and to despose of them according to his first order.

6 June, 1668.

Wee, whose hands are vnderwritten, being su<sup>m</sup>oned by the constable to appeer att Robert Jones, in Rehoboth, by reason of a prouide<sup>n</sup> of God by a sudden death of an Indian, to witnes our apprehension how hee came by his end., viz<sup>o</sup> :—

STEVEN PAINE, Juni<sup>r</sup>,  
JOSEPH PECKE,  
SAMUELL PECKE,  
SAMUELL CARPENTER,  
JONATHAN BLISSE,  
JOHN ALLIN, Juni<sup>r</sup>,  
ROBERT MILLER,  
THOMAS READ,  
WILEAM CARPENTER,  
NICHOLAS WEYMOUTH,  
SAMUELL LUTHER,  
OBADIA WHEATON.

Wee, whose names abouewritten, both by testimony of John Jones and an Indian boy that was present when the Indian came by his death, testifyeth, that the Indian goeing vp vpon a logg, and seting his foot vpon the first raile,

the raile broke, and hee fell downe, and his head came first to the ground; and haueing serched him, wee find his necke broke, and his wrist; and by our best apprehensions doe judge that according to the testimony that wee haue had, soe hee came by his end.

P me, GORG KENDERICK,  
Constable of Rehoboth.

1668.

22 October.  
PRENCE,  
Gov<sup>r</sup>.

\*The Verdict of the Coroners Inquest concerning the Death of Isacke Robinson, Juni<sup>r</sup>, late of Barnstable, lately deceased suddenly att Sacconessett.

[\*4.]

Wee, the jury of enquest appointed to view the corpes of Isacke Robinson, Juni<sup>r</sup>, doe apprehend, according to view and testimony, that the meanes of his death was by going into the pond to fetch two geese; the pond being full of weedye grasse, which wee conceine to bee the instrumentall cause of his death, by being intangled therein.

ANTHONY ANNIBLE,  
HENERY ROWLEY,  
JOHN CHIPMAN,  
JOHN HOWLAND,  
JOHN OTTIS,  
NICHOLAS NORTON,  
SAMUELL HINCKLEY,  
JOHN HINCKLEY,  
ENCREASE CLAPP,  
ROBERT PARKER,  
MATHEW MAHEW,  
JOHN MANTER,

} sworne.

The sume of thirty shillings is allowed by the Court vnto Captaine Southworth, for his charges, being a comissioner, and going to Boston on that occasion in the behalfe of the collonie this year.

The Court taking notice of the goodnes of God to vs in the continuance of our ciuill and religious liberties, the generall health that wee haue enjoyed, and that it hath pleased God in some comfortable measure to blesse vs in the fruites of the earth, doe conceine that these and other fauors doe call vpon vs for returnes of thankfulness to the Lord, whoe might justly haue dealt otherwise with vs, and therefore that wee may be joynt in this our sacrifice, doe propose vnto the seuerall congregations of this gouernment, that the 25th day of

A copy of this was sent speedily to the seuerall congregations of this gouernment.

1668.

29 October.  
PRENCE,  
Gov<sup>r</sup>.

November next, which wilbe y<sup>e</sup> fourth day of the weeke, to be kept as a sollemne day of thanksgiueing with respect to his goodnes in the p̄ticulares abouemensioned, and what p̄ticulare places and p̄sons may propose to them selues as causes of thankfulness.

Att this Court the counsell of warr, being together, ordered, that Mr Joseph Tilden be discharged from bearing armes as a com̄on soldier, haucing som̄time since bine a com̄ission officer of the milletary companie of Scituate.

It was att the same time ordered likewise by the counsell of warr in reference vnto Ezekeiell Mayne, of Scituate, that whereas there doth appeer a willingnes in the milletary companie of Scituate, that in regard that hee hath but one eye, it is difficult and in soñ respects dangerouse for him to be in armes, and to traine as others, that hee be likewise discharged from bearing armes and training as formerly.

In reference vnto two barrells of tarr taken by John Tilson out of the house of Gyles Rickard, Seni<sup>r</sup>, without order, which tarr is found vpon examination to belonge to Edward Gray, the Court haue ordered the said tarr, now in the hands of the constable of Plymouth, bee returned vnto the said Edward Gray, and that the said John Tilson pay vnto the said Gray eight shillings for charges about his proncing of his right to the said tarr, and that the said tarr be made by him, the said Tilson, marchantable.

[\*4<sup>b</sup>.]

\*In reference vnto the complaint of Samuell Worden against Edward Crowell and James Maker, for goeing in his absence into his house in the dead time of the night, and for threatening to breake vp the dore and come in att the window, if not lett in, and goeing to his bed and attempting the chastity of his wife and sister, by many lacinuous carriages, and affrighting of his children, the Court haue centanced them, the said Edward Crowell and James Maker, to find surties for their good behavior, and pay each of them a fine of ten pounds to the vse of the collonie, and alsoe to defray all the charge the said Samuell Worden hath bine att in the vindication of his wifes immosensy, or to be generally whipt.

And the said Crowell and Maker chose rather to pay the fine and giue bonds for their good behavior vntill the Court of his ma<sup>tie</sup> to be holden att Plymouth in March next.

Vpon their humble petition to the Court, they remitted vnto each of them the sum̄e of foure pounds of the said fines.

Edward Crowell acknowledgeth to owe vnto our soñ	} <sup>ii</sup> 40 : 00 : 00
lord the Kinge the sum̄e of . . . . .	
And Samuell Ryder the sum̄e of . . . . .	20 : 00 : 00

Released.

The condition that if the said Edward Crowell be of good behavior

towards our soũ lord the Kinge and all his leich people, and appeer att the Court of his ma<sup>tie</sup> to bee holden att Plymouth the first Tusday in March next, and not depart the said Court without lycence; that then, &c.

1668.

29 October.  
P. O. S. C. E.  
G. J. U. B.

James Maker acknowledgeth to owe vnto our soũ lord }  
the Kinge the summe of . . . . . } 10 : 00 : 00  
Thomas Starr the summe of . . . . . } 20 : 00 : 00

The condition that if the said James Maker be of good behavior towards our soũ lord the Kinge and all his leich people, and appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth the first Tusday in March next, and not depart the said Court without lycence; that then, &c.

Att this Court, Phillip Read, being summoned, appeered, and being found by sufficient prooffe to be a man of a viciouse life, viz<sup>d</sup>, a frequent curser and swearer, and otherwise debauched, and alsoe a non resedent in this goũment, was required to depart the goũment within ten daies of the date heerof.

Furthermore the said Read continuing in the towne of Plymouth, and being att the ordinary att Plymouth in the time of the siting of this Court, hee together with Richard Dwelley behaned themselves soe rudely and unciully as they were both comitted to jayle, and there remained one night, and the next day released; yett soe as that the said Dwelley being vnder bonds for his good behavior according to law for his being convicted of drunkenes the third time, hee, by his said rudenes both by words and vnciuill behavior, forfeited the said bonds, which was forty pounds; but on his earnest request the Court haue remited it to the summe of ten pounds.

\*Att this Court, Captaine Nathaniel Thomas and his sonne Willam Thomas, for theirre affronting Clement King, the constable of Marshfeild, in the execution of his office, both by words and actions, were centanced by the Court to be comitted to prison during the pleasure of the Court; and for theirre abusing the said Clement Kinge by reviling of him and threatening of him, and otherwise puting him to trouble, they were centanced to pay vnto him the summe of twenty shillings; and likewise to pay vnto John Dingley and John Caruer, to each of them the summe of fiue shillings, they attending the Court as witnesses in the ease.

[\*4c.]

In reference vnto the complaint of William Bassett against James Skiffe, Jun<sup>er</sup>, for goeing into the house of the said Bassett and taking away lyquor without order, and otherwise abusing of his house, hee, the said James Skiffe, was centanced by the Court to pay a fine of ten shillings to the vse of the collouie, and to defray the nessesary charges the said Bassett hath bin att in for witnesses, &c, in reference to the ease.

In reference to a horse in controversy between Thomas Pope and Richard  
VOL. V. 2

1668.

29 October.  
PRESENCE,  
Gove<sup>s</sup>.

Willis, which said horse was in the custody of the said Willis, the Court haue ordered, that hee, the said Willis, shall looke him vp, or cause him to be looked vp, and deliuered to the constable of Plymouth forthwith.

Vpon the hearing of a difference between Isacke Harris and his wife, the Court saw cause to order that incase the said Harris shall continew to neglect to prouide for his wife that which is nessesary for her comfortable subsistence, (according to his abillitie,) that on further complaint and due proffe therof, a further course shalbee taken by the court to constraine him to doe it.

M<sup>r</sup> Josias Winslow, for breaking the kinges peace by strikeing Nathaniel Winslow, was fined three shillings and four pence to the vse of the collonie.

Ralph Earle, for affronting the constable of Dartmouth when hee was executing his office, was fined five shillings to the vse of the collonie.

John Cobb, of Taunton, for his turbulent behauior att Plymouth in the time of June Court last past before the date heerof, expressed especially by railing and reuiling against Thomas Linkolne, was centanced to pay a fine of twenty shillings to the vse of the collonie.

Abraham Sampson, Jun<sup>r</sup>, of Duxburrow, for cursing and swearing, fined ten shillings to the vse of the collonie.

Thomas Perrey, being detected of cursing and swearing, and for ruining away from the Court, fined twenty shillings to the vse of the collonie.

Att this Court, Wilham Nicarson owned a bill of twenty pound in reference to a fine and judgment of the Court, amerced on him as punishment to misdemenor by him comitted, elsewhere expressed in the records of the Court.

Henery Clarke, for stopping the kinges highway by seting his fence to farr ou it, was fined five shillings, and required by the Court to remoue his fence from off the said way speedily.

In reference vnto the complaint of William Bassett against John Farmer, Andrew Dauis, and Joseph Washbourne, for opening a certaine box in his house, wherin were his writings, &c, the Court admonished them, and see they were cleared without other punishment.

[\*5.]

\*An Agreement appointed to be recorded as followeth : —

Plymouth, the 12<sup>th</sup> of Aprill, 1667.

A mutuall agreement between Secretary Nathaniel Morton and his wife Lydia Morton, on the one pte, and Sergeant Wilham Harlow on the other pte, as followeth : —

The abouesaid Nathaniel Morton and his wife haucing a desire to haue a child of the said Wilham Harlows, viz<sup>d</sup>, Nathaniel Harlow, being now neare

two yeares and an half old, the said Wilham Harlow doth by these p̄sents com̄itt his said son Nathaniell Harlow to the said Nathaniel Morton and his wife Lydia Morton, vntill hee be of the age of one and twenty yeares; and this is to be vnderstood, that the said Nathaniel Harlow is to be and continew with the longest liuer of them, the said Nathaniel Morton and Lydia Morton, vntill hee be of the age of one and twenty yeares; if in case that either the said Nathaniel Morton or his said wife decease before hee be of the age of one and twenty yeares, and the said Nathaniel Morton and Lydia Morton to take care of him and prouide for him as is meet in such case; further, the said Wilham Harlow doth by these p̄sents engage that in case the said Nathaniel Morton doth decease before the said Nathaniel Harlow be of the age of seauen yeares, that hee pay or cause to be payed to Lydia Morton, the now wife of Nathaniel Morton, ten pounds, to healep her towards the more comfortable bringing vp of the said child; and in case the abouesaid Nathaniel Morton and his wife Lydia Morton both of them decease before the said Nathaniel Harlow be of the age of one and twenty yeares, then hee is to returne to his father Harlow, or his order, without any further charge to him or his assignes. In witnes heerof wee haue mutually sett to our hands the day aboue written.

1668.

29 October.  
PRENCE,  
GOV<sup>r</sup>.

NATHANIEL MORTON,  
WILEAM HARLOW.

In the p̄sence of  
Thomas Southworth.  
Thomas Faunce.

\*. *At the Court of his Ma<sup>tie</sup> held att Plymouth, for the Jurisdiction of New Plymouth, the 2<sup>nd</sup> Day of March, Anno Doñi 1668.*

1668-9.

2 March.  
[\*5<sup>b</sup>.]

BEFORE Thomas Prence, Gov <sup>r</sup> ,	Wilham Bradford,
John Aldin,	Thomas Hinckley,
Josias Winslow,	John Freeman, and
Thomas Southworth,	Nathaniel Bacon,
Assistants, &c.	

**I**T was ordered by the Court, that with the warrants for June Court next some propositions be made to the seuerall townes to consider whither some wayes may not be thought vpon for the easment of our charges, either by graunting libertie to some pson or psons in each towne to trade powder, shott, guns, and mony, (now vnder prohibition) with the Indians, and that

1668-9. all others being restrained, they should allow something yearly to the use of the government; and it is conceived that by this may accrue further benefit to vs, in that hereby a greater part of the pork that is now carried by the Indians to Boston, and by them sold there at an under rate, may fall into the hands of some of our people, and soe the prise may be kept up.

2 March.  
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Or by putting something upon such as draw wine and liquors to allow for their licence, and the excise to be taken off, or any other way that the townes may propose; in which it is desired they would exercise their thoughts, and propose some suitable persons in their townes to manage such matters.

In reference to the complaint of some of Taunton against Bridgewater and Rehoboth respecting the running of lines and bounds of lands, which hath occasioned controuersies between severall persons in the said townships, the Court haue ordered, that some fitt persons be appointed out of each of the said townships to run the said lines; which incase they doe not effect to mutuall satisfaction betwixt this Court and the next June Court, that then the Court will see cause to appoint some to doe it; and that in the mean time there be noe treaspas upon the timber or swampes of each other bordering upon their lines.

In reference to the request of Peter Collymore concerning a parcel of marsh appertaining to him, lying between the third and fourth cliff at Scituate, forasmuch as the bound marks are lost, and hee doubteth that hee is wronged thereby, soe as some of the neighbours bordering on him may haue more then their due, the Court haue requested Cap<sup>t</sup> Cudworth, M<sup>r</sup> Tilden, and Cornett Studson to repaire thervnto, and to settle matters about the bounds of the same, if they can; if not, that they att the next Generall Court make report to the Court how they find matters in that respect.

In reference to the request of John Louell, of Rehoboth, the Court haue ordered, in consideration of his low condition and great necessity of land, that the towne of Rehoboth doe accommodate him and others in like necessity with a competency of land to supply their necessity on the land on the northsyde of the said towne, according to agreement; and incase they doe it not betwixt this date and the next June Court, the Court will then see cause, on due notice and information therof, to giue him, the said John Louell, libertie to make choise of a place in the said tract of land for his accommodation.

In reference vnto Josias Leichfield, of Scituate, the Court being certified that hee wilbe of age on the third day of Aprill next ensuing the date hereof, they haue requested the major to repaire vnto Scituate on the fift of the same month, and to see the said Leichfield possessed of the land ordered to him by the Court, in reference to a legacye bequeathed to him by John Allin, of

Scituate aforesaid, deceased, and to see Micaell Peirse discharged of his engagement in reference therunto. 1668-9.

Letters of administration was granted unto Anna Barstow to administer on the estate of Wiltam Barstow, late deceased.

\*Att this Court, Christopher Winter and his daughter, Martha Hewitt, appeared, being bound over to the Court on suspicion of committing incest with each other; and after strict and particular examination of them, the Court saw cause to commit them both to ward for the grounds and reasons following:—

The principall grounds mouing the Court to suspend the final issue of the case respecting Christopher Winter and Martha, his daughter, is because there is great feares that a very hainous and capitall crime hath bine committed by them, viz<sup>d</sup>, incest of the highest nature, which, although it can not be att p<sup>r</sup>sent proued by full and cleare testimony, yett it did very much face vpon them in many respects.

1. In Christopher Winters sending to invite Hewett or Tower to his said daughter some little time after shee conceiued with child, when as not longe before they were both rejected in their suite for her.

2. Because the said Martha will not discover the father of her child, it is an argument that some p<sup>r</sup>son is the father of it that shee hath more then ordinary grounds to be vvwilling to disclose.

3. Because of Winters hastening the marriage, and some expressions of his declaring that hee had noe comfort in the match, and his and his daughters carriage that day that they were married.

4. Winters acknowledgment, that after hee had knowledge of his said daughters being withchild, — being, as hee said, informed by Hewitt, — hee did not bring them together and enquire into it, nor reprove or beare witnes against her wickednes, as would haue become a father that was innocent.

5. His indulgence to his said daughter since this wickednes, although knowne formerly to be very austeere to his children.

6. His intensions to haue gon for England about the time this euill began to be taken notice of.

7. His telling of Hewitt that his said daughter was apt to be frighted; and was soe affrighted by himself once, coming late home, that shee fell into a swoond, &c, as the said Hewitt doth testify.

I, Thomas Hewitt, aged sixty yeares or therabouts, testify, that my son, John Hewitt, was att home att my house att the time that Martha, his wife, said that shee had that abuse offered her that shee proued withchild; further, I testify that I went to her father Winters house within one weekes time, as I

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[\*6.]

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was informed of her being laid; and shee haueing a young child in her lapp, I asked her whoe was the father of it, but shee gaue mee noe answare att that time; her father replyed and said, that question did not belonge vnto mee to aske. Then I asked her if her husband were the father of it; this I did seuerall times before I had an answare of her; her father said that shee might answare mee to that question; and shee answered and said the child was not her husbands; further, her father Winter said that I should know in time and place conuenient whose the child was; and further saith not.

Taken in the Court, attested p me,

NATH: MORTON, Secr<sup>r</sup>.

The testimony of John Hewitt, aged twenty seauen yeares or therabouts, doth testify, that some certaine time after I was marryed, my father Winter, being in discourse with mee and my wife, asked mee of what constitution I was off; I replyed, I was subject to be angry, as well as other men, but did not vsually expresse it in raging tearmes. My father Winter replyed, "My daughter is of a very loueing disposition, but you must haue a care of frightening of her; for," hee said, "I came from the mill, and did but giue her a tapp with my horse rodd, and she droped downe in a swoound;" but hee thought shee would haue turned about and throwne soemthing att his head. Further, when my wife was in trauell, my father Winter and I being in a house together by ourselues some distance off from his dwelling house, hee said his daughter had a hard time, and hee feared that the midwife should charge it vpon her now to tell whose the child was; and I, the said Hewitt, replyed, shee would make her tell if shee could. Hee said, if hee had spoken to her, shee would not nor durst not, for shee should tell in time conuenient; and further saith not.

[\*7.]

\*In answare to the petition prefered to the Court by Samuell Fuller, of Plymouth, wherin hee complaineth against Jacob Cook for trespassing vpon his land att Smeltbrook, the Court haue ordered, that both of them be warned to appeer att the Court to be holden att Plymouth in June next, and that then the case to be heard and determined; and that the said Jacob Cooke be warned in the mean time not further to trespas on the land in controuersy by takeing wood of from it, &c.

In referrence vnto a former graunt of land graunted vnto M<sup>r</sup> Collyare, the Court haue ordered, that hee shall haue fifty acres of land in that tract of land purchased by M<sup>r</sup> Prence and Francis Combe att Namassakett, in any place of it not yett disposed off.

William Crow, Edward Gray, and Serjeant Tinkham are ordered by the Court to settle the bounds of the Gofnors land on the which hee now lieth att Plaindealing. 1668-9.

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GOVERNOR.]

In reference to the controuersy concerning the ten pounds mentioned in an agreement between M<sup>r</sup> Kanelme Winslow and his brother, M<sup>r</sup> Josias Winslow, bearing date the 14<sup>th</sup> of August, 1668, comitted by mutuall consent of the abouesaid parties vnto the determination of the Bench, whoe, after serious consideration of the pleas aledged, doe conclude and determine as followeth, viz<sup>d</sup>: that it appears vnto them that the verdict of the jury in October last did not determine the land controuersy to be the lands of the said Kanelme, but left it as they found it, and therefore the abouemensioned ten pounds not due to be payed by the said Josias vnto the said Kanelme.

In reference vnto a letter directed vnto the Goff from Bridgewater, therein certifying the proceedings of the said towne concerning John Robinson, the Court, takeing notice and approuing therof, haue alsoe further ordered and doe request M<sup>r</sup> William Brett and John Willis, Sen<sup>r</sup>, to take care and paines about his land, which they desire may be lett out for the present to the best advantage they can, as alsoe to dispose of the rest of his estate and concerne the best they can, soe as they may conduce to the good of him and his.

In reference vnto the land purchased by M<sup>r</sup> Prence and Francis Combe att Namassakett, the remainder of it vndisposed of, the coimonage and proffits therof the Court haue ordered to belonge vnto the said M<sup>r</sup> Prence and Francis Combe vntill it be otherwise disposed of by the Court, and the charges of the purchase therof payed vnto them by such as it shalbe disposed vnto.

In reference vnto a claime made by Benjamine Bartlett vnto some land in Alkermuse Feild, in the right of M<sup>r</sup> Jonathan Brewster, the Court haue ordered, that William Crow shall lay him out four acres in the said feild, soe as it may be a little prejudiciall to the neighbours as may be.

\*James Cole, Sen<sup>r</sup>, and Mary, his wife, for that the said Mary Cole was taken selling strong liquors to an Indian, contrary to an order of Court prohibiting the same, was fined the summe of five pounds to the vse of the collonie.

[\*8.]

James Cole, Sen<sup>r</sup>, and Mary, his wife, for that the said Mary Cole suffered diners persons after named to stay drinking on the Lords day, att her house, in the time of publicke worshipping, was fined the summe of three pounds.

James Clarke, Phillip Dotterich, Mary Ryder, and Hester Wormall, for their staying and drinkeing att the house of James Cole, att Plymouth, on the Lords day, in the time of the publicke worship of God, were fined each of them ten shillings to the vse of the collonie.

And Christopher Blacke, for the same default, although not soe faulty, was fined five shillings to the vse of the collonie.

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Caleb Lumbert, for breaking the Kinges peace in striking of James Gleaghorne, was fined three shillings four pence; and in reference to his hostile cariages towards the said Gleaghorne, forasmuch as hee is recovered of that which might have proved dangerouse to his life, hee, the said Lumbert, was seriously admonished and warned for the future not to doe soe any more, and cleared of his bonds.

John Bryant, son in law to Stephen Bryant, of Plymouth, for vseing revileing speeches to Edward Gray as soon as they came out of the meeting on the Lords day, was fined ten shillings to the vse of the collonic.

John Loc, of Marshfield, for being drunke, fined five shillings.

Wiltam Thomas and Samuell Arnold, Jun<sup>r</sup>, for breaking the Kinges peace in striking each other, were fined each three shillings and four pence.

Richard Berrey, Sen<sup>r</sup>, Jedediah Lambert, Benjamin Lambert, and James Maker, for smoaking of tobacco, att the end of Yarmouth meeting house, on the Lords day, in the time of exercise, were fined each five shillings; and for such of them as are absent, and have not taken order with the Treasurer for the payment of their fines, the Court have ordered, that the majestates where they live shall demand it; and in case of non payment, to warne them by a speciall warrant to appeer att June Court to answere for their neglect.

In reference vnto the p<sup>s</sup>entment of Thomas Lucas, of Plymouth, for abusing of his wife and children, hee appeering in Court and promising reformation, and his wife alsoe appeered att the Court, and testified that since the time the said p<sup>s</sup>entment relates vnto hee hath not abused them as aforesaid, with admonition the said Lucas was cleared of this p<sup>s</sup>entment.

Att this Court, Mary, the wife of Jonathan Morey, and her son, Benjamin Foster, appeered, being sum<sup>o</sup>ned to answere a complaint against the said Mary, for that shee, by her crewell, vnnaturall, and extreame passionate cariages soe exasperated her said son as that hee oftentimes carryed himselfe very much vnbesceeming him and vnworthy towards his said mother, both by words and otherwise; yea, soe was her turbulent cariages towards him, as that severall of the neighbours feared murder would be in the issue of it; shee, the said Mary, being examined respecting the p<sup>s</sup>ises, and owned her fault, and seemed to bee very sorry for it, and promised reformation; the youth, her son, likewise owned with teares his euill behavior towards his mother, which gaue the Court such satisfaction as they passed his fault by with admonition; and in reference to the said Mary Morey, the Court, vpon her engagement of better walkeing, are willing to take further tryall of her, and therefore condecended to lett her son remaine with her vntill the next June Court, and then further to doe in the case as occasion shall require.



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Gov<sup>th</sup>.  
[\*10.]

## \*The Names of the Grand Enquest.

William Sabin,	} sworne,	Francis West,	} sworne.
Lieutenant Gorg Macye,		Robert Barker,	
Mr Joseph Tilden,		Jeremiah Hatch,	
Mr Nicholas Tanner,		Benjamin Hammon,	
Steuon Paine, Jun <sup>r</sup> ,		John Gibbs,	
Justus Eames,		Jonathan Banges,	
Andrew Ringe,		Shuball Dimacke,	
Samuell Dunham,		Joseph Wilbore,	
John Jenkens,		John Hawes,	
Nathaniel Willis,		John Whelden,	
Nathaniel Winslow,		Daniel Wilcockes,	

## Constables of the severall Townes.

Plymouth, . . . . .	William Clarke, sworne.
Duxbuř, . . . . .	Mr Alexander Standish, sworne.
Scittuate, . . . . .	{ Charles Stockbridge, } sworne. { John Vinall, }
Sandwich, . . . . .	Thomas Tupper, Jun <sup>r</sup> , sworne.
Taunton, . . . . .	Israell Deane, sworne.
Yarmouth, . . . . .	Henry Vincent, sworne.
Barnstable, . . . . .	Robert Parker, to bee sworne att home.
Marshfield, . . . . .	{ John Foster, } sworne. { Joseph Bent, }
Rehoboth, . . . . .	{ John Peeke, } sworne. { Samuell Peeke, }
Eastham, . . . . .	Benajah Dunham, sworne.
Bridgewater, . . . . .	Joseph Bassett, sworne.
Dartmouth, . . . . .	John Cooke, sworne.
Swansey, . . . . .	Jonathan Bosworth.
Middleberry, . . . . .	John Nelson, sworne.

## Surveyors of the Highwaies.

Plymouth, . . . . .	{ Gorge Morton, Thomas Cushman, Jun <sup>r</sup> , Benajah Pra't.
Duxbuř, . . . . .	{ John Rogers, Sen <sup>r</sup> , Roger Glass.

Seituate, . . . . .	{ Rodolphus Ealmes, James Doughtey.
Sandwī, . . . . .	{ Thomas Gibbs, Seni <sup>r</sup> , Daniel Winge.
Taunton, . . . . .	{ Edward Rew, James Leonard, Juni <sup>r</sup> .
Yarmouth, . . . . .	{ Edward Sturgis, Juni <sup>r</sup> , John Burgis.
Barnstable, . . . . .	{ John Chipman, Thomas Huckens.
Marshfeild, . . . . .	{ Joseph Bedle, Wiltam Maycomber.
Rehoboth, . . . . .	{ Richard Martin, Nicholas Hyde.
Eastham, . . . . .	{ Richard Knowles, Wiltam Walker.
Bridgewater, . . . . .	{ Samuell Allin, Joseph Aldin.
Swansey, . . . . .	John Allin, Seni <sup>r</sup> .
‡Middleberry, . . . . .	— Nelson.‡

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Gov<sup>r</sup>.

\*The Celect Men.

[\*11.]

Celect men of Plymouth,	{ Leiff Morton, Serjeant Harlow, Wiltam Crow.
Celect men of Duxburrow,	{ Christopher Wadsworth, Samuell Savery, Benjamin Bartlett.
Celect men of Sandwich,	{ Thomas Tupper, Seni <sup>r</sup> , Edmond Freeman, Juni <sup>r</sup> , Wiltam Swift.
Celect men of Taunton,	{ Gorge Hall, Walter Dean, Wiltam Harvey, James Walker, Richard Williams.

\*Att this Court, the Court graunted that Namassakett shalbe a township, and to be called by the name of Middleberry, and is bounded with Plymouth bounds on the easterly syde, and with the bounds of Taunton on the westerly

[\*12.]

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This addition was granted at the Generall Court, July 7, 1681.

This recorded more fully in book from 1678 to 1683, p. 34.

This was in reference vnto a former grant to looke out for land.

This graunt is inride void and null, June the 10th, 1670.

syde, and the bounds of Bridgewater on the northerly side or end, and on the southerly side or end to extend six mile from the wading place, and att the end of the said six mile to run east to Plymouth line, and from the said line west to Taunton line; and in ease the west line runnes to the southward of Taunton line, then to run vntill wee come vp to the southermost pte of Taunton bounds, and then square of north to it.¶ And it is further ordered by the Court, that a competeneye of land be provided and reserved for a minnester within their township, of such lands as are vnpurchased.

In answere to the request of Mr John Gorum for the necke of land called Papasquash Necke, the Court haue granted vnto him one hundred aeces therof if it can be purchased of the Indians.

Accommodation of land granted vnto Thomas Paine, to haue it att Nantassakett, with Experience Michell, Henery Sampson, and Thomas Little, if it be there to be had; if not, that hee may haue some elsewhere if hee can find it vndesposed of.

The Court haue granted vnto Benjamine Church that hee shall haue the land which was sofitimes the land of Wilham Paybody, lying amongst the freemens land att Taunton Riuer, the which the said Paybody surrendered vp vnto the countrey, exchanged for other land elswher, viz: all the land and right of land which the said Wilham Paybody had there as an ancient freeman, both layed out and vnlayed out, is now granted vnto Benjamine Church, which is for full satisfaction for all the right his father, Richard Church, deceased, hath to land in this collonie.

In reference vnto a gift pretended to be *be* giuen by Phillip the sachem vnto James Leonard, Seni<sup>r</sup>, the Court haue granted that in ease hee doe produce a deed of gift from the said sachem for the said land vnder his hand and seale, att the Court to be holden att Plymouth the first Tusday in July next, that then hee shall haue fourscore or a hundred aeces of it.

This Court ordered, that Edward Tayler shall and may demand the summe of forty shillings in the behalle of his daughter, Mary Tayler, of the estate of John Turner, in the custody of Thomas Huckens, of Barnstable; and the said Thomas Huckens paying the said summe by this order from the Court, this shalbe his discharge.

Memorand: that Anthony Annible be remembered with accommodation of land.

Wheras Robert Parker was orderly chosen by the towne of Barnstable to serue in the office of a constable, and did not appeer to take oath, the Court haue ordered that hee shall appeer before Mr Hinkley or Mr Bacon, to take oath, which if hee refuse or neglect to doe, that the towne choose another in

his name, and retire his name to the Treasurer, that soe his fine may be required.

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Gov<sup>th</sup>.

In answere vnto the petition of Abraham Jackson to remite three barrells of tarr forfeited to the countrey by the breach of a law prohibiting the making of tarr, the Court haue ordered, in reference vnto his poor condition and many losses, that hee shall haue seauen bushell of Indian corn payed to him by the Treasurer.

Eres of administration is graunted vnto Francis Steuens, Jun<sup>r</sup>, to adminnester on the estate of Francis Steuens, of Rehoboth, late deceased.

Eres of administration is graunted vnto Job Crocker, to adminnester on the estate of John Crocker, of Barnstable, late deceased.

Eres of administration are graunted vnto John Ormsbey, to adminnester on the estate of Johannah Martin, late deceased.

Forty shillings is remited of the fine of James Cole, in reference to that pte therof which was for selling liquor to the Indians.

Att this Court, Nath Fish appeared, being summoned to answere for raising and deuolging a false and scandalous report on diuers psons att Sandwich; hee owning his fault therein, and engaging hee would not doe soe any more, was released.

\*Att this Court, Christopher Winter, allies Grabbam, was indited on suspicion of comitting incest with his daughter, Martha Hewett; hee putting himselfe on legall tryall, the grand enquest found not the bill, and soe hee was released.

[\* 13.]

In reference vnto the said Martha Hewett, shee haueing a bastard borne of her body, which was groundedly suspected to be begotten by her said father, though not legally proued, as abouesaid, shee alsoe refusing to confesse the father thereof, for her said whordome was contanced by the Court to suffer corporall punishment by whipping att the post, which according was pformed and executed.

And in answere vnto John Hewett, her husband, his earnest petition and request to be diuorsed from her, the Court, not being fully satisfyed soe as to proceed therein, haue referred the case to a further hearing att the Court of his ma<sup>ty</sup>, to be holden att Plymouth the first Tusday in July next, and the said pries to appeer and to produce such euidence as may further cleare the case, and soe for p̄sent were dismissed.

In reference vnto an attachment serued on a p̄sell of cedar bolts att the suite of Edward Gray, John Thompson, and Benjamine Bartlett, and in reference vnto the complaint of Nathaniel Thomas, Nathaniel Winslow, William Foard, Jun<sup>r</sup>, John Carner, Josias Snow, Jacob Dingley, and John

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Foster, against the said Edward Gray, John Thompson, and Benjamin Bartlett, for vnjust molestation in attaching or causing their goods to be attached, viz<sup>d</sup>, cedare bolts in or neare vnto a swamp or swampes lying northwest or northerly from Moonponsett Pond, on pretence of great damage don vnto to themselves and others, it was agreed by both parties that each one shall beare the charges of this their said processe, and that the cheife marshall shall haue twenty shillings in siluer for his paines about the attachment, to be paid by each party ten shillings, and that those that cut the said bolts shall haue libertie to fetch them away; and soe the controuersy is ended.

Elkanah Johnson and M<sup>r</sup> John Gorum engaged before the Court to stand bound vnto the electmen of the towne of Marshfield in the sume of forty pounds, for the appeerance of the said Johnson att the Court to be holden att Plymouth the first Tursday in July next, to answere the complaint of the said electmen, in reference vnto a child layed vnto him by Dinah Siluester.

In reference vnto Francis Wast, his takinge an hogg from an Indian neare vnto Mattapoisett, on pretence that *that* the said Indian had forfeited his hogg by marking of him contrary to order of Court, the Court haue ordered that hee pay the sume of thirty shillings to the said Indian; and wheras hee tooke a gun from the said Indian, that hee speedily returne him his gun againe.

Eres of administration graunted vnto Abigall Dunham, Seni<sup>r</sup>, widow, to adminnester on the estate of John Dunham, Seni<sup>r</sup>, deceased.

The Court haue ordered that on the one and twentyeth of this instant June, the line shalbe run between the Namassaketts mens land, called the Major's Purchase, and the townes of Marshfield, Duxburrow, and Bridgewater. M<sup>r</sup> Wiltam Crow and Gorge Bonum were appointed by the Court to doe it, with John Tompson and Wiltam Nelson for the purchasers, and such of the severall townshipes as shalbe appointed vpon knowledge of it; and in case none of the townes shall come, haucing due notice of it, or if coming should refuse to acte, then the other men appointed are to proceed without them, and each towne to beare their proportion of the charge of the runing of the said line.

\*. *At the Court held att Plymouth the fift Day of July. Anno 1669.*

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BEFORE Thomas Prence, Esquire, Gou <sup>r</sup> ,	William Bradford,
John Alden,	Thomas Hinckley,
Josias Winslow,	John Freeman, and
Thomas Southworth,	Nathaniel Bacon,
Assistants, &c.	

5 July.  
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Gou<sup>r</sup>.  
[\* 14.]

**A**T this Court, John Hewett and his wife appeared, the said Hewett still earnestly requesting a divorce from his said wife, shee hauncing bine detected of whordom; but notwithstanding what evidence was produced by them att this Court, the case appeared very difficult in reference to some particulars. The Court haue refered it to the next Court of his ma<sup>tie</sup>, to be holden att Plymouth the last Tuesday in October next, for a finall determination of the same.

In answare to the petition of Robert Latham, and his daughter, the wife of Isacke Harris, wherin hee complaineth of great neglect of the said Harris in not taking care for his wifes comfortable subsistence, being departed the goūment, and hath left her, with her child, to be burthensom to the said Robert Latham, her father, and that, notwithstanding such order as the Court hath formerly taken, shee is neglected to be supplied with such nessesaryes for her subsistence as is meet, this Court doth order and authorise the celectmen of the towne of Bridgwater, viz', Leiff Haward, John Willis, Seni<sup>r</sup>, and John Carey, to take notice of what vizable estate appertaineth vnto the said Isacke Harris, and to take it into their custody, and to improue it for the reliefe and subsistence of his wife aforsaid, and that they be carefull to keep a due account of their receipt and disbursments on that behaffe.

In reference vnto the complaint of Jehosabath, the wife of John Robins, of Bridgwater, for want of meanes for her subsistence, the Court haue ordered that what estate can be found appertaining to the said John Robins shalbe desposed by the celectmen of the towne of Bridgwater, with the healp and aduise of Mr William Brett, for the payment of such debts as the said Robins oweth, and the resedue for the support of him and her and their child.

Liberty is graunted by the Court vnto William Swift to keep an ordinary for the entertainment of strangers att Sandwich.

Libertie is graunted vnto Ralph Allin to keep a ferry att or neare Pocasset for the transporting of passengers to and from Road Hand to the maine :

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and likewise libertie is granted vnto him by the Court to purchase an hundred acres of land of the Indians, on condition that hee pay the sume of ten pound to the collonie; this land is to be purchased for him by M<sup>r</sup> Constant Southworth, or James Walker, or either of them, being ordered by the Court with himselfe to doe it.

Gor<sup>g</sup> Vaughan is allowed to keep an ordinary for the entertainment of strangers att Middleberry.

[\*15.]

\*In answere vnto a petition prefered to the Court by the towne of Swansey for a necke of land called Papasquash Necke, that it may be granted vnto them for the promoting of a way of trade in this collonie, the Court haue granted the said necke of land vnto the said towne for the ends aforesaid, excepting one hundred acres of land granted vnto M<sup>r</sup> John Gorum by order of Court, and M<sup>r</sup> Browne, John Allin, and Ensigne Smith being ordered by the Court to lay it out soe as it may be as little prejudiciall to his or their interest as may bee.

Further, in answere vnto the said petition, it is ordered and granted by the Court, that for the accomodateing of more inhabitants in the said township, that all such lands as the Indians can well spare shalbe purchased by Captaine Willett or M<sup>r</sup> Nathaniel Paine, alwaies prouided that the Go<sup>vt</sup> be acquainted with such lands before any purchase be made of them: further, that the towne of Swansey shall haue the same priuiledges in receiueing of townsmen into their towne as other townes in this jurisdiction haue; onely, forasmuch as many in our collonie are in want of land, such, being commended to them by this go<sup>vt</sup>ment, shalbe supplied by them before any others.

In answere vnto the petition of Wiltam Brewster and Wrestleing Brewster, (two grand children of the Reverend M<sup>r</sup> Wiltam Brewster, deceased,) requesting accomodation of lands, the Court haue granted that in case they, the said Wiltam and Wrestleing Brewster, shall see cause to goe to liue att Swansey, that they be accomodated with Lands there, as being such as are commended vnto them by the go<sup>vt</sup>ment for that end, as aboue expressed.

The Court haue granted vnto Anthonie Annible a competent accomodation of land, where M<sup>r</sup> John Howland, John Chipman, and Jonathan Sparrow are granted land lying on Taunton Riuer neare Peticutt, in the purchase of land that Cap<sup>t</sup> Willett purchased for the countrey if it may be had there; if not, elsewhere, if it may be found within this jurisdiction.

In reference vnto the request of James Leonard for a smale necke of land which hee pretended to be giuen him by Phillip, the sachem, the Court haue ordered that if hee can procure a deed vnder hand and seale from the

said Phillip, that hee shall haue fourseore or an hundred acres of it, provided it prejudice noe former graunt.

1669.

5 July.  
P. 115. 11.  
G. 0<sup>h</sup>.

In answare vnto the petition of M<sup>r</sup> Thomas Cushman for accomodation of land, the Court haue graunted that hee shalbe accomodated att or neare Namassakett, where Henery Sampson, Experience Michell, and Thomas Littles graunts are, if it be there to be had ; if not, elsewhere within this jurisdiction, if it can be found.

The Court being informed that Wiltam Blackmore, of Scituate, that in respect of the loss of one of his eyes, it proueth dangerouse vnto him to traine and beare armes as formerly, haue giuen libertie that henceforth hee be excused from training and bearing armes in that respect.

\*Att this Court, John Dunham, Sen<sup>r</sup>, came into the Court and complained against John Dotey, that hee mett him in the high way, and did crewelly beate him, and affermeth that hee goeth in danger of his life because of the said Dotey, and hath taken an oath before the said Court for the truth of the p<sup>r</sup>misses, and prayeth a warrant of the peace against him.

[\*16.]

John Dotey acknowledgeth to owe vnto our so <sup>r</sup> lord	} 20 : 00 : 00	Released.
the Kinge the s <sup>u</sup> mme of . . . . .		
John Soule the s <sup>u</sup> mme of . . . . .	} 10 : 00 : 00	
Samuell Smith the s <sup>u</sup> mme of . . . . .	} 10 : 00 : 00	

The condition that if the said John Dotey shall and doe keep the peace towards our so<sup>r</sup> lord the Kinge and all his leich people, and in speciall in reference vnto the said John Dunham, and appeer att the Court of his ma<sup>ty</sup> to be holden att Plymouth the last Tusday in October next, and not depart the said Court without lycence ; that then, &c.

This Court ordered, that the Treasurer, in the behalfe of the countrey, is to make good a barrell of marchantable beefe to M<sup>r</sup> Green, the printer at Cambridge, which is to satisfy what is behind vnayped for, and towards the printing of the booke called New Englands Memoriall, which barrell of beife is so<sup>r</sup>thing more then is due by bargaine, but the Court is willing to allow it on consideration of his complaint of a hard bargaine about the printing of the booke aforesaid.

William Randall, Sen<sup>r</sup>, for villifying the go<sup>r</sup>ment by approbrious speeches, is fined the s<sup>u</sup>mme of five pound to the vse of the collonie.

1669.

29 October.

PRENCE,  
Gov<sup>r</sup>.

[\*17.]

*\*.Att the Court of his Ma<sup>ty</sup> held att Plymouth, in New England, the 29 Day of October, 1669.*

BEFORE Thomas Prence, Esquire, Gov<sup>r</sup>,  
John Aldin,  
Josias Winslow,  
Thomas Southworth,

William Bradford,  
Thomas Hinckley, and  
Nathaniel Bacon,

Assistants.

**W**HERAS there hath bine a joynt agreement by and between M<sup>r</sup> Thomas More and Samuell Dotey and severall others of the towne of Eastham about laboure in taking vp of monies cast away in a wracke belonging to the said More att Cape Cod, and the said More haueing allowed vnto the said Dotey four shillings a day, there remaining vpon account due the summe of three pounds and seauenteen shillings due vnto the said More from the said Dotey, hee haueing layed out the said summe in a mare and colt, the mare being a blacke mare, the topp of the left care being cutt off, and a little bitt cut out vnder each care, and a red mare colt, with a white face, the topp of the left care cutt off, and a little bitt cutt out vnder the farr care, hee haueing nothing else to pay, and leaueing it to the determination of the Court, the Court haue ordered that the said mare and colt be taken vp and appraised by two indifferent men att mony prise, and to be responsible to answare vnto the said M<sup>r</sup> More or his order the said summe and charges of taking her and her colt vp; and incase the mare and colt comes to more then the said summe and charges, then the ouerplasse to be returned to the said Dotey.

In reference to a horse in controvery betwixt Thomas Pope and Richard Willis, the said horse haueing bine in the co-stody of the said Willis, and by him lett goe soe as hee can not be found and brought to tryall, the Court haue ordered, that the said Richard Willis shall forthwith deposite the worth or vallue of foure pounds in the hands of John Wood, of Plymouth, whoe was then constable of Plymouth when the said horse was attached att Popes complaint, and that the said Pope and Willis shall appeer att the Court to be holden att Plymouth the next March after the date heerof, to make the best proffe they can whose hee is; and if in the mean time the said Willis doe produce the horse, that then hee to bee freed from this engagement of the foure pounds, but if hee doe not, that then the said foure pounds to be responsible to answare those to whom the horse shalbe found to belong vpon tryall.

Att this Court, Richard Willis came before the Court and engaged his house and land vnto John Wood for securitie for the payment of the said foure pounds.

John Ewen, for committing fornication with Ruhamah Turner, was fined the sume of three pounds to the vse of the collonie, abated heerof twenty shillings.

In reference to the p-sentment of Ephraim Done, of Eastham, for horribly slaundering and belying of his neighbours, hee was fined for telling of two lyes about the same the sume of twenty shillings to the vse of the collonie, and refered for future censure to a further tryall of his future conversation, and incase hee approue himselfe better then his fault heerin, to be pased by; but if hee doe yett further offend in this kind, that then the agravation to be remembered according to his demeritts, with answerable punishment.

Gorge Russell, of Scituate, for breach of the Lords day, fined ten shillings.

Robert Laurance, soetimes of Plymouth, for breaking the peace and swearing, fined eight shillings and foure pence, viz', for breaking the peace, three shillings and four pence, and for swearing, five shillings.

Thomas Starr, for speakeing euill of one of the majestrates, fined 20s.

Thomas Starr, for vseing words and cariages tending very much to vncleams, was fined twenty shillings.

\*The Court doth allow Robert Shelley to take the estate of his son, John Shelley, into his hands from Samuell Bacon, allowing such due charges as the said Bacon hath bine att about it, and giueing him a discharge on receipt of the same.

John Sprague is allowed by the Court to keep an ordinary att Duxburrow.

In reference vnto two seuerall petitions prefered to the Court, the one by Elizabeth Bullocke, widdow, and the other by Samuell Bullocke, in reference to the dispose of the lands and estate of Richard Bullocke, deceased, the Court doe request and appoint Captaine Thomas Willett, Leift Hunt, and Ensigne Smith to take some paines in settling matters about the lands of the said Richard Bullocke between his heires and the said widdow, and incase they doe compose and settle the said lands to satisfaction, that they would please to send in vnto the Court what they haue done in the p-mises; and incase they can not settle thinges about it, that they acquaint the Court with the sticke att the next March Court, and concerning the remainder of the estate, that they giue in an accompt of what is left of it to the Court, that see they may take order about it att the said Court.

In reference vnto a shirt stollen by an Indian from Christopher Blake, and sold vnto Nathaniell Winge, which shirt is now in the custody of the constable of Sandwich, the Court haue ordered that the said constable shall returne the said shirt vnto the said Blake, and to require the said Winge to pay five shillings to the said Blake in satisfaction for his trouble

1669.

29 October.  
PENCE,  
GOV.

[\*18.]

1669.

29 October.  
PRENCE,  
Gou<sup>r</sup>.

and charge about it, and two shillings and six pence to the said constable for his busines about it, and that the said Winge be required to looke vp the said Indian, and bringe him or cause him to be brought before some one of the majestrates of this jurisdiction, to answare for his said fact.

In reference vnto the complaint of Penninnah Linnitt, widdow, against David Linnitt, that hee hath possessed himselfe of her house and land giuen her by the will of her deceased husband, Robert Linnitt, and giueth her noe satisfaction for the same, the Court haue ordered, that if hee doe not giue her satisfaction about the same betwixt this and the next March Court, that then the Court will take course that hee shalbe dispossessed therof.

Att this Court, Arther Howland, Phillip Leonard, Wilham Norkett, and Wilham Hincksman appeered according to summons to answare for their neglect of paying their rate to the minnistry. The Court, haueing heard their seuerall answares, doe determine as followes: that the said Arther Howland, in respect vnto his age and low condition, bee acquitted for what is pasd; and the rest of them forthwith to pay their proportions they were rated the last yeare to the minnistry; and that the constable be payed for his distresse that hee shalbe nessesitated to make vpon them or any of them in that behalfe.

Att this Court, Robert Ransom and his wife appeered, being bound ouer therivnto to answare for their contentious and vnworthy carryages each to other in their walkeing in marriage condition, and on their engagement to liue better in that behalfe they were for the p̄sent cleared, and their bonds for their appearence in their sight cancelled.

Att this Court, letters of administration were graunted vnto Mistris Sissillie Fish, of Sandwich, widdow, to adminnister on the estate of Robert Rollocke, deceased.

8 December.  
[\* 19.]

*\*. At the speciall Court held att Plymouth the eight Day of December,  
. Anno Doñi 1669.*

BEFORE Thomas Prence, Esq <sup>r</sup> , Gou <sup>r</sup> , and	Wilham Bradford,
John Alden,	Thomas Hinckley, and
Josias Win-slow,	Nathaniel Bacon,
Assistants.	

**I**N reference vnto a controversy between the townes of Taunton and Bridgewater, concerning the bounds of their townshippes, that wheras their hath bine seuerall debates about it, and that now their agents haue appeered

att this Court, and some endeavors by both themselves and the Court to bring the case to an issue, but for present can not, the Court have ordered that if they doe not agree the case between themselves, or that neither party doe complain by way of action betwixt this date and the next March Court: that then the Court will see cause to impannell a jury to bring the said controuersy to a finall issue and settlement.

Att this Court, Jane, the wife of Samuell Hallowey, of Taunton, appeared, being sent by the townesmen of the said towne, that forasmuch as her carryage towards her husband was soe turbulent and vild, both in words and actions, as hee could not liue with her but in danger of his life or limbs, and alsoe her carryage before the Court was soe audacious as was intollerable; for her said vild and notorious practices and carryages shee was centanced by the Court to be committed to the jayle during the pleasure of the Court; but shee, hauing bine but one night in close durance, manifested great pensiuenes and sorrow for her said miscarriages, and engaged to carry better for the future; on which, as alsoe by the earnest sollicitation of her husband, shee was sett att liberty, that shee might goe home with her husband, and soe to passe vpon tryall in hopes of better practices for the future.

Wee, whose names are vnderwritten, being impannelled by Mr John Alden on the coronors enquest, to make enquiry how John Paybody came by his death, doe find, —

That hee ryding on the road, his horse carryed him vnderneath the bow of a young tree, and violently forcing his head vnto the body therof, brake his skull, which wee doe judge was the cause of his death.

sworne,	{	SAMUELL SABERRY,
		JOHN TRACYE,
		HENERY SAMPSON,
		JOHN SPRAGUE,
		RODULPHUS THACHER,
sworne,	{	JOHN WADSWORTH,
		BENJAMINE BARTLETT,
		WILLAM CLARKE,
		JOSEPH PRIOR,
		SAMUELL HUNT,
	{	JOSEPH WADSWORTH.

Dated this 18 of the 9<sup>th</sup> month. 1669.

1669.

8 December,  
Præses,  
Gou<sup>r</sup>.

1669.

8 December.  
PRINCE,  
Gou<sup>r</sup>.

Att the Court held att Plymouth in October last past before the date heerof, the Court taking into theire consideration the vsfulnes and seasonableness of the sermon preached att the Election Court att Plymouth in June last, did order, that the said sermon should be printed, which accordingly was in this yeare don and pformed, by the approbation alsoe of M<sup>r</sup> Chauncey and M<sup>r</sup> Shepard, whoe alsoe aded imprimature thervnto as it is now extant.

1669-70.

1 March.  
[\*20.]

\*. Att the Court of his Ma<sup>tie</sup> held att the Towne of Plymouth, for the Jurisdiction of Plymouth, in New England, the first Day of March, Anno Do<sup>ni</sup> 1669.

BEFORE Thomas Prince, Esquire, Gou<sup>r</sup>,      Thomas Hinckley,  
                  John Aldin,                                      John Freeman, and  
                  Josias Winslow,                                  Nathaniell Bacon,  
                  William Bradford,

Assistants, &c.

IN reference vnto the further request of M<sup>r</sup> John Jacob to haue a deuission of the land hee with others bought of M<sup>r</sup> Hatherley, att Accord Pond, the Court haue ordered, that hee shall take out such coppies out of the records of Conihassett land as are behoofull to the said deuission, and repaire to the Gou<sup>r</sup> and major for the ordering of the same to be don by the marshall as soon as a convenient time and oppertunite willbe p<sup>r</sup>sented.

Att this Court, Richard Willis appeared to answare the complaint of Thomas Pope, for detaining of a horse that hee layed claime vnto, and desired that the said controversy might be tryed by a jury of twelue men by way of action; but Joseph Bartlett, the said Popes attorney, refused to joyne issue with him in that way: on which the Court ordered that the said horse should-be kept by the said Willis vntill June Court next, and if in the mean time any can come in and make better claime and title to him then the said Willis, they shall haue him, paying all due charges; but if none other in the interem shall or doe come in and make better title to him, by the said Court hee shall then be reputed to be the said Willis his horse.

In reference to the p<sup>r</sup>sentment of John Tilson, in breaking the Kings peace by strikeing Robert Ransom, the said Tilson is fined 3<sup>s</sup> 4<sup>d</sup>.

Richard Bishop, for p<sup>r</sup>loyning of a p<sup>r</sup>sell of sheeps woole from Gorge

Crispe, is centanced to pay to the said Crispe the summe of thirty shillings vpon demaund, on receipt wherof hee is to rest satisfy concerning the matter, and the said Bishop cleared.

John Loe, for being drunke the second time, that is to say, convicted therof before the Court, hee is find the summe of ten shillings, according to order.

Thomas Mathewes, for vnreasonably beating of the Indian Ned, and therein breaking the Kings peace, is fined three shillings and four pence; and for the abuse of the said Indian, and for and towards his charges in coming too and attending the Court, the said Mathews is ordered to pay him fourteen shillings.

Att this Court, Ralph Smith, Samuel Smith, and Daniel Smith, (by his father,) appeered to answare the suites comēced by Josias Cooke against them, which suites were by the said Cooke withdrawne; the Court allowed the charges to the defendants for their appeerance and attendance att the Court to answare the said suites.

In reference to a complaint made against Nathaniel Fitsrandall for refusing to pay the summe of one and twenty shillings to the minnistry att Barnstable, which was the summe awarded him by order to pay therunto, the Court, heering his defence, but not judging it sufficient, did centance him to pay the summe of forty two shillings to the Treasurer, according to order of Court provided in such a case.

\*Christopher Blake, for being drunke, fined five shillings, and for his vnseemly carriages in his drunkenes with an Indian woman, is centanced by the Court to sitt in the stockes two houres att Yarmouth on their next training day; and incase hee shall goe aside to escape the execution of the said centance, that then hee shalbe taken by any constable within this jurisdiction, in whose liberties hee shalbe found, and publicly whipt.

In reference vnto the p̄sentment of Jane, the wife of Samuell Hallowey, of Taunton, together with other horrible and abusive speeches and actions by her spoken and done against her husband and others, not onely in other places, but in the p̄sence of the Court, shee is centanced to bee publicly whipt att Taunton; and wheras shee is att p̄sent with child, the execution of the said centance is refered vntill shee shalbe deliuered and abroad againe; and the constable of Taunton is to inflict the said punishment, or to cause it to be inflicted, att the time forenamed; which if hee refuse to doe, hee shall bringe her to Plymouth, that it may be inflicted by the vnder marshall att the publicke post; and in reference to the complaint of the said Jane Hallowey against Jonathan Briggs, that hee had comitted adultery with her two severall times,

1669-70,

1 March.  
PENCE,  
Gou<sup>r</sup>.

[\*21.]

1669-70.

1 March.  
PRENCE,  
Gov<sup>r</sup>.

the Court caused a bill of inditeament to be drawne up and preferred against him, which the grand jury went forth vpon, and could not find the said bill, and soe the said Jonathan Briggs was cleared before the Court.

Furthermore, in answere vnto the earnest request of the said Samuell Hallowey to be diorced from his said wife, shee haucing not onely most horribly abused him, as is manifested by the testimonies to the abouesaid p̄sentment, and att other times, as is aboue hinted, but alsoe confessed that shee hath committed adultery with diuers persons; yett notwithstanding, the Court, being not very cleare to such a proceeding att p̄sent, refered the full answere ther-vnto vntill the next June Court, being willing to take mature advice and deliberation about it, as is beehooftull to soe waighty a matter.

Att this Court, Robert Ransom appeared to answere his p̄sentment for speaking wicked and reproachfull words against the Gov<sup>r</sup> and majestrates, and did put his p̄sentment vpon trauerse; the jury cleared him legally, there being but one witnes appeering against him in that case; althō they were pswaded that the acusation spake like vnto the said Ransoms language.

Att this Court, John Prince, Juni<sup>r</sup>, of Nantaskett, appeared, haucing bine acused by Bethyah Tubbs that hee had begotten her with child; but it soe fell out by the ordering hand of God, that shee being sent for to heare some testimonies that hee said hee could produce, tending to his clearing, shee fell in trauell, and was deliuered of a child while the Court was then in being att Plymouth, on which the time being computed that shee acused him to haue done the acte, it was found not to answere to the time of the child's beirth, it being come to full p̄fection; on which the Court cleared him, soe farr as they could as yett descerne, from being guilty of the said fact.

Wheras Joseph Turner, Seni<sup>r</sup>, was p̄sented att October Court, 1669, for slaundering, and for horrid inciuiltie in words and actions, and in the p̄sence of seuerall women, as by plentifull testimonies appeers, it being pleaded att this Court, to which hee was summoned to answere the said p̄sentment, that the termes of the p̄sentment were soe generall, that hee could not be provided att that time to answere to it, the Court allowed that hee should haue knowledge of the p̄ticular heads of his charge contained in the testimonies giuen him, in order to his answering itt att June Court next; which accordingly was done.

[\*29.]

\*Forasmuch as Joseph Turner departed from this Court without the Courts leaue or knowledge, wheras they expected securitie for his appearance to answere his p̄sentment att June Court next, the Court ordered that hee should be arrested and ceecured to the said Court, the charges against him being soe many and of soe hainous a nature.

In reference to the presentment of Micaell Peirse, of Scittuate, for vuseemly carriages towards Sarah Nicolls, of Scittuate, forasmuch as there appeered but one testimony to the presentment, and that the testimony was written and not read vnto the deponant, the Court saw cause to remitt the said presentment.

1669-70.

1 March.  
PRESENCE.  
Gou<sup>r</sup>.

Att this Court, Serjeant Isacke Bucke was approued and established by the Court to be leutenant of the milletary companie of Scittuate.

And John Sutton was approued and established to be the ensigne of the milletary companie of Scittuate.

Lres of administration is graunted vnto Jehosabath Robins to adminester on the estate of John Robins, deceased.

A Writing appointed to be recorded, as followeth: —

August the third, 1670. Att the Viniyard.

Att a Generall Court held vpon the Vineyard. To his Ma<sup>ty</sup>, our souer lord the Kinge: —

Wheras James Skiffe, late inhabitant of Sandwich, but now att the Viniyard, hath petitioned and sued for a bill of diuorce from his wife, whervpon this present Court hath taken it into serious consideration, and haucing receiued sufficient testimony that the late wife of James Skiffe hath valawfully forsaken her lawfull husband, James Skiffe, and is gone to Roanoke, in or att Verginia, and there hath taken another man for to be her husband, añ wee haucing receiued severall testimonies of it, —

This was heer recorded the 19th of May, 1671.

Therefore know all men by these presents, that the authoritie of the Court hath graunted vnto the aforesaid James Skiffe a lawfull bill of diuorce from the former woman, namely, Elizabeth, the daughter of M<sup>r</sup> Naighbor Cooper, inhabitant of Boston; that James Skiffe is free from the aforesaid woman, which was his lawfull wife; and that the aforesaid covenant of marriage is now dissolved and of non effect.

This abouewritten is a true copy, taken out of the original by mee, Thomas Doged, clarke to the Court att the Viniyard.

August the 8<sup>th</sup>, 1670.

This was heer entered by order from the Gou<sup>r</sup> the day and yeare expressed in the margeant.

1670. \**At the Court of Election holden att the Towne of Plymouth, for the Jurisdiction of New Plymouth, the seaventh Day of June, Anno Doñi 1670.*

7 June.  
[PRENCE,  
GOVERNOR.]  
[\*23.]

BEFORE Thomas Prence, Gouvernor, and Thomas Hineckley,  
John Alden, John Freeman, and  
Josias Winslow, Nathaniel Bacon,  
Wiltam Bradford,  
Assistants, &c.

**M**<sup>R</sup> THOMAS PRENCE was chosen Gou<sup>r</sup>, and sworne.

Mr John Alden,	}	were chosen Assistants, and sworne.
Major Josias Winslow,		
Cap <sup>t</sup> Wiltam Bradford,		
Mr Thomas Hineckley,		
Leiftenant John Freeman,		
Mr Nathaniel Bacon, and	}	chosen Co <sup>m</sup> issioners.
Mr Constant Southworth,		
Mr Thomas Prence and Major Josias Winslow were		
Mr Constant Southworth was chosen Treasurer, and sworne.		

The Names of the Deputies of the seuerall Townes that serued att this Court.

Mr John Howland,	Wiltam Crocker,
Leif <sup>t</sup> Morton,	Thomas Huckens,
Wiltam Paybody,	Ensigne Eames,
Cornett Studson,	Anthonie Snow,
Isacke Chettenden,	Mr Stephen Paine,
Richard Bourne,	Wiltam Sabin,
Wiltam Harvey,	Daniell Cole,
James Walker,	Jonathan Sparrow,
Thomas Howes,	John Willis,
John Thacher,	John Allin,
	John Morton.

[\*24.] \*The names of the Selectmen in each Township of this Jurisdic<sup>n</sup>.

Leif <sup>t</sup> Morton,	}	. . . . Plymouth.
Serj <sup>e</sup> Harlow,		
Wiltam Crow,		

Mr Christopher Wadsworth,	}	. . . . . Duxburrow.	1670.
Mr Samuel Saberry,			
Benjamin Bartlett,			
Cornett Studson,			
Isacke Chettenden,	}	. . . . . Scituate.	7 June.
Isacke Buck,			
James Skiffe,	}	. . . . . Sandwich.	[PREVISE, GOVERNOR.]
Mr Edmond Freeman, Junr,			
William Swift,			
William Harvey,			
James Walker,	}	. . . . . Taunton.	1136282
Mr Hawes,			
Edward Sturgis, Senr,	}	. . . . . Yarmouth.	
Thomas Howes,			
John Thacher,			
John Miller,			
Thomas Huckens,	}	. . . . . Barnstable.	
John Tompson,			
Joseph Laythorp,			
Ensigne Eames,	}	. . . . . Marshfield.	
William Foard, Senr.			
John Bourne,	}	. . . . . Rehoboth.	
Leiftenant Hunt,			
Mr Steuen Paine,			
Ensigne Smith,			
Nicholas Snow,	}	. . . . . Eastham.	
Daniell Cole,			
Leiften Rogers,			
Josias Cooke,	}	. . . . . Bridgewater.	
Jonathan Sparrow,			
John Willis, Senr,			
John Carrey,			
Leiftenant Haward,	}	. . . . . Dartmouth.	
John Cooke,			
James Shaw,			
Samuell Hickes,	}	. . . . . Swansea.	
Mr James Browne,			
Mr Tanner,			
Mr Allin,	}		

1670.

7 June.  
PRESENCE,  
Gov<sup>r</sup>.  
[\*25.]

\*The Names of the Grañ Enquest.

John Cushen,	} sworne,	Nathaniel Thomas,	} sworne,
Walter Briggs,		James Hamblen,	
‡Henery Wood, ‡ deceased,		Joseph Buckland,	
Nathaniel Paine,		Henery Dillingham,	
John Finney,		Thomas Tobey,	
Phillip Delanoy,		John Caruer,	
Sargeant Ephraim Tinkham,		Thomas Paine,	
Benajah Prate,		John Haward,	
John Tracye,		Samuell Luther,	
Wilkan Witherley,		Elisha Hedge,	
Judah Thacher,		John Hathewey,	
. . . . .		Pelegg Sherman.	

The Names of the Constables of the seuerall Townes of this Jurisdiction.

Plym̄,	Joseph Warren.
Duxbuř,	John Rogers, Juni <sup>r</sup> .
Scittū,	{ Samuell Clapp, Timothy White.
Sand,	Joseph Holley.
Tamton,	Nathaniel Williams.
Yarmouth,	Samuell Sturgis.
Barnstable,	M <sup>r</sup> Thomas Allin.
Marshfeild,	Jacob Dingley.
Rehoboth,	{ John Fitch, Richard Bowin.
Bridgwater,	John Eames.
Eastham,	Samuell Smith.
Dartmouth,	Ralph Earle.
Swansey,	Nathaniel Chafey.

Surveyors of the Highwaies.

Plymouth,	{ Gorg <sup>o</sup> Bonum, Stephen Bryant, Abraham Jackson.
Duxbuř,	{ Micaell Peirse, John Turner, Juni <sup>r</sup> , Joseph Barstow.

Sand, . . . . .	^ ^	1670.
Taunton, . . . . .	^ ^	
Yarmouth, . . . . .	{ John Burgis, Edward Sturgis, Junr.	7 June. PRESENCE, Gov <sup>r</sup> .
Barnst <sup>ble</sup> , . . . . .	{ James Lewis, Samuell Fuller, the son of Cap <sup>t</sup> Fuller.	
Marshfield, . . . . .	^ ^	
Rehoboth, . . . . .	{ Preserved Abell, John Butterworth.	
Eastham, . . . . .	{ Richard Knowles, Samuell Freeman.	
Bridgwater, . . . . .	{ Joseph Bassett, Robert Latham.	

\*The Names of such in each Township which are appointed to looke after the Minnesters Rate. [\*26.]

Scituate, . . . . .	{ Edward Jenkins, John Turner, Seni <sup>r</sup> .
Taunton, . . . . .	{ Wilham Harvey, James Walker.
Yarmouth, . . . . .	{ Thomas Howes, John Thacher.
Barnstable, . . . . .	{ M <sup>r</sup> Hineckley, Thomas Huckens.
Marshfield, . . . . .	{ Elisha Besbey, John Bourne.
Eastham, . . . . .	{ Leift <sup>ant</sup> Freeman, Jonathan Sparrow.
Bridgwater, . . . . .	{ John Willis, Leift <sup>ant</sup> Haward, Samuell Parker, Seni <sup>r</sup> .

M<sup>r</sup> Bourne, M<sup>r</sup> Huckens, M<sup>r</sup> Walker we<sup>r</sup> appointed by the Court to take the Treasurers account.

Att this Court, l<sup>et</sup>s of adminnstration were graunted vnto Mistris Elizabeth Tilden to adminnester on the estate of M<sup>r</sup> Joseph Tilden, deceased.

\*This Court, being enformed that the Indians are desirous to sell a smale p<sup>ar</sup>cell of vpland att a necke called Quanamett, or neare therabouts, on the [\*27.]

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[PRESENCE,  
GOVERNOR.]

South Sea, doth therefore order M<sup>r</sup> Hinckley and M<sup>r</sup> Bourne, of Sandwich, to purchase the same, and it to be reserved for M<sup>r</sup> Thomas Walley, Sen<sup>r</sup>, of Barnstable, vnto the Courts conformation therof vnto him when they shalbe in capacitie thervnto.

This Court haue confirmed vnto Joseph Burge, of Sandwich, a former graunt of a p<sup>ar</sup>cell of vpland lying between the Red Springe and the Red Brooke att Pochasett, next vnto the land of Wilham Paybody, being about fourescore aeces, with six or eight aeces of meddow, vnto the said Joseph Burge, his heires and assignes, for euer.

Att this Court, a certaine tract of land, formerly graunted vnto Wilham Paybody, lying att or neare a place called Pinquin Hole, was confirmed by the Court vnto him, the said Wilham Paybody, his heires and assignes, for euer; the which was graunted vnto him in way of exchange for all his right of land which hee hath att Taunton Riuer as an ancient freeman, both deuided and vndeuided; the which, his whole interest there, hee, the said Wilham Paybody, hath att this Court surrendered vp to the Court againe.

Att this Court, the Treasurer, Cornett Studson, and Thomas Huckens are impowred by the Court, in the behalfe of the countrey, to make sale of the abouesaid land, surrendered vp by Wilham Paybody, lying att Taunton Riuer, as aboue expressed.

The Treasurer is appointed by the Court to agree with some workeman to build an addition to the countrey hous to entertaine the majestrates att Court times and other nessesary vses of the countrey.

Memorand: that att this Court John Williams appeered, in the behalfe of Nathaniel Man, of Scittuate, to enter an appeale from the Court of the Celeet Men att Scittuate; and the Court refered the entery and tryall therof vntill the next July Court, because matters are not fully settled in respect of the order about appeales; and the Court engaged, that there shalbe no advantage taken by the bonds giuen in for the procecuttion of the said appeals.

In reference to the complaint of M<sup>r</sup> Josias Winslow, Sen<sup>r</sup>, in the behalfe of the towne of Marshfeild, against Cap<sup>t</sup> Nathaniel Thomas, for neglecting and refusing to make payment of the summe of one pound seauen shillings and nine pence, due from him to the minnistry att Marshfeild, the said Cap<sup>t</sup> Thomas appeering, and his son, Nathaniel Thomas, in his behalfe, and haueing had competent patience and time giuen them by the Court to giue in his reasons for refusing to pay his said proportion, and they refusing to joyne issue with the said Josias Winslow in the case, the said Captaine Thomas is centanced by the Court to pay the summe of two pounds fifteen shillings and sixpence, according to the order of Court.

The Court haue graunted liberty vnto Leiftenant Rogers to purchase a p̄sell of land of the Indians att a place called Naamcoyicke, neare Eastham, being a pte of the land reserved for the purchasers. The bounds are as followeth, viz: it begins att or neare the mouth of a riuer called Pottanumquatt Riuer, att the Indian fence, and soe ruūing along the said fence towards the southwest vntill it comes to the meddow of the said Leiftenant Joseph Rogers, att the northwest corner, and bounded by the said fence and salt water towards the northeast and east.

In reference to the complaint of Wilham Randall, Seni<sup>r</sup>, against John Rogers, of Marshfield, for taking a payer of oxen out of his pasture without his leaue, the Court haue ordered, that hee shall returne him his oxen againe, and to the said Randall twenty shillings and six pence for his journeyes and charges to the Court about it.

In reference vnto a coate, in the hands and costody of Wilham Clarke, of Plymouth, which was left by a stranger in the towne of Plymouth aforesaid, the Court haue ordered the said Wilham Clarke to pay vnto the Treasurer the sume of fifteen shillings, and to haue the said coate; and in case the owner come and challenge it, then the said fifteen shillings to bee repayed to him againe.

\*The Court doth abate vnto James Cole, Juni<sup>r</sup>, twenty shillings due for this yeare of the excise, in regard that hee is a new beginner in keeping the ordinary att Plymouth.

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Gou<sup>r</sup>.

[\*28.]

Att this Court, Jonathan Hatch, for selling liquors to the Indians, fined three pound.

Samuell Chandeler, for being drunke, fined fiue shillings.

John Sprague, for suffering Samuell Chandeler to be drunke in his house, fined ten shillings.

Thomas Pope, for villifying the minnistry, fined ten shillings.

Thomas Hughes, for breaking the Kings peace, fined three shillings and four pence.

Hughes, by  
striking Rich-  
ard Willis.

Thomas Lucas, for breaking the Kings peace, fined three shillings and four pence.

Lucas, by strik-  
ing of Samuell  
Jenney.

Samuell Norman, for breaking the Kinges peace in striking Lydia, the wife of Henery Tayler, was fined three shillings and four pence.

And in reference to the said Norman his throwing his hoe att Hannah Dauis, and thereby soe hitting her therwith as that her life was much indangered, hee was centanced by the Court to pay vnto the frinds of the said Hannah Dauis, for and towards the reparation of the wronge done to her in that behalfe, the sume of ten shillings; and in reference to his turbulent

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released.

carriages mentioned in the premises, and his frequency and aptnes to such like practices, hee, the said Samuell Norman, was centanced by the Court to find surties for his good behavior.

Samuell Norman acknowledgeth to owe vnto our soũ	} <sup>ll</sup> s <sup>d</sup>	20 : 00 : 00
lord the Kinge the summe of . . . . .		
John Tompson the summe of . . . . .		10 : 00 : 00

The condition, that if the said Samuell Norman be of good behavior towards our soũ lord the Kinge and all his leich people, and in speciall towards the pties wronged by him as aforesaid, and appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth the last Tusday in October next, and not depart the said Court without lycence; that then, &c.

John Dunham, Seni<sup>r</sup>, being bound ouer to this Court to answare for his abusive speeches and carriage towards Sarah, the wife of Benjamine Eaton, and being conuict therof, was centanced to be bound to his good behavior.

Cleared and  
released.

John Dunham acknowledgeth to owe vnto our soũ	} <sup>ll</sup>	40
lord the Kinge the summe of . . . . .		

The condition, that if the said John Dunham be of good behavior towards our soũ lord the Kinge and all his leich people, and in speciall towards Sarah, the wife of Benjamine Eaton, and appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth aforesaid the last Tusday in October next, and not depart the said Court without lycence; that then, &c.

In reference vnto a complaint made against Wiltam Randall, Seni<sup>r</sup>, for neglecting to pay his proportion to the rate for the minnistry att Scituate, forasmuch as hee engaged speedily to make payment of what hee is rated in that behalfe in good and currant pay, in case hee soe doe, hee is freed by the Court from paying double, according to the order prouided in that behalfe; or otherwise to be exacted.

And in reference to the like complaint against John Palmer and Henry Ewell, they engaged to the Court to tender their goods to the constables of Scituate for the payment of their proportions to the said rate; which in case they shall neglect to doe, the said constables of Scituate, or either of them, are heerby impowered to make destresse vpon their goods, or soe much therof as will satisfy and make good double their proportions of their said rate, according to the aforesaid order of Court.

Att this Court, Thomas Saury was dismissed from his office of vnder marshall, haucing bine found seuerall times vnfaithfull in the pformance of his said office, and att this Court, in speciall, by letting Joseph Turner, being committed to him as his psoner, make an escape from him, to the great offence of the Court and countrey; the said Turner being found guilty of many

abominable crimes, and had received his demerits had hee not made an escape as aforesaid.

\*Whereas the bounds of Sandwich can not be found on the records of our Court, this Court hath graunted, according to their request, that their bounds shalbee fairly entered on the records of the Court.

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Gor<sup>th</sup>.  
[\*29.]

The Court hauing appointed M<sup>r</sup> Thomas Hinxley, Thomas Dexter, Seni<sup>r</sup>, and M<sup>r</sup> Constant Southworth to settle the bounds between Plymouth and Sandwich, these are to certify, that the men aboue mensioned haue, with the concurrence of the agents of the townes abouesaid, agreed and determined the bounds to be as followeth, viz<sup>t</sup>: that the towne of Sandwich shall run three quarters of a mile from any p<sup>te</sup> of the fence of John Ellis his feild, between his house and the sea, vpon what point of the compas they please; and att the end therof to pitch their stake, and thence to run a northeast line to the sea, and a southwest line into the woods; onely incase a southwest line from the said stake shall cutt of any p<sup>te</sup> of the Herring Riuer, to deprive the towne of Sandwich of the benefitt of the alewiues, that then the said line shall run more westward, to cleare the said riuer vnto the towne of Sandwich. In witness wherof they haue heervnto sett their hands, this niūteenth of February, 1663.

THOMAS HINCKLEY,  
THOMAS DEXTER,  
CONSTANT SOUTHWORTH.

The easteren bounds of the towneship of Sandwich is from two or three stumpes neare vnto the house of Ralph Jones, and runs northeast to the sea, and southwest into the land, vntill it comes ouer Satuit Pond to marked pyne trees.

The constablericke of Sandwich to extend vnto Sacconesett bounds, both for English and Indians: soe ordered by the Court.

Att this Court, Samuell Hallowey, of Taunton, importuned the Court for a divorce from his wife, Jane Hallowey, expressing himselfe much agreiued with her continued approbrious and audacious asserting and affirming that shee had committed adultery with Jonathan Briggs; in consideration wherof the Court passed an order to Wilham Harvey and James Walker, of Taunton aforesaid, authorising them to examine her as soon as shee can conveniently after her being vp out of child bed, to know of her whether shee will yet stand to and maintaine her said assertion; which if incase shee doe, and that the said Hallowey doe appeer att the Court of his ma<sup>tie</sup> to be holden att Plym-

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outh aforsaid the last Tusday in October next, and produce sufficient testimony, vnder the hand of the said Wilham Harvey and James Walker, that shee still affeirmes that shee hath comitted the said acte, the Court will then see cause to graunt him a bill of diuorse.

Wheras Joseph Turner, Seni<sup>r</sup>, was bound ouer to this Court to answare his p<sup>s</sup>entment, which was for most lacinious, abseane, and vild expressions and actions, spoken and acted towards seuerall p<sup>s</sup>ons diuers times, wherof hee was legally convicted by cleare and manifest euidence, (which is extant;) and haueing put the said p<sup>s</sup>entment on trauice, and the jury bringing in a verdict wherin they say they find him guilty in the whole p<sup>s</sup>entment, vules it be in the first p<sup>t</sup>icular and the first p<sup>t</sup>e of the ninth; this Court doth therefore censure him, the said Joseph Turner, to receiue corporall punishment by whipping, and therby to receiue thirty stripes, fifteen wherof to be inflicted att Plymouth att the publicke post, soone after hee shalbe apprehended; and the other fifteen att Scittuate, on some publicke training day, as soone as it may conveniently be done and p<sup>f</sup>ormed.

The Names of the Jury.

M <sup>r</sup> Samuell Sabery,	Phillip Dellanoy,
Gorg <sup>e</sup> Watson,	John Tracey,
Serjeant Ephraim Tinkham,	Benajah Prat,
John Finney,	Benjamin Church,
Henary Wood,	Thomas Cushman,
Steuen Briant,	James Hamblen.

5 July.  
[\*30.]

*\*.Att the Court of his Ma<sup>ty</sup> held att Plymouth the fift Day of July,  
Anno Doñi 1670.*

BEFORE Thomas Prence, Gov <sup>r</sup> ,	Thomas Hinckley,
John Alden,	John Froeman, and
Josias Winslow,	Constant Southworth,
Wilham Bradford,	

Assistants, &c.

**M<sup>r</sup>** HINCKLEY was appointed by the Court to take securitie in the Courts behalfe of Elizabeth Goodspeed, widdow, the relict of Nathaniel Goodspeed, late deceased, for her admimistration on his estate.

This Court doth order, that the two children of the said Nathaniel Goodspeed shall have, each of them, forty shillings reserved for them out of the estate of the said Goodspeed, and deliuered to them by the abovesaid administrator, or her order, when they come to be of age.

In reference vnto the complaint of John Jourdain, in the behalfe of his daughter, Jehosabath Robins, against Gorge Turner, of Bridgewater, for detaineing certaine clothes appertaining vnto the estate of John Robins, deceased, the Court haue ordered, that the said Turner shall deliuer a certaine cloake, which is one p̄ticular of the said clothes, vnto the said John Jourdain on his demaund, and retaine the rest of the said clothes vnto himselfe.

Edward Sturgis, Seni<sup>r</sup>, is allowed to keep an ordinary att Yarmouth, and required to keep good orders in his house in that respect, that rude fellows be not found nor suffered there to misdemean themselues.

John Miller is required by the Court to cease and desist from keeping an ordinary att Yarmouth.

John Woodcocke is allowed by the Court to keep an ordinary att the Ten Mile Riuer, (soe called,) which is in the way from Rehoboth to the Bay, and likewise injoynd to keep good order, that noe vnrullynes or rebaldry be p̄mitted there.

The second weeke in August, on the third day of the weeke, is appointed by the Court for the widdow Bassett and Elisha Hedge to appeer att Plymouth to proue the wills and inuentories of the deceased Captaine Hedge and William Bassett.

Elisha Hedge, being detected of selling liquor to the Indians, fined three pounds.

Robert Harper, for his rayling and reviling of M<sup>r</sup> Thomas Walley, Seni<sup>r</sup>, mimster of the gospell, as appeered by cleare and manifest euidence, was cētanced by the Court to be whipt att the post, which accordingly was p̄formed.

Memorandum: that Jonathan Cudworth and his wife be sent for, to answare for com̄itting fōnication with each other; and likewise Elizabeth Adkins, for the same.

Abisha Marchant, for being found to be in bed with Mary, the wife of Morgan Jones, was fined the sūme of forty shillings to the vse of the collonie.

Elizabeth Doxey, late seruant to M<sup>r</sup> Joseph Tilden, deceased, being deliuered of a child, and charging of Nathaniel Tilden to be the father of it, the said Nathaniel Tilden appeered att this Court to answare to it, and being examined, deneyeth it; notwithstanding, the Court saw cause to take securitie of him to saue the towne of Scituate harmles from any damage that might acrew vnto them by the said child vntill another father appeereth; and a

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warrant was directed to the constables of Scituate to cause her, the said Doxey, to bee sent as soon as shee is capable to Plymouth, to receiue punishment according to her demeritts.

In reference and in answere vnto the petition of Thomas Sauory, that hee might be admitted to his place of vnder marshall againe; through the vrgeneye of the said Sauory, and the concurring desire of seuerall whose hands were subscribed to his said petition, the Court was pswaded to admitt him to his place againe; Edward Gray and Wiltam Clarke likewise giueing their words for his better pformance of his office then formerly.

[\*31.]

\*Wheras it is manifest to the Court, that twelue acres, more or lesse, of land, which was formerly graunted vnto Gorge Vaughan, lying in Middleberry, in the majors purchase, on the southsyde of Namassakett path, by reason of sofitling impeading, was not recorded vntill now, this Court doth heerby rattify, assure, and confeirme the said twelue acres, more or lesse, of land, vnto the said Gorge Vaughan, and ordered it to be heer recorded.

It was agreed att this Court, agreed and concluded by and between the agents of Namassakett and the towne of Duxburrow, that the bounds between Duxburrow and the majors purchase shalbe from two smale red oake trees marked that are att the northwest corner of Joneses Riuer Pond, and from thence on a straight line to the Indian Head Riuer Pond, where the brooke runs out of the pond.

Wheras it is eident to the Court, that a certaine tract or p̄sell of land, called Old Cookes Holes, lying att Joneses Riuer meddow, was formerly graunted vnto Francis Cooke, of Plymouth, deceased, in the lieu of some land which is supposed would haue fallen within his line att the Smelt Brooke, but is not fully settled on the said Cooke and his heires and assignes, this Court doth by these p̄sents fully and absolutely settle, rattify, assure, and confeirme the said graunt of land or tract of land, being threescore acres, be it more or lesse, lying att Joneses Riuer meddow, vnto the said Francis Cooke, his heires and assignes, foreuer; which said land was giuen by the said Francis Cooke vnto Richard Wright and Thomas Michell, comonly called Old Cookes Holes, and since his decease rattified and confeirmed vnto the said Richard Wright and Thomas Michell by John Cooke, the heire vnto the said Francis Cooke, as appears by a writing vnder his hand and seale.

Of the reip<sup>s</sup>  
of these por-  
tions heer al-  
lowed by the  
Court, see in  
this booke in  
the yeare 1675.

In reference to a controversy betwixt Nathaniel Man and John Cowin, his father in law, both of Scituate, that wheras the said Man, being heire to an house and land now in the possession of the said Cowin, & hath bine deprived of his right therein ener since the time hee hath bin of age, this Court doth order, with the consent of both p̄ties, that the said Cowin shall remaine

possessed of the said house and land for the tearme of five yeares from the date heerof on condition hee pay, or cause to be payed, the full and just sume of three pounds six shillings and eight pence a yeere vnto the said Nathaniel Man or his order in good and curreant pay of the countrey, att prise curreant att the deliuey therof, if hee, the said Cowin, sees cause to keep it the said five yeares, or soe longe of the said five yeares as hee sees cause to keep it; and in case hee keeps it the said tearme of five yeares, that then, att the expiration therof, hee is to surrender it vp to the said Nathaniel Man. And whereas the wife of the said Cowin hath a right to the thirds of the said lands whiles shee liueth, it is likewise ordered by the Court, that in case the said Cowine shall or doe leaue the said land before the tearme of five yeares aforesaid be expired, that then the said Nathaniel Man shall pay or cause to be payed vnto the said John Cowine or his order the full and just sume of one pound thirteen shillings and four pence a yeere, from the time the said Cowin leaues it vntill the decease of his mother. It is further ordered by the Court, that the said Cowin, during the time of his improuement of the said land, shall not make hauocke or destroy the timber thereon, but shall onely haue libertie to improue it for frugally building or fencing vpon the said land, and not elsewhere; and alsoe, that when the said Nathaniel Man can giue a true intelligence to the Court how longe hee hath bine of age, that then the said Cowine is to make good vnto him that which is due for rent for the time past.

Whereas Cap<sup>t</sup> Willett, Leif<sup>t</sup> Hunt, Ensigne Smith, and Phillip Walker, or any three of them, were requested and appointed by the Court to take some paines in settleing matters about the estate of Richard Bullocke, deceased, Cap<sup>t</sup> Willett being from home, the other three settled all matters between the widdow Bullocke and her son in law, Samuell Bullocke, as followeth, viz<sup>t</sup>: the said widdow Bullocke is to haue the house and home lott, and a little iland containing half an acree of salt marsh that lyeth neare the house, and one acree of vpland, for her selfe and her heires for euer; and for the tearme of her life shee is to haue the vse of five and twenty pounds co<sup>m</sup>onage, and the vse of one acree of broken vp ground three yeares.

And in reference to the remaining p<sup>te</sup> of the estate not disposed of, the Court haue ordered, that the widdow shall pay such debts as are owing therfrom, and giue notice to the Court of what remaines, that soe they may compare it with the inuentory, and settle it in the best way they can.

\*Whereas the Court hath ordered, that all the tarr made in the go<sup>u</sup>ernment shalbe sold to some p<sup>so</sup>ns within the collonie, if any such will giue eight shil-

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This agreement was consented vnto and approved by the maiestates, and ordered heer to be recorded; and Samuell Bullocke alsoe freely consented to the abovescribten agreement with his mother.

[\*32.]

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lings in mony for every smale barrell, and twelue shillings for every great barrell, during the full tearme of two yeares, and that during the said tearme noe tare shalbe transported or sold out of the collonie by any pson whatsoever but by or vnder those that engage to giue as aforesaid, vnder the forfeiture of all such tarr soe transported or sold, or the vallue of it; the one halfe to the collonie, the other halfe to the psons engaging as aforesaid. Wee whose names are heer vnderwritten, takinge the sence of the Coart to be, that the aforesaid tarr shalbe deliuered to some one of vs, or some one of our order, att the water syde in each towne, whervnto it shalbe brought in good, marchantable caske, and vpon due tryall made, found to be marchantable tarr, doe engage to pay or cause to be payed the said sume of eight shillings p smale barrell, and twelue shillings p great barrell, for all such tarr made, conditioned, and deliuered as aforesaid, vntill the full tearme of two yeares aforesaid shalbe expired.

Dated the 24<sup>th</sup> of June, 1670.

THOMAS HINCKLEY,  
JOHN FREEMAN,  
RICHARD BOURNE,  
THOMAS HUCKENS,  
WILLIAM CLARKE,

The marke  of EDW: GRAY,  
SAMUELL STURGIS,  
WILLIAM SWIFTE.

By order from  
some of the  
majestrates  
this last clause  
was added Au-  
gust the 11th.  
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This Court doth accept of the abouemensioned engagement, and doe hereby order and declare the Court order abouesaid relating therunto to take place according to the sence therof aboue declared immediately from and after the 10<sup>th</sup> of this instant July vntill the tearme of two yeares shalbe fully expired; alsoe, M<sup>r</sup> John Freeman being to take of all the tarr made within the liberties of Eastham which shalbe brought to him or his order, and to pay the prise abouenamed p barrell to such as shall deliuer it conditioned as abouesaid; and Samuell Sturgis to doe the like for the liberties of Yarmouth; and M<sup>r</sup> Thomas Hinckley and Thomas Huckens to doe the like att Barnstable; and Richard Bourne and William Swift to doe the like for Sandwich; and Edward Gray and William Clarke to doe the like for Plymouth and all the western townes of the collonie; John Cobbs, of Taunton, being the place of deliuey of what tarr shalbe made within the liberties therof. And for the better pformance of the pmisses, and the advancement of the publicke good therein, this Court doth charge and require all coopers respectiuey, to see that all the caske they make be sufficiently good and tite, and according to the

accustomed size of late in vse amongst us, as they will answere the contrary att their prills; and that all that shall bring in and deliuer any tarr as aforsaid doe see to it that they deliuer their tarr in good, sufficient, tite caske as aforsaid, which said caske are not to be lesse than will containe sixteen gallons, beer measure.

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GOU<sup>r</sup>.

*August 11<sup>th</sup>.*

\*Att a meeting of the Goff and seuerall of the majestrates of this jurisdiction in the nature of a special Court, appointed by the Court held att Plymouth the fift day of July last past before the date heerof,—

[\*33.]

Att this Court Elisha Hedge appeered, and produced, according to order, the will and inventory of the estate of Cap<sup>t</sup> Wilham Hedge, late deceased; which were proued, and ftes of administration graunted to him, the said Elisha, to adminnester on the said estate.

Att this Court, likewise, Mistris Mary Bassett, widdow, appeered, and produced, according to order, the inventory of the estate of M<sup>r</sup> Wilham Bassett, of Sandwich, late deceased, which inventory was likewise orderly proued; but before letters of administration were graunted vnto her, the said Mary Bassett, the Court saw cause to take an engagement of her in the behalfe of the children of the said Wilham Bassett as followeth:—

August the 11<sup>th</sup>, 1670. Mistris Mary Bassett, widdow, the relict of Wilham Bassett, of Sandwich, late deceased, coming before the majestrates of this jurisdiction to proue the inventory of the estate of her deceased husband, Wilham Bassett aforsaid, doth before them heerby engage to sett apart and reserue the sume of two hundred pounds out of the said estate for the vse and benefitt of her children, to be desposed off to them, with the advise of the Court, as they, the said children, shall come to be of age; provided, that if in the interem any great damage shall befall the said estate, that then it shalbe considered of by the Court to be abated as reason shall require.

Ftes of administration was graunted to Mistris Mary Bassett to adminnester on the estate of M<sup>r</sup> Wilham Bassett, of Sandwich, late deceased.

Att this Court an Indian called Wilham, the son in law of Cawsetan, appeered, and complained that the oxen of Leiftenant Ellis had broken in to his come att Breake Hart Hill, and produced the testimony of Elisha Hedge and John Dauis to proue it; whoe doe testify, that viewing the damage, they adjudged it to be about six bushells, and affirmed that the fence about the said come is good.

The bounds of the land graunted formerly by the Court vnto John Mor-

1670.

11 August.  
PRENCE,  
Gov<sup>r</sup>.

ton, Seni<sup>r</sup>, viz<sup>d</sup>: a p<sup>se</sup>ll of land lying in that which is com<sup>o</sup>nly called the Majors Purchase, att Namassakett, ranging vpon the easterly syde with Jonathan Dunhams land, and soe ru<sup>n</sup>ing north and south nearest with the said land, and soe extending from the old Indian path on the south end, and soe to the country road on the north end, and soe vnto a red oake marked standing att the easterly corner, and soe from the said tree to another red oake tree standing on the southerly corner, onely excepting a smale gore of land belonging to Captaine Mathew Fuller, which is within these bounds.

Further, the Court haue graunted vnto the said John Morton another p<sup>se</sup>ll of land within the said Majors Purchase att Namassakett, lying on the southwesterly syde of the said Jonathan Dunhams land, and to range with the said land of Jonathan Dunham three score pole from the aforesaid country road, and soe to extend from the said Jonathan Dunhams land still on the southwesterly syde vnto a great rocke well knowne which stands neare vnto the said country road, and the said rocke to be a bound on the northwest corner, and soe from thence to a white oake tree marked standing on the south-east corner.

John Marchant, Seni<sup>r</sup>, is approued by the Court to be leiftenant of the milletary companie of Yarmouth.

Elisha Hedge, for selling liquor to the Indians, fined fifty shillings.

Abisha Marchant, for being in bed with Mary, the wife of Morgan Jones, fined forty shillings.

[\*34.]

\*In reference to the complaint of diuers of the inhabitants of Rehoboth, that they were oppressed in being soe high rated for their lands lately purchased of the collonie on the northerly syde of the towne, that it did greatly frustrate the intent both of the buyers and sellers, which was principally for the accomodation of the poorer sort with land, and yett soe as not to oppresse them as much otherwise, —

The Court doe determine, that the mile and half that was giuen as an enlargement to the towne of Rehoboth be layed to that towne for their easment in rates and charges, but to be rated according to the way the Court order prouided, and not according to that townes singular way of rateing; —

And that all the rest of the north lands within their purchase, both farmes and else, be rated senerall and apart from the said towne, viz<sup>d</sup>, thirty shillings towards a forty pound rate to the collonie; and according to that proportion, and not otherwise, to be charged to the minnistry and other town charges, vntill the Court shall see cause otherwise to dispose concerning them, vntill which time they shall alsoe be and remaine within the constablericke of the township of Rehoboth.

And whereas those lands on the northsyde of Rehoboth were sold and by deed passed ouer to the propriators of that towne, viz<sup>o</sup>, to all that hold lands there, from a fifty pound estate and v<sup>p</sup>ward, yett by mutuall consent and agreement amongst themselues, all the inhabitants were taken in to be joynt purchasers, it is determined that the names of such as were not comprehended in the aboue mensioned deed shalbe entered in their towne record, and in the publicke record of the collonie alsoe, if they desire it, as full and equall purchasers and propriators in the said lands with the rest.

In reference to a controuersy arising betwixt the townshipes of Rehoboth and Swansey about the rateing of lands which belonge to the inhabitants of one of them lying within the line of the other, —

This Court, according to a power reserved to them in the graunt of Swansey township, as by record appeers, haueing heard the pleas by the agents on both sydes, and vpon mature consideration, doe order and determine, for a finall settlement of the said controuersy, as followeth, viz<sup>o</sup>: —

1. That the meddowes comōnly knowne by the name of the Hundred Acree Meddows, although they lye within Swansey line, yett to belonge to the township of Rehoboth, and there to be rated as they haue bine vsed to be, and not vnto Swansey.

2. That the meddowes belonging to Sowansett, commonly called the Fieue Ten Acree Lotts, lying within the line of Rehoboth, shalbe and belonge to the township of Swansey, and there to be rated, and not vnto Rehoboth.

3. That the rest of the lands be rated to each township respectiely as they be and shall fall within their line.

*\*.Att the Court held att Plymouth, for the Jurisdiction of New  
Plymouth, the 29<sup>th</sup> of October, 1670.*

29 October.  
[\* 35.]

BEFORE Thomas Prence, Esquire, Gour,	Thomas Hinckley,
John Aldin,	John Freeman,
Josias Winslow,	Nathaniel Bacon, and
Wiltam Bradford,	Constant Southworth,
Assistants, &c.	

**A**T this Court, Captaine Thomas Willett, M<sup>r</sup> James Browne, M<sup>r</sup> John Allin, John Butterworth, and Wiltam Albey were impowered by the Court to haue the disposing of lands within the township of Swansey. and for

1670.

29 October.  
PRENCE,  
Gou<sup>r</sup>.

the admission of inhabitants into the said towne; and this trust and power respecting the premises to bee att the dispose of the said men nominated vntill the Court shall cause otherwise to order.

In reference vnto the complaint against John Miller, of Yarmouth, for challenging a mare contrary to order of Court, which hee att present can not proue to be his, the Court haue ordered, that hee shall see the said mare forth coming vpon demaund; and if hee can cleare vp that shee is his, that hee repaire with such euidence to M<sup>r</sup> Hinckley and M<sup>r</sup> Bacon, and they to returne the same vnto the Court; & if they approue it, then hee, the said Miller, is to retaine the said mare; if otherwise, the Court to take order about her for the dispose of her according to the order of Court.

Wheras the widdow Elizabeth Bullocke, of Rehoboth, hath with care and industry brought vp diuers smale children hitherto since the decease of her husband, and still is carefull and industrious to bringe them vp, some of them being yett smale; and that it doth appeer to the Court, that the debts due from the estate are for the most pte defrayed, and ther being left three coves and a mare of the estate; the Court haue ordered and settled the said cattle vnto the said widdow, Elizabeth Bullocke, in reference vnto the bringing vp of the said children.

In reference vnto one Rowland Wills, brought into the towne of Scittuate by John Williams, whoe hath liued diuers yeaes from his wife, the Court that the said Wills may stay in Scittuate if hee please vntill his next cropp is reaped; and hee haucing now engaged that hee will send for his wife in the interm; which incase shee come, and that hee procure libertie of the towne and approbation of the majestrates to stay, well; if otherwise, to depart the goument; and in the mean time the said John Williams standeth heerby engaged to saue the towne of Scittuate from any damage that may acrew vnto them by the said Rowland Wills as longe as hee liues on the farme, or vntill his tearme is out.

This Court hath appointed and haue giuen letters of administration vnto John Nelson and Samuell Wood to adminnester on the estate of Henry Wood, of Middlebery, late deceased.

Att this Court, John Louell, Jun<sup>r</sup>, with the consent of his father, John Louell, Sen<sup>r</sup>, of Rehoboth, made choise of Joseph Siluester, of Scittuate, to be his guardian, which was approued by the Court.

Ester Siluester came before this Court, and made choise of John Louell, Sen<sup>r</sup>, aforsaid, to be her guardian, which was approued by the Court.

Att this Court, Dauid Wood, Joseph Wood, and Benjamine Wood did make choise of John Morton, Sen<sup>r</sup>, and Leiftenant Morton, to be their guardians, which was approued by the Court.

Daniel Ramsden, for selling liquor to an Indian, fined fifty shillings  
mony.

\*Att this Court, William Rogers, for committing fornication before marriage, was sentenced to pay five pound in mony or be whipt.

Att this Court, Edward Jenkins was ordered to pay three pounds for and in the behaffe of his daughter, Mary Adkinson, whoe is fined for haueing carnal coppulation with her husband, Marmeduke Adkinson, before marriage and before contract; and the said summe being payed, shee is then freed from appearence att the Court to answare for that fact.

Att this Court, Jabez Snow and his wife were fined the summe of ten pounds for haueing carnall coppulation with each other before marriage.

Att this Court, John Cooke, for breaking the Sabbath by vnecessary traouelling theron, was fined ten shillings.

Att this Court, William Hincksman, for breaking the Sabbath by carrying of wood, was fined ten shillings.

Memorand: that a barrell of powder that Duxburrow borrowed of the country the last generall training was now payed.

Att this Court, Humphery Johnson demaunded his charges expended about an action wherin hee was nonsuited.

In like maner, alsoe, did Nathaniel Turner.

Att an oecasionall meeting of two of the majestrates with the Goũ, on the 12<sup>th</sup> of December, 1670, in reference vnto the complaint of Timothy White, of Scittuate, against Thomas Hart, that hee hath stollen seuerall thinges from him att Scittuate, the said ^, vpon examination confessing the same, was sentenced by the Goũ and Assistants aforesaid to returne the said goods againe to the said White, and did alsoe order him to pay the summe of twelue shillings vnto him for charges hee hath bin att in procecuting against him; and whereas two smale inconsiderable ruggs are found to appertaine vnto the said Hart, the said majestrates haue ordered them to be disposed for present into the hands of James Cole, soe as that if any will redeem them, and giue more then twelue shillings for them, they may haue them, and giue or pay the ouerpluse to the said Hart; and the said Thomas Hart, for his pilfering and stealing of the particulars aforesaid, together with his intollerable lying in his examination about the same, hee was sentenced by the authoritie aforesaid to be seuerly whipt att the post, which accordingly was pformed.

1670.

29 October.  
PRESENT,  
GOV<sup>th</sup>.

[\*36.]

1670-1. \**Att the Court of his Ma<sup>ty</sup> held att Plymouth, for the Jurisdiction of New Plymouth, the 8<sup>th</sup> of March, 1670.*

8 March.  
PRENCE,  
Gov<sup>r</sup>.  
[\*37.]

BEFORE Thomas Prence, Esquire, Gov <sup>r</sup> ,	Thomas Hineckley,
John Alden,	John Freeman,
Josias Winslow,	Nathaniel Bacon, and
Wiltam Bradford,	Constant Southworth,
Assistants, &c.	

**A**TT this Court, proclamation was made that if any can lay any just claime vnto any debt due from the estate of Wiltam Bassett, of Sandwich, they are to come in and demaund it betwixt this date and the Court of his ma<sup>ty</sup> to be holden att Plym in July next.

Att this Court, Mary Bassett, Juni<sup>r</sup>, made choise of Major Winslow to be her guardian.

And Wiltam Bassett, Juni<sup>r</sup>, made choise of M<sup>r</sup> Hineckley to be his guardian, which was approued by the Court.

Att this Court, Hannah Hull made choise of Joseph Holley and Nathaniel Fitsrandall to be her guardians, which was approued by the Court.

Att this Court, Benjamine Silvester came into the Court, and made choise of Joseph Silvester and Israell Silvester to be his guardians, which was approued by the Court.

John Williams doth heerby stand bound and ingaged vnto the Court in the sume of ten pounds in the behalfe of Peter Worthylake, now in durance att Plymouth, whoe was arested att the suite of Captaine Wiltam Hudson, of Boston, that hee, the said Worthylake, shall answare the complaint of the said Captaine Hudson according to the tenor of the warrant, if hee agrees not with him before.

In reference vnto the p<sup>s</sup>entment of John Sutton, of Scituate, for that the said Sutton, on Thursday the weeke before July Court last past, went into Mistris Elizabeth Tildens parlour early in the morning, and opened her chest where her mony was with an intent to take mony out of it, —

Hee was fined the sume of forty shillings to the vse of the collonic, and to find surties for his good behavior; but being not able to giue securitie any otherwise then by himselfe, the Court accepted his owne bond.

Released.

John Sutton acknowledgeth to owe vnto our so <sup>l</sup> lord	}	40 : 00
the Kinge the sume of . . . . .		

The condition, that if the said John Sutton be of good behavior towards

our soft lord the Kinge and all his leich people, and appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth the first Tusday in June next, and not depart the said Court without lycence; that then, &c.

James Pursevall, for his contempt of authoritie in nott departing the collonie according to order, and for his makeing an escape from one with whome hee was sent, in reference to his goeing to Verginnia to cleare himselfe of suspicion of haucing a hand in ruining away with a boate, &c, hee was centanced to pay a fine of five pound.

Wiltam Hedge, John Gray, and Edward Sturgis, for breakeing the Sabbath by sailing from Yarmouth to Boston on the Lords day, were fined each of them thirty shillings.

John Gray, for breaking the Kinges peace in striking of John Hawes, was fined the sume of three shillings and four pence to the vse of the collonie.

John Mathewes, Samuell Mathewes, Samuell Gray were guilty, att the same time as those abouenamed, in prophaning the Lords day, and to be summoned in to answare it.

In reference vnto an Indian called Will, for his vnsufferable, insolent carriage in oposing of and strikeing att the constable of Yarmouth with an axe, &c, was fined twenty shillings.

\*Wiltam Griffin and Richard Michell, both of Yarmouth, for fighting together, and therby breaking the Kinges peace, were fined each 3<sup>s</sup> 4<sup>d</sup>.

[\*38.]

In reference vnto the complaint against John Sprague, that about the begiining of December last hee did highly misdemean himselfe in the house of James Cole, of Plymouth, near vnto or on the evening before the Sabbath day, in drinking, gameing, and vnciuell reuelling, to the dishonor of God and the offence of this gouernment, by his gameing and bringing in off a mare inciuilly into the parlour of James Cole aforesaid, for which said misdemenors hee was centanced to sitt in the stockes two houres, which accordingly was pformed; and for his being there the greatest pte of the afternoon vntill the euening, hee was <sup>^</sup> fine shillings.

Richard Tayler *Taylor*, for his being in companie of the said Sprague and others the greatest pte of the afternoone aforesaid, and siting tippling with them, and by his p<sup>s</sup>ence abeting them in thaire euill practices, was fined ten shillings to the vse of the collonie.

Nathaniel Tilden, for vneiuell carriages with Elizabeth Doxey, hee was fined forty shillings.

Att this Court, one whoe called himselfe Wiltam Thomas, for pilfering of tobacco from Edward Gray, was centanced to be whipt att the post, which accordingly was inflicted; and hee is ordered alsoe to pay twenty shillings to

1670-1.

8 March.  
PRESENCE,  
Gov<sup>r</sup>.

1670-1. Edward Gray, and to defray the charges of his imprisonment, and to depart the goüment.

8 March.  
PRENCE,  
Gov<sup>r</sup>.

Att this Court, Samuëll Packer, Seni<sup>r</sup>, was lycenced and authorized by the Court to keep an ordinary att Bridgwater, and to be provided competently for the accomodateing of strangers, and to keep good orders in his house in that behalfe.

Att this Court John Cowin, of Scittuate, appeered, being bound ouer to answare for speaking of contemptable words against royall authoritie, in that hee should say hee scorned to be in subjection to any English man, and that there was neuer any Kinge in England that was an English man but one crookedbacked Richard, a crooked rogue, just like such an one as hee named, viz<sup>3</sup>, a crooked man well knowne in the towne of Scittuate. Diuers testimonyes came in against him, which testified on oath the same in substance aboue inserted; but because the seuerall euidences could not att this Court appeer to testify the words to his face, and for that the case is rare, and the Court being willing to gaine healpe and aduise from others as much as may be in it, it was refered vntill June Court next, and the said Cowin to be kept in durance vntill then.

James Cole, Juni<sup>r</sup>, is allowed by the Court to keep an ordinary att Plymouth, and is required by the Court to keep good order in his house, that there be noe reuelling there, nor that hee suffer any of the inhabitants to stay drinking past the time allowed by the Court.

1671.

5 June.  
[\*39.]

*\*.Att the Generall Court of Election held att the Towne of Plymouth the fift Day of June, Anno Doñi One Thousand Six Hundred Seauenty and One.*

BEFORE Thomas Prence, Esq <sup>r</sup> , Gov <sup>r</sup> ,	Thomas Hineckley,
John Aldin,	Nathanicl Bacon, and
Josias Winslow,	Constant Southworth,
Willam Bradford,	
Assistants, &c.	

**T**HOMAS PRINCE, ESQ., was chosen Gov<sup>r</sup> of the jurisdiction of New Plymouth, and sworne.

Mr John Alden,  
 Major Josias Winslow,  
 Captaine Wiltam Bradford,  
 Mr Thomas Hinckley,  
 Mr John Freeman,  
 Mr Nathaniel Bacon, and  
 Mr Constant Southworth,

} were chosen to the office of Assistants, and  
 sworne.

1671.  
 5 June.  
 PRESENCE,  
 God<sup>h</sup>.

This Court haue ordered, that if God should take away the Goũ by death, or otherwise deprive us of his healp by absence, or other bodily weaknes disable him to discharge his place, that in such case the next eldest majestrate to serue in the office of a deputy Goũ for this p̄sent yeare, as the Goũ might and ought for to doe.

Thomas Prince, Esq̄, }  
 Major Josias Winslow, } were chosen Cōmissioners.  
 Mr Hinckley next in nomination.  
 Mr Constant Southworth was chosen Treasurer, and sworne.

The Names of the Deputies of the seuerall Townes of this Jurisdiction whoe serued theratt and at the Adjournments therof.

Robert Finncy,	Wiltam Crocker,
Leiff Ephraim Morton,	Thomas Huekens,
Mr Josias Standish,	Ensigne Marke Eames,
Wiltam Paybody,	Anthony Snow,
Cornett Robert Studson,	Mr Stephen Paine,
Isaacke Chettenden,	Wiltam Sabin,
Mr Edmond Freeman, Junr,	Josias Cooke,
Wiltam Harvey,	Thomas Paine,
Wiltam Witherley,	John Willis,
John Thacher,	John Russell,
John Miller,	Mr James Browne.

The Constables of the seuerall Townes.

Plymō, . . . . .	Jacob Cooke.
Duxburro, . . . . .	Benjamine Church.
Scittz, . . . . .	{ Anthony Collymore,
	{ John Ensigne.
Saud, . . . . .	Steuen Skille.



1671.

5 June.  
PRESENT,  
GOU<sup>th</sup>.

Taunton, . . . . .	{	Leif <sup>t</sup> Macey, Rich Williams, Walter Dean, James Walker, William Harvey.
Yarmouth, . . . . .	{	Mr Edmond Howes, Mr Thomas Howes, Edw Sturgis, Seni <sup>r</sup> , John Thacher, John Miller.
Barns <sup>t</sup> , . . . . .	{	Leif <sup>t</sup> Laythorpt, Thomas Huckens, John Tompson.
Marshf., . . . . .	{	Ensigne Eames, Anthony Snow, John Bourne.
Rehoboth, . . . . .	{	Mr Steuen Paine, Seni <sup>r</sup> , Leif <sup>t</sup> Hunt, Ensigne Smith.
Eastham, . . . . .	{	Nicholas Snow. Daniel Cole, Thomas Paine, Jonathan Sparrow, Marke Snow.
Bridg <sup>w</sup> , . . . . .	{	John Willis, Leif <sup>t</sup> Haward, John Carey.
Dartmouths, . . . . .	{	Was omitted this yeare.
Swansey, . . . . .	{	Mr James Browne, Hugh Cole, Samuell Luther.

Surveyors of the Highwaies.

Plymouth, . . . . .	{	Joseph Warren, Daniell Dunham, John Dotcy.
Duxb., . . . . .	{	John Wadsworth. Samuell West.

1671.

5 June.  
PRENCE,  
Gov<sup>r</sup>.

Scittñ,	{ Richard Curtis, James Cudworth, Jun <sup>r</sup> , Joseph Silvester.
Sand,	{ Ralph Allin, Seni <sup>r</sup> , John Blackwell.
Taunton,	{ John Maycomber, Encrease Robinson.
Yarmouth,	{ Edward Sturgis, Seni <sup>r</sup> , Joseph Howes.
Barns <sup>t</sup> ,	{ John DAVIS, Samuell Hincekley.
Marsh,	{ Nathaniel Thomas, Micaell Foard.
Rehō,	{ James Reddaway, John Perram.
Eas <sup>t</sup> ,	{ Nicholas Snow, Gyles Hopkins.
Bridgwater,	{ John Eames, Seni <sup>r</sup> , John Haward, Seni <sup>r</sup> .
Dartmouth,	{ Willam Palmer, Henery Tucker, Richard Sisson.
Swansey,	{ Nathaniel Pecke, Joseph Carpenter, Zachariah Eedey.

[\*41.] \*The psons appointed in each Towne to see to the Gathering in of the Min-  
nesters Maintainance, and to <sup>^</sup> payed vnto them satisfactorily and  
seasonably both for Time and Specie.

Plymouth,	None.
Duxburrow,	None.
Scittuate,	{ John Turner, Seni <sup>r</sup> , Edward Jenkins
Sandwich,	None.
Taunton,	{ Willam Witherell, Samuell Smith.
Yarmouth,	{ Samuell Ryder, John Miller.

Barnst, . . . . .	{ Mr Hinckley,	<u>1671.</u> 5 JUNE, PRESENCE, GOV <sup>r</sup> .
	{ Mr Iluckens.	
Marshf., . . . . .	{ Mr Josias Winslow,	
	{ Thomas Doged.	
Rehoboth, . . . . .	{ Leift Hunt,	
	{ Wiltam Carpenter.	
Bridgwater, . . . . .	{ John Willis,	
	{ Leift Haward,	
	{ Samuel Paker, Senit.	

In reference vnto the towne of Dartmouth, it is ordered by the Court, —  
 That whereas a neglect, the last yeare, of the gathering in of the sume of fifteen pounds, according to order of Court to be kept in stocke towards the support of such as may dispence the word of God vnto them, it is againe ordered by this Court, that the sume of fifteen pound be this yeare leuied, to be as a stocke for the vse aforsaid, to be deliuered vnto Arther Hathewey and Sarjeant Shaw, to be by them improned as oppertunity may p̄sent for the ends aforsaid.

It is enacted by the Court, that if any Indian or Indians shalbe found to haue any powder or shott, armes or liquors, and will affirme that they had it of this or that pson of the English, or that by concurring cercomstances equivalent it is probable they had it of such English, if the said pson shall vpon his oath testify that hee or shee hath not sold, giuen, or healped the said Indian, or any other Indians, vnto the said powder, or shott, or liquors, they shalbe accounted free and cleare of the said fact, or otherwise to be rendered guilty, and to be proeceeded accordingly, and this tryall to be before a majestrate or one of the celect men of the towne.

*This law in force against selling powder and shott to Indians.*

For the prevention of great abuse by the excessiue drinking of liquors in ordinaryes, this Court doth order, that euery ordinary keeper in this goūment shalbe heerby impowered and required, that incase any pson or psons doe not attend order, but carry themselues vnciuilly, by being importunately desirous of drink when denyed, and doe not leaue the house when required, such ordinary keeper shall returne their names to the next Court, that soe they may be proeceeded according to the nature of the offence; and incase any ordinary keeper shall neglect soe to doe, hee shalbe fined fine shillings for euery default. It is further ordered by this Court, y<sup>t</sup> some two or three men be appointed in euery towne of this jurisdiction to haue the inspection of the ordinaryes, or in any other places suspected, to take notice of such abuses as may arise in reference to the p̄mises or otherwise, and make report therof to the Court.

*A law.*

1671.

5 June.  
PRINCE,  
Gov<sup>r</sup>.

The mens names appointed hecrinto in each towne are as followeth :—

Plym,	{	Leif. Morton, Serjeant Harlow, Benajah Pratt.
Duxb,	{	M <sup>r</sup> Saberry, Francis West.
Scit <sup>r</sup> ,	{	Cornett Studson, Edward Jenkens, Charles Stockbridge.
Sand,	{	James Skiffe, Edward Perrey.
Taunton,	{	James Walker, Aron Knap, John Dean.
Yarmouth,	{	John Welden, Nathaniel Bassett.
Barns <sup>r</sup> ,	{	John Finney, Senit, James Hamblen, Juni, James Cobb.
Marsh,	{	Ensigne Eames, Thomas Doged.
Reho <sup>b</sup> ,	{	M <sup>r</sup> Steuen Paine, Leif <sup>r</sup> Hunt.
Eastham,	{	Ensigne Smith, Jonathan Sparrow, Thomas Paine.
Bridg <sup>w</sup> ,	{	John Haward, on the plaine. Nathaniel x
Dartmouth,	{	Serj: Shaw, Gorge Soule.
Swans <sup>e</sup> ,	{	Nicholas Tanner, Nathaniell Pecke.
Middlebery,	{	Jonathan Dunham.

[\*42.]  
A law.

\*It is enacted by the Court, that noe rum shalbe sold in this goument to exceed in prise aboue five shillings a gallon, or if retailed, two pence a gill.

It is ordered by the Court, that a jury shalbe impanneled to laye out a new way between a place called Johns Bridge and the meeting of the Three Riuers in the township of Bridgwater.

Libertie is granted vnto Gyles Rickard, Seni<sup>r</sup>, to draw and sell wine and liquors att Court times for the refreshment and entertainment of strangers, soe as hee keep good order in the sale of it, but withall not to sell any att other times.

John Gray, of Yarmouth, for swearing prophanly, was fined five shillings.

Samuell Mathews, for sayleing from Yarmouth to Boston on the Lords day, fined thirty shillings.

Richard Marshall, for abusing his wife by kiking her of from a stoole into the fier, was centanced to sitt in the stockes during the pleasure of the Court, which accordingly was pformed.

Nathaniel Woodward, for speaking abusive words against M<sup>r</sup> Shoue, the pastour of the church of Taunton, was centanced by the Court to sitt in the stockes during the pleasure of the Court, which accordingly was pformed.

Nathaniel Soule, being detected of telling seuerall lyes which tended greatly to the hurt of the collonic in reference to some p<sup>t</sup>iculars about the Indians, was centanced by the Court to pay a fine of five pound or to be publicly whipt.

James Cole, Seni<sup>r</sup>, for being found drunke the second time, was fined 10<sup>s</sup>.

Joseph Ramsden, for being found drunke the second time, fined ten shillings.

Willam Walker, for stealling of cloth from Thomas Clarke, of Boston, was centanced to paye double to the said Clarke, and for telling a lye about it was fined ten shillings.

Walter Winser, for selling liquor to the Indians, fined five pounds; but vpon consideration of some p<sup>t</sup>iculars about it, it was abated to thirty shillings.

Att this Court, John Cowin was indited for speaking contemptable words against the royal dignity of England, in that hee said hee scorned to be in subjection to any English man, and that there was neuer any Kinge in England that was an English man but one crooked backed Richard, a crooked rogue, just like such an one as hee named, viz<sup>t</sup>, a crooked man well knowue in the towne of Scittuate.

This case being put vpon tryall, the jury brought in not guilty, and soe hee was by open proclamation cleared.

The Names of the Jury.

sworne,	}	M <sup>r</sup> Micaell Peirse,	}	sworne,	}	Hugh Cole,
		M <sup>r</sup> John Gorum,				John Wood,
		M <sup>r</sup> Allexander Standish,				Aron Knap.
		Ensigne Thomas Leanard,				Jonathan Dunham,
		John Bryant,				John Soule,
		Francis Crooker,				Edward Dotey.

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1671. \*The Names of the psons apointed by the Court to view the Damage done to the Indians by the Horses and Hoggs of the English.

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Plym,	{	Serjeant Harlow, James Clarke, Joseph Warren.
Duxb,	{	The celect men.
Sandwich,	{	Esra Perrey, Edward Perrey, Micaell Blackwell.
Taunton,	{	John Hathewey, Edward Bobbitt, James Phillips.
Yarmouth,	{	The celect men.
Barns,	{	Leif Laythorp, Thō Hueckens, John Tompson, Samuell Fuller, Capt Fullers son.
Relb,	{	Thomas Read, Wilham Sabin, Peter Hunt.
Eas,	{	The celect men.
Dartmouth,	{	John Russell, Gorg Sisson.
Swans,	{	The celect men.
Middlebe,	{	Gorge Vaughan, John Morton.

[\*44.]

\*The Oath of the Water Bayley.

You shall faithfully scrue in the office of a water bayley in the jurisdiction of New Plymouth, and shall carefully obserue such orders of Court as concerns your said office, with speciall reference vnto the improuement therof att Cape Cod and places adjacent ; you shall faithfully discharge the trust imposed vpon you in demanding and receiuing whatsoeuer shalbe due vnto the collonie by such fish as shalbe there taken, and shall seasonably giue in a true accompt therof vnto the Treasurer yearly. So healp, &c.

Thomas Paine was chosen to be the water bayley of the jurisdiction of New Plymouth, and sworne att this Court.

In answare vnto the petition preferred to this Court by M<sup>r</sup> John Prince and M<sup>r</sup> Nathaniel Bosworth, of the towne of Hull, allies Nantaskett, in the behalfe of the said towne, to haue libertie to imploy some boates and their companies for the taking of mackerell with netts, att the season therof, att Cape Codd, this Court doth graunt vnto them libertie for two boates and three companies, to take mackerell there att the season therof; soe as they make payment of what is due to the collonie from forraigners, notwithstanding any order of Court extant, prohibiting others to fish there.

\*The Court determines all the guns in our hands that did belonge to Phillip are justly forfeit, and doe att the present order the deniuing of them, to be kept att the seuerall townes according to their equall proportions, vntill October Court next, and then to bee att the Courts dispose, as reason may appeer to them, and then to belonge vnto the townes, if not otherwise disposed of. By the Court.

That which the Court grounds their judgment vpon is, —

For that att the treaty att Taunton Phillip and his counsell did acknowledge that they had bine in a preparation for warr against vs; and that not grounded vpon any injury sustained from vs, nor prouocation giuen by vs, but from their owne naughty harts, and because hee had formerly violated and broken sollemne couenants made and renewed to vs; hee then freely tendered (not being in a capacitie to be kept faithfull by any other bonds) to resigne vp all his English armes, for our future securitie in that respect; hee failed greatly in pformance therof by ecceitt conveying away and carrying home seuerall guns that might and should have bine then deliuered, and not giuing them vp since, according to his engagement, nor soe far as is in his power, as appeers in that many guns are knowne still to be amongst the Indians that liue by him, and not soe much as giueing order to some of his men, that are vnder his ymediate commaund, about the bringing in of their armes.

In his indeauoring since the treaty to render vs odious to our neighbour collonie, by false reports, complaints, and suggestions.

And his refusing or avoiding a treaty with vs concerning these and other matters that are justly offenciu to vs, notwithstanding his late engagement, as well as former, to submit to the kings authoritie, and the authoritie of this collonie.

It was alsoe ordered by the Court, that the armes of the Indians of Namassakett and Assowamsett, that were feched in by Major Winslow, and those that were with him, are confiscate and forfeite from the said Indians, for the grounds aboue expressed, they being in compliance with Phillip in his late plott, and yett would neither by our Gou<sup>r</sup>s order nor by Phillips desire, bring

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in their armes, as was engaged by the treaty; and the said guns are ordered by the Court to the major and his companie, for their satisfaction in that expedition.

This Court have agreed and voated, that some force be raised and sent to the Indians att Saconett, to fetch in their armes, and in defect therof their persons, as occasion may require.

And for the management of this enterprize it is referred to the councill of warr, or soe many of them as shall meet, soe as they be nine in number, viz<sup>d</sup>, the major pte of them concurring.

The Names of such as are aded to the Majestrates to be off the Council of Warr.

Mr Josias Winslow, Scuir,	Leif <sup>t</sup> Morton,
James Walker,	Cornett Studson,
Thomas Huckens,	Ensigne Eames,
Nathaniel Morton,	Isacke Chettenden.

The oath to be adminestred to such as are to be aded to the majestrates to be of the councill of warr, as aforsaid:—

This oath is otherwise ordered; see the orders of July Court, anno 1671, in this booke.

You shall reddily appeer on any sumions directed vnto you by the president of the councill of warr, att such place or places as you shalbe ordered vnto by the said summons, vnlesse any ineuitable providence shall or may hinder your said appeerance, on which occasions and meetings you shall faithfully, with respect to the glory of God and the good and welfare of this jurisdiction, afoard your best aduice and councill in all matters of importance and waighty concernment (or soe seeming) that may or shalbe p<sup>r</sup>sented before you; in reference to the continuance of peace or nessesitated warr, as occasion may require; you shall faithfully keep secrett all such expeditions and achievements as may or shalbe ordered and contriued by the councill of warr, tendung to the generall peace and good of this collonie of N. Plymouth; you shall with like ceeresye conceale all other matters that may be agitated and transacted by the said councill, in reference to the p<sup>r</sup>mises, that shalbe thought meet by the president and councill aforsaid to be concealled. Soe heelp you God, whoe is the God of truth, and the punisher of falsehood.

[\*46.]

\*Three shillings a day is allowed for a man and his horse, to all such as were employed in the late expedition for the fetching in of armes from the Indians; and this allowance to be pmanent for the future vntill it shalbe otherwise ordered.

And likewise for any teame of foure oxen and an horse, and a man to

goe with them, that haue bine and are to be employed in the countryes seruice, to haue five shillings a day.

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Gov<sup>th</sup>.

In answare to a petition preferred to the Court by M<sup>r</sup> Richard Wharton and M<sup>r</sup> John Saffin, of Boston, marchants, to haue a peculiar libertie to themselves and other p̄tenors to improue such pyne, spruce, and ceder timber as groweth on our countrye cōmons, for the producing of rosen, turpintine, and mastick, this Court haue graunted and doe order that the said Richard Wharton & John Saffin, and their p̄tenors, shall haue libertie to improue such pyne, spruce, and ceder trees as groweth on our countryes cōmons, for the ends aforesaid, for the tearme of ten yeares from the date of this p̄sent Court, held at Plymouth this fiftenth day of June, 1671, on these conditions followinge: —

Imp<sup>r</sup>: Provided that they and their said p̄tenors procure the like liberties of the other two collonies in confederation.

2. Soe that it proue not destructiue to our said timber to be improved as aforesaid.

3. Provided that notwithstanding this graunt, it shalbe att the libertie of our owne inhabitants to improue and employ any such timber, viz<sup>t</sup>, pyne, spruce, and ceder, for any other vse, growing vpon any of our countryes cōmons.

4. Provided that the said Richard Wharton and John Saffin and their p̄tenors doe sett vpon the said enterprise of producing of turpintine, rosen, and masticke, in this collonie, within the tearme of two yeares from the date of this p̄sent Court aboue mentioned.

These conditions and reseruatiions being duely obserued, this Court doth heerby prohibite all others within this iurisdiction from improucing of any of the said timber, for the ends aforesaid, for the tearme of ten yeares, begiining from this p̄sent Court, held att Plymouth, the 15<sup>th</sup> day of June, anno Dom̄i 1671.

Richard Dillinga, for breakeing the Kinges peace by striking }<sup>s</sup>  
of Jabeze Howland, was fined . . . . . } 3: 04

The bounds of Jonathan Dunhams land att Namassakett, layed out by Wilham Nelson and Wilham Crow, appointed by the Court, as followeth: —

New Plymouth. Haucing read an order of ye Court of this iurisdiction, bearing date June the 7<sup>th</sup>, 1665, to lay out vnto Jonathan Dunham thirty acres of land in that tract of land called the Majors Purchase, which is on the eastwardsyde of Namassakett Riuer; haucing accordingly layed out, measured, and bounded the said thirty acres, att the east end, next a brooke, with a great white oake, and att the west end, next the said brooke, with a

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great white oake, which brooke is on the southsyde of the said land, and the said land is layed out to butt home to the brooke, att the west end; on the northsyde it is bounded with a red oake tree, that hath a red oake bush att the roote of it; and att the northsyde and east end is marked a great white oake, for the bounds therof. October 30<sup>th</sup>, 1665.

WILLIAM CROW,  
WILLIAM NELSON.

Besides an adition joyning to the said land att the northeasterly end of it, between the said land and the old path adjoyning to both, bounded by the said path att the northwesterly corner, between John Mortons land and it, layed out by the order and inspection of Captaine Southworth, whoe procured the said land of the Court for the said Jonathan Dunham.

[\*47.] \*The Indians engagement to the collonic of New Plymouth for their fidelitie vnto the English, agreed vpon amongst themselves the 10<sup>th</sup> of Aprill, 1671, and declared by some of the cheife of them att the Court held att Plymouth the seauenth day of June, 1671.

Wee, the Indians of Paomett, doe engage our fidelitie vnto the gou'ment of New Plymouth, that wee will submitt ourselues vnto their gou'ment, and if wee vnderstand or heare of any plott or designe contrived against the English, or any pte of them, by any other Indians, wee doe heerby engage to reveale, declare, or discour it to some one or more of the majestrates of New Plymouth. And further, if they haue occasion to make vse of our healp, if any that shall or may come against the English liuing within the gou'ment of New Plymouth, wee doe engage to healp them, if they desire or require our assistance, to the sheding of our blood, or the lose of our liues; the like wee engage for our posteritie for euer, that shall succeed vs; and forasmuch as the English and wee, the poor Indians, are of one blood, as Acts 17<sup>th</sup>, 26, for wee doe confess wee poor Indians in our liues were as captiues vnder Satan, and our sachems, doeing their wills whose breath perisheth, as Psalmes 146, 3, 4; Exodū 15, 1, 2, &c; but now wee know by y<sup>e</sup> word of God, that it is better to trust in the great God and his strength. Psā 118, 8, 9; and besides, wee were like vnto woulues and lyons, to destroy one an other; but wee hope and heliue in God; therefore wee desire to enter into couenant with the English respecting our fidelitie, as Isai: 11, 6, and this wee further desire, that if the English should heare any euill report of vs, wherby there might be any occasion of suspicion of our fidelity, wee desire it might not be beleiued or receiued vntill wee might haue the libertie and oppertunitie to cleare our-

selues; for wee desire to keep our conenant and engagement, if God heales vs soe to doe.

And wee, the Indians of Nausett, Sakatuckett, Nobs-cussett, Paomett, Mannamoiicke, and Wequalutt, and Mattakeesett, doe all of vs, for our selues, our neighbors, and our rising generation, doe engage for ourselues and our neighbors, respecting our fidelitie to the English, as before expressed, concerning the Indians of Paomett in euery respect; vnto the which engagement wee of our respectiue places of Paomett, Sakatuckett, Nobs-cussed, Mannamoiicke, Mattakeesett, and Wequalutt haue heervnto sett our hands this seauenth day of June, 1671, for our selues and in the behalfe of our neighbors in our seuerall places, as is expressed before.

The marke  of M<sup>r</sup> JOHN,  
and QU<sup>a</sup>QU<sup>a</sup>QU<sup>a</sup>NSUCKE, of Paomett.  
SAMPSON,  
of Nawssett, is sicke att this time.  
JOHN QUASON TASWOTT,  
of Mannamoiicke, his  marke  
and the marke of SACHEMUS and LITTLE ROBIN, **A**  
and WAHWOONETTSHUNKE,   
The marke of SABATUBKETT,   
The marke of SAMPSON, of Nobs-cussett,   
KATENAT, allies KEENCOMSETT,  
of Mattakeesett, his   
HUMPHERY, of Weequalutt,  
is not come.

The Indians whose names are to the aboue written, subscribed att the Court held att Plymouth the seauenth of June, 1671, came psonally into the Court, and tendered themselues to be subject to the Court, to be in fidelitie, both them and their posteritie, vnto the English; and for the confeirmation therof they subscribed their hands, and the Court ordered that this writing should be recorded.

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[\*48.]

*\*.At the Court held att Plymouth, the fift of July, 1671.*

BEFORE	Thomas Prince, Esq <sup>r</sup> , Gov <sup>r</sup> ,	Thomas Hinckley,
	John Aldin,	John Freeman,
	Josias Winslow,	Nathaniell Bacon, and
	Wiltam Bradford,	Constant Southworth,
	Assistants, &c.	

**T**HE Court haue deputed and impowred our honored Gov<sup>r</sup>, M<sup>r</sup> Constant Southworth, M<sup>r</sup> Thomas Clarke, and Benjamine Bartlett, or any three of them, to adminnester on the estate of M<sup>r</sup> Wiltam Collyare, deccased, for the payment of debts and legacyes, soe farr forth as the said estate will beare, and if in any thing respecting the p<sup>r</sup>misses there may be difficulty, and the legatees or p<sup>r</sup>sons interested in the said estate doe not agree, in such case the abovesaid adminnestrators shall haue p<sup>r</sup>ticular order concerning the same from the Court: and acting according thervnto, it shalbe their warrant and discharge.

The Court haue ordered the Treasurer, Captaine Bradford, to impannell a jury att Bridgwater, to lay out the new way to Plymouth, which is judged to be a nearer and better then that which was formerly layed out; and alsoe to lay out such other wayes as are nessesary in the said towne.

The Court haue ordered, that the North Purchase, soe called, shall lye vnto the towne of Rehoboth, vntill it comes to be a township, and in the mean time to beare the seaventh p<sup>r</sup>te of all rates that shalbe leuied for the publicke charges of that towne; and when the said purchase shall become a townshipp by itselpe, then the said township of Rehoboth to be eased in their rates.

The Court haue ordered the Treasurer to pay vnto Samuell Clapp, the late constable of Scituate, for his charge in bringing Wiltam Rogers, of Scituate, to the jayle, twelue shillings.

Wheras fifteen shillings mony was taken away by the Gov<sup>r</sup> from a servant of James Pursvall, of Sandwich, whoe run away, the Court orders eight shillings of the said mony to be payed to the constable of Bridgwater, for his paynes in bringing him to Plymouth, and the remainder was returned by M<sup>r</sup> Bourne to the said Pursvall.

Arther Hathewey, of Dartmouth, is appointed by the Court to adminnester an oath to any witnes to giue euidence to the grand enquest in that towne, as occasion may require.

In reference vnto the complaint of John Rogers, Seni<sup>r</sup>, of Duxburrow, against Wilham Nelson, Juni<sup>r</sup>, Adam Wright, and the Indian Wilham, the son of the Blacke Sachem, for taking vp his mare, and marking her, and detaineing her, wherby the said Rogers is much damnified, the Court doe award the said Indian Wilham to pay to John Rogers twenty shillings, and another Indian, called John, being found faulty in the said particulars, is awarded to pay to the said Rogers ten shillings in currant country pay, att prise enrrant; and the said Adam Wright and Wilham Nelson each of them ten shillings to the vse of the collonie.

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Gov<sup>r</sup>.

The next page forward contains an order of the Generall Court holden att New Plymouth, June the 16<sup>th</sup>, 1671, in answare to a petition from many of the inhabitants of Scittuate, dated March the seauenth, 1670, in reference to their vndeuided lands, as followeth:—

\*By an order of this Court of October, 36, it appeers the towne of Scittuate was allowed, and the purchasers and freemen were comissionated, to dispose of the lands therof for the accomodation of a society or township; and what such trustees did within the compas of their comission or order must be allowed and owned. Bat it appeers not to vs, that it was in their power by that order to deriue and pas ouer their power and trust in whole or in pte vnto others, neither did they since procure the allowance of this Court soe to doe; and therefore wee judge their acte of the 13<sup>th</sup> of December, 47, to be vnwarantable and inuallid, wherin they resigne vp the power of disposing of the townes lands vnto the whole inhabitants of the towne; and that if then they would and did lay downe their comission, it did att the same instant returne to the Court, from whence it was received; and the Court doth now declare their acceptance and confeirmation of what the said trustees did vnto the said 13<sup>th</sup> of December in reference vnto any graunts of lands that they made in propriety vnto any inhabitants of that place, and doe further allow of and by our p<sup>s</sup>ent acte confeirme all after graunts of lands in propriety that haue since that time bin made by the towne, (although not soe regular and orderly as should haue bin;) and taking notice by many suites, contestes, plaints, and petitions, that the said towne are very vnsettled and vnresolved vnto whom the right of comions appertaines, and that by reason therof many vnworthy psons in that towne take advantage to make stripp and wast of their timber, to the townes great damage and prejudice, and because such appeers to be the condition of that towne that they can not of themselues reclaime nor suppress such trespassors, nor settle the right of the comions for their future peace, this Court, vpon the grounds aboue mensioned, and as fathers of the comion wealth

[\*49.]

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being also studious of the peace and prosperitie of that plantation, not seing any other or better way to effect their settlement in reference to the premises, doe see reason to order, and doe hereby appoint, that a committee of eight meet persons, whoe are supposed proprietors of that towne, be indifferently chosen out of both parties to debate, determine, and settle the matter, soe much in controuersy, respecting your right in commons their proportion, and to provide such orders as may be effectfull to preserve the towne from ruine and spoyle as respecting the same; and two or three of the majestrates wilbe helpfull therein, if desired.

The persons appointed by the Court are, Cap<sup>t</sup> James Cudworth, Cornett Studson, Isacke Chettenden, and Leiftenant Bucke on the one parte, and John Turner, Seni<sup>r</sup>, John Turner, Juni<sup>r</sup>, John Bryant, Seni<sup>r</sup>, and John Daman on the other parte; and this Court doth comissionate and fully authorize and impower the abouemensioned to heer, debate, determine, and settle the right of the commons of that towne, and to proportion it according to the greater or lesser rights of the severall inhabitants thereof, and to preserve the commons from wast and spoyle for the future; and what the abouesaid eight persons, or any five or more of them concurring, shall order respecting the premises, shall be valed and binding; and that they apply themselves to issue it between this and next Octobert Court; and if they doe not or can not soe agree as to attaine the end intended, (namly, the settlement of persons according to their just rights and the preservation of the commons from spoyle,) that they make their returne to the said Court, whoe hold themselves bound to take what further course the case may require for the townes good; and what necessary charge may arise in the proceccution of this order, to be borne by such as haue interest in the vnderquid lands of the towne of Scittuate according to their severall proportions therein.

It is not intended by this order that the saw mill built by M<sup>r</sup> Tilden and others should be deprived of any just priviledg therunto appertaining by vertue of the townes order or contract with the builders.

Dated att Plymouth the 16 of June, 1671.

[\*50.]

\*A Declaration of an Engagemēt by the Indians inhabiting att Mashpee, Satuit, Wakoiett, Wakatasso, Caukohchise, Ashemiuit, Sacness, and Mannomett, with diuers others neare adjoyning vnto the Gou<sup>r</sup>ment of New Plymouth, for their Fidelitie, with their Children and succeeding Generations, and likewise the Indians liueing att Mannomett Ponds, Breakehart Hill, and the Rest of the Indians neare adjoyning.

Forasmuch as wee, poore Indians, were a people delighting in warr and the confusion one of another, but now wee haueing found the benefitt of peace:

by your fauorable protection towards vs for these many yeares past, and haueing some time since intended to tender our fidelitie vnto this honored Court, but could not soe conueniently accomplish the same vntill this time, and as wee hope some of vs. haueing receiued the faith of the gospell of Christ, and taught to seeke for peace and east of our lyon like speritts, as Esayah 11: 6, 7, 8, 9, and that wee noe more be strangers and forraigners, but by the grace of Christ revealed in the gospell wee hope to be of the household of God, Eph. 2: 19, doe therefore vnanimously agree to submitt ourselues vnto your gouernment, and to engage our fidelitie not to doe any thinge that may be destructiue to this gouernment; or if wee heare or vnderstand of any pson or psons, either amongst ourselues or more remote from vs, that shall plott, contriue, or attempt your destruction in pte or wholly, wee doe promise and engage to reveale and discover the same vnto the Gou<sup>r</sup> then in being or to some one of the majestrates, and likewise to be reddey to apprehend any such pson that shall soe doe, and to assist you against any enimie that shall rise vp against you, euen to the losse of our liues, if you stand in need and require our healp.

And, further, wee doe humbly intreat your protection and healp, if that any cuill psons should rise vp against vs in an hostile way to destroy a pte or all of vs, forasmuch as wee haue bine enformed of late that some psons haue designed our destruction, not for any hurt that wee haue done vnto them, neither for any propriety that they can challenge to our psons or lands or what wee possesse besides, but onely for that wee are seeking after the knowlidg of the true God and his wayes. Thus hoping wee shall remaine faithfull vnto you in keeping of our engagement with you, doe confirme it by seting our hands, a pte of vs for our selues and in the behalfe of our finds and neighbors inhabiting within the lymetts of the foremencioned places.\*

\* Those that engage for Mashpee, Satuit, and Wakoiett are Kanunnavs.

The marke of  of ASHUWOHANITT,  
for Cokashoise and Waskotassoo.

The marke of  of AKOMONT, for Ashunuit.

The marke  of HOPE, allies POHUNNA,  
for Sakonesse.

The marke  of WEBACOUITT, }  
The marke  QUECHASSETT, } Mannomet.

For Mannomet Ponds and Break Hart Hill, with the rest adjoining.

The marke  of WANNO,

The marke of WILLIAM KAUSSETAN, 

The marke  of NANUNNETT.

1671.

5 July.  
PRENCE,  
Gou<sup>r</sup>.

1671. \*The Names of diuers Indians inhabiting att Agawaam, Sepecan, & Weweante, with other Places adjoining, whoe engaged their Fidelitic to the Government of New Plymouth, the sixt of July, 1671.

7 July.

PRENCE,

Gov<sup>r</sup>.

[\*51.]

Asquibbs.

Josias, allies Mattampahan.

Will, allies Washawanna.

Keesbenopont, allies John Wattaman.

John, allies Tanashpash.

Wompees.

Tom Wampees.

John Wampees.

James Wampees.

Steuen Wampees.

Tobey Cole, allies Nauhocomwitt.

Harry.

Tohquamoushoo.

Potwhoken.

Felix.

Conconwacoo.

Tautozen.

Mosnicksuke.

Nanawatcham.

Tataquasbant.

Nanapoo.

Keewenaan.

Munucksun.

Namushwhat.

Pawmansuke.

Naunowasin.

Maumanomdus.

Paupantsuke.

Wootachpoo.

Sampson.

James Tautisiynbacott.

Francis Chauelhaubin.

Robin Sankonawwasuke.

Joseph Munnootunkes.

John Pickerell.

Wawoompaquauquin.

July 7<sup>th</sup>, 1671.

The Oath to be adminnistered to such as are or shalbe aded to the Majestrates to be of the Councell of Warr in this Jurisdiction.

You shall reddily appeer on any summon directed to you by the president of the councell of warr att such place or places as you shalbe ordered vnto by the said summons, vules any ineuitable Prouidence doth or shall imped ; att which meetings you shall, with respect to the good and welfare of this jurisdiction, giue your best aduice and councell in all matters of importance, or soe seeming, presented to you in reference to peace or warr ; you shall not disclose or discouer any councell comitted vnto you, but shall conceale all matters that may be agitated and transacted in the said councell in reference to the p̄mises that shalbe thought meet to be concealed by the president and councell of warr. Soe heelp you God, whoe is the God of truth and punisher of falchhood.

July 7<sup>th</sup>, 1671. The Names of those that were chosen by the Court to be aded to the Majestrates to be of the Councell of Warr.

sworne.	{	Captaine Mathew Fuller,
		Leiftenant Ephraim Morton,
		Ensigne Marke Eames,
		Cornett Robert Studson,
sworne.	{	Mr Josias Winslow, Senit,
		Secre <sup>s</sup> Nathaniel Morton,
		Mr James Walker,
		Mr Thomas Hackens,
	{	Mr Isacke Chettenden.

\*Att a meeting of the councell of warr held att Plymouth for the jurisdiction of New Plymouth, the 8<sup>th</sup> of July, anno Doñi 1671, —

From this meeting of the councell of warr two messengers were sent with speed to the Indians att Saconett, with propositions as followeth, viz<sup>o</sup>: that if they would engage and p̄forme to bring in all their English armes within four dayes after notice giuen them ; and the cheife of them, viz<sup>o</sup>, Awashunckes, Tatanmanah, Washawam, Wannamuttamett, Mahunnah, and Wannimvnamin, sachems of Saconett, or any four of them impowered from the rest ; in case any of them are by sicknes disabled, and doe p̄sonally come in heer to Plymouth, and acknowledge their offence, and vnder their hands ingage for their future fidelitic, whoe in soe doing shall haue assurance of their peaceable returne, and the Court satisfied therwith : but if they refuse or neglect

1671.

7 July.  
PRINCE,  
GOT<sup>h</sup>.

[\*52.]  
8 July.

1671.

8 July.  
PRINCE,  
Gov<sup>r</sup>.

to doe the same vpon any p̄tence whatsoever, then to proceed by force to reduce them to reason.

Vpon a supposition that they would not accept of the tearmes proposed, —

It was agreed that a hundred men should be pressed out of the seuerall townes of this jurisdiction in an equall proportion, to be in a reddines att Plymouth on Monday, the seauenth of August next, to goe forth on the said expedition, vnder the cōmand of Major Josias Winslow as cōmaunder in cheife.

It was further ordered by the councell of warr, that Leiftenant John Freeman shalbe a second to the major in the said expedition ;

And M<sup>r</sup> Constant Southworth cōmissary ; Captaine Fuller to supply the place of a leiftenant and a sarjeaū ; and M<sup>r</sup> Wilham Witherell and Elisha Hedge for sarjeants.

It was alsoe agreed, that forty of our trustiest Indians should alsoe be procured to be in a reddines for to goe forth to be healpfull in the said enterprise.

The eight day of August next to be the time of their setting forth ; on which day the townes of Taunton, Rehoboth, Bridgewater, and Swansea are to cause their souldiers that are to be sent forth to giue meeting to the major and the rest of the company att or neare Assonett, about John Tisdalls farme.

It was agreed that the cōmaunder in cheife shall haue allowed vnto him 10<sup>s</sup> a day.

A leiftenant, . . . . . 06<sup>s</sup> a day.

A sarjeant, . . . . . 04<sup>s</sup> a day.

An ordinary souldier, horse and man, . . . . . 03<sup>s</sup> a day.

The Proportions of the Men pressed out of the seuerall Townes of this Jurisdiction to goe forth on the aboue mencioned Expedition.

Plymouth, . . . . . 9	Marshfield, . . . . . 8
Duxburrow, . . . . . 5	Rehoboth, . . . . . 9
Scituate, . . . . . 14	Eastham, . . . . . 5
Sandwich, . . . . . 10	Bridgewater, . . . . . 5
Taunton, . . . . . 12	Swansey, . . . . . 4
Yarmouth, . . . . . 9	Middleberry, . . . . . 2
Barnstable, . . . . . 10	

69

33

In all, one hundred and two.

[\*53.]

\*It was agreed and concluded, that the ninth day of August, 1671, should be obserued as a sollemne day of humilliation in all the congregations of this

jurisdiction, to seeke the presence and fauor of God, and his blessing on vs on the entended expedition fore mentioned.

This was otherwise ordered by reason of the agreement made with the squa sachem of Saconett, which is as followeth: —

1671.

8 July.  
PRINCE,  
Gov<sup>r</sup>.

July 24, 1671. Articles of Agreement made and concluded between the Court of New Plymouth and Awashunckes, the Squa Sachem of Saconett, as followeth.

Imp<sup>r</sup>. In that wee are in some measure satisfied with her vaulentary coming in now att last, and with her submitting herselfe vnto vs, yett that wee expect shee should giue some meet satisfaction for the charge and trouble shee hath hitherto put vs vpon by her soe longe standing out against the many tenders of peace wee haue made to her and her people.

And that wee yett see a nessesitie to endeauor the reducement of such as haue bine the incendearyes of the trouble and the disturbance of her peace and ours, and that as many of her people as shall giue vp themselues and armes vnto vs att time appointed shall receiue noe damage or hurt from vs, which time appointed is ten dayes from the date heerof.

And that wee may the better healp her to keep off such from her lands as may heerafter bringe vpon her and vs the like trouble, and to regulate such as will not be gouerned by her, shee hath submitted the disposall of her lands to the authoritic of this gouernment.

And that if the psons and estates of such as wee are nessesitated to take armes against will not defray the charge of the expedition, that shee shall beare some due proportion of the charge. In wites wherof, and in testimony of the said sachem her agreement heervnto, shee hath subscribed her hand in the p<sup>r</sup>sence of

James Barker,

John Almey,

The  marke of Tattacommett,The  marke of Samponett,The  marke of Tamoneesam, allies Jeffery.

The marke



of the Squa Sachem

AWASHUNCKES.

And in reference vnto satisfaction for what trouble and charge the collobie hath bin att respecting the p<sup>r</sup>misses with her and her people, shee being not able att p<sup>r</sup>sent to defray any thinge, the counsell of warr accepted her verball engagement for the payment of the summe of fifty pounds sterling.

1671.

23 August

[PRENCE,  
GOVERNOR.]

[\*55.]

\*Seuerall Conclusions agreed on by the Councell of Warr att their Meeting held att Plymouth on the 23 of August, 1671, as followeth.

1. The councell of warr, haucing seriously considered of the case in reference to the Phillippe, the cheife sachem of Pacanacutt, hee haucing neglected to answare his ingagement to bringe in his armes att the day appointed, and alsoe in his not coming in to giue the reason therof, being required therunto, and his vukind carriages towards vs as otherwise, soe in his indeauoring to insence our naighbour collonie against vs by misinformations, and by his insolent carriages and expressions of vs and against vs, and likewise by his entertaining of many strange Indians which might pretend danger towards vs; in special, by his entertaineing of diuers Saconett Indians, professed enimies to this collonie, and this against good counsell giuen him by his best frinds; the promises considered, doe vnanimously agree and conclude, that the said Phillip hath violated and couenaut plighted with this collonie att Taunton in Aprill last.

2. It is vnanimously agreed and concluded by the said councell, that wee are nessesarily called to cause the said sachem to make his psonall appeerance to make his purgation in reference to the promises; which incase of his refusall, the councell, according to what att present appeers, doe determine it nessesary to indeauor his reducement by force; and inasmuch as the controversy, which hath seemed to ly more emediately between him and vs, doth concerne all the English plantations, it is therefore determined to state the case to our naighbour collonies of the Massachusetts and Rhode Hand; and if by their waighty advice to the contrary wee are not diuerted from our present determinations, to signify vnto them, that if they looke vpon themselves concerned to engage in the case with vs against a common enimie, it shalbe well accepted as a neighbourly kindnes, which wee shall hold ourselues obliged to repay when Providence may soe dispose that wee haue opportunitie.

Accordingly, fers were despatched and sent from the councell, one vnto the said Phillip, the said sachem, to require his psonall appeerance att Plymouth on the 13<sup>th</sup> day of September next in reference to the particulars aboue mencioned against him; this letter was sent by Mr James Walker, one of the councell, and hee was ordered to request the companie of Mr Roger Williams and Mr James Browne to goe with him att the deliuey of the said letter.

And an other letter was sent to the Gou<sup>r</sup> and Councell of the Massachusetts by the hands of Mr John Freeman, one of our majistrates, and a third was directed to the Gou<sup>r</sup> and Councell of Rhode Hand, and sent by Mr Thomas Hinckley and Mr Constant Southworth, two other of our majistrates, whoe

are ordered by our Councell with the letter to vnfold our present state of matters relating to the promises, and to certify them alsoe more certainly of the time of the meeting together in reference to engagement with the Indians, if there be a going forth, which wilbe on the 20 of September next.

It was further ordered by the Councell, that those formerly pressed shall remaine vnder the same impresment vntill the next meeting of the said Councell on the 13th day of September next, and soe alsoe vntill the intended expedition is issued; vnlesse they shall see cause to alter them, or adde or detract from them, as occasion may require.

And that all other matters remaine as they were in way of preparation to the said expedition, vntill wee shall see the mind of God further by the particulars forenamed, improved for that purpose.

It was further ordered by the Councell, that all the townes within this jurisdiction shall in the interem be sollicitously carefull to prouid for their safety by convenient watches and wardings, and carrying their armes to the meetings on the Lords dayes, in such manor as will best stand with their particulars and the common saftey.

And in particulars, they ordered, that a guard shalbe prouided for the saftey of the Gouernors person, during the time of the aboue named troubles and expeditions.

And the Councell were summoned by the president to make their personall appearance att Plymouth, on the thirteenth day of September next, to attend such further busines as shalbe then presented by Providence in reference to the promises.

\*On the 13<sup>th</sup> of September, 1671, the councell of warr appeared according to their summons, but Phillip, the sachem, appeared not, but in sted thereof repaired to the Massachusetts, and made complaint against vs to diuers of the gentlemen in place there, whoe wrote to our Gou<sup>r</sup> by way of persuasion, to advise the Councell to a compliyance with the said sachem, and tendered their heelp in the achieuing therof, declaring in summe that they resented not his offence soe deeply as wee did, and that they doubted whether the conuenants and engagements that Phillip and his predecessors had plighted with vs would plainly importe that hee had subjected himselfe and people and country to vs any further then as in a neighborly and frindly correspondency.

The Councell, haueing deliberated vpon the promises, dispatched away letters declaring their thankfull acceptance of their kind proffer, and invited the commissioners of the Massachusetts and Coñecticut, (they then being in the Bay,) & some other gentlemen, to come to Plymouth and aford vs their help; and accordingly on the 24<sup>th</sup> of September, 1671, M<sup>r</sup> John Winthorpe, Gou<sup>r</sup> of Coñecticut, Major Generall Leuerett, M<sup>r</sup> Thomas Danforth, Captaine William Davis, with diuers others, came to Plymouth, and had a faire and deliberate hearing of the controuersy between our colonic and the said sachem, Phillip, hee

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[PRESENCE,  
GOVERNOR.]

13 September.  
[56.]

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 13 September.  
 [PRENCE,  
 GOVERNOR]

being personally present, there being also competent interpreters, both English and Indians, at which meeting it was proved by sufficient testimony to the conviction of the said Phillip, and satisfaction of all that audience, both the said gentlemen and others, that hee had broken his covenant made with our collonie at Taunton, in Aprill last, in diuers particulars, as alsoe carryed very vnkindly vnto vs diuers wayes.

1. In that hee detained and neglected to bringe in the resedue of his English armes, not deliuered at Taunton, according to his engagement, and that notwithstanding hee was allowed competent time, yea, his time enlarged, yett hee neglected as afsaid, and instead of bringing them in, improved the opportunity of time rather to make them out of the way.

2. That hee had carryed insolently and proudly towards vs on seuerall occasions, in refusing to come down to our Court, when sent for to haue speech with him, to procure a right vnderstanding of matters in difference betwixt vs.

3. That hee entertained, harboured, and abetted diuers Indians, not of his owne men, which were vagabonds, our professed enimies, who, leauing their owne sachem, repaired to him and were harboured.

4. That notwithstanding the great wronge hee had done vnto vs in these and such like respects, instead of repairing to the Court, and to endeauer a reconciliation, hee takes his journey into the Massachusetts Bay, with seuerall of his councill, indeauoring to insinuate himselfe into the majestates, and to misrepresent matters vnto them, whoe are our good friends and neighbors, and what in him lay, therby to worke mischeife and difference between them and vs.

5. That hee had shewed great inciuillitie to diuers of ours at seuerall times, in speciall vnto Mr James Browne, whoe was sent by the Court on speciall occasion as a messenger vnto him, and vnto Hugh Cole at another time, &c.

The gentlemen forenamed, takeing notice of the promises, haueing fully heard what the said Phillip could say for himselfe, haueing free libertie soe to doe without interruption, adjudged that hee had don vs a great deal of wronge and injury respecting the promises, and alsoe abused them by carrying lyes and false storyes to them, and soe misrepresenting matters vnto them, and they psuaded him to make an acknowledgment of his fault, and to seek for reconciliation, expressing themselves that there is a great difference between what hee asserted to the gouernment in the Bay and what hee could now make out concerning his pretended wronges; and such had bine the wronge and damage that hee had done and procured vnto the collonie as ought not to be bourne without competent repairation and satisfaction; yea, that hee by his insolencies had in probabilitie occasioned more mischeife from the Indians amongst them then had fallen out in many yeares before; they psuaded him therefore to humble himselfe vnto the majestates, and to amend his wayes, if hee

expected peace, and that if hee went on in his refractory way, hee must expect to smart for it, the particulars wherof are more att large to be seen in a full discourse between our majestates and the gentlemen aforesaid and him, which is extant. In fine, severall propositions were drawne vp and read, vnto which hee was left to accept of or reject, as hee should see cause, in reference vnto his entering into a new couenant with vs; and alsoe in reference to a way of reparation of some pte of the wronge don vnto vs, the contents wherof are as followeth, by him accepted of and signed vnto.

1671.

13 September.  
[PRESENCE,  
GOVERNOR.]

\*New Plymouth, this 29<sup>th</sup> of September, 1671.

29 September.  
[\*57.]

1. Wee, Phillip, my councell, and my subjects, doe acknowledge ourselves subjects to his ma<sup>tie</sup> the Kinge of England, &c, and the goument of New Plymouth, and to their laws.

2. I am willing and doe promise to pay vnto the goument of New Plymouth one hundred pounds in such things as I haue, but I would intreat the fauor that I might haue three yeares to pay it in, forasmuch as I can not doe it att p<sup>re</sup>sent.

3. I doe promise to send in to the Gou<sup>r</sup>, or to whom hee shall appoint, five woulues heads, if I can gett them, or as many as I can procure, vntill they come to the number of five woulues, yearly.

4. If any difference falls between the English and my selfe or people, then I doe promise to repaire to the Gou<sup>r</sup> of Plymouth, to rectify the difference amongst vs.

5. I doe promise not to make warr with any but with the Gouernors approbation of New Plymouth.

6. I promise not to dispose of any of the lands that I haue att present, but by the approbation of the goument of New Plymouth.

For the true p<sup>er</sup>formance of the p<sup>ro</sup>mises, I, the said Phillip, sachem of Paukanaukett, doe heerby bind my selfe and such of my councell as are p<sup>re</sup>sent, our selues, our heires and successors, faithfully and truly to p<sup>er</sup>forme. In witnes heerof wee haue heervnto subscribed our hands the day and yeare aboue written.

The marke  of PHILLIP, Sachem.  
 The mark  of WOHKOWPAHENITT.  
 The marke of  WUTTAKOOSSEIM.  
 The marke of  SONKANUHOO.  
 The marke of  WOONASHIUM,  
 allies NIMROD.  
 The marke of  WOOSPASUCK,  
 allies CAPTAINE.

1671.

29 September.  
[PRENCE,  
GOVERNOR.]

In the presence of the Court and diuers of the majestrates and other gentlemen of the jurisdiction of the Massachusetts and Coñecticott,—

Takanumma, a sachem att Saconett, appeered in Court this third of Nouember, (71,) with Phillip, cheife sachem, and did engage for the future that hee, vnder the said Phillip, would stand to and abide by the same engagement of subjection to the Kinges ma<sup>tie</sup> of England, this gouernment and the lawes therof, with other articles in the engagement, wherto the said Phillip hath subscribed as abouesaid, and that the said Takamumma shall and will bring in or cause to be brought in yearly one wolfs head vnto the Treasurer; Phillip, alsoe, the said cheife sachem, did engage for the said Takamummas p<sup>r</sup>formance of the said engagement in all points therof.

In witnes wherof, I, the said Takamumma, haue sett my hand.

The marke of  TAKAMUNNA.

29 October.  
[\*58.]

\*. *Att the Court holden att Plymouth the 29<sup>th</sup> Day of October, 1671.*

BEFORE Thomas Prence, Esq <sup>r</sup> , Goũ,	Thomas Hinckley,
John Alden,	John Freeman,
Josias Winslow,	Nathaniel Bacon, and
Wiltam Bradford,	Constant Southworth,
Assistants, &c.	

**T**HIS Court doe appoint and giue libertie of administration vnto M<sup>r</sup> Thomas Prence, M<sup>r</sup> Constant Southworth, M<sup>r</sup> Thomas Clarke, and Benjamine Bartlett, to adnimmester on the estate of M<sup>r</sup> Wiltam Collyare, deceased; and it is further ordered by the Court, that Daniell Cole shall haue and enjoy all such p<sup>r</sup>ticulars out of the estate of the said Wiltam Collyare, that are extant, which are specifiyd in the first paper giuen by him, the said Wiltam Collyare.

In reference vnto a former controuersy between John Hathwey, of Taunton, and an Indian called Phillip, the Court haue ordered, that the said Phillip shall pay or cause to be payed vnto the said Hathwey, or his order, eight bushells and an halfe of Indian corne, within one month after the date hecrof, in reference vnto and for full satisfaction for damage done by the said Indian Phillip vnto the swine of the said Hathwey.

This Court sees cause and doe heerby call in the lycence graunted to

Gyles Rickard, Seni<sup>r</sup>, in reference to the selling liquor and wine; and for his selling of syder to the Indians, hee is fined the summe of ten shillings to the vse of the collonie.

James Cole, Seni<sup>r</sup>, being presented before the Court on suspision of being drunke, forasmuch as it is not soe cleared to the Court as to proceed to execute the law against him, hee pleading infeirmitie of body, which may make some think that sofitimes hee is drunke when hee is not, the Court haue att present pased it by, soe that it be remembered that if hee be found for the future apparently to transgresse againe in the like kind, that be alsoe remembered to be aded in the cenance that then may be passed against him.

Letters of administration are graunted vnto Mistris Jone Barnes and Jonathan Barnes to adminnester on the estate of M<sup>r</sup> John Barnes, deceased, they giueing bonds vnto the Court to saue them harmles from any damage that may acrew vnto them by their said administration.

In reference vnto two presentments against Robert Crosman, the one for cursing the celect men of Taunton, and for expressing himselfe in his passion as if he would make himselfe away, hee was cenced by the Court to be sett in the stockes on a publicke training day att Taunton.

John Otis, for selling syder without order from the Court, was fined the summe of forty shillings to the collonies vse, or to appeer to answare for the same.

This Court doth authorise, coimissionate and impower M<sup>r</sup> Constant Southworth in the behalfe and to the vse of a collonie, to make sale of such lands as are bordering on the line betwixt the Massachusetts and vs, whervnto our collonie haue a right, by vertue of an Indian purchase, vnto such gentlemen of the said Massachusetts collonie as haue motioned the same, or vnto any others, as oportunitie may present.

This order is more fully entered in the second page forward in this booke.

Letters of administration was graunted vnto John Williams, to adminnester on the estate of Edward Wilhams, deceased.

\*Att this Court, John Bucke and Mary Attkinson, being bound ouer thervnto to answare for comitting the acte of adultery with each other, appeared; and the said Bucke, being examined, denyed the same, and did put his case vpon tryall of his peers. The grand jury brought in the bill of inditement bella vera in probabilitie. The petty jury brought him in guilty of the acte of adultery. The Court, takeing notice cercomspectly of what testimony might or was produced for the clearing of the case, together with the oath of the said Mary Attkinson, which shee tooke before the Court, wherein shee accused the said John Bucke to be the man that had committed vnclenans with her, and by whom shee hath the child that is now liueing with her, saw cause

[\*59.]

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29 October.  
PRESENCE,  
God<sup>s</sup>.

to accept of the said verdict, soe farr as that wheras it is vncertaine whether the husband of the said Mary Atkinson is or was surviueing att the time when the said acte was comitted, that they will suspend the execution of the law against them for adultery vntill that can be knowne; and in the interem, forasmuch as the p̄sent state of the fact, soe farr as it yett appeers, renders them guilty of the acte of fornication, they were forthwith both of them centanced to be publickly whipt att the post, or to pay each of them a fine of ten pounds in currant siluer mony of New England; it being arbetrary to theire choise, they chose the latter, and soe giuing bonds for theire apperance att the Court, in case that it doe appeer that Marmeduke Atkinson, the husband of the said Mary Atkinson, was aliue when the said acte was comitted, and that the said John Bucke had giuen securitie to the Court for a certaine assumsett, to be payed towards the keeping of the child, they were both for the p̄sent dismissed.

Leiftenant Isaacke Bucke standeth bound vnto the Court in the sūme of ten pounds sterling, or condition that his son, John Bucke, doe p̄sonally appeer before this Court, when by them required, further to suffer the centance of the law for comitting the acte of adultery with Mary Attkinson, the wife of Marmeduke Attkinson.

Edward Jenkins standeth bound vnto the Court, in the sūme of ten pounds sterling, on condition that his daughter, Mary Attkinson, the wife of Marmeduke Attkinson, doe p̄sonally appeer before this Court, when by them required, to suffer the centance of the law for comitting the acte of adultery with John Bucke.

Leiftenant Isaacke Bucke standeth bound vnto the Court, in the behalfe of his son, John Bucke, that hee shall pay or cause to be payed the sum of three pounds a yeare, for the tearme of eight yeaes from the date heerof, vnto the said Mary Attkinson, or her order, in good and currant marchantable corn, att prise currant, when and as it shall become payable, to be for and towards the bringing vp of the child begotten in the said acte of vncleanes.

The Names of the Jury that tryed the abouenamed.

John Morton,	} sworne.	John Rogers, Junr,	} sworne.
William Hoskens,		Samuell Dunham,	
Andrew Ringe,		William Foard, Junr,	
James Clarke,		Samuell Hunt,	
John Wadsworth,		Jabeze Howland,	
John Howland, Junr,		Jonathan Pratt.	

\*This Court receiuing letters from Cap<sup>t</sup> Willam Hudson, in behalfe of himselfe and seuerall other gentlemen of Boston, to whom the honored General Court haue bin pleased to graunt seuerall p<sup>ar</sup>cells of land within p<sup>ar</sup>te of those lauds formerly purchased of Alexander and Phillip, cheife sachems of Pokanaukett, by Captaine Thomas Willett, for the vse of this collonie, p<sup>ar</sup>te wherof now falleth vpon the northsyde of the line, settled between the collonies of the Massachusetts and Plymouth, and the abouemencioned gentlemen manifesting their reddines to compound with vs for our right lying on the northsyde of the line, in the jurisdiction of the Massachusetts, this Court being willing to comply with their desires therein, haue impowered and authorised M<sup>r</sup> Constant Southworth, in the name and for their vse, to make sale of our right and interest in what yett remaineth vndesposed of, viz<sup>t</sup>, soe much of it as lyeth on the northerly syde of the line settled between the two collonies, to the abouesaid gentlemen or others; alwaies prouided that this Courts former graunt to M<sup>r</sup> Richard Callicott be freely and really made good vnto him, both in vpland and meddow, with as much conveniency as may be.

1671.

29 October.  
 PRESENCE,  
 GOV<sup>ER</sup>.  
 [\*60.]

On the 17<sup>th</sup> of January, 1671.

1671-2.

17 January.

Mary Churchill, being examined before the Gov<sup>ER</sup> and M<sup>r</sup> Constant Southworth, confessed that shee is begotten with child by Thomas Dotey, and that shee had carnall copulation with him three seuerall times, the first of them being about the fiftenth of July last past before the date heerof; the second time on the eight of August last past before the date heerof; and the third time about a senight after, which was about the time the said Dotey departed the gov<sup>ER</sup>ment.

In reference vnto the second time the faete abouenamed was com<sup>mi</sup>tted, Serjeant Ephraim Tinkham, being examined, testifyeth as followeth, viz<sup>t</sup>: that hee, the said Sarjeant Tinkham, haueing occasion to speake with the said Thomas Dotey, went to the house of Joseph Churchill, expecting to meet with him there, and coming to the house, knocked att the dore; but noe body answered, and soe hee went in and stayed a while in the outward roome; and by some noise that hee heard in the house, conceiued there was so<sup>me</sup>body within, although they answered not; but att length Mary Churehill came forth, and hee asked her if Thomas Dotey was in the house or noe; but shee did not reddily answare him, but after some pause shee answered that hee was in the house; soe hee desired to speake with him; and soon after, Thomas Dotey came forth, and soe the said Sarjeant Tinkham and hee went away together, and hee admonished the said Dotey to take heed least euill might come of such carriages, or to that purpose; and the said Mary Churchill, being examined,

1671-2. affirmed that the same time that the said Sarjeant Tinkham tooke them soe together as aforesaid, was one of the three times hee had carnall coppulation with her as abouesaid; and shee, being further examined, denyed that shee euer had to doe with any other man.

17 January.  
PRENCE,  
Gou<sup>r</sup>.

John Drew and Joseph Churchill doe both of them acknowledge themselves to stand bound heerby vnto the Court in the sume of ten pounds, joyntly and seuerall, by them well and truly to be payed.

The condition that if Mary Churchill aforesaid doe psonally appeer att the Court of his ma<sup>ty</sup>, to be holden att Plymouth abouesaid the first Tusday in June next, further to answare for her haucing carnall coppulation with Thomas Dotey, and that shee abide the judgment of the said Court, and not depart the Court without lycence, that then the abouewritten obligation to be void and of non effect: or otherwise to remaine in full force, strength, and vertue.

5 March.  
[\*61.]

*\*Att the Court of his Ma<sup>ty</sup> held att Plymouth, for the Jurisdiction of .New Plymouth, the fift Day of .March, .Inno Domi 1671.*

BEFORE Thomas Prence, Esquire, Gou <sup>r</sup> ,	William Bradford,
John Aldin,	Thomas Hinckley, and
Josias Winslow,	Nathaniel Bacon,
Assistants, &c.	

**M**<sup>R</sup> STEUEN PAINE, Seni<sup>r</sup>, of Rehoboth, and M<sup>r</sup> Nicholas Tanner, were appointed by the Court to see M<sup>r</sup> Blackstones land layed forth according to the graunt.

In reference to a controuersy about the paying of rates, between the townes of Rehoboth and Swansey, the Court haue ordered, that what meddowes or meddowe lands belonging to Rehoboth, & lyeth within Swansey bounds, shalbe rated to euery rate of twenty pounds thripence an aeree to Rehoboth, and soe the like proportion to any rate, be it greater or lesser; and likewise, that whatsoever meddowes lyeth in the township of Rehoboth, belonging to Swansey, shalbe rated to euery rate of twenty pounds thripence an aeree to Swansey, and soe by like proportion to any rate, be it greater or lesser; and that this order shalbe a standing rule vnto those townes, vntill vpon the complaints of the inhabitants of the said townes the Court shall see cause otherwise to order; and wheras in reference vnto some arreës behind of rates as yett vnpayed by M<sup>r</sup> Allin, hee refering himselfe to the determination of the

Court, it is by them ordered, that the said M<sup>r</sup> John Allin, of Swansey, shall pay or cause to be payed to Robert Fuller, of Rehoboth, the sume of thirty shillings, and the sume of thirty shillings to M<sup>r</sup> John Pecke.

Att this Court, Nathaniel Thomas acknowledged before the Court that hee stands bound vnto the Court in the penall sume of six pounds, both for himselfe and his heires, as surty for Humphery Johnson, in reference to the suite comēced by the said Johnson against John Turner, Junir, of Scittuate, to proceute the said action, and to be responsible to make good all such damage as the said Turner may suffer by the said action, in case it shall appeer hee is vnjustly molested therby.

The Court haue ordered that Robert Stanfords rate shalbe accepted in such specue as hee hath to pay, provided it be paid att such rates as will procure soe much as hee is rated according to specue specified in the warrant sent to Scittuate last yeare for the rate.

In reference vnto the complaint of Samuell Smith, late constable of Easthaue, against Joseph Harding, for abusing him in the execution of his office, the Court haue ordered, that an order be sent to M<sup>r</sup> Freeman, to cause the gun attached by the said Smith appertaining to the said Harding, to be returned to him againe, (if it may be had,) and that what is vn timer paid of the award amerced on him to be payed, and for his abusive carryages towards the said constable, hee is centanced to pay a fine of ten shillings to the vse of the collonie.

In reference vnto a complaint of Samuell Harry, the Indian, against Francis Combe, about a hogg taken vp and killed by the said Combe, which hogg is found on examination to be the said Indians, the Court haue ordered that the said Combe shall pay or cause to be payed to the said Indian twenty two shillings, in porke or other currant pay to his content, within one month after the date heerof.

The Court haue ordered, that notice be giuen to M<sup>r</sup> Robert Marshall, that forasmuch as Mistris Jone Barnes complaineth that she can not prouide for his children, now in her custody, that hee, within one month or six weekes after the date heerof, take care to prouide for his said children, viz<sup>d</sup>, John Marshall and Robert Marshall, or otherwise the Court will take course for the disposall of them.

In reference vnto the estate of Ralph Chapman, deceased, altho the Court is not satisfied in some respects concerning his will, notwithstanding they haue ordered and doe request Edward Wanton, of Scittuate, to looke vnto and take care of the said estate for the p̄seruation and improuement therof and of his land, and to keep an account of his doeinges about it vntill the Court shall see cause otherwise to order.

1671-2.

5 March.  
[PRESENCE,  
GOVERNOR.]

1671-2.

5 March.  
PRINCE,  
Gov<sup>r</sup>.  
[\*62.]

\*Vpon the psuance of a request made vnto this Court by M<sup>r</sup> John Jacob, of Hingham, in behalfe of himselfe and seuerall others, for a deuision of lands by them and others bought of M<sup>r</sup> Timothy Hatherley, being three miles square, about Accord Pond, this Court haue ordered and impowered Major Josias Winslow and M<sup>r</sup> Constant Southworth to impannell a jury for the deuision of the said lands according to the seuerall proportions of the psons therein interested, and to pforme any acte or actes that according to law might concerne the sheriffe in like case, for the full and compleat issue of the said deuision; which said three miles square is to be layed out as followeth, viz<sup>d</sup>: the easterly end to begine att Accorde Pond next to Scittuate townshipe, and soe to run three miles southward; the north line to begine on the southsyde of the said Accord Pond, and soe to run three miles next vnto a gussett of land graunted by the Court vnto Ensigne March Eames, (below this next entered,) vtill it comes to the pattent line; the westward bounds to begine att the pattent line, and soe to run three miles southerly, and soe to run from thence on a straight line to the end of the southernmost pte of the east line aforesaid. Cornett Studson, alsoe, in the Court, consented thervnto.

It was further ordered by the Court, that the whole charge of the said deuision be layed on the lands, each of the owners to pay proportionable to his interest.

In reference vnto a former graunt of land made by the Court vnto Ensigne Marke Eames, a certaine pcell of land, being in the forme of a gussett, lying next vnto Accord Pond, between the land there graunted to M<sup>r</sup> Hatherley and the line between the pattents, is graunted and now confermed vnto Ensigne Marke Eames aforesaid, be it an hundred acres, more or lesse.

In reference vnto a former graunt of accomodations of land vnto M<sup>r</sup> Thomas Cushman, Sen<sup>r</sup>, the Court doth graunt and conferme vnto him the one halfe of the last purchase of land made by the Treasurer of Phillip, sachem of Pankanawkett, viz<sup>d</sup>, the one halfe of that tract of land purchased by M<sup>r</sup> Constant Southworth, Treasurer, lying and being att Assowamsett Ponds, on the westerly side of the said ponds, the ether halfe belonging vnto Thomas Little; likewise, the Court haue graunted vnto the said Thomas Cushman, that incase any meddow can be found to be neare or convenient vnto the aforesaid land, that hee shall haue a convenient proportion thereof.

Likewise, M<sup>r</sup> Constant Southworth is appointed by the Court to sett the bounds of the said tract of land; and Wiltam Crow and Edward Gray are appointed by the Court to make a deuision thereof between the said Thomas Cushman and Thomas Little.

Samuell Arnold, Jun<sup>r</sup>, and his now wife were fined the sume of ten pounds for comitting fornication with each other before marriage.

Josias Palmer, of Scittuate, for saying that M<sup>r</sup> Witherells church was a church of the diuill, was fined ten shillings.

1671-2.

John Loc, of the towne of Marshfield, for prophaning the Lords day by seruill labour and contemptable words, being minded of that abuse, fined forty shillings or to be whipt.

5 March.  
PRINCE,  
Gov<sup>r</sup>.

Thomas Baxter, having bin accused of misdemeanor att the meeting house att Yarmouth, after examination was cleared.

\*Att this Court John Williams, of Barnstable, appeered, being bound ouer to answare the accusation layed against him by Susannah Turner, of Sandwich, of begetting her with child, which hee stifly and perentorily denied; and the fact not being fully proued against him, the Court saw cause att the p<sup>r</sup>sent to take bonds of him for to allow a sume towards the keeping of the child; and soe hee was released for p<sup>r</sup>sent, being to appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth aforesaid the first Tusday in July next, according to the bonds following:—

[\*63.]

John Williams, of Barnstable, standeth bound vnto the	}	<sup>ii</sup> 10 : 00 : 00
Court in the penall sume of . . . . .	}	
John Howland the sume of . . . . .		10 : 00 : 00

The condition, that wheras the said John Williams is accused to be the father of the child which was lately borne of Sussanna Turner, of Sandwich, if, therefore, the said John Williams doe alow and duely pay two shillings by the weeke towards the keeping of the said child vntill the Court of his ma<sup>tie</sup> to be holden att Plymouth aforesaid the first Tusday in July next, and that the said John Williams doe appeer att the said Court, and not depart the same without lycence; that then, &c.

Att this Court, Hester, the wife of John Rickard, Seni<sup>r</sup>, of Plymouth, appeered, being sum<sup>o</sup>ned to answare for her vnciuell and beastly carriages and speeches to her said husband; and the p<sup>r</sup>misses was fully proued against her by sufficient testimony, and shee was centanced by the Court to be publickly whipt att the post; but att the earnest intreaty of her selfe and others, and her promise of amendement, the said centance was suspended from p<sup>r</sup>sent execution, with this proviso, that if att any time for the future shee be taken in the like fault, either towards her husband or in any vnciuell carriages to others, shee is forthwith to be publickly whipt as aforesaid.

Shee was alsoe att this Court prohibited to brew beer to sell, as formerly shee had done, because it appeered to the Court that it was a snare to her to oecation euill in the aforesaid respects.

In reference to a fram of an house, framed by Josias Wormall, according to agreement with Thomas Dotey, the said Dotey being departed the goũment,

1671-2.

5 March.  
PRENCE,  
Gov<sup>r</sup>.

and the said Wormall not payed for his labour about the said fram, hee making his adresse to the Court, the Court ordered, that a proffer should be made to Joseph Dotey, the agent of the said Thomas Dotey, that if hee would take the said fram, and fulfill the couenants that his brother, Thomas Dotey, made with the said Wormall about the said fram, hee might if hee pleased; if otherwise, that the said Josias Wormall might make sale therof to satisfy himselfe; which, vpon the refusall of the said Joseph Dotey, hee, the said Wormall, sold, and therby is satisfied.

Richard Godfrey, of Taunton, being presented for speaking opprobriously of some in place in the towne of Taunton, was centanced by the Court to sit in the stockes att Taunton on a training day, soe as it exceed not two houres.

James Walker and John Richmond are authorized by the Court to purchase the land of the Indians in the behalfe of the towne of Taunton, lying on the west syde of Taunton Riuer, from the Three Mile Riuer downe to a place called the Store House.

Wee, whose names are vnderwritten, being summoned together by order from the Gov<sup>t</sup> to view the corpses of M<sup>r</sup> John Barnes, and to giue in a verdict how wee judge hee came by his death, doe judge, that being before his barnedore in the street, standing stroakeing or feeling of his bull, the said bull suddenly turned about vpon him and gaue him a great wound with his horne on his right thigh, neare eight inches longe, in which his flesh was torne both broad and deep, as wee judge; of which wound, together with his wrinch of his necke or paine therof, (of which hee complained,) hee immediately languished; after about 32 houres after hee died. Vnto the truth wherof wee haue subscribed our hands.

JAMES SKIFFE,  
RENJAMINE HAMOND,  
JOHN WOOD, Seni<sup>r</sup>,  
SAMUELL DUNHAM,  
JAMES COLE, Juni<sup>r</sup>,  
NATHANIEL WOOD,  
Leif<sup>t</sup> MORTON,  
Serg<sup>t</sup> HARLOW,  
ALEXANDER KENEDY,  
JOHN WOOD, Juni<sup>r</sup>,  
GYLES RICKARD, Seni<sup>r</sup>,  
JABEZ HOWLAND.

\*Whereas att this Court Major Josias Winslow comēnced suite against Wilkam, son to Tuspaquine, the sachem of Namassakett, in an action of the case to the damage of twenty pounds for non payment of ten pounds and eight shillings due for a horse and other goods sold to him the last summer, as appeared by a bill vnder his hand; and that the said Major Winslow obtained a verdict against him, the said Wilkam, viz<sup>d</sup>, the bill to be payed to the plaintife, twelue pence damage, and the cost of the suite; hee, the said Wilkam, haueing nothing to pay the award of the jury, tendered a psell of land to be sold to make it good; the Court therefore deputed and appointed M<sup>r</sup> Edward Gray to make purchase thereof, that see the said plaintife might be satisfied his due according to the verdict of the jury.

1671-2.

5 March.  
PRENCE,  
Gou<sup>r</sup>.  
[\*64.]

July, 1672. This following was ordered to be recorded, viz<sup>d</sup>: a graunt of the seauen men appointed to order the affaires of the towne of Plymouth, and to graunt lands within that township.

July.

The 22<sup>nd</sup> of February, 1650. Wee graunt to Thomas Clarke the skirts of meddow lying vpon the pond att Mannomett, from the Creeke round about.

John Turner, Jun<sup>r</sup>, of Scituate, complaining of inabilitie of body to beare armes and traine as formerly, hee is freed and discharged by the counsell of warr from training for the future in the milletary companie of Scituate.

Letters of administration was graunted vnto Ensigne John Williams to adminnester on the estate of Edward Williams, of Scituate, deceased.

*At the Court of his Ma<sup>ty</sup> holden att the Towne of Plymouth, for the Jurisdiction of New Plymouth, the fift Day of June, Anno Dom<sup>i</sup> 1672.*

1672.

5 June.  
[\*65.]

BEFORE Thomas Prence, Esquire, Gou<sup>r</sup>,  
John Aldin,  
Josias Winslow,  
Wilkam Bradford,

Thomas Hineckley,  
John Freeman,  
Nathaniel Bacon, and  
Constant Southworth,

Assistants, &c.

1672.

5 June.  
PRENCE,  
Gov<sup>r</sup>.

THOMAS PRENCE, ESQ<sup>r</sup>, was chosen Gov<sup>r</sup>, and sworne.

John Aldin,	} Gentlemen, were chosen Assistants, and sworne.
Josias Winslow,	
Wiltam Bradford,	
Thomas Hinckley,	
John Freeman,	
Nathaniel Bacon, and Constant Southworth,	

The severall townes of this goūment, not knowing that the comiſſioners for the Vnited Colonies were to sitt att Plymouth this yeare, did omitt the sending of their voates for our honored Gov<sup>r</sup> to be comiſſioner in the first place, soe that it fell out that M<sup>r</sup> Hinckley had more written voates then hee ; but the ouersight being espyed att the instant of election, and the freemen for the most p<sup>te</sup> then p<sup>sent</sup> did vote viva vose for the Gov<sup>r</sup> to be the first in our choise.

Soe that the comiſſioners chosen were, —

M<sup>r</sup> Thomas Prence,

Major Josias Winslow ;

And M<sup>r</sup> Hinckly next in nomination.

M<sup>r</sup> Constant Southworth was chosen Treasurer, and sworne.

The Names of the Deputies of the severall Townes.

Robert Finney,	Ensigne Eames,
Leiff Morton,	Nathaniel Thomas,
M <sup>r</sup> Josias Standsh,	Leiff Hunt,
Wiltam Paybody,	Daniell Smith,
Thomas Tupper,	Daniell Cole,
Wiltam Harvey,	Thomas Paine,
Leiftenant Macey,	John Willis,
Ensigne Howes,	John Russell,
Edward Sturgis, Seni <sup>r</sup> ,	M <sup>r</sup> James Browne,
Thomas Huckens,	John Morton.
John Tompson,	

The Constables of the severall Townes.

Plymouth, . . . . .	Gorge Watson.
Duxburrow, . . . . .	John Wadsworth.

Scituate, . . . . .	^
Sandwich, . . . . .	^
Taunton, . . . . .	{ Richard Steuens, Hezekiah Hoar.
Yarmouth, . . . . .	Hosca Joyce.
Barnstable, . . . . .	John Huckens.
Marshfield, . . . . .	{ John Sawyer, Josias Snow.
Rehoboth, . . . . .	{ William Sabin, Senr., John Miller, Senr.
Eastham, . . . . .	Jonathan Banges.
Bridgewater, . . . . .	Robert Latham.
Dartmouth, . . . . .	Gorge Soule.
Swanscy, . . . . .	Thomas Barnes.
Middlebery, . . . . .	John Irish.

1672.

5 JUNE,  
PRENCE,  
GOV<sup>r</sup>.

\*The Grand Enquest.

[\*66.]

Anthony Snow,	John Miller, of Yarmouth,
William Hoskins,	Anthony Perrey,
Mr Edmond Freeman,	John Perrum,
Mr Samuell Sabery,	Gorge Crispe,
Ensigne Jonathan Aldin,	John Blackwell,
Walter Briggs,	Thomas Deane,
John Daman,	Thomas Lambert,
John Carey,	John Finney,
John Dingley,	Thomas Pope,
Joseph Howes,	Thomas Lewis,
John Richmond,	John Miller, of Middlebery.
Samuell Dunham,	

The Names of the Celect Men in each Towne.

Plymouth, . . . . .	{ Leiff Morton, Serjeant Harlow, William Crow.
Duxberry, . . . . .	{ William Paybody, Mr Samuell Saberry, Mr Josias Standish.

1672.

5 June.  
 PRESENCE,  
 Gov<sup>r</sup>.

Scituate, . . . . .	{ Mr Micaell Peirse, Jeremiah Hatch, John Cushen.
Sandwich, . . . . .	{ James Skiffe, Thomas Burgis, Steuen Skiffe.
Taunton, . . . . .	{ Leiff Maceye, Richard Williams, Walter Deane, John Tisdall, Seni <sup>r</sup> , Wiltam Harvey.
Yarmouth, . . . . .	{ Mr Hawes. Edward S <sup>r</sup> rgis, John Thacher, Ensigne Howes, John Miller.
Barnstable, . . . . .	{ Leiffen Laythorpe, John Tompson, Thomas Huckens.
Rehoboth, . . . . .	{ Mr Steuen Paine, Seni <sup>r</sup> , Ensigne Smith, Leiffenant Hunt.
Marshfield, . . . . .	{ Leiff White, Ensigne Eames, John Bourne.
Eastham, . . . . .	{ Nicholas Snow, Daniell Cole, Thomas Paine, Marke Snow, Jonathan Sparrow.
Bridgewater, . . . . .	{ Leiffenant Haward, John Willis, Seni <sup>r</sup> , John Carrey.
Dartmouth, . . . . .	{ John Cooke, Arther Hathewey, John Russell.
Swansey, . . . . .	{ Hugh Cole, Thomas Lewis, Mr James Browne.

Surveyors of the Highwayes.

1672.

5 June.  
PRESENCE,  
Gov<sup>r</sup>.

Plymouth, . . . . .	{	John Holmes, Joseph Bartlett, Benajah Pratt.
Duxbury, . . . . .	{	Robert Barker, John Soule, Joseph Howland.
Scituate, . . . . .	{	Cornett Studson, Edward Jenkins, Charles Stockbridge.
Taunton, . . . . .	{	James Walker, Ensigne Leanard.
Yarmouth, . . . . .	{	Edward Sturgis, Seni <sup>r</sup> , Joseph Howes.
Barnst, . . . . .	{	John Davis, Thomas Hinckley.
Rehoboth, . . . . .	{	Gilbert Brookes, John Doged.
Marshfield, . . . . .	{	Joseph Bedle, Samuell Sprague.
Eastham, . . . . .	{	John Done, Daniell Done.
Bridgewater, . . . . .	{	Samuell Edson, Samuell Packer.
Dartmouth, . . . . .	{	John Smith, Peleg Tripp, William Palmer.
Swansey, . . . . .	{	Nathaniel Chaffey, Jonathan Bosworth, Hezekiah Luther.
Middlebery, . . . . .	{	Isacke Howland.

\* In answare to the petition of John Cooke, the Court have ordered, that some speeddy notice be giuen to all the purchassers that have an interest in the said controversye, that they giue notice each to other to meet together att Plymouth att the next Court in July next, in order to the settlement thereof, either psonally or by a comittey; and if they can not agree soe as to putt a finall issue thervato, that then the Court will see cause to interpose with their healpe soe as finally to determine the said controversye.

[\*67.]

1672.

5 June.  
PRESENCE,  
Gov<sup>r</sup>.

In answere to a petition prefered to the Court by some of the inhabitants of Sandwich, complaining that they are much straitened in want of comōns, and therefore to haue libertie to purchase some lands about them adjoining to them for their supply, the Court haue ordered, that such lands shalbe purchased by such as shalbe appointed thervnto, and to be disposed of by the Court to such as are likely to be healfull in the support and maintainance of minnistry.

Att this Court, Mary Churchill was centanced by the Court to pay a fine of six pounds for comitting fornication, as shee saith, with Thomas Doten.

Att this Court, Dorcas Billington was centanced to pay a fine of five pound by the next July Court to be holden att Plymouth, for comitting fornication with <sup>^</sup>, or to appeer att the said Court, and to receiue corporall punishment by whipping.

Att this Court Susanna Turner appeered, and was centanced to pay a fine of eight pounds, for comitting fornication, as shee saith, with John Williams, of Barnstable.

Daniell Cole, the son of Job Cole, for cursing, fined ten shillings.

Leiff Peregrine White and Wiltam Nelson, Seni<sup>r</sup>, were appointed by the Court to lay out or deuide certaine meddowes belonging to Pachague Necke, and the enlargement of vpland on Bridgwater syde of the riuer; and the ptenors of Pachauge Necke aforsaid engaged to defray the charge therof.

Thomas and John Bucke, Juni<sup>r</sup>, being att the house of Isacke Chettenden the third of June, 1672, the said John Bucke did acknowledge that the word spoken by him about and concerning his testimony att October Court last past, which was comitted to record, was falce, viz<sup>o</sup>, that the said Nicolls had taken a falce oath, it being rashly and unadvisedly spoken; and that hee, the said John Bucke, had noe just ground soe to speake, and that hee was sorry that hee had soe spoken; with which aeknowledgment the said Nicolls aeknowledged himselfe to be satisfied.

Whereas wee, whose names <sup>^</sup> vnderwritten, were sworne to take a view of a dead corpes, the which corpes was the daughter of Richard Lake, of Yarmouth; the which corpes wee haue viewed, and alsoe haue bin as carefull as we can to inquire into the cause or causes of the death of the said Lakes child; and wee doe all iudge, according to what light wee can gather, that

the child came to its end by falling into a brooke of water, and soe was drowned.

Dated Yarmouth, 28<sup>th</sup> of the 2<sup>nd</sup> month, 1672.

JOHN HALL, Jun<sup>r</sup>,  
 ANDREW HALLOTT,  
 THOMAS HOWES,  
 JOHN THACHER,  
 JEREMIAH HOWES,  
 NATH: HALL,  
 SAMUELL HALL,  
 JOSEPH RYDER,  
 JOHN MILLER,  
 JUDAH THACHER,  
 SAMUELL MATHEWS,  
 GERSOM HALL.

1672.

5 June.  
 PRENCE,  
 GOV<sup>r</sup>.

A generall and publicke day of humilliation was obserued, by the appointment of the Court, throughout this jurisdiction, held in concurrence with our neighbour collonie of the Massachusetts on the thirteenth day of this instant June, with special respect vnto the sad, and in many respects deplored, estate of our natiue cuntry, takinge in their withall severall thinges concerning our selues heer in N. E.

This Court is ajorned vntill the first Thursday in July next, att which time the comittées are to meet againe; it wilbe the fourth of the month.

*\*Att the Court of his Ma<sup>tie</sup> holden att Plymouth for the Jurisdiction of New Plymouth, the first of July, 1672.*

1 July.

[\*68.]

BEFORE Thomas Prence, Esq <sup>r</sup> , Gov <sup>r</sup> ,	Thomas Hineckley,
John Aldin,	John Freeman,
Josias Winslow,	Nathaniel Bacon, and
William Bradford,	Constant Southworth,
Assistants, &c.	

**M**<sup>R</sup> CONSTANT SOUTHWORTH, M<sup>r</sup> James Browne, and M<sup>r</sup> John Gorum are appointed by the Court to purchase a certaine p<sup>ar</sup>cell of land of the Indians graunted by the Court to the said John Gorum, lying att Paspasquash Necke.

1672.

1 July.  
PRENCE,  
Gou<sup>r</sup>.

This Court doth appoint the Treasurer, Captaine Cudworth, and Cornett Studson to repaire to Barnstable, to heare a difference between Captaine Fuller and Samuell Fuller, Seni<sup>r</sup>, on the one p<sup>t</sup>y, and the towne of Sandwich on the other p<sup>t</sup>y, about bounds of lands; and incase they can issue it and settle it, that they soe doe; but if not, that they make report vnto the Court how they find matters in that behalfe.

In reference vnto a controuersy betwixt Wiltam Hailstone and James Walker, which hath bine of longe standing, relating to an award made by M<sup>r</sup> John Wiswall, M<sup>r</sup> Richard Callicott, and Cap<sup>t</sup> James Jolnson, concerning and for the issuing of some difference betwixt the said p<sup>t</sup>ies, they, the said Wiltam Hailstone and James Walker, refering the case for a finall issue to the determination of the Court, haueing heard there please on both sydes, and pused all such writings that were produced relating therevnto, doe determine and conclude as followeth, viz<sup>d</sup>: that forasmuch as that it appeers, vpon examination, that the said James Walker hath not pformed the latter p<sup>t</sup>e of the said arbetracion, viz<sup>d</sup>, to repaire the said Hailstone his reputation in the church, and to make a returne therof vnto the said arbetrators, which hee neglected to doe, the Court doe therefore order, that hee shall pay or cause to be payed vnto the said Hailstone the sume of five pounds, in either good, marchantable porke, or good barr iron, betwixt this date and the fifteenth day of October next, att prise then currant; and wheras the said James Walker did openly and vnadvisedly, on a Lords day, accuse the said Wiltam Hailstone of telling seueral palpable lyes and founded vpon a lye, wherby the said Hailstone was much scandalised, this Court doth heerby aduise the said James Walker publickly to acknowledge the wronge hee hath done him in the meeting, on the Lords day, in the congregation; and this our award and joynt determination to be a full and finall issue of all such differences and controuersyes as relate vnto the p<sup>m</sup>ises.

This Court doe order M<sup>r</sup> John Freeman and Richard Bourne to purchase a peece of land or p<sup>s</sup>ell of land att Mannomett, called and knowne by the name of the Old Feild, for the said M<sup>r</sup> Bourne his more convenient improuement of his meddow there, prouided that the Indians to whome it belongeth shall haue free libertie, notwithstanding this order, to improue it without interruption, both them and there heires foreuer.

Wheras Wiltam Paybody complained vnto the Court that Wiltam Numacke and Moses Numacke, of Pinquine Hole, allies Weesquebs, that they are indebted to him the sume of seauen pounds and four shillings, what they cannot satisfy otherwise then by making ouer some land for a time, this Court haue, with the consent of the said Wiltam and Moses Numacke, layed

an extent vpon their lands, willed to them by their father, lying between the riuer of Pinguine Hole aforsaid and Nucksissett, with the longe necke which goeth into the sea called Wenamett, both vpland and meddow, with all and singulare the appurtenances and priuiledges belonging therevnto, for the full tearme of ten yeares from the fifteenth day of October next, from thence fully to be compleated and ended, to be for the vse and improuement of the said Wilham Paybody, to him and his heires and assignes for the full tearme aboue expressed; onely that the said Wilham Paybody is to mow the meddow this yeare, and the said Wilham Numacke and Moses Numacke they or either of them may, by the payment of the abouesaid summe within one yeare from the date heerof, redeeme their abouesaid land.

In reference vnto a whale brought on shore to Yarmouth from sea, the Court leanes it to the Treasurer to make abatement of what is due to the countrey therof, by law, as hee shall see cause, when hee hath treated with those that brought it on shore.

\*This Court, att the former session, takeing notice of the longe continued difference between John Cooke, of Dartmouth, and many of the inhabitants and purchasers of that place, and judging it difficult for them to put themselves into a capassitie of ending it without the Courts interposing to their heale, did then direct an order to the said towne and purchasers, to appeer att the adjournment in July instant, in their psons or by their deligates, to attend a finall issue of the abouesaid controuersyes. They, soe appeering att the Court, agreed joyntly to refer the whole matter of difference between the said John Cooke and the towne of Dartmouth or purchasers, respecting all their publicke or comon transactions, to the majestrates of this Court. whoe, after a full hearing of pleas on both sydes, managed by John Smith, Samuell Hiekes, and Peleg Tripp, in the behalfe of the purchasers, and well considered therof, doe award and determine as followeth: —

1. Viz<sup>s</sup>, that John Cooke shall haue and foreuer enjoy a little island called Ram lland, by the said towne disposed to him for former seruice; and secondly, that they the said towne and purchasers doe pay or cause to be payed vnto John Cooke his debt of eleuen pounds for latter agencye and disbursments for them, and three pounds for his damage and trouble, which fourteen pounds shalbe payed to him or his order in good and marchantable porke, beefe, and corne, in equall proportions, att or before the middle of October next, or otherwise to his content.

And wee determine the bounds of the plantation to be according to a deed giuen by Phillip, the sachem, bounded on the east by a blacke oake, marked on foure sydes, concerning which tree all pties did agree, and from

1672.

1 July,  
PRELICE,  
Gore.

[\*69.]

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1 July.  
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Gov<sup>r</sup>.

the said tree by a south line, as run by Robert Hazard, downe to the salt water, and by the contrary line into the woods extending eight miles from the said tree, and att the westerly end as bounded by the abouesaid deed.

And lastly, wee determine that, John Cooke being payed what wee haue aboue awarded, hee shall deliuer vp the deeds and acquittances concerning those lands vnto whom shalbe appointed to receiue and keep it for the towne and purchasers therein interested; and this wee order to be recorded as our award, and to stand as a full, absolute, and finall conclusion of the abouesaid controuersyes between the said John Cooke and the towne and purchasers of Dartmouth aboue mentioned, and his and their heires for euer.

In reference vnto the towne of Dartmouth, it is ordered by the Court, that whereas an apparent neglect hath bin for the two yeares last past of the gathering in of the sume of fifteen pounds a yeare, according to the order of Court, to be kept in stocke, towards the support of such as may dispence the word of God vnto them, it being neglected the last yeare in pretence that those that were appointed by the Court to receiue it, and improue it for the ends aforesaid, refused soe to doe, it is now ordered by this Court, that the sume of fifteen pounds be this yeare leuiued to be as a stocke for the vse aforesaid, to be payed and deliuered vnto the constable of Dartmouth, in good and currant countrey pay, to be by him retained and keep vntill hee shall receiue further order from the Court for the dispose of it.

Att this Court it was agreed by and between M<sup>r</sup> Constant Southworth and Phillip, the sachem, in reference to the land att *att* Assowamsett Pond, that whereas the land purchased of the said sachem there was formerly to goe three quarters of a mile broad, and to goe ouer Wachemoccusett Brooke, it is now bounded by the said brooke below, and soe to goe vp by a pond; and what is wanting below by reason the breadth is cutt short by the said brooke, it is to be made vp aboue.

[\*70.]

\*These p<sup>s</sup>ents testifies that whereas Thomas Butler, of Sandwich, haueing bought fifty acres of land of Jonathan Morey, of Plymouth, and these lands falling into the hands of the Indians, viz<sup>t</sup>, Quachattassett and Nanumett, the which Quachattassett with Nanumett haue freely and absolutely resigned vp vnto Thomas Butler the whole fifty acres, the which lyeth in two places, that is to say, thirty acres to be measured neare the Ceder Swamp, vpon the side of the path towards Sandwich, the which path goeth from Nanumetts land or planting feild vnto Breake Hart Hill, or the Salt Water Pond, and the other twenty acres is to be measured out of a necke of land that shootes into the Herring Riuer Pond, the which is the biggest necke of land; all which

the whole fifty acres wee, the aforsaid Quachattasett and Nanumett, doe alienate from ourselues, our heires and assignes for euer, vnto Thomas Butler aforsaid, for himselfe, his heires and assignes for euer : to haue and to hold both the psells of land before mensioned, with the timber, and wood, and grasse that is vpon it. Witnes our hands, this third of July, one thousand six hundred seauenty and two.

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1 July.  
PRESENCE,  
Gou<sup>r</sup>.

The marke  of QUACHATTASETT.

The marke  NANUMETT.

Signed, sealed and deliuered in the psence of

Richard Bourne,

Joseph Bartlett.

This abouesaid conveyance of land was ordered by the Court held att Plymouth, the third of July, 1672, to be recorded.

Att this Court, a letter was read in the Court, which was a returne of an answare to a letter sent vnto the Massachusetts, concerning our collonies acceptance of the proposifon made by them for the continuance of the confederation, both which letters importeth a joynt acceptance and concurrence in the proposition about the continuance thereof.

Att this Court, John Williams, of Scittuate, appeared to answare a complaint against him for breaking the Sabbath by doeing seruill worke theron, and hee preferred a petition to the Court, which was read and considered. Notwithstanding, the Court voated generally that hee lay lyable to be called to answare further to it; and wheras hee excepted against one pticulare in the suñons that was last sent for him, in that the place where hee soe brake the Sabbath was not specifcyed, the Court proffered him to be tryed by a jury of his equalls, which hee neglected to accept, and soe the Court tooke further cognizance of the case; and infine hee was sentenced for his prophanation of the Sabbath by doeing seruill worke theron, proued by diuers wittnesses, to pay a fine of forty shillings, according to the law, to the vse of the collonie.

John Williams, of Barnstable, standeth bound vnto the	} <sup>ii</sup> 10 : 00	Released.
Court in the penall suñe of . . . . .		

John Howland, of Barnstable, in the suñe of . . . . .	10 : 00	Released.
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The condition that wheras the said John Williams is accused to be the father of the child which was lately borne of Sussanna Turner, of Sandwich, if therefore the said John Williams doe alow and duely pay two shillings by the weeke towards the keeping of the said child, vntill the Court of his ma<sup>tie</sup> to be holden att Plymouth aforsaid the first Tusday in March next, the one

1672.

5 July.  
PRENCE,  
Gou<sup>r</sup>.

halfe to be payed in Indian corne, and the other halfe in goods, both att prise current, to be deliuered att James Pursevalls, att Sandwiche, quarterly, (if the said child liue soe longe,) and that hee the said John Williams doe appeer att the Court aforesaid, and not depart the said Court without lycence; that then, &c.

Job Bourne, for refusing to serue in the office of a constable att Sandwiche, was fined according to order the sume of four poundes.

Dorease Billington is centanced to suffer corporall punishment by whipping, for comitting fornication; this to be pformed on some lecture day, when the Gou<sup>r</sup> shall see meet.

1 August.

[\*71.]

\*August the first, 1672. Francis Jones, being apprehended att Taunton for pilfering and stealing seuerall particulars, and comitted to prison after examination, was centanced by the Court to be publickly whipt att the post, which accordingly was inflicted, and was forthwith deliuered to John Smith, of Taunton, attorney to Seth Smith, of Medfeild, in the jurisdiction of the Massachusetts, whoe engaged to the Court to deliuer him to the said Seth Smith, his brother, att Medfeild, to be p<sup>r</sup>esented before the next maijstrate of the gou<sup>r</sup>ment of the Massachusetts aforesaid, for the recouering of such charges as the said Seth Smith hath bin att in p<sup>r</sup>ocecution of the said Jones.

10 September.

September 10<sup>th</sup>, 1672. I, Thomas Hughes, of Plymouth, in New England, doe owne and acknowldg a judgment of sixteen poundes, in current siluer mony of New England, due and payable from my p<sup>r</sup>son or estate vnto M<sup>r</sup> James Brading, of Boston, or his assignes, wherof I ame convict in due course of law. In witnes wherof I haue herevnto sett my hand this 10<sup>th</sup> day of September, 1672.

THOMAS HUGHES.

This was acknowledged before Thomas Prence, Esquire, Gou<sup>r</sup> of the jurisdiction of New Plymouth, and before M<sup>r</sup> John Aldin, and M<sup>r</sup> Constant Southworth, Assistants in the same gou<sup>r</sup>ment.

Testa me, NATHANIEL MORTON, Secretary.

12 September.

The 12<sup>th</sup> day of September, 1672, two Indians, the one named James and the other Hobson, appeered before Thomas Prence, Esq<sup>r</sup>, Gou<sup>r</sup>, and M<sup>r</sup> Constant Southworth, Assistant, to answere for their feloniously entering the house of John Macomber, Sen<sup>r</sup>, of Taunton, and taking some mony out of his house; and on hearing and full examination of the case, they were centanced to pay to the said Macomber treble restitution, which is nine shillings, in siluer or the v<sup>r</sup>alue therof, and to suffer corporall punishment by

whipping att the post, and to abide in durance vntill satisfaction is made as abonesaid; and likewise to satisfy the marshall for the charges of their imprisonment, and then to be freed.

1672.

14 August.  
FRUNCE,  
Gou<sup>r</sup>.

August the 14<sup>th</sup>, 1672. The jury that was impannelled by the constable of Taunton to view the body of Peter Trebey, the son of Peter Trebey, of Newport, on Rhode Island, being att Taunton with his mother, Bethya Trebey, att the house of M<sup>r</sup> Gorge Shoue, doth giue their verdict as followeth. This Peter Trebey, being a child of about three yeares old, being neare the riuersyde, by some accident fell into the riuer, and was by Peter Pitts taken vp dead.

Walter Dean,	John Turner,
Richard Williams,	Easigne Thomas Leanard,
Wiltam Harvey,	Shadraeh Wibore,
Joseph Wilbore,	Thomas Linkolne,
James Leanard,	John Richmond,
Christopher Thrasher,	Israell Deane.

Libertie of administration is graunted vnto Anna Little, widdow, the relict of Thomas Little, of Marshfield, deceased, to adminnister on the estate of the said Thomas Little.

\*Plymouth, this 27<sup>th</sup> of the 6<sup>th</sup>, 1672. These are to whom it may concerne, that Wiltam Harvey and John Richmond, of Taunton, haue giuen mee bill vnder their hands, for the sume of eighty three pounds, which was due from Phillip, the sachem, to the collonie, for which sume the said Phillip engaged to mee foure miles square of land downe Taunton Riuer, and next vnto Taunton bounds, which engagement or mortgage I heerby make ouer vnto the abouesaid Wiltam Harvey and John Richmond, in the behalfe of the towne, for their occurtie for the aforsaid bills vnder their hands made vnto mee; and for the truth of this I haue subscribed my hand the day and yeare aboue written.

[\*72.]  
27 August.

CONSTANT SOUTHWORTH, Treasurer.

The 20<sup>th</sup> of Septem<sup>r</sup>, 1672. Wee whose names are vnderwritten, being 20 September. the jury warned by the constable of Taunton to view the corpes of John Richmond, Jun<sup>r</sup>, wee found him dead, being killed by the ouerturning of a cart, as wee apprehend, the oxen running downe a hill, and one wheele ran ouer a rocke, and the cart did ouerturne vpon him; wee found him bruised on

1672. his shoulders, and on his backe below his shoulders, which, as wee apprehend,  
was his death, and noe other way.

20 September.  
PRESENCE,  
Gov<sup>r</sup>.

PETER PITTS,  
CHRISTOPHER THRASHER,  
SAMUELL SMITH,  
JAMES PHILLIPS,  
JONAS AUSTINE, Jun<sup>r</sup>,  
JOHN TISDALL, Jun<sup>r</sup>,  
RICHARD BRIGGS,  
THOMAS HARVEY,  
MALLACYE HALLOWEY,  
DANIELL MOKENEY,  
JOHN HODGIS,  
JOHN SMITH.

The answare of the Court vnto the proposition or enquiry made by Mis-  
tris Tilden, whether they judge it meet that the charge of the education of  
her children, and the charge expended for & towards the reparation of the  
minnsters house, should be defrayed out of the intire estate of M<sup>r</sup> Joseph  
Tilden, deceased, or out of her p<sup>te</sup> and portion therof; that forasmuch as it  
appears that it was the mind of M<sup>r</sup> Tilden, in his life time, that the said  
charges should be defrayed out of his said intire estate, they judge it meet  
that it should soe be, and not out of her p<sup>te</sup> therof.

In reference vnto seuerall controversyes that haue or may arise amongst  
the Indians, concerning titles and proprieties of lands, the Court orders, that  
such Indians as are or shalbe att any such controversye, shall repaire vnto, or  
the controversy be refered vnto their cheife sachem, Phillip, sachem of Po-  
kanakett, &c, for the clearing vp and giueing light into such controversyes, the  
Court judging that hee is best able soe to doe, and for that end, the said sachem  
being p<sup>sent</sup> in the Court, they spake to him to be redy and willing to be healp-  
full in the case, as occation might require, whoe accordingly engaged soe to doe.

Lers of adminnstration was graunted vnto John Williams, of Scittuate,  
to adminnester on the estate of Edward Williams, late of Scittuate, deceased.

*\*At the Court of his Ma<sup>tie</sup> held at Plymouth the 29 & 30<sup>th</sup> of* 1672.  
*October, 1672.*

29 October.  
 [PRENCE,  
 GOVERNOR.]  
 [\*73.]

BEFORE Thomas Prence, Esq<sup>r</sup>, Gour<sup>r</sup>,      Thomas Hineckley,  
 John Aldin,                                      John Freeman, and  
 Josias Winslow,                                Nathaniel Bacon,  
 William Bradford,  
 Assistants, &c.

**W**HIERAS, vpon a motion made by John Daman and Edward Jenkins, in the behalfe of severall of the ancient inhabitants of Scittuate, whoe haue approued themselves to be peaceable, and yett neither closing with the co<sup>m</sup>ittee in all things, nor yett approueing of the way and course that some others haue taken in the towne, as to the disposing of the vndeuided lands of Scittuate, wherypon the Court gaue them a convenient time to returne their propositions in reference to a mediym or middle way between both, and the names of those psons, and did alsoe withall suspend the execution of the Court order respecting the p<sup>r</sup>misses, vntill the said returne should be made to some of the majestrates, and if vpon their said returne there should appeer nothinge of waight to alter the aforsaid determination of the Court, that then there should be forthwith due course taken to put the said order in execution; and accordingly the said returne was made on the fiftenth of this instant Nouember, and finding nothing therein of waight to alter the Courts said determination, the said order is put in execution as followeth:—

Plymouth, October 29<sup>th</sup>, 1672. This Court doth appoint and impower Captaine James Cudworth, Cornett Robert Studson, Leiftenant Isacke Bucke, Isacke Chettenden, John Daman, John Turner, Senir, John Bryant, and John Turner, Junir, or any five or more of them, to lay out lands att Scittuate, vnto all those that had an ancient graunt of land from the freemen, before that which is called a surrender, as alsoe to those that were housholder inhabitants in Scittuate before 47, or the successors of such, that neuer received any land from the freemen; and incase the co<sup>m</sup>ittey be not satisfied concerning the right of any psons that make claime to lands on the abouesaid considerations, that they proceed to lay out vnto such as haue an unquestioned right, and that such as are doubtfull haue recourse vnto the Court to determine their right; the proportions of land to be layed out wee order to be att the descretion of those that are thervnto appointed, provided noe mans proportion exceed eighty acres or to be lesse than fifty; and it is to be layed out by these men

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Gov<sup>r</sup>.

wher it may be most convenient to the persons and least prejudiciall to the townes commons; Cornett Studsons onely to be adjoining to the land hee had of the country, if by the judgment of these men it be not greatly prejudiciall to the towne; and that the persons abovementioned doe apply themselves to lay out lands to such as abovesaid, and alsoe those lands that were by the majestates and towne of Scittuate granted to Mr Baker and Mr Witherell the last springe, with all convenient speed.

The Court haue impowered Mr Micaell Peirse, Edward Jenkins, and John Bryant, of Scittuate, to see vnto the execution of the order of Court prohibiting the transportation of plunkes, boards, bolts, or barke out of this gouernment.

An Order directed to Thomas Paine, the Water Bayley.

This Court being enformed that few or none of ours are like to fish at the Cape by saine, and that diuers strangers desire libertie there to fish, these are therefore to impower you, in the behalfe of the Court, to giue libertie to such strangers as shall desire there to fish, carrying orderly and paying such dues as by Court order is provided; and this shalbe your warrant therein for this present season.

The Acknowledgment of Roger Goodspeed.

These are to certify whom it may concerne, that what words passed from mee, Roger Goodspeed, att the meeting house att Barnstable, concerning John Jenkins his stealing my kidd and lying, were rash, vnaduised, and inconsiderate words; and vpon due consideration, I see I had noe just cause soe to say, and am sorry for soe saying, and desire him to passe it by.

ROGER GOODSPEED, his mark, **H**.

[\*74.]

\*Att this Court, the Indian named Secumke, with his two sonnes, appeared in Court, and declared and proued by seuerall Indian testimonies, that all Scanton Neeke was their fathers land; and the said Indian testimony did testify, that it was these two younge mens Luds, and was their fathers, and their grandfathers, and their great grandfathers; and the said Secumkes two sonnes did owne and acknowledge that they had sold and disposed of pte of the said neeke to the Bistable men, viz<sup>t</sup>, that end of the said neeke next vnto Barnstable towne, or the sandy beach, soe farr on the neeke towards the westwards vntill it comes right against the brushey swamp, and on the maine to the said brushey swampe, and soe by a straight line to the sea. Alsoe, Quachattasett, the sachem of Mammontt, did likewise owne and acknowledge

before the Court, that the aforesaid Secunke was the owner and propriator of the said Scwaton Neeke, and that the said Secunke had giuen vnto the said Quachattasett all that pte of the said neeke next vnto Sandwich vntill it comes to the said brushey swampe, neare vnto Robert Harpers.

The Court, being satisfied by these testimonies that the lands abouementioned, being the souther pte or end of the said Seauton Neeke as farr as the brushey swampe on the maine, and from the said swampe by a straight line to the sea on the same point, that is, the range between the townes of Sandwich and Barnstable, was fairly obtained of the abouementioned Secunke, the right owner, by Barnstable men, doe see clear reason to determine, that vnto the bounds aboue expressed doth and shall appertaine vnto the towne of Barnstable, and that the lands of Captaine Mathew Fuller and the lands of Samuell Fuller, Seni<sup>r</sup>, doe alsoe come and joyne home vnto the abouementioned line.

The Court allowes and giues libertie vnto Saconecsett men to make such good and wholesome orders as may be vsefull for their comon good in the place where they lue; and what shalbe done by the major pte shalbe binding to the whole.

Liberty is graunted by the Court vnto Ensigne John Haward to keep an ordinary for the entertainment of strangers att Bridgewater; and that hee prouide himselfe with nessesaries in that behalfe, and keep good orders in his house, that soe there be noe just cause of complaint by reason of any disorders in that respect.

In answere vnto a proposition made to the Court by the towne of Bridgewater, that wheras seuerall psons were formerly appointed by the Court to lay out their lands, some wherof a<sup>r</sup> deceased, and others taken off by other occasions, that they may haue libertie to depute some others amongst themselues to be improued for that end, the Court doe declare themselues willing that they may soe doe, and that in case the propriators of the said lands shall generally agree vpon any thing respecting their lands, that the clarke of the towne shall comitt such their conclusions to the records of the towne; and that Elder Brett, M<sup>r</sup> Nicholas Byram, and M<sup>r</sup> Samuell Edson be heerby deputed by the Court to purchase those lands which lye on the north syde of Teticott Riuer, within the bounds of Bridgewater, of the Indians, for the townes vse.

It is ordered by this Court, that an Indian called Old John, allies Mopes, shall pay vnto William Swift six pound, to be deliuered in tarr att Sandwich, att or before the first of May next, with the charges which hath arisen about a suite comienced att the Court of the Celect Men of the towne of Barnsta-

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ble against the said Swift ; and in defect of payment as aforesaid, then the said Swift is heerby impowered to seize on the body of the said Old John, allies Mopes, and to bringe him or cause him to be brought before the Gov<sup>r</sup> or Court, whoe will take such a due course as that his just dues shalbe satisfied by the service or sale of him, the said Old John, allies Mopes ; and vpon the Courts graunt of this order, the said Wilham Swift did engage to acquitt and release Jedadia Lumbard from that engagement of his to the said Wilham Swift on that account of the said Old John, or any other Indians whoe were his securitie.

[\*75.] \*The Names of the psons appointed by the Court to see to the Execution of the Orders of Court prohibiting the Transporting of Plankes, Boards, Bolts, or Barke out of the Gov<sup>r</sup>ment ; which Order beareth Date June, 1672.

For Scittuate, . . . . .	{	M <sup>r</sup> Micaell Peirse, Edward Jenkins, John Bryant.
For Duxburrow, . . . . .	{	M <sup>r</sup> Samuell Saberry, John Tracey.
For Plymouth, . . . . .	{	Wilham Harlow, Joseph Howland.
For Taunton, . . . . .	{	Ensigne Lenard, John Tisdall, Seni <sup>r</sup> .
For Marshfeild, . . . . .	{	Justus Eames, Samuell Sprague.

In reference to a controversye depending betwixt the townes of Taunton and Swansea respecting the lands mortgaged to the Treasurer by Phillip, the sachem, being by the said townes respectiue agents refered to this Court for the finall determination and issue therof, whose pleas being heard and duely weyed, this Court orders, that the three miles first purchased, for which a deed hath bin obtained of the said sachem, shalbe and belonge vnto the towne of Taunton, and accounted within their township, and the other mile to be and belonge vnto the towne of Swansea and within their township, provided that Swansey men doe pay or cause to be payed their full part of the payment made or to be made for the redeeming of the said lands mortgaged, or for the farther payment of the purchase vnto Phillip, according both for specie and time equally proportionable to the other lands purchased as abouesaid ; alsoe, that Swansey men shall from time to time allow convenient wayes to Taunton men vnto their meddowes lying within the linc of Swansea, and timber to

fence them, with such small strips or points of vpland to run their fence on as may be necessary for their fencing the said meadows, and that the said meadows be exempted from rates at Swansey.

In reference unto a controversy between John Williams, of Scituate, and William Rogers, concerning accounts and other matters betwixt them, they have agreed, and have made choice before the Court of Cap<sup>t</sup> Cudworth, Leif<sup>t</sup> Bucke, and Thomas Turner, or any two of them, to heare and finally to determine and to put to a full issue all such differences as are between them; and to meet together for that end and purpose on Munday, the 28<sup>th</sup> of this instant November, 1672, at the house of Edward Jenkins; and John Cushman is hereby impowered to administer an oath to any witnesses in reference to the said case as occasion may require.

William Makepeace, Sen<sup>r</sup>, living at Taunton River, for leinious attempts towards an Indian woman, was sentenced by the Court to be publicly whipt at the post, which accordingly was performed.

And the said Makepeace, for selling stronge liquors to the Indians, was fined the sume of five pounds.

Jabez Lambert, for selling liquors to the Indians, fined fifty shillings.

Edward Coleman, of Barnstable, for cursing, fined five shillings.

Thomas Jones, of Taunton, for being drunke the second time, fined ten shillings.

1672.

29 October.  
PRENCE,  
Gov<sup>r</sup>.

*\*.Att the Court of his Ma<sup>ty</sup> holden att Plymouth the fourth of  
March, 1672.*

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4 March.  
[\*76.]

BEFORE Thomas Prence, Esq<sup>r</sup>, Gov<sup>r</sup>,                      Thomas Hinckley,  
John Aldin,    John Freeman, and  
Josias Winslow,    Constant Southworth,  
William Bradford,

Assistants, &c.

**W**HERAS att the Generall Court of his ma<sup>ty</sup> holden att New Plymouth in June, anno 1670, the Court, vpon diuers serious considerations themervnto moueing, did freely giue and graunt all such proffetts as might or should annually acree or grow dew to this collonie, from time to time, for fishing with netts or saimes att Cape Codd for mackerell, basse, or herrings, as by the said graunt doth fully appeer, to be employed and improved for and towards a free schoole in some towne of this jurisdiction, for the training vp

1672-3.

4 March.  
PRENCE,  
Gou<sup>r</sup>.

of youth in liltrature for the good and benefitt of posteritie, provided a beginning were made within one year after the said graunt; and that the ordering and managing of the said affaire was by the said Court comitted to the Gou<sup>r</sup> and Assistants, or any four of them; and that within the time limited there hath bin a beginning made att Plymouth, and hither to continued, by Gods blessing, with good successe, as vpon examination may appeer; and wheras the said towne in generall haue giuen and graunted whatsoever proffitts may any way arise from or by the improvement of a considerable tract of vpland and meddow belonging to the said towne of Plymouth, lying and being att Agawaam, Sepecan, and places adjacent, for and towards the maintainance and vpholding of the said scoole att Plymouth; as alsoe since seuerall of the towne of Plymouth, out of their good affections, haue freely giuen out of their owne estates for the erecting or procuring a convenient scoole house, not onely for the better accomodating of the scollers, but alsoe for the scoolmaster to liue and reside in, as God by his prouidence may please to present, all the promises being considered, in hope that God may please soe to smile vpon this our day of smale things as to make it a blessing to the rising generation; —

This Court haueing taken themselues much obliged reddily and gladly to accept of that trust comitted vnto them by the aforesaid Generall Court, and doe heerby reddily and cheerfully accept therof, and hope, by Gods assistance, faithfully and carefully to vse their best indeauours, what in them lyeth, to incurrage and carry on the said well begun worke att New Plymouth soe long as God shalbe pleased to affoord any competensie of meanes and convenient number of scollars, and to that end doe appoint and constitute our approued frind, M<sup>r</sup> Thomas Hinckley, to take vpon him the office, care, and charge of a steward of the said scoole, to demand, recouer, and receiue all such summe or summes of mony due from any pson or psons to the said scoole, either by renew of the aforesaid graunt of the Court or the graunt or gift of the towne of Plymouth, or any otherwise due; and that hee doe giue a trew account of all such moneyes received once or twice in the yeare vnto the Gou<sup>r</sup> and majestrates, or any four of them, as it shalbe required, as alsoe to make such payments and disbursments to any employed in or about the said worke as hee shalbe ordered by them, according to moneyes receiued by him on that account from time to time; and that hee be allowed due satisfaction for any trouble or expence about the said employment.

[\*77.]

\*Att this Court, Mistris Elizabeth Howland, the relict of M<sup>r</sup> John Howland, Seni<sup>r</sup>, deceased, came into the Court, and did freely giue and surrender vp all her right that shee hath in the lands of the said John Howland, Seni<sup>r</sup>, lying and being att Namassakett, in the township of Middleberry, vnto M<sup>r</sup>

John Gorum, of Barnstable, to him and his heires and assignes for euer, viz<sup>s</sup> : all the right and interest that hee, the said John Howland, had by the Courts graunt vnto seuerall propriators in Namassakett land, which said graunt beareth date anno Domini 1662, with all and singulare the appurtenances belonging therevnto, or to any pte or pcell thereof, vnto him, the said John Gorum, to him and his heires and assignes for euer.

Att this Court, Sachemus, the sachem of Satucket, came into the Court, and acknowledged before the Court that hee and his father hath sold formerly vnto M<sup>r</sup> Thomas Prence all the land att or neare Satucket, from the Indian fence by the water syde ranging into the woods, bounded by a pyne tree, about halfe a furlonge to the westward of a pond by the water side called Aquonest, and soe running southerly ouer a pond called Wishoca, and soe into the woods, all the lands below the longe ponde that runs through the plaines towards Pottanumacutt called Mashpa, and from the said Indian hedge att the water syde to Nemskekett, the westerly pte of the meddow.

Att this Court, Leiftenant Morton, Sarjeant Harlow, Joseph Warren, and Wilkam Clarke, or any thre of them, are appointed by the Court to purchase whatsoeuer lands are yett vnpurchased of Plymouth graunt att Sepecan and places adjacent within the said graunt for the vse of the said towne; and they are to acquaint the Indians when they goe about it, that soe they may come, if it may be, to know the right propriators thereof; and in case they purchase more then what is within the said graunt, they are to acquaint the Court therewith.

In reference to a deed deliuered into the Court by Cap<sup>t</sup> Willett, called Whitmans deed, the Court haue ordered, that the said Cap<sup>t</sup> Willett shall either haue his deed againe or be payed by the propriators in the same land what hee hath disburfed for the purchasers thereof.

Wheras Joseph Turner hath sold a pcell of cooper stufte, now lying att Peirses landing place att Scittuate, vnto Robert Stanford, of Scittuate, and the said Turner hath owned that hee hath both sold and deliuered it, but now threatens to disturb the said Stanford in the injoyment thereof, the Court heerby ordereth, that if occasion require, that the constables of Scittuate, or either of them, shall affoord such assistance soe as the said Stanford may enjoy his said stufte without disturbance.

It is ordered by the Court, that such of the townes of this gouernment as haue not deliuered their Indian gums, that they bring them or cause them to be brought to some one house in their towne, either to the constables or to some one of the celect men, that soe they may be reddey, vpon any order from the Court sent by any English, to be deliuered to the Indian owners, and that they keep the said order soe sent for their discharge.

1672-3.

4 March.  
Prence,  
Gou<sup>r</sup>.

1672-3.

4 March.  
PRESENCE,  
GOV<sup>r</sup>.  
[\*78.]

\*The Court haue ordered the major and Cap<sup>t</sup> Bradford to heare and put an end to a difference between two Indians, the one called John Thomas and the other called Janoowan.

In reference to the complaint of Thomas Linkolne, of Taunton, against Wilham Briggs, on suspition that hee hath killed his horse, the Court, haucing heard the plea of the said Linkolne and the defence of the other, doe conceine that they might haue passed a judgment in the case; but forasmuch as the said Briggs pleadeth that the matter came suddainly on him, wherby hee is vnprouided to defend, and wheras alsoe hee saith that hee knoweth not what his wife hath done respecting the premises, the Court haue ordered, that both hee, the said Wilham Briggs, and his wife, be summoned to the Court of his ma<sup>tie</sup> to be holden att Plymouth in June next, then and there to make further answare to such matters as shalbe enquired of them concerning the same, vlesse in the mean time they come to an agreement about it.

Wheras the Court is informed, that vnder pretence of the neighbourhood of Satuckett its being within the townshipp of Yarmouth, that some of Yarmouth doe make stroy of the timber properly belonging to the said neighborhood, to their great damage and detriment, this Court doth heerby prohibite any further proceeding in making such stroy or treaspass aforesaid; the Court declaring, that notwithstanding the said neighborhood is within the constablericke of Yarmouth, yett that they haue nothinge to doe to meddle with any timber or other priuillidge appertaining to the said neighborhood, being between Bound Brooke and Stony Brooke, vlesse they can produce any record of the Court giucing them libertie soe to doe.

Letters of adminestration was graunted vnto Mistris Elizabeth Howland to adminester on the estate of M<sup>r</sup> John Howland, Sen<sup>r</sup>, of Plymouth, late deceased.

Libertie is allowed and graunted to Joseph Barstow to keep an ordinary att Scittuate att the place where hee now liues, and that hee be provided alwaies with nessesaries for the entertainment of traouellers, and keep good orders in his house, that there be noe just cause of complaint against him in that behalfe.

Libertie is graunted vnto Matthew Gannett to keep an ordinary att Scittuate in the place where hee now dwelleth, and that hee bee provided att all times with such nessesaries as is behoofull for the entertainment of strangers, and keep good orders likewise in his house, that there be noe just cause of complaint against him in that behalfe.

Be it knowne vnto all men by these presents, that I, Isacke Turner, of Sandwich, in the collonie of New Plymouth, vpon the behalfe of my sister, Sussanna Turner, as relateing to the keeping of the child of hers which was

in contest about att the Court, these are therefore to signify, that I doe acquitt, disownarate, and discharge John Williams, now resident in Barnstable, that hee, the said John Williams, shalbe free from keeping or maintaining of the child, which is my sister Sussanna Turners. For the true pformance of which, I, the aboucsaid Isacke Turner, doe heervnto sett my hand and my scale, this 28<sup>th</sup> day of October, 1672.

1672-3.

4 March.  
PRESENCE,  
GOD<sup>s</sup>.

ISACKE TURNER, and a



In the psence of these witnesses : —

John Goodspeed  his marke.  
Aron Barlow  his marke.

This aboucsaid obligation was shewed in the Court, and ordered heer to be recorded by the Court for the securitie of the said John Williams, as aboucsaid.

\*In reference vnto the presentments of Abraham Hedge, his offences being of soe flagicians a nature, the Court doth centance him to pay a fine of ten pounds or to suffer corporall punishment by being whipt att the post, and to find surties for his good behavior. Sence the centance was read, vpon his solliciting the Court by a petition, and giueing some hopes therein of reformation, the Court saw reason to remitt fine pound of the fine.

[\*79.]

Abraham Hedge, of Yarmouth, acknowledgeth to owe }<sup>ll</sup> 10 : 00 : 00  
vnto our soū lord the Kinge the suūe of . . . . . }  
Wilham Hedge, of Yarmouth, the suūe of . . . . . 10 : 00 : 00

Released.

The condition, that if the said Abraham be of good behaiour towards our soū lord the Kinge and all his leich people, and appeer att the Court of his mat<sup>ie</sup> to be holden att Plymouth in June next, and not depart the Court without lycence ; that then, &c.

Nicholas White, Senr, of Taunton, stands bound vnto the }<sup>ll</sup> 20 : 05  
Court in the penall suūe of . . . . . }  
Samuell Hall, Senr, of Taunton, in the suūe of . . . . . 20 : 00

Released.

The condition, that if the said Nicholas White doe appeer att the Court of his mat<sup>ie</sup> to be holden att Plymouth in June next, to make further answare to what may be required of him in reference to the charge and accusation of Jaell Smith, wherin shee chargeth him to haue comitted vncleanes with her, and that hee, the said White, depart not the said Court without lycence ; that then, &c.

Thomas Jones stands bound vnto the Court in the penall }<sup>ll</sup> 20 : 00  
suūe of . . . . . }  
John Richmond in the suūe of . . . . . 10 : 00  
Thomas Deane in the suūe of . . . . . 10 : 00

Released.

1672-3.

4 March.  
PRENCE,  
Gov<sup>r</sup>.

The condition, that if the said Thomas Jones doe appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth in June next, to make further answare to what may be required of him in reference to the charge and accusation of Jaell Smith, wherin she chargeth him to haue comitted vncleanes with her, and that hee, the said Jones, depart not the said Court without lycence; that then, &c.

Memorandum: that John Smith and Jaell, his wife, be summoned to the said Court in reference to the premises.

Francis Curtice, for committing fornication with his now wife before marriage, fined fifty shillings.

Abisha Marchant and Mary Tayler, for committing fornication with each other, fined each of them five pound.

Thomas Nicolls, for telling of a lye, fined ten shillings.

Gorge Russell, for misdemeanor towards Joseph White, fined ten shillings.

Robert Stanford, for being drunke, fined five shillings.

1673.

3 June.  
[WINSLOW,  
GOVERNOR.]  
[\*80.]

*\*Att a Generall Court of Election holden*

BEFORE John Aldin,	John Freeman,
Josias Winslow,	Nathaniel Bacon, and
Thomas Hinckley,	Constant Southworth,
William Bradford,	
Assistants, &c,	

*The third Day of June, 1673.*

**M**AJOR JOSIAS WINSLOW, ESQ., was chosen Gov<sup>r</sup>, and sworne.

John Aldin,	} were chosen Assistants, and sworne.
Thomas Hinckley,	
William Bradford,	
John Freeman,	
Nathaniel Bacon,	
Constant Southworth, and	
James Browne,	

Major Josias Winslow, Esq<sup>r</sup>, and } were chosen Commissioners.  
Mr Thomas Hinckley

Cap<sup>t</sup> Bradford the next in nomination.

Mr Constant Southworth was chosen Treasurer, and sworne.

The Names of the Ch elect Men of each Towne in this Jurisdiction.

1673.

3 June.  
[WISSLOW,  
GOVERNOR.]

Plym̄,	{	Leif̄ Morton,
	{	Serjant Harlow,
	{	Wilt Crow.
Duxberry,	{	Samuell Saberry,
	{	Benjamin Bartlett,
	{	Wiltam Paybody.
Scittū,	{	Micacell Peirse,
	{	John Cushe.
	{	Jeremiah Hatch.
Sand,	{	James Skiffe, Senīr,
	{	Wiltam Swift,
	{	Thomas Tupper, Junīr.
Taunton,	{	Walter Dean,
	{	Rich Williams.
	{	Leif̄ Maeye,
	{	Wiltam Harvey,
	{	John Tisdall.
Yarmouth,	{	Edmond Hawes,
	{	Edward Sturgis,
	{	Ensigne Howes,
	{	John Miller.
	{	John Thacher.
Barnstable,	{	Leif̄ Laythorp,
	{	John Gorum,
	{	John Tompsou.
Easth,	{	Nicholas Snow,
	{	Marke Snow,
	{	Jonathan Sparrow.
Bridw̄,	{	John Willis, Senīr,
	{	Leif̄ Haward,
	{	John Carrey.
Dartm̄,	{	John Cooke,
	{	Arther Hathewey,
	{	James Shaw.
Swansey,	{	M <sup>r</sup> Allin,
	{	Hugh Cole.
Middleberry,	{	Hath none.

1673.

3 June.  
WINSLOW,  
Gov<sup>r</sup>.

[\*81]

\*The Deputies of the Seuerall Townes of this Jurisdiction that serued att this Court, and the seuerall Adjournments therof.

Leiff Morton,	John Tompson,
M <sup>r</sup> Crow,	Ensigne Eames,
M <sup>r</sup> Josias Standish,	Anthony Snow,
Wiltam Paybody,	Leiff Hunt,
Cornett Studson,	Anthony Perrey,
Isacke Chettenden,	Thomas Paine,
Thō Tupper, Juni <sup>r</sup> ,	Jonathan Sparrow,
Wilt Harvey,	John Willis,
Leiff Macey,	John Cooke,
Ensigne Howes,	Hugh Cole,
John Thacher,	John Morton.
Leiff Laythorpe,	

The Grand Enquest.

Serjeant Wiltam Harlow,	John Nye,
John Cushen,	Samuell Smith,
Phillip Delano,	John Dillingham,
Micaell Peirse,	Gorge Morton,
John Finney, Seni <sup>r</sup> ,	Nathaniell Bassett,
Peter Pitts,	Wiltam Foard,
Alexander Standish,	John Banges,
Sherjashubb Bourne,	John Eames,
Samuell Hineckley,	Joseph Carpenter,
John Carner,	Wiltam Palmer,
Thomas Willmott,	Obadiah Eedey,
Thomas Read,	Moses Rowley.

The Constables of the seuerall Townes of this Jurisdiction are as followeth.

Plym,	John Fallowell.
Dux :	M <sup>r</sup> Ralph Thacher.
Scit <sup>t</sup> ,	{ Nathaniell Turner, Henry Chettenden.
Sand,	Benjamine Nye, Seni <sup>r</sup> .
Taunton,	{ Aron Knap, Seni <sup>r</sup> , John Deane.
Yarmouth,	Elisha Hedge.
Barñ,	Jabez Lumbert.
Marshf :	{ Wiltam Sherman, Juni <sup>r</sup> , John Branch.

Rehoḥ, . . . . .	{ Nathaniel Paine, Gilbert Brookes.
Bridḡ, . . . . .	{ Samuel Edson, Junr. John Cole.
Swanscy, . . . . .	{ Jacob Michell, William Haward.
Dartm̄, . . . . .	{ Jacob Michell, William Haward.
Middlebeř, . . . . .	{ John Dunham.

1673.  
3 June.  
WINSLOW,  
Gov<sup>r</sup>.

Surveyors of the Highways.

Plym̄, . . . . .	{ Joseph Warren, Andrew Ringe, Jonathan Shaw, Nathaniel Southworth.
Dux : . . . . .	{ Joseph Wadsworth, Josias Wormal, John Hudson.
Scitř, . . . . .	{ John Bryant, Seniř, Steuens Vinall.
Sand, . . . . .	{ Jacob Burge, William Allin.
Tamř, . . . . .	{ John Cobb, Joseph Wilbore.
Yarū, . . . . .	{ William Crocker, Thomas Huckens.
Barnstable, . . . . .	{ Thomas Doged, Timothy Wilkanson.
Marsh, . . . . .	{ John Miller, Seniř, Benj : Sabin.
Rehoḥ, . . . . .	{ John Done, Daniell Done.
Bridḡw̄, . . . . .	{ Marke Laythorp, Gyls Leich.
Dartm̄, . . . . .	{ Pelegg Tripp, John Smith, Thō Tabor.
Swansč, . . . . .	{ John Martin, Joseph Chaffey, Caleb Edey.
Middlebeř, . . . . .	{ Samuel Wood.

1673.

3 June.  
WISSLOW,  
Gov<sup>r</sup>.  
[\*82.]

\*In answere to a petition preferred to the Court by Joseph Burge, concerning a way that goeth through the land of Myles Blackwell, and through the land of Benjamine Hamond, att Sandwich, the Court haue ordered, and doe request, M<sup>r</sup> Hineckley and M<sup>r</sup> Bacon in some convenient time to treat with and compound with the said Blackwell and Hamond about the said way, in the behalfe of the said Burge, soe as on just and equall tearmes hee may injoy it as formerly.

In reference to the complaint of Thomas Linkolne, of Taunton, against Wilham Briggs, for killing of his horse, the Court doth centance the said Briggs to pay vnto the said Linkolne the summe of twelue pounds, in good and marchantable barr iron and sheeps woole, att prise currant, or in other pay, to the said Linkolnes satisfaction, except the said Briggs can and doe bring forth the pson that hath killed the horse.

In reference to the complaint of Richard Sutton, of Roxberry, against Moses Symonds, and Sarah, his wife, and Elizabeth, their daughter, that shee, the said Elizabeth, hath made a promise of marriage vnto him, and is hindered by the parents of the said Elizabeth from proceeding with her therein, the Court, haueing heard the pleas of each of them, doth determine and order that the said Moses Symons shall pay or cause to be payed to the said Sutton the summe of three pounds, for satisfaction for his time and charges spent about the promises, and doe heerby declare that the said Richard and Elizabeth are fully released from the said engagement, vnto on second considerations they shall see cause to renew their former covenants.

In reference to the motion made by M<sup>r</sup> Saberry and Jonathan Barnes concerning the children of Robert Marshall, that whereas they are left in a destitute condition, they may haue libertie to dispose of them for the learning of some trade or manufactory for their future good, the Court giues libertie to them to put out the eldest to the learning of a trade, and to take care of the legacye giuen by M<sup>r</sup> Barnes, deceased, vnto the said children, and to improoue it for their good.

Lres of administration are graunted vnto Julian Sutton, widdow, the late wife of John Sutton, of Rehoboth, deceased, and vnto Nathaniel Paine, to adminester on the estate of the said Sutton.

Att this Court, Abraham Peirse, Jun<sup>r</sup>, came into the Court, and did make ouer, giue, graunt and assigne, assure and confierme, vnto his brother, Isacke Peirse, twenty acres of vpland and two acres of meddow, vnto him, the said Isacke Peirse, his brother, with all and singulare the appurtenances belonging thervnto, vnto him and his heires and assignes for euer, which vpland and meddow is pte of the land and meddow of his father, Abraham

Peirse, deceased, hee dicing intestate, and soe the said land, falling vnto the said Abraham Peirse, Juni<sup>r</sup>, as his proper right, hee doth by these p<sup>s</sup>ents relinquish the said twenty acres of vpland and two acres of meddow, as aforsaid; and likewise twenty shillings a peece vnto his three sisters, viz<sup>o</sup>, Rebeckah Wills, Mary Baker, and Alice Baker; on which surrender, and hee giuing other securitie to the Court, the Court allowed the said Abraham Peirse, Juni<sup>r</sup>, to adminnester on the estate of the said deceased Abraham Peirse, and to haue the rescdue of the said estate, both lands, goods, and chat- tles, settled and established to him, the said Abraham Peirse, Juni<sup>r</sup>, to him and his heires and assignes for euer.

1673.

3 June.  
WINSLOW.  
Gou<sup>r</sup>.

\*Att this Court, a tender was made of the house and lands which our honored Gou<sup>r</sup>, Thomas Prence, Esq<sup>r</sup>, died possessed of, on condition of the repaying againe of what was expended in the additions and reparations ther- vnto; and accordingly was by the country accepted.

[\*83.]

In answare to the proposition made to the Court in the behalfe of the towne of Scittuate, for the prohibiting of a comittee or any other for to dispose of any vnderided lands, or any other comon priuiledges in that township, the Court apprehends that they ought to be left to their liberties in that behalfe, especially considering the p<sup>s</sup>ent contentions respecting the p<sup>m</sup>ises.

John Cushen, of Scittuate, is appointed and authorised by the Court to sollemnise marriage in the towne of Scittuate, and to adminnester an oath to giue euvidence to the grand enquest, and to grant subpoenias for wittnes, as oecation may require.

Christopher Blacke, for being found drunke the second time, was fined ten shillings to the vse of the collonie; and for being found drunke the third time, was centanced by the Court to find surties for his good behavior, which hee indeauored to doe, but could procure none, and soe the Court were constrained to take his owne bonds, as followeth:—

Christopher Blacke acknowledgeth to owe vnto our so<sup>u</sup> }<sup>n</sup>  
lord the Kinge the sume of . . . . . } 20 : 00 : 00

The condition that if the said Christopher Blake be of good behavior towa<sup>r</sup>s our so<sup>u</sup> lord the Kinge and all his leich people, and appeer att the Court of his ma<sup>ty</sup> the last Tus-day in October next, and not depart the said Court without lycence; that then, &c.

Joseph Roes, of Marshfeild, being groundedly suspected to haue had to much familiaritie with the wife of John Loc, in a dishonest way, the Court saw reason to take his bond for the good behavior, as followeth:—

Joseph Roes, of Marshfeild, acknowledgeth to owe }<sup>n</sup>  
vnto our so<sup>u</sup> lord the King the sume of . . . . . } 20 : 00 : 00

1673.

3 June.  
WINSLOW,  
Gov<sup>r</sup>.

The condition that if the said Joseph Roes shall and doe for the future refraine from companying with the wife of John Loc, of Marshfield, and doe not att all come in her companie, and appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth the last Tusday in October next, and not depart the said Court without lycence; that then, &c.

Att this Court, Nicholas White and Thomas Jones, both of Taunton, appeered according to their bonds, to make answere to the accusation of Jaell Smith, whoe accused them to haue comitted vneleanes with her; shee the said Jaell being p<sup>r</sup>sent, and to their faces accused them as aforsaid, the Court, haucing heard what could be asserted on all syds respecting the p<sup>r</sup>misses, did award the said Jaell to pay a fine of ten pounds, and that the said White and Jones should renew their bonds for appeerance att the Court to be holden att Plymouth in October next.

Nicholas White standeth bound vnto the Court in the }<sup>n</sup>  
sume of . . . . . } 20 : 00

The condition that if the said Nicholas White doe appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth the last Tusday in October next, to make further answere to the accusation of Jaell Smith, and not depart the said Court without lycence; that then, &c.

Thomas Jones, of Taunton, stands bound vnto the }<sup>n</sup>  
Court in the sume of . . . . . } 20 : 00

The condition that if the said Thomas Jones doe appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth the last Tusday in October next, to make further answere to the charge of Jaell Smith, and not depart the said Court without lycence; that then, &c.

[\*84.]

\*Jaell, the wife of John Smith, of Taunton, for co- }<sup>n</sup>  
m̄itting fornication, was fined . . . . . } 10 : 00

John Andrew, for being drunke the second time, fined }  
10<sup>s</sup>, and for breach of the peace, by striking Robert } 13 : 04  
Ransom, fined, 3<sup>s</sup> 4<sup>d</sup>, . . . . . }

Robert Ransom, for misdemeaning himselfe in abusive words, tending to the breach of peace to John Andrewes, released with admonition.

Richard Man, for breach of the Sabbath, as the case was some cerce-  
stanced, was onely to be sharply reprov'd by Captaine Cudworth, in the  
Courts behalfe, and John Allin to be su<sup>m</sup>oned to the Court, to make answere  
for his default on that account.

Thomas Lucas, for being drunke, released with admonition.

Mistris Tildens account ordered to be recorded, as followeth: —

The exequitrix is charged with . . . . . 1367 : 05 : 04

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Item, payed for funerall charges, debts, and legayes, as followeth : —	
Item, in funerall expence, . . . . .	012 : 18 : 00
Mr Tilden was att Boston as in the inuentory which is payed, . . . . .	} 058 : 11 : 00
Item, a legacy to Mary and Richard Garrett, . . . . .	004 : 00 : 00
Item, payed a legayce to Goodwife Sutton, . . . . .	005 : 00 : 00
Item, payed Sister Garretts legayce, . . . . .	005 : 00 : 00
Item, payed Joseph and John Garretts legayce, . . . . .	004 : 00 : 00
Item, payed John Allin a debt, . . . . .	001 : 00 : 00
Item, payed Joseph Randall a debt, . . . . .	000 : 15 : 08
Item, payed to Thomas Hatch, for wintering oxen, and for allowance promised him about a mare, . . . . .	} 001 : 00 : 00
Item, payed to John Bryant, as due to him, . . . . .	000 : 08 : 00
Item, payed for repairing the minnisters house, which Mr Tilden left in charge to be done by his wife, . . . . .	} 005 : 00 : 00
Item, payed by mee for the schooling and boarding my 2 sonnes, which my husband was vrgent with the captaine to vndertake, . . . . .	} 012 : 00 : 00
Item, payed to Joseph Turner, for worke hee did for my husband, . . . . .	} 002 : 07 : 03
Item, payed John Bryant, Jun <sup>r</sup> , for tending the saw mill,	006 : 00 : 00
Item, payed Goodwife Woodfeild, . . . . .	000 : 06 : 08
	<u>118 : 06 : 07</u>
Item, payed Elder Kinge, . . . . .	000 : 03 : 11
Item, payed to Wilham Tickner, . . . . .	000 : 05 : 10
Item, payed John Vinall, . . . . .	000 : 11 : 00
Item, payed to Abraham Sutliffe, . . . . .	000 : 08 : 00
Item, payed James Nash for carryage of plank to Boston,	010 : 00 : 00
Item, payed Nath Church for tending the saw mill, . . . . .	009 : 17 : 00
Item, payed Doctor Chickering for one voyage, and for phissick, . . . . .	} 003 : 06 : 00
Item, payed Richard Beare, . . . . .	001
Item, payed Goodman Briggs, for boards owing him,	000 : 12 : 00
Item, for taking the inuentory for proucing the will,	
	<u>Sume, 144 : 10 : 04</u>
*Brought ouer from the other syde . . . . .	144 : 10 : 04
Item, for taking the inuentory, for proucing the will, for carrying testimonies, recording will and inven- tory, 4 deeds, and a letter of attorney and bond, . . . . .	} 002 : 02 : 00
	<u>146 : 12 : 04</u>

[\*85.]

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Amongst debts vpon bills, these particulars are following, and conceiued to be very doubtfull whether cuer they wilbe payed, and therefore the excquiritrix ought not to be charged with them as effects in her hands, but soe farr as shce receiues any of them, to be liable to make good to the children : —	}	
Item, debts on bills & accoumpts, as followeth, viz <sup>d</sup> ,		002 : 15 : 09
John Great, . . . . .		021 : 16 : 09
Thomas Hawkins, . . . . .		019 : 00 : 00
Daniell Turner, . . . . .		006 : 03 : 00
Joseph Roes, . . . . .		002 : 12 : 00
John Hammore, . . . . .		001 : 10 : 00
John Witherden, . . . . .		006 : 00 : 00
Moses Payne, . . . . .		003 : 10 : 00
James Doughtey, . . . . .		000 : 10 : 00
Joseph Wormald, . . . . .		
		054 : 17 : 06
Alsoe vpon accoumpt these doubtfull : —		
Ezekiell Mayne, . . . . .		002 : 04 : 05
Thomas Lapham, . . . . .		001 : 09 : 09
Richard Havis, . . . . .		000 : 08 : 06
James Doughtey, . . . . .		001 : 05 : 09
Richard Tayler, . . . . .		000 : 04 : 06
		060 : 10 : 05
Overcharged in casting, . . . . .		000 : 08 : 05
And Gillums 44 <sup>li</sup> is pte of 116 <sup>li</sup> 17 <sup>s</sup> 7 <sup>d</sup> , being charged debts att Boston, and Gillums bill, being amongst the bills, is charged againe by ouersight, which must be abated in the accompt, . . . . .	}	044 : 00 : 00
Alsoe in debts vpon booke and accompt ouer cast in the totall, . . . . .	}	001 : 01 : 00
Richard French, charged twice, ouer charged, . . . . .		004 : 05 : 08
		019 : 15 : 01
Alsoe an oxe that died, more charge expended on then his hyde was worth, . . . . .	}	005 : 00 : 00
		261 : 17 : 10
Debts att Boston, due to M <sup>r</sup> Tilden, which are charged vpon accompt to be . . . . .	}	116 : 17 : 07 <sup>d</sup> .

Widdow Vpshall debt was, . . . . .	7 : 17 : 04
Thomas Hawkins, . . . . .	34 : 18 : 09
Mr Hammon, . . . . .	01 : 15 : 00
William Greene, . . . . .	23 : 12 : 04
Benjamine Gillum, . . . . .	44 : 00 : 00
William Balston, . . . . .	04 : 05 : 00
The exequitrix is to haue her legacy in the first place,	200 : 00 : 00
Out of the estate before it be devided is to be taken	
20 <sup>li</sup> for Rebeckah, and a bed furnished; 18 <sup>li</sup> and	058 : 00 : 00
20 <sup>li</sup> in mony, for Elizabeth and Lydia, . . . . .	
The saw mill being prised att 70 <sup>li</sup> , this ought to be	
taken out of the estate, and they to haue each of	070 : 00 : 00
them an eight pte of what it doth yeild, . . . . .	
	589 : 17 : 10
The estate charged on the exequitrix is, . . . . .	777 : 07 : 06
Further shee is debter to the saw mill sold, . . . . .	043 : 00 : 00
	820 : 07 : 06
Out of which the Court allowes Mistris Tilden, vpon	
her petition for the nessesary apparrelling of her	
children, and for their maintainance three yeares	105 : 00 : 00
of fiue of them in dictt and clothing, 5 <sup>li</sup> a yeare, a	
head, all being . . . . .	
Remaines . . . . .	715 : 07 : 06

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\*Know all men by these p<sup>re</sup>sents that I, Thomas Tupper, the elder, of Sandwich, in the collonie of New Plymouth, doe for mee, my exequitours, administrators, and assignes, for euer acquitt and release Edmond Freeman, the elder, of Sandwich, of all manor of accountps, speciallities, and demands, from the begining of the world to this p<sup>re</sup>sent day.

[\*86.]

Dated the 22<sup>nd</sup> of October, 1656.

THOMAS TUPPER.

Witnes, Richard Bourne,  
 William Browne.

Wee, whose names are heerevnto subscribed, being by Henry Chettenden, the constable of Scittuate, impannelled on a coroners inquest the second day of August, 1673, to make enquiry how Experience Leichfeild came to his suddaine and vntimely death, haueing viewed the corpes and examined the witnesses, and seriously considered many concurring circumstances, doe declare

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that wee doe clearly apprehend, that Experience Leichfeld, the first of August, 1673, being a loading a boate att Rodulphus Elmes his landing place att Hoophole Neeke, in Scittuate, and haucing a waighty peece of timber on his shoulders to carry aboard the boate, goeing on vpon a muddy and slippery planke, his feet flying vpp, and hee falling with his head, and the logg falling on his eare and necke, soe that betwixt the logg and the planke, hee receiued soe mortall a wound in his hed, which wee apprehend was the cause and meanes of his death, whoe died att his father in lawes house the same day, about evening shuting in; and this wee can attest vnto, being thervnto called.

JAMES CUDWORTH,  
THOMAS HATCH,  
MICAELL PEIRCE,  
STEUEN VINALL,  
TIMOTHY WHITE,  
THOMAS WADE,  
JOHN ENSIGNE,  
JOSEPH WHITE,  
WILLIAM HATCH,  
MATHEW GANETT,  
EDWARD JENKENS,  
SAMUELL JACKSON.

Wee, whose names are vnderwritten, being on a jury to inquire how a woman, supposed to be the daughter of Thomas Phelps, of Yarmouth, come by her death, doe judge her to be drowned in a boate wracke, wherin shee was found dead December the sixt, 1673.

WILLIAM PAYBODY,  
BENJAMINE BARTLETT,  
JOSIAS STANDISH,  
JOHN ROGERS, Seni<sup>r</sup>,  
JOHN TRACYE,  
STEUEN MERRICKE,  
JOHN WADSWORTH,  
PETER WEST,  
JABEZ HOWLAND,  
NATHANIEL BREWSTER,  
WILLIAM BREWSTER,  
GORGE PARTRICH.

Wee, whose names are vnderwritten, being impannelled on a corrowners inquest, to view a corpses found in a boate now racked, and being supposed to be the wife of Richard Tayler, soñtimes of Yarmouth, and to make dilligent serch how the said woman came by her death, doe judge, that the boate being cast away, the woman was drowned in the boate.

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Duxburrow, the fourth of December, 1673.

WILLIAM PAYBODY,  
ALEXANDER STANDISH,  
JOSIAS STANDISH,  
JOHN SPRAGUE,  
GORGE PARTRIDG,  
WILLIAM BREWSTER,  
NATHANI: BREWSTER,  
SAMUELL HALL,  
EDWARD SOUTHWORTH,  
BENJAMINE BARTLETT,  
JOHN WADSWORTH,  
SAMUELL SABERRY.

*\*.Att the Court of his Ma<sup>ty</sup> holden att Plymouth, for the Jurisdiction of New Plymouth, the 4<sup>th</sup> of July, 1673.*

4 July.  
[\*87.]

BEFOR Josias Winslow, Esq<sup>r</sup>, Gou<sup>r</sup>,  
John Aldin,  
William Bradford,  
Thomas Hineckley,

Nathaniel Bacon,  
John Freeman,  
Constant Southworth, and  
James Browne,

Assistants, &c.

**T**HIS Court authorised M<sup>r</sup> Browne and Leiftenant Hunt to order the estate of Richard Bullocke, and to settle what may be of the said <sup>^</sup> on his children, and to make report of their actings therein to the next Court.

This Court haue ordered M<sup>r</sup> Hineckley to take an oath of Joannah Davis, widdow, att Barnstable, for the truth of the inuentory of the estate of Dolar Davis, deceased, which inuentory beares date the 19<sup>th</sup> of June, 1673.

These are to testify, that this present day being the third day of July,

1673. 1673, Quachattacett, Nannett, and Scippauge, three Indians, came into the Court, and owned that Noerast, allies James, another native, hath a reall right in a quarter pte, or one pte of foure of the Old Feild att Mannomett, soe called.

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This Court doth allow the sume of ten pounds towards the building of a sufficient cart bridge ouer the North Riuer.

Order is giuen by this Court vnto the Treasurer, to make sale in the behalfe of the country, of the house and farme our late honored Gov<sup>r</sup>, M<sup>r</sup> Preuce, liued in, and in the mean time to improue it the best hee can, for the benefitt of the country.

Leiftenant Howes, of Yarmouth, is allowed and authorised by the Court to be guardian to Marcey Hedge, the daughter of Capt<sup>t</sup> William Hedge, of Yarmouth aforesaid, deceased.

This Court haue voated Captaine James Cudworth, vpon his owne desire and the request of sundry others in his behalfe, to be reestablished into the right and priuledge of a freeman of this jurisdiction; and hee did openly declare before the Court that hee is and remains bound by the oath of a freeman, which hee formerly tooke, vnto all fealty and duty therein required vnto his ma<sup>ty</sup>, &c, and vnto this gouernment.

The sume of fifty pounds is settled vpon our honored Gov<sup>r</sup>, Josias Winslow, Esq<sup>r</sup>, for his sallary or gratuity for his seruing in the office of Gov<sup>r</sup> for this p<sup>re</sup>sent yeare.

M<sup>r</sup> John Walley, of Boston, in the gouernment of the Massachusetts, marchand, is appointed and heerby impowered by the Court administrator on the estate of Nicholas Daus, of Rhode Island, deceased, which shalbe found within this collonie of New Plymouth, p<sup>re</sup>senting a true inuentory therof on oath to some one of the maiestrates of this jurisdiction att or before the 29<sup>th</sup> of this instant July, and to doe and p<sup>er</sup>forme all such acte and actes according to law as may tend to the seizing, securing, or defending, or disposing of the said estate, or any pte or ptes therof, as the matter may require, soe farr as the estate will extend, and to giue a true account of his doings therein to the said Court from time to time, as shalbe required of him.

It was ordered by the Court, and they haue heerby settled a certaine house and land on the widdow, Mistris Sarah Daus, the relict of M<sup>r</sup> Nicholas Daus, of Rhode Island, so<sup>m</sup>etimes of Barnstable, in the jurisdiction of New Plymouth, deceased, viz<sup>d</sup>, that house and land which is in the possession of James Haughton, of Barnstable aforesaid; the which said house and land, with all and singulare the appurtenances belonging therevnto, is assigned, allotted, and disposed vnto the said Sarah Daus, widdow, as her pte of the estate of

the said Nicholas DAVIS, or the thirds, or one pte of three, of the estate of the said DAVIS in this collonie, soe as it amount to noe more, on a due valluation, then her thirds therof, and haue requested and appointed M<sup>r</sup> John WALLEY to enter vpon possession therof in her behalfe.

\*John DAVIS is allowed and approued by the Court to be executor to the estate of Dolar DAVIS, deceased.

This Court doe allow and order, that the inhabitants of Saconessett shall haue one grandjuriman; and wheras it is apparent that they are much wronged by horses of other paces goeing on their comons, it is ordered by the Court, that all such horse kind as shall or doe vpon their comons shalbe rated twelue pence a peece annually, to be improued for and towards the support of him that teacheth Gods word amongst them; and that such horses or horse kind as are or shalbe rated to them shall not be rated for in any other place.

The Court doe order, that the excise due to the country from James Cole be abated from eight pound to five pound.

Att this Court Wilham Earle, of Dartmouth, appeered, and p<sup>r</sup>sented a writing which *which* was by some tearmed a will, viz<sup>t</sup>, the will of Thomas Cornwell, of Rhode Iland, late deceased; in which said supposed will there is therein mensioned and expressed the disposal of some pte of the estate of the said Cornwell in our collonie; the Court, not seing reason att p<sup>r</sup>sent to accept therof as a legall will, doe respectt it vntill the next Court to be holden for his ma<sup>tie</sup> at Plymouth in October next, and in the mean time that notice be giuen that if any of the relations of the said Cornwell will come in and can make and produce a just barr vnto further procedor in reference thervnto, they shalbe heard; and that for the interim, the said Wilham Earle and John Cornwell, brother to the said Cornwell, shall take care of the said estate, that it be not squandered, made away, and imbezeled, and likewise to produce a true inventory therof to the said Court.

Captaine James Cudworth is authorised by the Court to solemnise marriage, and to graunt subpoenas for witnesses, and to adminnester oathes vnto witnesses for the tryall of a cause as occasion may require, in the towne of Scituate for this p<sup>r</sup>sent yeare.

Wheras there is a tracte of land graunted to the old servants, or such of them as are not elsewhere supplied, lying att Saconett, the Court doe determine the bounds therof to be from the bounds of the graunt made to Plymouth att Puncatecsett and the bounds of Dartmouth, and soe all lands southerly lying between that and the sea; the Court haue likewise giuen them order, or such as they shall appoint, to make purchase therof in their behalfe as occasion shall

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[\*88.]

See more of  
this 2 pages  
forward in this  
booke.

And likewise  
to adminnester  
an oath to any  
euidence to be  
giuen to the  
grand enquest.

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require, and that all such psons as haue right vnto the said graunt as old ser-  
vants att Saconett shall make their appeerance att Plymouth on the twenty  
second of this p-sent July, then and there to make out their right, and alsoe  
pay such disbursments as shall nessesarily be required, or otherwise loose  
their right.

Wheras the Court, in June, 1673, did order diuers men to goe and sett  
out the bounds on the southsyde of those lands formerly graunted vnto the  
inhabitants of Plymouth att Punckatecsett, wee, whose names are vnderwrit-  
ten, haue accordingly done the same, and haue bounded it as followeth, viz<sup>d</sup> :  
by the riuer that runs out of Punckatecsett Pond into the sea, and alsoe by the  
said pond till it comes west with a smale pyne tree marked on foursydes stand-  
ing about twenty rodd from the pond, and soe easterly to a smale red oake  
sapling standing a litle ouer the first hill, and soe with a right line accordingly  
easterly vntill it extends eight miles into the woods, or meets with Coaksett  
bounds.

JOHN ROGERS,  
BENJAMINE CHURCH,  
DANIELL WILCOCKES,  
CONSTANT SOUTHWORTH,  
WILLIAM PAYBODY,  
EDWARD GRAY.

Libertie is graunted vnto Benjamine Church to purchase a certaine p-sell  
of land and swamp of Tuspaquine, the blacke sachel, and Willam, his son,  
for the inhabitants and proprietors of the towne of Middleberry, and that  
the said inhabitants and proprietors shall haue liberty vntill the last of  
Nouember next to make payment to him or his order of what hee shall  
disburse for the said land for the purchase therof; and incase they shall  
neglect to make payment therof by the time prefixed, that then the said  
land is to be his.

[\*89.] \*The Court haue vouted M<sup>r</sup> Isaacke Robinson to be reestablished in the  
priviledge off a freeman of this corporation.

Att this Court, information was giuen and complaint made to the Court  
by Isaacke Chettenden against Humphrey Johnson, of Hingham, in the govt-  
ment of the Massachusetts, for that the said Johnson hath, contrary to order  
of Court, cutt downe or plucked vp a stake sett as a bound marke of land layed  
out by the comittee of Scituate to the said informer att or by a swamp neare  
the land of Thomas Hiland, Senir.

This case was tried by a jury of twelve men, whose verdict on the case is as followeth : —

Wee find for our soſt lord the Kinge. Humphery Johnson hauing broken a law of this goũment in cutting downe a stake that was sett vp as a land marke, which law is in the Booke of Lawes, chap̄ the third, number the twenty one, —

Vpon consideration of the boldnes and insolency of the said Johnson coming into this goũment, whoe is one of another goũment, to doe this acte, and his pragmatticall management of the same, the Court saw cause, for this facte soe cercomstanced, to amerce him in the sume of five pounds, to be payed as a fine by him to the vse of the collonie.

Att this Court, complaint was made by Isacke Chettenden, of Seituate, that Joseph Turner, Senr, Thomas Turner, Daniell Turner, Jeremiah Hatch, Wilkam Hatch, Thomas Hatch, Charles Stockbridge, John Merrett, Joseph Woodward, Thomas Woodward, Wilkam Randall, and Richard Dwelley assembled together on the 14<sup>th</sup> day of May last, and did, contrary to law and in a riotus way, throw downe a fence or great p̄sell of fence of the abouesaid Chettendens, by him sett vp on land layed out to him by such as were by the authoritie of this goũment thervnto impowred.

The said psons being summoned to appeer att this Court to answare the said, and there defence being fully heard, it appeered evidently to the Court that there said acte was done in a riotus way in regard of there number, yett conceiuing that there intent was to comit a treaspas onely, to bring the case to a tryall, doe therefore onely amerce them to pay a five shillings a peece to the vse of the collonie.

Wheras it doth appeer to this Court by diuers testimonies that Sarah, the wife of John Williams, of Barnstable, hath violated her marriage bond by comitting actuall adultery with another man, and hath a child by him, this Court therefore sees cause and doe heerby declare, that the said John Williams is legally cleare from his covenant of marriage formerly plighted and made with the said Sarah, his late wife, and doe heerby free him from those duties relateing thervnto, and that the said Sarah hath by her breach of wedlocke cutt off her selfe from any right henceforth to the pson or estate of the said John Williams, her late husband, and doe heerby likewise allow him libertie further to dispose of himselfe in marriage if hee shall see cause for the future soe to doe.

In reference vnto a former graunt made vnto M<sup>r</sup> John Howland, deceased, M<sup>r</sup> John Chipman, Jonathan Sparrow, and John Rogers, Senr, of Duxburrow, of some accomodation of lands in the land purchased by Captaine Willett, lying on the northeastsyde of the bounds of Taunton, betweea Taun-

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ton and Teticott, this Court doth settle vnto John Howland aforesaid, deceased, viz<sup>d</sup>, to his heires, and vnto John Chipman, John Rogers, and Jonathan Sparrow, vnto and vpon each and euery of them, one hundred acres of the aforesaid land, if it bee yett to be obtained; if not, in some other place which they can find in this jurisdiction fitt for their accomodation.

[\*90.]

\*Att this Court, Samuell Packer, Seni<sup>r</sup>, is freed from paying the fine amerced on him by the Court for selling liquor to the Indians, which is twenty shillings.

Nicholas White, of Taunton, standeth bound vnto the }<sup>n</sup>  
Court in the penall sume of . . . . . } 20 : 00 : 00

The condition, that if the said Nicholas White doe appeer att the Court of his ma<sup>ty</sup> to be holden att Plymouth the last Tusday in October next, to make further answare to the accusation of Jaell Smith, and not depart the said Court without lycence; that then, &c.

Att this Court, libertie was graunted vnto the said White to haue his case tryed by a jury of twelue men, if hee shall see cause.

Memorand: that the said Jaell Smith be summoned to answare in the case.

In reference to the petition from Saconcesett, it is ordered by the Court, that they be allowed to haue one grandjrymen.

And wheras they are much oppressed with many horse kind ru<sup>n</sup>ing there and being in a low condition, it is therfore ordered by the Court, for their better abillitie to incurrage the preaching of the word of God amongst them, that all such horse kind as comonly or vsually run in the sum<sup>er</sup> time vpon their lauds or comons, except colts, shalbe assesed one shilling p head, to be payed by euery owner of such horse kind for the end aforesaid, and that euery such owner shalbe freed from paying rates in the township where they lue to such horse kind as aforesaid.

June the 7<sup>th</sup>, 1665. The Court haue graunted vnto Sachariah Eedey a smale gussett of land lying betwixt his land and the brooke from his house below the path to Namassakett vnto the aforesaid brooke vnto a bridge or way neare vnto Wiltam Nelsons house; the said p<sup>se</sup>ll of land soe bounded as aforesaid is graunted vnto the said Sachariah Eedey, to him and his heires and assignes for euer, with all the appurtenances belonging thervnto, on condition that the said Sachariah Eedey doe continew a bridge neare his house, in the place where it is needed, for horse and cart, for the vse of the country, for the full tearme of twenty yeares from the date heerof.

In reference vnto the lands formerly graunted vnto Sachariah Eedey, the Court haue ordered, that Serjeant Tinkham and Henery Wood shall lay out the land; and concerning the way that he is to make in leiw therof, to see

that it be in such place as may be most convenient for the country and least prejudiciall to him.

June the 5<sup>th</sup>, 1666. The smale gussett of land graunted vnto Sachariah Eedey betwixt his land and the brooke att Namassakett, by the Court, June the 7<sup>th</sup>, 1665, is bounded with a blacke oake tree on the southsyde of the old path and a maple tree about his house att a bridge.

June the sixt, 1668.

HENERY WOOD,  
EPIRAIM TINKHAM, his **E T** marke.

Plymouth, March the 20<sup>th</sup>, 1667. By order from the honored Court of this collonie, haue measured vnto Thomas Sauory and Benjamine Eaton sixty acres of vpland in the land called the Majors Purchase, near Namassakett, which land, att the eastward end thereof, joyneeth vnto the land of Sacariah Eedey, bounded att the said end and northeren syde with a red oake att the old path; and on the westward end on the said syde it is bounded with a red oake neare the swamp; on the southward and eastward end it is bounded with three rockes on the southsyde of the brooke; and on the westward end on the said syde of the land and brooke it is bounded with a smale longe rocke, that hath a smaller flatt rocke on the northwest end of the said rocke.

WILLIAM CROW,  
WILLIAM NELSON.

\*Wee, whose names are vnderwritten, being employed, the twenty sixt day of March, in the yeare one thousand six hundred seauenty two, to measure a tract of land graunted by the honored Court of the collonie aforsaid vnto M<sup>r</sup> Timothy Hatherley, containing three mile square lying on the southsyde of the pattent line, and is to begin on the southsyde of Accord Pond, and from thence to extend southward and westward, haue therefore on the southsyde of the aforsaid Accord Pond vpon the hill marked a smale red oake tree for the northeast corner bounds of the said lands, and from the said tree wee extended our line three miles south neareth vnto a swamp or pond; secondly, from the said red oake the line extends west and by south nearest to a stake standing on the pattent line, which stake is the northwest corner bounds of the said land, from which stake the line extends south nearest three miles to a smale aspe tree marked in a swamp for the southwest corner bounds of the said land, and from the said aspe tree the line extends east and by north nearest till it crosseth the line run on the eastsyde from the aforsaid smale red

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oake tree marked att Accord Pond, which line ends in a pond or swamp where the said lines on the southsyde and east side meet in the said pond or swamp, there to be the bounds of the southeast corner of the southeast corner of the said three miles.

WILLIAM PAYBODY,  
WILLIAM CROW.

The Court, haucing ordered the lands aboue entered to be layed out by the p̄ties aboue named, haue since viewed the aboue written returne, and doe heerby approue, rattyfy, and confirme the lines and bounds abouewritten; and for the rattyfication therof haue ordered them to be heer recorded as aboue written.

The Court allowes and approues of Mr John Browne to be leiftenant of the milletary companie of Swansea, and of Thomas Easterbrooke to be ensigne of the said companie.

Att this Court, Willam James and his wife were fined the summe of ten pounds for com̄itting carnall coppulation with each other before marriage or contract.

The Court haue ordered, that the same easteren line aboue mensioned, that passeth through the land of John Jacob, shalbe the line of the land of Cornett Robert Studson, as it is now run, viz<sup>t</sup>, of the land graunted to him by the countrey.

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29 October. \*Att the Court of his Ma<sup>tyes</sup> held att Plymouth, the twenty ninth Day  
[\*92.] of October, 1673.

BEFORE Josiah Winslow, Esq <sup>r</sup> , Gov <sup>r</sup> ,	John Freeman,
John Alden,	Constant Southworth, and
Willam Bradford,	James Browne,
Thomas Hinckley,	
Assistants, &c.	

WEE, whose names are heer vnderwritten, being impannelled on a jury by Henry Chettenden, constable of Scittuate, the 11<sup>th</sup> day of September, 1673, to view the corpes of a child coming to an vntimely end, in Scittuate, att the house of Edward Jenkins, being the son of Samuell Jenkins, being two ycare old and yward, wee doe agree and conclude, by what

information wee can obtain, and viewing the child, and not finding any stabbs or wounds about the child, that the water in the well of Edward Jenkins was the cause of the death of the child, going to the well and falling in therto, was there drowned.

ISACKE CHETTENDEN,  
JOHN ALLIN,  
RICHARD CURTICE,  
JOHN MERRITT,  
JOSEPH WHITE,  
TIMOTHY WHITE,  
ROBERT WHITCOMBE,  
STEUEEN VINALL,  
JOSEPH COLEMAN,  
THOMAS HIELAND,  
SAMUELL JACKSON,  
SAMUELL HOUSE.

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Att this Court, John Hoar, of Concord, owned before the Court that hee had recieued five pound of M<sup>r</sup> Atkinson on account of Captaine Cudworth, and three pounds of silver money of New England, and nine pound and ten shillings of M<sup>r</sup> Lynd.

Libertie is granted by the Court vnto the inhabitants of Saconecsett to make choise of a clarke, and to record such lands as they doe possesse as occasion may require, and to record likewise such other orders as they may make condeueing to the welfare of their neighbourhood.

M<sup>r</sup> Richard Bourne was appointed by the Court to make a deed betwixt the Indians and himselfe in reference to the land att Mannomett, viz<sup>d</sup>, the feild there, and that it bee expressed therein what hee is to giue for the said feild, that is to say, for the vse of the erbage therof.

In reference vnto such p<sup>te</sup> of the estate of Thomas Cornwall, late of Portsmouth, on Rhode Iland, deceased, as is in this collonie, this Court hath ordered, that the one halfe of it be disposed to the widdow of the said Cornwall and the three children hee had by her, and the other halfe vnto the four eldest children of the said Cornwall, which being foure sones, the Court proposeth that they may haue their p<sup>te</sup> out of the said estate which consisteth in lands; and whereas the said widdow, Sarah Cornwall, hath a right in the said lands during her life, if incase shee shall see cause to require her interest therein, that then soe much be deducted out of the psonall estate of the said Cornwall which is in our collonie, and that shee returne her mind about it by the last day of this instant Nouember, 1673. And that Wilkam Earle, Dan-

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Willeme Wilcocks, and John Cornwell be graunted letters of administration to administer on they said estate, they giuing in securitie to the Court for there said administration.

The Inuentory of the Estate of Thomas Cornwell, of Portsmouth, on Rhodland, in NE, soe much of it as is extant in our Collonie, exhibited to the Court held att Plymouth the 29<sup>th</sup> of October, 1673, on the Oath of Wilham Earle, of Dartmouth, in the Collonie of Plymouth aforesaid.

	l	s	d
Item, 8 mares, . . . . .	09	00	00
Item, 4 gildings, . . . . .	08	00	00
Item, 2 twoyear olds, . . . . .	02	00	00
Item, 3 colts, . . . . .	00	15	00
Item, neat cattle, 3 heiffers, . . . . .	6	00	00
Item, 4 steers, one heifer, . . . . .	6	05	00
Item, 5 yearling steers, . . . . .	3	15	00
Item, by house and land, . . . . .	41	00	00
Item, one gun, and one paire of old wheels, and one sythe & nibbs, . . . . .	01	00	00
Item, 2 wedges and one paire of bandeleers, . . . . .	00	04	06
Item, eight and twenty shillings and six pence to be deducted out of the aforesaid inuentory, which was expended in answaring countrey charges.			

This is a true inuentory, with the apprisment therof by vs,

JOSIAH ENGLAND, his  marke.  
JOHN RUSSELL.

Libertie of administration is graunted vnto John Curtice to administer on the estate of Richarden Chambers, deceased.

Letters of administration was graunted to Josias Leichfeldt to administer on the estate of Experience Leichfeldt, deceased.

Letters of administration is graunted to Elizabeth Cook to administer on the estate of Josias Cook, deceased.

[\*93.]

\*Whereas there hath bin a former graunt vnto John Tompson, and Joseph Laythorp, and Barnabas Laythorp, to looke out for land, which might be purchased of the Indians, that might be convenient for them, and haueing an order to purchase lands between Assowansett Pond and Dartmouth bounds bearing date the 28<sup>th</sup> of July, 1673, which accordingly they haue don, the towne of Middleberry laying claime to a great pte therof, this Court orders,

that if Middleberry men recover the lands thuse purchased, the abouementioned psons shall haue libertie to purchase lands elsewhere.

In reference to the complaint of Edward and John Rickard against Thomas Dotey and his companie or boats crew, in reference vnto their running their boate against the said Grayes boate, the Court orders, that the said Dotey and his said companie shall pay the sume of twenty and five shillings towards the losse of an anchor and pte of a road which was lost by the said boates running one against another, which sume is to be payed to the said Gray and Rickard, vnto whom the said anker and road belonged, and whereas the said m<sup>r</sup> of the boate was much to blame respecting the pmisses, it is ordered by the Court, that hee shall beare a dubble share of the said award, and that the wittnesses that wittnesed in the case be allowed seauen shillings.

Whereas it was ordered by the Court held att New Plymouth in October, 1673, that the estate of Thomas Cornwell, late of Portsmouth, on Rhode Iland, deceased, should be equally devided, the one halfe to Sarah, the widdow of the said Cornwell, and his three children by her, and the other halfe to the said Cornwells foure soñes by his former wife; and the said Court did further advise, that the widdow and her children should take their ptes in the psonall estate, and the soñes to haue the lands; it is therfore vnderstood, that if the said widdow doe not accept of that distribution made by the Court, but doth still desire to haue her thirds in the lands, shee may and shall haue the third pte of the rents and proffitts of the said lands during her life according to our lawes, and noe otherwise, and that for the same shee make a proportionable allowance to the soñes out of the stocke or psonall estate.

And whereas admiunestration on the said estate was granted vnto Wilham Earle, Daniell Willeckes, and John Cornwell, prouided they gaue securitie to the Court in that behalfe, inasmuch as the season of the year requires that the estate should be looked after, and the said Wilham Earle seemeth to be vnresolued whether to accept of admiunestration or nott, or att least appeers not to giue securitie as the other, wee order, that full power of admiunestration be granted to the said Willeckes and John Cornwell to acte therein without Wilham Earle, vlesse hee shall within one weeke after knowledge heerof repaire to the secretary, and declare his acceptance, and giue securitie respecting the pmisses.

November 28, (73.)

JOSIAH WINSLOW, Goñ,  
JOHN ALDEN, Assistant,  
WILLIAM BRADFORD,  
CONSTANT SOUTHWORTH.

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Eres of adminnestration is graunted vnto Mistris Hannah Bacon to admimester on the estate of M<sup>r</sup> Nathaniel Bacon, deceased.

Letters of adminnestration are graunted by the Court to Ephraim Tilson to adminester on the estate of John Tilson, deceased.

\*Sept<sup>r</sup> the 15<sup>th</sup>. This Court, haueing considered the information giuen concerning the Duch their acting att New Yorke and places adjacent, doe judge it a duty incombent on vs to take care in the best way wee can for the preseruacion of his ma<sup>ties</sup> interest and our owne in these collonies; but duely considering all cercomstances attending that affaire, doe not as yett see satisfactory grounds to attempt a warr vpon them, without expresse comāund from his ma<sup>tie</sup> or the nessesarie defence and preseruacion of these collonies from their inuacion, or injuries dou to any of the members therof, in which case happening this Court orders, that the Gou<sup>r</sup> or Deputie Gou<sup>r</sup>, &c, haueing intelligence therof, doe summons this Generall Court to conveine about it, and mean while adjourne vntill such cause of appearence.

And for the more speedy releafe of any of our confederates that may be assaulted by an enimie, it is ordered, that the Gou<sup>r</sup> and counsell of warr be impowred and betrusted to mannage that affaire according to the articles of confederation in such case provided.

It is ordered, that the Gou<sup>r</sup>, M<sup>r</sup> Hinckley, and the Treasurer be a comittee to reueiw and collect into one vollum all such orders and lawes as are in our written booke yett in vse for vs.

It is ordered, that the troop of horse allowed by the Court shalbe sixty, whoe shall haue horse pistols, and each of them a carbine, with other acculterments fitt for seruice; and for the better raising therof, it shalbe propounded to each towne meeting to see whoe will voueluntarily tender their seruice therin; and the names of such vouleunteers shalbe returned to the October Court, whoe are impowred to accept the numbers of each towne respectively as they shall see cause.

It is alsoe ordered, for the releife of such townes as are in destresse by the assault of an enimie, that the cheife milletary officer or officers in the next towne, with the advise of their counsell, or soe many of them as may be had, shall haue power to send such a number of souldiers, with a comāunder, as by them shalbe judged nessesarie for the p<sup>s</sup>ent releife of the distressed, and to presse horses for their better expedition if they shall see cause.

15 September.

These aboue written conclusions were made and concluded on the 15<sup>th</sup> of Septem<sup>r</sup>, 1673, att the Court of Majestrates and Deputies held att Ply<sup>m</sup> aforsaid, before Josias Winslow, Esq<sup>r</sup>, Gou<sup>r</sup>, John Aldin, Wilkam Bradford, Thomas Hinckley, John Freeman, Nathaniel Bacon, Constant Southworth, and James Browne, Assitants.

The Names of the Deputies that served at this Court.

Leif̄ Ephraim Morton,	Ensigne Thomas Howes,
Serj̄e Wilham Harlow,	John Thacher,
M <sup>r</sup> Josias Standish,	Leif̄ Laythorp,
Wilham Paybody,	John Thompson,
Cornett Robert Studson,	Leif̄ White,
Isacke Chettenden,	Anthony Snow,
M <sup>r</sup> Edmond Freeman, Jun <sup>r</sup> ,	Daniell Cole,
Wilham Swift,	Jonathan Sparrow,
Wilham Harvey,	John Willis,
Leif̄ Gorge Macey,	John Cooke,
Leif̄ Peter Hunt,	Nathaniel Pecke,
Ensigne Henry Smith,	Jonathan Dunham.

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\**At the Generall Court called together vpon extraordinary Occation,* 17 December.  
*and holden att Plymouth, the 17<sup>th</sup> Day of December, 1673.* [\*95.]

BEFORE Josiah Winslow, Esq<sup>r</sup>, Gov<sup>r</sup>, and John Freeman,  
Wilham Bradford, Constant Southworth, and  
Thomas Hinckley. James Browne,

Assistants, &c.

**T**HIS Court, vpon serious consideration of the injurious actings of the Dutch, our neighbours, att New Yorke, in the surprissall of severall vessells and goods of our confederats, and refusing to make just satisfaction for the same vpon demaund; being alsoe informed of their threats to invade his ma<sup>ties</sup> subjects on Longe Hand, and other ptes of this countrey, and that they still continew their men of war abroad, to the great preiudice of this country in respect of their trade, and to the disturbance of our peace otherwise; minding alsoe that they haue declared these their actings to be ground- ed on the nationall quarrell between them and vs in Europe, and accordingly declare their comission and orders to be, to doe all possible spoile and damage to the states enimies, by land and water; and soe haucing reason to expect that as their numbers and strength may increase, their insolences towards vs will alsoe grow higher, — for our more nessesarie defence wee judge it requisite

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to indeauor their remouall, and haue resolved that there is just ground of a warr against them, and although the season of the yeare is in some respects discourraging, yett haucing reason to thinke that our enimies will haue recrute of men, &c, early in the springe, wee judge it best with all possible speed to procecutte the said expedition, and shall indeauor to goe our ptes therin, altho not according to what wee are proportioned by our confederates, wherin wee are apparently ouer rated, yett to the vtermost of our abilities, viz<sup>d</sup>, to raise and maintaine one hundred men in the expedition, if wee can att p̄sent be supplied with what is nessesarie for their march or voyage.

And that instructions be giuen to the comāunders in cheife, first to sumōns them to yeild, with their promise of injoying their estātes and liberties.

The names of the comāunders chosen by the Court were, —

Captaine James Cudworth . . . . .	for Captaine.
M <sup>r</sup> John Gorum . . . . .	for Leiftenant.
M <sup>r</sup> Micaell Peirse . . . . .	for Ensigne.

For Sarjents.

William Witherell,	John Witherell,
Thomas Harvey,	Phillip Leanard.

Captaine Mathew Fuller was chosen the surjeañ generall for this expedition, if, on the motion of it to the Court of the Massachusetts, &c, it be approved by them.

The souldiers wages agreed by the Court was, —

	s	d
To a private souldier, . . . . .	2	00 p day.
To a drumier, . . . . .	2	06 p day.
To a serjeant, . . . . .	03	00 p day.
To an ensigne, . . . . .	04	00 p day.
To a leiftenant, . . . . .	05	00 p day.
To a captaine, . . . . .	06	00 p day.

The Gov<sup>r</sup> bestowes a drum towards the expedition, and the other to be had att Taunton, one paire of cullers, to be had att Swansey, the other from . . .

Four halberts : Serjeant Tompson, . . . . .	one.
From Scituate, . . . . .	one.
Captaine Willett, . . . . .	one.
Leiftenant Hunt, . . . . .	one.

The Treasurer is impowered by the Court to procure provision for the expedition, in case it goes on, upon credit, for country pay, to be payed the next fall, on the best termes hee can; and what hee engageth in the countreyes behalfe, that it be faithfully defrayed, both for specue and time; as likewise hee is heerby impowered to presse and indent for such barques and other vessells, and other vtensells, as shalbe found requisitt for the said expedition.

And for other matters relating to this interprise, they are refered to the councell of warr.

This Court is not finally dismissed, but adjourned vntill a new occasion presents for their meeting.

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*\*.Att the Court of his Ma<sup>ty</sup> holden att Plymouth the 4<sup>th</sup> of March, Anno Domini 1673.*

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4 March.

[\*96.]

BEFORE Josias Winslow, Esq<sup>r</sup>, Gou<sup>r</sup>,      John Freeman,  
John Aldin.                                      Constant Southworth, and  
William Bradford,                              James Browne,  
Thomas Hineckley,  
Assistants, &c.

**M<sup>r</sup>** THOMAS HINCKLEY, M<sup>r</sup> Thomas Walley, William Crocker, John Tompson, and Thomas Huckens are appointed by the Court to settle the estate of M<sup>r</sup> Nath Bacon, deceased, amongst Mistris Hannah Bacon and her children, which settlement vnder their hands, or any three of their hands, shalbe accounted valled against all claimes or contentions att any time arising about the aforesaid estate, or any pte thereof.

M<sup>r</sup> John Gorum and M<sup>r</sup> John Thacher are joyned with John Tayler for the disposing of the estate of Richard Tayler to his children, and for the paying and receiuing of debts, according to order of Court.

Concerning the estate of Richard Tayler, late of Yarmouth, deceased, this Court doth order, first, that the eldest son of the said Tayler shall haue his fathers housing, and two thirds of the land, both vpland and marsh, and the rest of his portion out of what of the estate M<sup>r</sup> Gorum and M<sup>r</sup> John Thacher shall judge most suitable for him, hee being by order of Court to haue a dubble portion.

Secondly, it is ordered, that the hay, and what provisions was or is vpon

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the invoice of the estate that is now spent, or shalbe judged convenient for the family to spend betwixt this and the first of the next Aug<sup>st</sup>, shall not be accounted to the estate, as likewise what woole and flaxe hath bin spon by the daughters sence their parents death shalbe accounted theirs that spon it.

The rest of the estate to be divided betwixt the second son and the five daughters, every one an equall proportion, to bee sett out to them as may be most suitable for them, by the discretion of their eldest brother, and M<sup>r</sup> John Gorum, and M<sup>r</sup> John Thacher.

The second son to have the other third of his fathers land, besides his portion equall to his sisters.

Lastly, that nothing that hath bin already giuen or bestowed by the said Tayler on any of his children, shall not be considered in the devison, but every one to have an equall proportion, after the payment of debts due from the estate.

The Court have ordered, that any creditors vnto the estate of Edward Williams that shall appcer and lay claime to any p<sup>te</sup> hereof betwixt this date and the Court of his ma<sup>ty</sup> to be held in July next, shall come in and may be heard, or otherwise to be barred from any further demaund therevnto.

John Smith, of Dartmouth, is approued to be the lieutenant of the military companie of Dartmouth, and Jacob Michell to be ensigne bearer of the said companie.

The Treasurer and Serjeant Tompson are appointed by the Court to make purchase of such lands in the township of Middlebery as the Indians doe or may tender to sell, which may be by them purchased for the vse of the towne, and the propriators of the land in that township, and for the payment of such debts as the Indians owe to any as occasion may require, and what lands they purchase; the pay for it to be defrayed by the towne and propriators aforesaid, for the securitie of them the said M<sup>r</sup> Constant Southworth and Serjeant Tompson, and incase the said purchasers and propriators doe not make payment of the charge of the purchase within one yeare after the said purchase is made, that then it shalbe in the libertie of the said Treasurer and serjeant to make sale of soe much of the said land as will defray the charge thereof.

¶ \*97.

\*Wheras Roger Annadowne, of Rehoboth, late deceased, died intestate, for the more equall disposing of his estate, it is mutually concluded by and between Joanna Annadowne and John Coblech, of Swansea, in the behalfe of Ebenezer, the eldest son of the said Annadowne, and with the advice and consent of John Harrod, of Patucksett, in the jurisdiction of Providence Plantations, brother vnto the said widdow Annadowne, and with the consent

and approbation of the Court, that what remaines of the said estate shalbe disposed of and settled as followeth : —

Viz<sup>d</sup>. Imp<sup>r</sup>. that twenty four acres of vpland and a peece of salt marsh belonging thervnto, lying att Wachamaucutt Neeke, and fifty pounds comonage within the township of Rehoboth, and one acree of fresh meddow, lying att a place called the 40 acree meddow, shalbe and is settled and confirmed vnto and vpon the said Ebenezer Annadowne, to him and his heires and assignes for euer.

Alsoe, it is agreed and concluded by and between the p̄ties aboue named, that one other acree of fresh meddow, lying att the aforesaid 40 acree meddow, be settled vnto and vpon Hannah Wheaton, the daughter of the said Roger Annadowne, wife vnto Jeremiah Wheaton, and likewise ten acres of vpland, lying att Wachamaucutt Neeke.

Furthermore, that John Johnson shall haue a coate of the said Roger Annadownes, vallued att two and twenty shillings, and a horse, harnis and cart, vallued att eighteen shillings.

Finally, that the remainder of the whole estate, be it more or lesse, shall belonge and appertaine vnto the said widdow Annadowne, prouided, that att her decease, that the house, and land lying about the house, being twelue acres, more or lesse, and fifty pounds comonage, and three or four acres of vpland lying att Deare Hill, shall appertaine vnto Phillip and Henery Annadowne, her children, in equall and alike proportions, and prouided, that shee pay all such due debts as are due and owing to any out of the said estate.

In reference vnto the estate of Experience Leichfeild, late deceased, the Court haue ordered, that his brother, Josias Leichfeild, shall haue his land, and that the remainder of the estate, the debts being payed, shalbe equally deuided between him and his two sisters, in equall and alike proportions.

In reference vnto some p̄ticulars of the estate of John Gray, of Yarmouth, deceased, the Court haue ordered, that Samuell Sturgis doe forthwith take them into his coustody, forasmuch as they are lyable to damage, and also to preserue them and improne them to the best advantage hee can, and that hee keep a faire accompt of his disposall therof, vntill a true iuentory of the said estate be p̄sented and proued, and libertie of administration be graunted of the whole estate.

Libertie is graunted by the Court vnto Timothy Williamson to keep an ordinary att Marshfeild, for the entertainment of strangers for lodging, victualing, and drawing and selling of beer.

Mary Bartlett, the wife of Robert Bartlett, came into this Court and owned that shee hath receiued full satisfaction for whatsoever shee might

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claime as due from the estate of Mistris Elizabeth Warren, deceased; and John Cooke, in the behalfe of all her sisters, testified the same before the Court; and the Court doth heerby settle the remainder of the said estate on Joseph Warren, to bee by him enjoyed without further molestation or disturbance from any of them.

It is granted by the Court, that Richard Bourne, of Sandwich, shall haue twelue thousand of alewiues yearly, belonging to that land confered on him att Pampaspeitt.

This Court haue granted libertie vnto Benjamin Lambert.

[\*98.]

\*It is enacted by the Court, that M<sup>r</sup> Hineckley or M<sup>r</sup> Freeman be impowered to see that the Indian called Robin, of Mattachesett, be not disturbed by any in making claime to his land, vntill such can make such claime out to be just to satisfaction, viz<sup>3</sup>, in reference to that land which hee ought to haue in right off his wife, the daughter of Napoietan.

Memorand: that the children of Henery Wood, deceased, be suūmond to the next Court, in order to a disposing of the land of the said Henery Wood, soe as may conduce to the support of Abigail Wood, widdow.

Memorand: that the Court giues libertie vnto the Secretary to record the deed of Humphery Johnson, althō not acknowledged before a majestrate, according to order; and this libertie of the Court to be entered on the record, att the foot of the deed.

Memorand: that Nathaniel Soule be suūmond to the next Court, to answare an accusation of comitting adultery with an Indian woman.

In reference vnto the complaint of Daniell Steward, a Scotsman liuing att Barnstable, against Nathaniel Fitsrandall, that hee had crewelly beaten him, althō it can not be fully made out and proued, yett forasmuch as it doth appeer by diuers concurrent cercomstances that the matter is too true, this Court doth order, that the said Fitsrandall shall pay or cause to be payed to the said Daniell Steward, towards his charge, hinderance, and expence of time, the suūme of twenty shillings.

M<sup>r</sup> Joseph Tilden, admimistrator to the estate of M<sup>r</sup> Timothy Hatherley, deceased, and Mistris Elizabeth Tilden, the relict and executrix of the said Joseph Tilden, haucing fully discharged all debts and dues due and owing vnto any from the said estate, and more had, vpon proclamation made heerof before this Court, a quietus est granted vnto *granted vnto* her.

According to a grant of the Court bearing date June, 1662, and by a Court order bearing date 1671, Leiftenant Peregrine White and John Nelson layed out one thousand acres of land, lying and being neare the Old Indian Way att Totteutt Riuer, about a mile westerly, where Namassakett Riuer runs

into Tecticut, and soe runs easterly, marked and numbered by the riuer syde, ten lotts, of one hundred acres in a lott, running halfe a mile in length south-erley, and one hundred lotts in breadth, as may appeer by a draught therof, viz<sup>d</sup> :—

1673-4.

4 March.  
WINSLOW  
Gov<sup>r</sup>.

1. To M<sup>r</sup> John Aldin, Seni<sup>r</sup>, . . . . . one hundred acres.
  2. To widdow Sarah Warren, . . . . . one hundred acres.
  3. To Leiftenant Perrigrine White, . . . . . one hundred acres.
  4. To M<sup>r</sup> Thomas Prence, . . . . . one hundred acres.
  5. To Wilham Bassett, . . . . . one hundred acres.
  6. To Major Winslow, . . . . . one hundred acres.
  7. To Edward Gray, . . . . . one hundred acres.
  8. To Guydo Bayley, . . . . . one hundred acres.
  9. To M<sup>r</sup> Josias Winslow, Seni<sup>r</sup>, . . . . . one hundred acres.
  10. To M<sup>r</sup> Kanchue Winslow, Seni<sup>r</sup>, . . . . . one hundred acres.
- Totall . . . . . 1000 acres.

Wee, whose names are vnderwritten, being impannelled vpon a corrow-ners inquest by the honored M<sup>r</sup> James Browne, Assistant, to sitt vpon the corpps of Roger Annadowne, deccased, occasioned by some late striffe between his wife and him, hearing all euidences, pondering all cercomstances, and viewing the corpes, wee find noe wound nor bruise that might hasten his death.

STEUEN PAINE, Seni<sup>r</sup>,  
THOMAS COOPER,  
HENERY SMITH,  
WILLIAM SABIN,  
NICHOLAS PECKE,  
THOMAS COOPER, Juni<sup>r</sup>,  
ANTHONY PERREY,  
SAMUELL CARPENTER,  
JOHN PECKE,  
JONAH PALMER,  
JOHN MELLER, Seni<sup>r</sup>,  
BENJAMINE SABIN.

¶11<sup>th</sup> Nouember, 1673. This verdict aboue written was giuen in vpon oath before mee.

JAMES BROWNE,  
Assistant.¶

1673-4.

4 March.  
WINSLOW,  
Gov<sup>r</sup>.

[\*99.]

\*In reference vnto Humphery Johnsons presentment, the Court amerces him in the penall sume of ten shillings for his breach of order in his coming into this gou<sup>r</sup>ment, to liue and inheritt in the towne of Scituate, without the leane and approbation of the Gou<sup>r</sup> and two of the Assistants, and doe further order him to remoue his dwelling and cottage erected within the said towne, within one month from the date heerof, or else order shalbe giuen for the pulling downe therof.

Wilham Peakes acknowledgeth to owe vnto our sou<sup>r</sup> lord }<sup>ii</sup>  
the Kinge the sume of . . . . . } 20 : 00

The condition, that if the said Wilham Peakes doe psonally appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth the first Tusday in June next, to make further answare for his beating, abusing, and afrighting the wife of Josias Leichfeild, and in the interem that hee behaue himselfe peacably towards our sou<sup>r</sup> lord the Kinge, and all his leich people, and in speciall towards the wife of Josias Leichfeild aforesaid, and not depart the said Court without lycence; that then, &c.

Seuerall p<sup>r</sup>sells of Land Henery Wood, allies Attwood, of Middleberry, died possessed of.

Imp<sup>r</sup>, sixteen acres of vpland and eight acres of meddow.

Item, one hundred acres of vpland.

Item, 40 acres of vpland.

Item, 13 acres of land his house stands on.

Item, twenty acres of land att Strawberry Hill.

Item, 8 acres of meddow in Plymouth bounds.

Item, the quarter p<sup>r</sup>te of the mill and the land being about it.

1674.

3 June.

[\*100.]

\*Att the Court of Election holden for the Jurisdiction of New Plymouth att the Towne of Plymouth, on the third Day of June, Anno Do<sup>ni</sup> 1674.

BEFORE Josiah Winslow, Esquire, Gov<sup>r</sup>,

John Aldin,

Wilham Bradford,

Thomas Hineckley,

Constant Southworth, and

James Browne,

Assistants, &c.

**J**OSIAH WINSLOW, ESQ<sup>R</sup>, was chosen Gouvernor and sworne. And

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John Alden,  
William Bradford,  
Thomas Hinckley,  
John Freeman,  
Constant Southworth,  
James Browne, and  
James Cudworth, } were chosen Assistants, and sworne.

Josiah Winslow, Esq<sup>r</sup>, Gov<sup>r</sup>, and } were chosen Commissioners.  
Mr Thomas Hinckley,  
And Captaine Bradford was the next in nomination.  
Mr Constant Southworth was chosen Treasurer, and sworne.

The names of the Choelet Men in each towne are as followeth :—

Plym̄, . . . . .	{	Leift Morton, Serjeant Harlow, Mr William Crow.
Duxbur̄, . . . . .	{	Mr Samuell Saberry, Benjam̄ Bartlett, William Paybody.
Scittū, . . . . .	{	Cornett Robert Studson, John Cushen, Isacke Chettenden.
Sand, . . . . .	{	James Skiffe, Seni <sup>r</sup> , William Swift, Mr Edmond Freeman.
Taunton, . . . . .	{	Walter Dean, Leiftenant Macye, Richard William, William Harvey, John Tisdall.
Yarmouth, . . . . .	{	Mr Edmond Hawes, Mr Edward Sturgis, Ensigne Howes, John Thaeher, John Miller.

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Barnas̄,	{	Leiff Laythorp, Mr Tho Huckens, Mr John Gorum.
Marshfeild,	{	Mr Josiah Winslow, Seni <sup>r</sup> , Anthony Snow, Nathaniel Thomas.
Rehoboth,	{	Mr Steuen Paine, Seni <sup>r</sup> , Leiff Peter Hunt, Ensigne Henery Smith.
Bridg <sup>w</sup> ,	{	John Willis, Seni <sup>r</sup> , John Carrey, Leiffenant Haward.
Eastham,	{	Daniel Cole, Nicholas Snow, Jonathan Banges, Marke Snow, Jonathan Sparrow.
Dartmouth,	{	John Russell, James Shaw, Wilham Palmer.
Middlebery,	{	John Thompson, Jonathan Dunham, Francis Combe.
Swansey,	{	Samuell Luther, Hugh Cole.

## The Names of the Deputies.

Leiff Morton,	Wilham Crocker,
Mr Wilham Clarke,	Ensigne Eames,
Mr Josias Standish,	Anthony Snow,
Wilham Paybody,	Ensigne Smith,
Cornett Studson,	Daniell Smith,
Isacke Chettenden,	Jonathan Sparrow,
Mr Edmond Freeman, Juni <sup>r</sup> ,	Jonathan Banges,
Leiffeñ Maceye,	John Willis,
John Tildall,	John Cooke,
Mr Edmond Hawes,	Hugh Cole,
Mr John Thacher,	John Tompson.
Thomas Huckens,	

\*The Grand Enquest.

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[\*101.]

sworne,	}	John Finney, Seni <sup>r</sup> ,	}	sworne,	John Ormsbey,
		James Walker,			Nathaniel Williams,
		John Rogers, Seni <sup>r</sup> ,			Benajah Pratt,
		Francis West,			Samuell Briggs,
		M <sup>r</sup> Nathaniel Willis,			Nathaniel Bacou,
		Esra Perrey,			Peter Hunt, Juni <sup>r</sup> ,
		Thomas Doged,			Samuell Freeman,
		Arther Hathaway,			Josias Snow,
		John Miller,			Thomas Cushman,
		Gedion Allin,			Joseph Ryder,
		John Bryant, Seni <sup>r</sup> ,			Gershom Cobb,
John Ensigne,	Samuell Briggs.				

The Constables of the severall Townes.

Plym <sup>o</sup> ,	. . . . .	Samuell Dunham, sworne.
Duxbu <sup>r</sup> ,	. . . . .	Samuell West, sworne.
Scit <sup>t</sup> ,	. . . . .	{ <sup>+</sup> Wilham Hatch, <sup>+</sup> { See of this more 2 pages } sworne. <sup>+</sup> Jeremiah Hatch, <sup>+</sup> { forward in this booke. }
Sand,	. . . . .	Richard Gibbs, Seni <sup>r</sup> , sworne.
Taunton,	. . . . .	{ John Richmond, } sworne, { Shadrach Wibore, }
Yarmouth,	. . . . .	Edward Sturgis, sworne.
Barnstable,	. . . . .	M <sup>r</sup> Barnabas Laythorpe.
Marshfeild,	. . . . .	{ Micaell Foard, } sworne. { John Hewitt, }
Rehob,	. . . . .	{ Jonathan Fuller, } sworne. { John Doged, }
Eastham,	. . . . .	Thomas Paine, sworne.
Bridgwater,	. . . . .	Samuell Packer, sworne.
Dartmouth,	. . . . .	Wilham Earle, sworne.
Middleberry,	. . . . .	Isacke Howland, sworne.

Surveyors of the Highwaies.

Plym <sup>o</sup> ,	. . . . .	{ Steuen Bryant, Seni <sup>r</sup> , Andrew Ringe, Thomas Fauuce, Ephraim Tilson.
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Duxb, . . . . .	{	John Rogers, Jun <sup>r</sup> ,
	{	Peter West,
	{	Isacke Barker.
Seittū, . . . . .	{	Joseph Barkers,
	{	James Cudworth, Jun <sup>r</sup> ,
	{	John Turner, Jun <sup>r</sup> .
Sand, . . . . .	{	Edward Perrey,
	{	Steuen Skiffe.
Taunton, . . . . .	{	Edward Rew,
	{	Israell Dean.
Yarmouth, . . . . .	{	Wiltam Eldred,
	{	John Whilden.
Barnstā, . . . . .	{	Austine Bearce,
	{	Gorge Lewis.
Marshfeild, . . . . .	{	John Caruer,
	{	Wiltam Foard, Jun <sup>r</sup> .
Rehoboth, . . . . .	{	Nicholas Jyde,
	{	John Perrum, Jun <sup>r</sup> .
Eastham, . . . . .	{	Robe <sup>r</sup> Vixon,
	{	Henery Attkins.
Dartmouth, . . . . .	{	Wiltam Bartrum,
	{	John Thurburrow,
	{	Nehemiah Allin.
Middlebery, . . . . .	{	Samuell Wood.

Ensign Howes is approued and established to be the captaine of the mil-  
itary companie of Yarmouth.

It was ordered by this Court, that it be signified to the townes that the  
Court expects that the troopers in each towne be as many in number as before,  
and that they be provided with armes and other aedulerments fitt for that ser-  
vice, and that their names be sent in to the next July Court.

Joseph Tayler, of Yarmouth, hath chosen M<sup>r</sup> John Miller to be his gaur-  
dian, and the same is approued by the Court.

M<sup>r</sup> Hineckley is appointed by the Court to require and adminester an  
oath to the inventory *to the inventory* of Anthony Annible, deceased, and to  
take securitie in the Courts behalfe for administration.

[\*102.]

\*Whereas it is ordered by the Court, in reference vnto a certaine tract of  
land lying att Middlebery, that Benjamine Church should purchase it in the  
behalfe of the propriators and inhabitants of Middlebery aforesaid, and that it

doth appeer that the said tract of land is purchased by the said Benjamin Church and John Tompson, as more fully appeers by a deed bearing date the 23 of July, 1673; and wheras, alsoe, wheras the Court haue ordered, that the purchase thereof should be repayed by the last of Nouember, 1673; and it being not payed by the time prefixed; it is mutually agreed by the inhabitants and propriators with them, the said John Tompson and Benjamin Church, that they should haue one third pte of the said land, and to take where they would within the said tract, soe as they take it together for their purchase and charge; and this to be for their securitie and euidence for their said land.

The Court haue ordered, that M<sup>r</sup> Hinckley, M<sup>r</sup> Freeman, and M<sup>r</sup> Bourne doe assist what they can in settling of the controuersy between the towne of Barnstable and Mashantampaine.

Weddensday, the 24<sup>th</sup> of this instant, is appointed by the Court for the inhabitants and purchasers of Dartmouth to meet together for the settling of the bounds of their towne; att which time the Gov<sup>r</sup>, M<sup>r</sup> Hinckley, the Treasurer, M<sup>r</sup> Walley, Leiftenant Morton, and John Tompson did engage to giue meeting with others to propose and indeauor that some prouision may be made for the preaching of the word of God amongst them.

In reference vnto a former graunt to Wilham Paybody, if it may be found, this Court giues libertie vnto him to seeke out land for his accomodation and to purchase it, and to declare to the Court what hee hath done in that behalfe.

Att this Court Josiah Leuitt, of Hingham, appeered, to answare the charge of Deborah Brookes, that hee had comitted fornication with her; and the Court haueing heard such testimonies on both ptes as haue bin produced for the clearing of the case, and finding noe sufficient prooffe of her said accusation, doe see cause to cleare him of his being guilty of the said fact soe farre as wee deserue.

In reference to the first pte of the petition prefered to the Court by Wilham Nicarson, the Court takes notice, that what was expended in the purchase of the land att Mannamoiett, that hee should haue bourne the charge of the purchase thereof according to agreement with those that had propriety therein; but forasmuch as hee falls in that pteicular, and expresseth himselfe satisfied in that behalfe, wee say noe more to it; for the second pteiculare, hee hath liberty to make purchase of the lunds adjacent which is not purchased, according to the graunt of the Court, with the heelp and assistance of such as shalbe appointed to heelp therein for him.

To the pteiculare requesting a constable of their neighbourhood, the

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Released.

Court orders, that Nathaniell Couell be impowered to serue theratt in the office of a deputy constable vnder the constable of Eastham.

Wiltam Randall, for abusing and strieking of Edward Wanton, was entanced by the Court, for his breach of the peace for strieking of the said Wanton, is fined three shillings foure penē.

And for his other miscarriages afsorsaid, and to be bound to his good behauior.

Released.

Wiltam Randall acknowledgeth to owe vnto our soū lord } 20 : 00  
the Kinge the sume of . . . . . }

The condition, that if the said Wiltam Randall be of good behauior towards our soū lord the Kinge and all his leich people, and especially vnto Edward Wanton, and appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth afsorsaid the first Tusday in July next, and not depart the said Court without lycence ; that then, &c.

Josias Holmes, for selling liquors to the Indians, fined forty shillings.

Deborah Brookes, for comitting fornication, was entanced by the Court to be publickly whipt, which accordingly was inflicted.

7 July.  
[\*103.]

*\*.Att the Court of his Ma<sup>tie</sup> holden att Plymouth the 7<sup>th</sup> of July,  
1674.*

BEFORE Josiah Winslow, Esq <sup>r</sup> , Gov <sup>r</sup> ,	John Freeman,
John Alden,	Constant Southworth,
William Bradford,	James Browne, and
Thomas Hinckley,	James Cudworth,
Assistants, &c.	

**T**HE Court haue ordered and appointed M<sup>r</sup> Hinckley and M<sup>r</sup> Freeman to issue and put an end vnto diuers controuersyes and difficulties, as, namely, between the towne of Yarmouth and Mashantampaine concerning the boundary line betwixt them and between the heires of Napoitan and some Yarmouth men neare Sasuit or Satuckett att Mattakeese, and between Yanno and some other Indians aboute an iland or ilands att the South Sea.

This Court requests and impowers Josias Winslow, Esq<sup>r</sup>, Gov<sup>r</sup>, to sett out and to ferme lett the house and land that was lately the house of our honored Gov<sup>r</sup> Prence, deceased, and to dispose of it by rent, soe as it may be preserued

from ruin, and as it may conduce in a probable way to the good of the country.

Samuell Dumbam, Senr, of Plymouth, standeth bound vnto the Court of his ma<sup>tie</sup> held this day att Plymouth, in New England, in the penall sume of ten pounds sterling, on condition, that wheras M<sup>r</sup> Isaacke Waldron, of Boston, phisition, hath comēced suite against Wiltam Browne, of Charlestowne, chyrurgion, in an action of the case to the damage of twenty six pounds of currant mony, for that the said Browne hath neglected to pay a debt of thirteen pounds, due vpon bill so<sup>m</sup>etime in Aprill last past, vnto the said Waldron; if, therefore, the said Isaacke Waldron shall and doe appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth aforesaid the last Tusday in October next, then and there to procecute his said suite to effect, that then the aboue written obligation to be voyde and of none effect, or otherwise to remaine in full force, strength, and vertue.

This Court approued and established John Howland to be ensigne of the milletary companie of Barnstable.

Memorandum: that Keencompsett came into the Court, and disclaimed and denyed any right that Napoiatan had to dispose of the lauds att Matta-keesett.

John Simmons is graunted liberty by the Court, and with the consent alsoe of the propriators of Pocassett, to erect an house there, on condition hee keep a sufficient ferrey there; and likewise to keep an ordinary for the entertainment of trauellers and strangers, soe as hee keep good orders and preuent abuses that may be occasioned therby.

Att this Court, Walter Briggs requested the Court for a deuission of the lands graunted vnto M<sup>r</sup> Hatherley att Accord Pond; and the Court heard what was said by both the said Briggs and M<sup>r</sup> John Jacobb in answare ther-vnto, but saw noe cause to graunt to him, the said Walter Briggs, his desire in that behalfe.

Edward Jenkins was sworne to the office of a constable in the ward of Scittuate on the 17<sup>th</sup> of June, 1674.

William Barstow was sworne to the office of a constable in the ward of Scittuate on the 22 of June, 1674.

Cornett Robert Studson, Isaacke Chettenden, and John Cushen were chosen to the office of celect men in the towne of Scittuate on the 22<sup>nd</sup> of June, 1674.

Wiltam Hatch and Jeremiah Hatch, haueing bin chosen to the offices of constables in the ward of Scittuate, but refusing to serue, doe submitt themselves to the payment of their fine.

Thomas Kinge, Junr, haueing bin chosen to the office of a constable in

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the ward of Scittuate June 17, 1674, instead of one of those y<sup>m</sup>mediately above named, refusing to serue, submitteth himselfe to the judgment of the Court.

In reference vnto the first propriators of the lands in the Majors Purchase, soe called, which is in the township of Middleberry, between the two pathes, that wheras the record of their graunte expresseth onely thirty acres a peece and proportionable comonage, the Court heerby declares, that their intent was, that all the lauds within that tract called the Majors Purchase is settled and doth appertaine vnto them and their heires and assignes for euer, excepting such smallle p<sup>s</sup>ells as haue since bin graunted vnto seuerall p<sup>s</sup>ons within the said tract, wherof a p<sup>s</sup>ell was thirty acres in the said tract graunted to John Dunham, Jun<sup>r</sup>, as followeth:—

Thirty acres of land is graunted by the Court, with the consent and concurrence of such as are the propriators in the said Majors Purchase, vnto John Dunham, Jun<sup>r</sup>, being layed out & bounded by William Nelson by order from Captaine Southworth, is as followeth, viz<sup>t</sup>: it lyeth on the easterensyde of the head of Raen Brooke, marked with a stake att the northwest corner, and att the northeast corner with a smallle red oake, and on the southeast corner it is bounded with a rocke, and att the southwest corner it is bounded with a smallle red oake.

[\*104.]

\*Att this Court, Cap<sup>t</sup> James Cudworth was established to be captaine of the milletary companie of Scittuate.

And Serjeant Dillingham was appoynted to be leiftenant, and Serjeant Thacher to be ensigne, of the milletary companie of Yarmouth.

Wheras John Gibson and Thomas Cloake, two Indians soe called, whoe are the reputed so<sup>n</sup>es of Quantockamew, of Pottanummacutt, complaineth against Symon, the son of Pommo, for his vnjust detaining of their lands lying att Pottanummacutt aforesaid, left vnto them as their inheritance by their father deceased, this Court doth determine and settle the necke of land called Namacoeke, made by the deare path, and the pond called Ocnamunt, and six acres of land towards Leiftenant Joseph Rogers his marsh, John Sibson and Tom to haue the iland, and all the rest of their fathers land, except what is sold to the English, and what belouges to Josias his children, that to remaine feirme to them and their heires for euer.

Libertie is graunted vnto M<sup>r</sup> Samuell Saberry, of Duxburrow, to looke out for land to accomodate him in reference to seuerall former graunts made by the Court vnto M<sup>r</sup> William Kempp, deceased, which the said M<sup>r</sup> Kempp neuer had, nor any for him, and was disappointed of some p<sup>s</sup>ells of land assigned to him; and therby hee haucing an interest therein, as appeers by the records of this Court, if, therefore, the said M<sup>r</sup> Saberry, his son in law, can

find any lands as yett vndisposed of, hee is to haue a competent accomodation of lands out of the same.

Libertie is graunted by the Court vnto John Cooke to looke out some lands for his accomodation, and likewise Captaine Bradford and M<sup>r</sup> Joseph Bradford in reference vnto a former graunte made to M<sup>r</sup> Wilham Bradford, deceased, for the accomodation of his children; the said Cap<sup>t</sup> Bradford and Joseph Bradford to be accomodated neare vnto the land John Cooke hath an eye vnto and doth desire; and the Treasurer is appointed by the Court to take a view of what they desire, and to lay out a proportion vnto each of them.

Wheras Thomas Joy, of the towne of Hingham, in the gouernment of the Massachusetts, house carpenter, hath caused great disturbance amongst vs by producing a deed of gift of lands to him from an Indian sachem, wherby hee hath broken a law of this collonie prohibiting the purchasing or receiuing any lands by way of gift from any Indian or Indians without libertie giuen them by the Court, and for the same his disturbance and breach of the law was comitted to prison; the said Joy coming into the Court, and in open Court hee disclaiming any right or title to any lands within the said deed expressed that hee hath therby layed claime vnto, and surrendering the said deed vnto the Court, they saw cause to release him.

In like manor, wheras M<sup>r</sup> Peter Talmon, of Rhode Iland, produced a deed of gift and a deed of sale in open Court of considerable tracts of land obtained of the Indians without the approbation of the Court, wherby the law abouementioned is broken, and *the* hee, the said Talmon, for the same comitted to prison, hee coming into the Court, and in open Court surrendering vp the said deeds to the Court, and disclaiming and renouncing all right or title to any lands therein expressed, the Court saw cause to release him.

Memorand: that before the psons aboue named were comitted to ward, that a tender was made to them seuerally, that if they would either pay the penalty of the breach of the said law, or surrender vp their deeds to the Court, and renounce and disclaime any right and title to any lands therein expressed, they should not be comitted; which they att the first refusing to doe, were comitted, and afterwards condecending vnto, were released.

Wheras there is an Indian, called Hoken, that hath bin a notorious theife, and besids former thefts, of late hath broken vp the house of James Bursell, of Yarmouth, for which hee was comitted to prison; and hee made an escape by breaking of prison, and since stole a horse, being insolent in his carryage and an incorrigible theife, that will not be reclaimed, but lyeth slerking and lurking about, wherby many persons are greatly in feare and danger of

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him; wherefore the Court doe order M<sup>r</sup> Hinckley and Leiftenant Freeman, or any other majestrate that can light off the said Hoken, that they cause him to be apprehended and sold or sent to Barbadoes, for to satisfy his debts and to free the collonie from soe ill a member.

Att this Court Wilham Maycomber appeered, being summoned to answere for his breach of the Sabbath in a high degree expressed by his going to an Indian house on the Sabbath day to demaund a debt, and otherwise abusing two old Indians, is fined forty shillings to the vse of the collonie, according to the law, or be publicly whipt.

John Rickard, the son of John Rickard, and Samuell Dunham, the son of Samuell Dunham, for abuseing an Indian, and therein breaking the Kings peace, was fined, each of them, three shillings and four pence.

27 October.  
[\*106.]

*\*.Att the Court of his Ma<sup>ty</sup> held att Plymouth, for the Jurisdiction of .New Plymouth, the 27<sup>th</sup> of October, 1674.*

BEFORE Josiah Winslow, Esq <sup>r</sup> , Gou <sup>r</sup> ,	John Freeman,
John Alden,	Constant Southworth,
Wilham Bradford,	James Browne, and
Thomas Hinckley,	James Cudworth,
Assistants, &c.	

**W**HERAS formerly there hath bin a proposition made by some of the towne of Bridgwater, that there might be a booke procured, and pson appointed to register their lands, with every propriators interest, which hath not hitherto ben effected, seuerall of Bridgwater haucing att this Court presented a peface to be prefixed to the said booke, and this Court judging it very rationall that it should be proceuted to effect, this Court therefore ordereth, that such as oppose the same shall either concur with the rest therein, or appoint some in their behalfe to appeer att the next Court to giue a reason of their decent; and whereas there hath bine some controuersy about the destruction of swampes in their township, that such as shall appeer att the Court in the other case bee impowred in the behalfe of the rest concerned therein, to speake to that particulare alsoe; and in case there shalbe a continued neglect concerning the premises, the Court will see cause to take some effectuall course for the effecting of the same.

Whereas att the last Court John Barker, attorney to Samuell Hieland, as attorney to the said Hiland, by processe of law obtained a verdict and judgment of fourteen pounds of Israell Hubert, eight pounds wherof is by the said Hubert alreddy payed; and that some way the said Barker hath procured the bill by which the said sume was demanded; this Court hath ordered, that the remaining six pounds remaine vnpayed vntell the said bill be deliuered to Captaine Cudworth, appointed by the Court to receiue it.

1674.  
27 October.  
[WINSLOW,  
GOVERNOR.]

In reference to the complaint against Wiltam Hatch, Jeremiah Hatch, and Thomas Kinge, for refusing to serue in the office of constable, they requesting they may haue liberty to aplice themselues to the Generall Court in order to gettinge of ther fines, which liberty was granted; but they applied themselues not to the Generall Courte, so the Courte do order, William Hatch & Jeremiah Hatch their fines be required of them.

¶Att the Court of his ma<sup>tie</sup> held at Plymouth the 8<sup>th</sup> of March, 1676, the Court ordered, that the fines of Jeremiah Hatch and Wiltam Hatch should be leuied.¶

Letters of adminnestration was graunted unto Hugh Stewert to adminnester on the estate of Thomas Phelps, deceased.

Lres of adminnestration was graunted vnto Elizabeth Kuapp to adminnester on the estate of Aron ^

Concerning the Settlement of the Estate of Thomas Phelpps, allies Phillips, of Yarmouth, deceased.

The whole estate, by inventory both of house and lands and moucables, is vallued att . . . . .	}	65 : 10 : 03
Debts to be payed out of it, . . . . .		
Proper estate deuideable, . . . . .		05 : 10 : 00
		060 : 00 : 03
 The widdowes p̄te of the moucables, . . . . .		08 : 06 : 09
Item, her thirds of the proffitts of the lauds, . . . . .		04 : 10 : 00
Allowed her towards the bringing vp of the youngest child, . . . . .	}	04 : 00 : 00
		<hr/> 16 : 16 : 09

This deuidable between eight children, the eldest haucing a double portion, soe that it being considered into 9 parts, it amountes vnto each child, . . .

And the eldest to haue a double p̄te or share.

1674.

27 October.  
WINSLOW,  
Gov<sup>r</sup>.

Josias Leichfeild is required by the authoritic of the Court, without any further delay, to make pay vnto his two sisters, Remember Lewse and Dependance Leichfeild, to each of them, the full of one third pte of the estate of his brother, Experience Leichfeild, when the debts are payed.

An Order directed to the Comitttees of Scituate.

This Court, takeing notice of the complaint of Wiltam Parker and Joseph Coleman, Seni<sup>r</sup>, of Scituate, that they haucing longe liued in the said towne, haue not bin hitherto accomodated with any considerable tract of land, according to their antiquity and desirt, and alsoe considering that the former comitttey, by reason of their former order from the Court, were to straightly bound vp as to their further accomodation, this Court doth order that the p<sup>r</sup>sent comitttey doe forthwith accomodate the p<sup>r</sup>sons abouesaid with each of them sixty acres of land, where the said comittty shall judge meet.

M<sup>r</sup> Freeman and Jonathan Sparrow are appointed and authorised by the Court to settle the bounds of a certaine p<sup>r</sup>sell of land att Mannamoiett, vnto Wiltam Nicarson, which hee hath purchased of the grantees to whom the Court graunted it, which p<sup>r</sup>sell of land is soe to be layed out as being adjacent vnto the land Nicarson first bought of the Indians, and which land is not to exceed 100 acres to each man that was concerned in the Courts graunt, and Wiltam Nicarson is authorised by the Court to make purchase of the said land as hee hath opportunity for to purchase it.

[\*107.]

This entry of this extent is made null by the Court and otherwise entered with an addition. See three pages forward in this booke.

\*Whereas Mary Wyatt, of Taunton, widdow, late wife to Leiff James Wyate, deceased, hath seuerall times supplicated to this Court for releiffe, and vpon seuerall considerations, finding the widdow indebted to Joseph Lenard, of Taunton, the sume of cleuen pounds, as by the widdowes owne acknowledgment, in her petition to this Court, October, 1674, it may appeer, this Court haue, in reference to the aforesaid debt, graunted to Joseph Lenard aforesaid, an extent on eight acres of the land which was pte of the estate of the aforesaid Leiffenant Wyate, deceased, for the aforesaid Lenards ceuritic, soe that hee, the aforesaid Lenard, may and shall pecably possesse and enjoy the aforesaid land vntill hee is fully payed his due debt, and alsoe all necessary charges expended or laid out on the land, excepting a right heire to the aforesaid land appeer, and will pay the debts, with all necessary charges expended on the aforesaid land. The said eight acres of land is lying and being in the towne of Taunton, and bounded on the east end on Taunton Mill Riuer, and on the west end on the comon; on the northsyde by the land of Robert Thornton.

A Letter of Attorney, appointed by Order of Court to be recorded.

1674.

Be it knowne vnto all men by these p̄sents, that I, Johannah Willett, of Milford, in the collonie of Coñecticott, in New England, haue made, assigned and assured, ordained and deputed, and in my sted and place, by these p̄sents, putt my loueing frind, Mr Jacob Walker, of Stratford, in the collonie of Hartford, aforesaid, my true and lawfull attorney for mee, and in my name and to my vse, to aske, leuy, reconer all and singulare such debts, dues, sum̄e or sum̄es of mony as are or shalbe due or owing vnto mee, Johannah Willett, by joynture, dowrey, gift, or vpon any other ingagement whatsoever, giueing and by these p̄sents graunting vnto my said attorney full power and authoritie to acte for mee and in my behalfe, in all thinges needfull and nessesarie to be done in or about the p̄mises, and vpon receipt of any sum̄e or sum̄es of mony, for mee and in my stead and name to make, scale, and deliuer any lawfull discharges for the same, as alsoe to make one attorney or more vnder him, and all and euery other thing or thinges which shalbe needfull or nessesarie to be doñ in or about the p̄mises, the same to doe as fully and wholly as I my selfe might doe, if I were there p̄sonally p̄sent, holding feirme and stable all and whatsoever my attorney or attorneys shall doe or cause to be doñ in or about the p̄mises, by these p̄sents. Witnes my hand and seale, this 19 day of October, 1674.

27 October.  
WINSLOW,  
Gov<sup>r</sup>.

JOHANNAH WILLETT, and a

Seal.

WILLETT,

Signed, scaled, and deliuered in the p̄sence off

Richard Bryant,

Sammell Coley.

The witnesses to this abouesaid letter of attorney were sworne before mee,

ALEXANDER BRYANT,

October 19<sup>th</sup>, 1674.

Assistant.

An order was directed from this Court to require the surveyors of Plymouth speedily to cause a way to be mended between Bridgwater and Plymouth, which is very dangerous for man and beast, as they will answare their neglect att their p̄ill.

An order was directed from this Court, to require generall p̄sons who haue come into the collonie without the approbation of the Gour<sup>t</sup> and two magistrates, contrary to order, liueing att Taunton, and downe Taunton Riuer, to depart the gou<sup>r</sup>ment betwixt this date and the 28<sup>th</sup> of February next, or to

1674. make their personall appearance att the Court of his ma<sup>tie</sup> the first Tuseday in March next, to answer their neglect or contempt of the said order.

27 October.

WINSLOW,  
Gov<sup>r</sup>.

[\*108.]

\*Att this Court, a native named Matthias, allies Achawahett, was indicted for killing of another native named Joseph, allies Chachapanucke. Hee put himselfe on tryall by God and the countrey.

The verdict of the jury was, —

Wee find him guilty of manslaughter by way of chance medley.

The verdict being accepted by the Court, the said Matthias was openly cleared of being guilty of wilfull murder, and was released.

The Names of the Jury.

John Tompson,	} sworn.	Mr Samuell Edson,	} sworn.
Mr Nicholas Byram,		Samuell Clapp,	
Mr Judah Thacher,		James Lewis,	
Serjeant Ephraim Tinkham,		John Richmond,	
William Hoskens,		Jeremiah Hatch,	
John Rogers,		Hugh Cole,	

The Court being informed that one John Laythorpe, an Irish man now att Scituate, is come into this collonie, and hath continew<sup>d</sup> therein for so<sup>m</sup>e time without the approbation of the Court or towne, and that hee lieth there disorderly, an order was directed from this Court to the constables, to give him notice that hee is to depart this collonie withiu fourteen dayes after sight heerof, or otherwise to apprehend him, and carry him forth of this jurisdiction towards Waymouth.

Gorge Dauson, of Middleberry, for doeing servill worke on the Lords day, fined forty shillings.

Joseph Coolestoow, for making disturbance att the house of Isacke Chettenden, and speaking vascemly words, fined five shillings.

Released.

Joseph Doten, plantor, acknowledgeth to owe unto }<sup>n</sup>  
our sou<sup>r</sup> lord the Kinge the sume of . . . . . } 80 : 00 : 00

Mr William Clarke, yeoman, of Plymouth, the sume of 40 : 00 : 00

Edward Doten, seaman, the sume of . . . . . 40 : 00 : 00

The condition, that whereas the aboue bounden Joseph Doten is accused by Elizabeth Warren to haue committed fornication with her, wherby shee is with child, if, therefore, the said Joseph Doten shall and doe appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth aforesaid the first Tuseday in March next, to make further answer respecting the said fact, and not depart the said Court without lycence; that then, &c.

Att this Court, Nicholas Alberson, for breach of the Sabbath, and pilfering, and severall times, and for telling a lye in his examination concerning the p̄misses, was cōtained by the Court to be publickly whipt, which accordingly was inflicted.

1674.

27 October.  
WINSLOW,  
G. J. B.

[\*109.]

\*Whereas Mary Wyatt, of Taunton, widdow, late wife to Leiftenant James Wyatt, deceased, haue severall times suplycated to this Court for releife, and after severall considerations, finding the said widdow indebted to Joseph Leonard, of Taunton, the sume of eleuen pound, as by the widdowes owne acknowledgment in her petition to this Court, October, 1674, it may appeer, this Court haue, in reference to the aforsaid debt, graunted vnto Joseph Leonard an extent on eight acres of land, which was p̄te of the estate of the aforsaid Leiftenant Wyatt, deceased, for the aforsaid Joseph Leonards securitie, soe and that the aforsaid Leonard may and shall peaceably possesse and enjoy the aforsaid land vntill hee is fully payed his due debt, and alsoe all necessary charges expended or layed out on the said land, excepting a right heire to the aforsaid land appeer, and will pay the debt, with all necessary charges expended on the aforsaid land. The eight acres of land is lying and scituated in the towne of Taunton, and bounded on the east end on Taunton Mill Riuer, and on the west end on the cōmon, and on the north syde by the land of the aforsaid Joseph Leonard, and on the south syde by the land of Robert Thornton, on all which eight acres of land, bounded as heer expressed, the Court haue graunted an extent to the abouemensioned Joseph Leonard, his heires, executors, or assignes, vntill hee or they shalbe fully payed and satisfied his said debt, and all necessary disbursments on or about the land, or that it be redeemed by the lawfull heire.

John Gorum, Seni<sup>r</sup>, aged 53 yeares, or therabouts, testifyeth, that some time since, hee being desired to write a memorandum of an agreement between Jabez Lambert and Zachariah Ryder, concerning lands of Abraham Darbey, which is in the bounds of Yarmouth, and they com̄itted the writing, after it was written, to my keeping, some space of time after, Abraham Darbey, coming from Verginnia, put in on the othersyde of the Cape, and come to my house, and I told him that his brother, Jabez Lambert, had sold all rights of lands in the bounds of the towne of Yarmouth, and Abraham Darbey said what hee had done in that respect hee had given him order soe to doe, and it should be made good, or to that very purpose.

Dated this 4<sup>th</sup> 1. 73

This was sworne before mee,

JOHN ALDIN, Assistant.

1674.

27 October.  
WINSLOW,  
Gov<sup>r</sup>.

Hannah Darbey, aged thirty two or therabouts, testifyeth and saith, that my husband, Abraham Darbey, gaue vnto my brother in law, Jabez Lambert, liuing in Barnstable, in the jurisdiction of New Plymouth, order to sell all the lands left him by his father, John Darbey, deceased, within the bounds of Yarmouth, in the aforsaid jurisdiction, with all the priuillidges and appurtenances therunto belonging, and for the which I receiued pte of the payment in my husbands absence, by my brother Lambert, which when my husband came home I acquainted my husband therwith, and hee was satisfied with my brother Lambert, for soe much as I had receiued, and in what hee had doñ in the sale of the aforsaid lands; and further saith not.

Taken vpon oath Nouember the 19<sup>th</sup>, 1674, before mee,

EDWARD TINGE,

Assistant.

1674-5. \**Att the Court of his Ma<sup>ty</sup> holden att Plymouth the first of March, 1674.*

1 March.  
[\*110.]

BEFORE Josias Winslow, Esq <sup>r</sup> , Gov <sup>r</sup> , and	John Freeman,
John Alden,	Constant Southworth,
Thomas Hinckley,	James Browne, and
William Bradford,	James Cudworth,
Assistants, &c.	

**I**N reference vnto the affaires of the towne of Sandwich, whoe are proprietors, and whoe are interest in the towne priuillidges, being att great vncertainty amongst themselues, our honored Gov<sup>r</sup>, (if it may be,) M<sup>r</sup> Aldin and M<sup>r</sup> Hinckley, M<sup>r</sup> Constant Southworth and M<sup>r</sup> Freeman, are by the Court requested and impowered to take some convenient time to goe to Sandwich, to vse their best iudicamors to settle those affaires amongst them, and in the mean time, the Court sees noe reason that those whose names are in a list giuen in by William Swift, for to receiue a graunt of marsh, or such as are heires or successors of such, that they or any of them should be debarred and deprived of the coimon towne priuillidges, except any of them come vnder the law that doth prohibite some psons for voating for officers.

Letters of administration is granted by the Court vnto Mistris Mary Thomas, the relict of Cap<sup>t</sup> Nathaniell Thomas, deceased, and vnto M<sup>r</sup> Will<sup>m</sup> Thomas, to adminmester on the psonall estate of the said Cap<sup>t</sup> Thomas, and it was agreed by and between the said Will<sup>m</sup> Thomas, and Nathaniel Thomas, and Isaacke Little, now present in the Court, that the debts due to any from the said estate being duly payed, the resedue of the said estate shal-

be att the sole dispose of the said Mary Thomas, provided the other children consent therunto.

The Court, seing cause to require the psonall appearence of an Indian, called Tobias, before the Court, to make further answare to such intergatoryes as shalbe required of him, in reference to the suddaine and violent death of an Indian called John Sassamon, late deceased, the said Tobias and Tuspaquin, the black sachem, (soe called,) of Namassakett, and Willam, his son, doe all joyntly and severally doe heerby bind ouer off their lands, to the vullue of one hundred pounds, vnto the Court, for the psonall appearence off the said Tobias att the Court of his ma<sup>ty</sup>, to be holden att Plymouth aforesaid the first in June next. in reference to the p̄misses.

Memorand: that Willam Earle, the constable of Dartmouth, be summoned in to the next Court to answare the complaint of Mamanewed, for beating his wife, and trespassing on his land with his cattle.

Wheras Edward Jenkens hath formerly petitioned the Court, that his daughter, Mary Attkinson, may be diuorsed from her husband, named Marmeduke Attkinson, declaring that hee, the said Marmeduke Attkinson, hath left the said Mary, his wife, and absented himselfe from her the full tearme of seauen yeares and more, neither coming att her nor providing for her, wherfore, althō the Court sees noe cause to graunt a diuoree, yett they doe apprehend her to be noe longer bound, but doe leaue her to her libertie to marry if shee please.

Memorand: that wheras the towne of Taunton was sent vnto to send their agents to treat with Bridgewater agents, in reference vnto bounds of lands, and titles of lands, and that Tauntons agents haue heer attended severall dayes, and none of Bridgewater did giue them any meeting, this Court haue ordered, that there shalbe a sesation of acting or doeing any thinge by Bridgewater men, concerning the said lands in controuersye, vntill they haue had a hearing before the Court.

\*Wheras the last will and testament of M<sup>r</sup> Josiah Winslow, Seni<sup>r</sup>, deceased, the 12<sup>th</sup> day of the 2<sup>o</sup><sup>m</sup> month, 1673, was p̄sented vnto the Court to be pronounced,—

Before probate of which caution was p̄sented, grounded on sundry testimonies vpon oath, wherby it did appeer vnto this Court that M<sup>r</sup> Josias Winslow, Seni<sup>r</sup>, aforesaid, his house, and all his lands lying and being in Marshfield, were given by him the said Josias Winslow vnto his son and heire, Jonathan Winslow, in franke marriage vnto Ruth, the daughter of M<sup>r</sup> Willam Serjeant, which said house and lands in Marshfield are againe diuised by his last will and testament vnto his son, Jonathan Winslow, intaile; the Court apprehending that a man can not by his last will and testament defeat and make void a gift of lands made vnto his son and heire in franke marriage, but that such

1674-5.

1 March.  
WINSLOW,  
Gou<sup>r</sup>.

[\*111.]

1674-5.

1 March.  
WINSLOW,  
Gov<sup>r</sup>.

gift is extinct, and made void by a former gift in franke marriage, and therefore doe declare that p̄te of the will, soe farr as the disposall of the said house and land, to be a void gift, and doe order that the abovesaid testimonies vpon oath to bee heerwith recorded, and the rest of the said will abovesaid to stand valled, and doe graunt letters of adminnestration vnto Mistris Margaret Winslow, execeutrix to the said will, and doe request the honored Gov<sup>r</sup> to take her oath to the inuenty of the estate.

This Court graunts libertie vnto Mistris Mary Sturgis, the relict of M<sup>r</sup> Samuell Sturgis, late deceased, to adminnester on his estate, together with M<sup>r</sup> Freeman, M<sup>r</sup> Elisha Hedge, and John Miller, and Edward Sturgis, Jun<sup>r</sup>, and to be assisted by the aduice of M<sup>r</sup> Hinckley, and to ripen matters in order vnto the settlement of the said estate, which being done, that then M<sup>r</sup> Hinckley, being now impowered by the Court, doe adminnester an oath to the said Mary Sturgis, widdow, for the truth of the inventory of the estate aforesaid; and vpon their report to the Court of their soe acting respecting the p̄mises, that then the Court will take course for the equall distribution therof, according to justice and prudence.

The Court hath  
graunted to the  
said Jabez  
Lumbert l<sup>tes</sup> of  
adminnestra-  
tion on the said  
estate.

Wheras it doth appeer to the Court, that Jabez Lumbert was left by Mathew Darbey, deceased, with order to looke after his estate in his absence, which hee hath in this collonie, this Court therefore doth order, that the said Jabez Lumbert doe looke after and gather in all such dues and debts as are owing and belonging to the said Darbeyes estate, and keepe a faire accompt of the same, soe as hee may be redly to giue in the said accompt, when any heire shall appeer, or when the Court shall see cause to require it.

John Sutton being comiet of selling syder to the Indians, incase that hee pay downe 20<sup>s</sup> in siluer mony, hee is released.

It is ordered by the Court, that wheras it doth appeer vnto the Court, that wheras there was an vnlawfull bargaine made between Richard Ridgely and Richard Tarr, concerning goods bought by the said Richard Tarr, which goods are attached by one of the constables of Taunton, the Court orders, that the said constabl shall returne the said goods vnto the wife of the said Ridgely, for and towards her support, provided that all nessesarie charges be defrayed out of them.

[\*112.]

\*Wheras diuers of the inhabitants of the towne of Middleberry doe desire that all such as are propriators of the lands within the liberties of the said towne shall meet together in order vnto the settlement of matters amongst them, and to put things into such order, p̄ticularely in respect of the purchase of lands made by the Treasurer, soe as may tend to the comon good of the towne, in which respect the Court haue thought meet, and doe

order and propose, that the fifteenth day of Aprill next be appointed, on which there shalbe a generall meeting of all such the propriators aforsaid; and if, vpon sufficient warninge to appeer, any shall stay away, that such as doe meet shalbe and are heerby impowered to acte respecting the p̄misses; and the p̄sons defectiue in non appearance to rest in what they acte in that behalfe.

1674-5.

1 March.  
WINSLOW,  
Gov<sup>r</sup>.

In reference vnto the complaint of Rebeckah Littlefeild, sōmtimes of Ransome, in the jurisdiction of the Massachusetts, against Israell Woodcocke, of Rehoboth, in the jurisdiction of New Plymouth, that hee hath begotten her with child, the Court, haueing examined him concerning it, and haueing heard diuers please and p̄sued diuers euidences about it, and hee the said Woodcocke stily denyeing it, doe not see cause absolutely to charge him with it, nor satisfying reasons to cleare him, and therefore doe award the said Israell Woodcocke to pay or cause to be payed vnto the said Rebecka Littlefeild, or her order, two shillings a weeke, quarterly, and euery quarter, towards the keeping of the child shee goes with, after the birth thereof, vntill the tearme of seauen yeaes be expired, or soe longe of the said tearme of time as the said child shall liue, to be payed in corne, and deliuered att the house of M<sup>r</sup> Edward Ranger, att Boston, att prise currant, att the deliuey thereof.

And the Court likewise centanced him to find surties for his good behavior vntill the next July Court.

And the said Rebecka Littlefeild is centanced by the Court to suffer according to the law against this her fact.

Israell Woodcocke acknowledgeth to owe vnto our sou <sup>r</sup>	} 20 : 00
lord the Kinge the sūme of . . . . .	
John Woodcocke the sūme of . . . . .	20 : 00

The condition, that if the said Israell Woodcocke be of good behavior towards our sou<sup>r</sup> lord the Kinge and all his leich people, and appeer att the Court of his ma<sup>ty</sup> to be holden att Plymouth aforsaid the first Tusday in July next, and not depart the said Court without lycence; thāt then, &c. Released.

Israell Woodcocke, of Rehoboth, plantor, stands bound vnto Rebeckah Littlefeild in the penall sūme of thirty pound.

John Woodcocke, of the same place, in the penall sūme of thirty pounds.

The condition, that wheras the said Rebeckah Littlefeild hath accused the said Israell Woodcocke that hee hath begotten her with child, in reference whervnto the Court haue seen cause to award the said Israell Woodcocke to pay vnto the said Rebeckah Littlefeild or her order the sūme of two shillings a weeke, &c. If, therefore, the said Israell Woodcocke doe pay the said sūme of two shillings aweeke towards the keeping of the child shee the said Littlefeild goes with, according to specue and time as in the order of Court cou-

Since this bond was entered there is another passed under hand & seale, see that this is null.

1674-5. cerning the *the* same is expressed, that then the aboue written obligation to be  
 void and of none effect, or otherwise to remaine in force and vertue.

1 March.  
 WINSLOW,  
 Gov<sup>r</sup>.

[\*113.]

\*March Court, 1674. Vpon the petition of the propriators of the lands att Saconett, and places adjacent, the Court hath graunted vnto the said propriators, or the major pte of them, as a townshipp, to make such actes and orders as shalbe needfull or convenient for the welbeing, settleing, and ordering of the said place or plantation, and especially for the settleing of such a society there as may be instrumentall for the manninge and carrying on of the worship of God, and matters in the coōmonwealth.

February the 13<sup>th</sup>, 1672. Wheras I, Walter Hatch, making my addresse to the coōmittee that is impowered by the Court to lay out lands att Scittuate for my due on that account, although I could not satisfy them that my condition came vnder the p̄sent coōmission, yett some of them doe conceiue that I haue as good right to an alotment as some other that is allowed an alotment by the coōmittee.

ISACK BUCK,  
 ISACKE CHETTENDEN,  
 JOHN DAMAN,  
 JOHN TURNER, Seni<sup>r</sup>,  
 JOHN TURNER, Juni<sup>r</sup>.

The Court, hauing heard and considered his complaint, doe not see reason and just cause for the complaint, and therefore doe order that Walter Hatch doe repaire the damage of the coōmittee, by bearing the charges of their attendance about this matter.

In reference to the petition of Mistris Gray, of Yarmouth, respecting her low condition, and that it doth appeer that the estate is more indebted than it is able to satisfy, this Court, in respect to her p̄sent nessesitie, doe order M<sup>r</sup> Hineckley to sett out some few p̄ticulars, as bedding, and some other nessesaries, to be disposed to her by him for her p̄sent relieff, soe that it exceed not aboue 20<sup>li</sup>.

Released.

Nathaniell Hall, of Yarmouth, weauer, acknowledgeth to }<sup>li</sup>  
 owe vnto our soū lord the Kinge the sume of . . . } 20 : 00

The condition, that if the said Nathaniell Hall be of good behavior towards our soū lord the Kinge and all his leich people, and appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth aforesaid the first Tusday in July next, to make further answare to such intergatories as shalbe made to him respecting his p̄sentment : that then, &c.



1675.

1 June.  
WINSLOW,  
Gov<sup>r</sup>.Cap<sup>t</sup> Bradford the next in nomination.M<sup>r</sup> Constant Southworth was chosen Treasurer, and sworne.The Names of the Ch elect Men in each Towne of this Gov<sup>nt</sup>.

Plymouth, . . . . .	{ Leif <sup>t</sup> Morton,
	{ WiHam Crow,
	{ Serjeant WiHam Harlow,
	{ M <sup>r</sup> WiHam Clarke,
Duxburrow, . . . . .	{ Ephraim Tinkham.
	{ M <sup>r</sup> Samuell Saberry,
	{ Benjamine Bartlett,
	{ WiHam Paybody.
Scituate, . . . . .	{ John Damman,
	{ Jeremias Hatch,
	{ John Cushen.
Sandw <sup>ich</sup> , . . . . .	{ WiHam Swift,
	{ Steuen Skiffe,
	{ Thomas Tupper, Jun <sup>r</sup> ,
	{ Richard Williams,
Taunton, . . . . .	{ Walter Dean,
	{ WiHam Harvey,
	{ Leif <sup>t</sup> Macey,
	{ John Tisdall, Sen <sup>r</sup> ,
Yarmouth, . . . . .	{ Captaine Howes,
	{ M <sup>r</sup> Edmond Hawes,
	{ John Miller,
	{ John Thacher,
Barnstabl <sup>e</sup> , . . . . .	{ Edward Sturgis, Sen <sup>r</sup> ,
	{ Leif <sup>t</sup> Laythorpe,
	{ M <sup>r</sup> Barnabas Laythorpe,
	{ M <sup>r</sup> Thomas Huckens.
Marshfield, . . . . .	{ M <sup>r</sup> John Bourne,
	{ WiHam Foard, Sen <sup>r</sup> ,
	{ M <sup>r</sup> Nathaniel Thomas.
Reloboth, . . . . .	{ M <sup>r</sup> Stephen Paine, Sen <sup>r</sup> ,
	{ Leif <sup>t</sup> Peter Hunt,
	{ Ensigne Smith.
Eastham, . . . . .	{ Nicholas Snow,
	{ Jonathan Sparrow,
	{ Marke Snow.

Bridgewater, . . . . .	{	Leift Haward, John Willis, John Carey.
Swansey, . . . . .	{	John Allin, Senit, Samuell Luther, Hugh Cole.
Dartmouth, . . . . .	{	John Cooke, Arther Hathewey, James Shaw.
Middleberry, . . . . .	{	M <sup>r</sup> Francis Combe, John Tompson, Jonathan Dunham.

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\*The Names of the Deputies that served att this Court and the seuerall  
Adjournments therof.

[\*115.]

Leift Morton,	M <sup>r</sup> Barnabas Laythorpe,
Sarjeant Harlow,	Ensigne Eames,
M <sup>r</sup> Josiah Standish,	Anthony Snow,
William Paybody,	Ensigne Smith,
John Daman,	M <sup>r</sup> Daniell Smith,
Jeremiah Hatch,	Jonathan Sparrow,
Thomas Tupper,	Marke Snow,
Leift Gorge Maeye,	John Willis,
William Harvey,	Hugh Cole,
M <sup>r</sup> Edmond Hawes,	John Cooke,
Cap <sup>t</sup> Thomas Howes,	John Tompson.
M <sup>r</sup> Huckens,	

The Constables of the seuerall Townes within this Goiment.

Plymouth, . . . . .	Jabez Howland.
Duxburrow, . . . . .	William Brewster.
Scit <sup>t</sup> , . . . . .	{ Joseph Silvester, Joseph White.
Sandw <sup>e</sup> , . . . . .	Benjamine Hamond.
Taunton, . . . . .	{ James Tisdall, Thomas Dean.
Yarmouth, . . . . .	Nathaniel Bassett.
Barnstable, . . . . .	John Finney, Senit.
Marshfeild, . . . . .	{ Thomas Doged, John Rouse, Junit.

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Rehoboth, . . . . .	{ Nathaniell Cooper, John Miller, Jun <sup>r</sup> .
Eastham, . . . . .	Joshua Banges.
Bridgewater, . . . . .	William Brett, Jun <sup>r</sup> .
Swansey, . . . . .	Ezekiah Luther.
Dartmouth, . . . . .	John Russell, Sen <sup>r</sup> .
Middleberry, . . . . .	Gorge Vaughan.

## The Grand Enquest.

John Cushen,	John Butterworth,
William Crocker,	Thomas Gibbs, Jun <sup>r</sup> ,
Phillip Dellano,	Samuell Williams,
Andrew Ringe,	Joseph Hall,
William Brookes,	Nathaniel Winslow,
John Wadsworth,	James Gorun,
Joseph Howland,	Jacob Burge,
Joseph Aldin,	John Mayo,
Joseph Wilbore,	John Sawyer,
Andrew Hallott,	John Titus,
William Sabin,	John Nelson.

## The Surveyors of the Highways.

Plym, . . . . .	{ Joseph Warren, Samuell Dunham, John Doten, Robert Ransom.
Duxbur, . . . . .	{ John Rogers, Sen <sup>r</sup> , Joseph Wadsworth, Joseph Rogers.
Scittū, . . . . .	{ Moses Symons, Charles Stockbridg, Richard Dwelley.
Sand, . . . . .	{ Thomas Gibbs, William Newland.
Taunton, . . . . .	{ John Turner, John Bryant.
Yarmouth, . . . . .	{ William Eldred, John Whilden.
Barnstā, . . . . .	{ John Danis, Samuell Hinckley

Marshfield, . . . . .	{ Jonathan Winslow, Samuell Sprague.
Rehoboth, . . . . .	{ Gorge Kendericke, Wiltam Carpenter.
Eastham, . . . . .	{ Robert Vixon, Henry Atkins.
Swansey, . . . . .	{ Robert Jones, John Thurburrow.
Middleberry, . . . . .	{ Obadiah Eedeey, John Morton.

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 WINSLOW,  
 GOV<sup>R</sup>.

\*Att this Court three natives were arraigned, viz<sup>d</sup>, Tobias, & Wampapaum, and Mattushanama, for that being accused, that they did with joynt consent, vpon the 29 of January, anno 1674, att a place called Assowamsett Pond, wilfully and of sett purpose, and of mallice fore thought, and by force and armes, murder John Sassamon, an other Indian, by laying violent hands on him and striking him, or twisting his necke, vtill hee was dead; and to hide and conceale this their said murder, att the time and place aforesaid, did cast his dead body through a hole of the iyce into the said pond. [ \*116.]

These, being examined, denyed the fact, and put themselues on tryall by God and the cuntry, and were found guilty.

The Verdict of the Jury giuen into the Court in the words followinge.

Wee, of the jury, one and all, both English and Indians, doe joyntly and with one consent agree vpon a verdict: that Tobias, and his son Wampapaquan, and Mattashanama, the Indians, whoe are the prisoners, are guilty of the blood of John Sassamon, and were the murderers of him, according to this bill of inditement.

The verdict of the jury being accepted by the Court, the sentance of death was pronouced against them, the said Tobias, and Wampapaquan his son, Mattashanama, viz<sup>d</sup>: to be carryed from the place of tryall to the prison from whence they came, and from thence to the place of execution, and there to be hanged by the head vtill their bodies are dead; and accordingly was executed, the 8<sup>th</sup> of June, 1675, on the said Tobias and Mattashanama: but the said Wampapaquan, on some considerations, was reprieved vtill a month be expired from this present date;

But afterwards shott to death within the said month.

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The Names of the Jury that went on this Tryall.

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His mat<sup>ty</sup> at-  
torney entered  
cauiot that the  
estates of the  
prisoner, both  
of lands and  
goods, both  
prsonall and  
reall, might be  
seured accord-  
ing to law.

sworne,	}	Wiltam Sabine,	sworne,	}	Andrew Ringe,
		Wiltam Crocker,			Robert Vixon,
		Edward Sturgis,			John Done,
		Wiltam Brookes,			Jonathan Banges,
		Nathaniel Winslow,			Jonathan Shaw,
		John Wadsworth,			Benjamin Higgins.

It was judged very expedient by the Court, that together with this English jury aboue named, some of the most indifferentest, grauest, and sage Indians should be admitted to be with the said jury, and to hearp to consult and aduice with, of, and concerning the premises. There names are as followeth, viz: one called by *and* English name, Hope, and Maskippague, Wannoo, Gorge, Wampye, and Aeanootus; these fully concurred with the aboue written jury in their verdict.

Edward Sturgis, Senr, of Yarmouth, complained att this Court against Thomas Baxter and Joseph Egleston, on suspision of their entering his house on the Lords day, about the cleauenth of Aprill last past, and their breaking open a lock, and tooke and lett out some quantitie of sacke, and alsoe opened other lockes, and tooke out to the vallue of three pounds of siluer mony of seuerall coyues; altho the Court are not soe fully & cleared satisfied about the truth of this accusation, notwithstanding doe see cause to requir of bonds for their good behauior vntill the next October Court.

Released.

Thomas Baxter, bricklayer, principle, acknowledgeth to }<sup>ii</sup>  
owe vnto our soñ lord the Kinge the sume of . . . . } 20 : 00

Joseph Eglestone, labourer, surety, the sume of . . . . } 20 : 00

The condition, that if the said Thomas Baxter be of good behauior towards our soñ lord the Kinge and all his leich people, and appeer att the Court of his mat<sup>ty</sup> *the* to be holden att Plymouth on the last Tusday in October next, and not depart the said Court without lycence; that then, &c.

Released.

Joseph Egleston, labourer, principle, acknowlidgth to owe }<sup>ii</sup>  
vnto our soñ lord the Kinge the sume of . . . . } 20 : 00

Thomas Baxter, surety, the sume of . . . . } 20 : 00

The condition, that if the said Joseph Egleston be of good behauior towards our soñ lord the Kinge and all his leich people, and appeer att the Court of his mat<sup>ty</sup> to be holden att Plymouth the last Tusday in October next, and not depart the said Court without lycence; that then, &c.

20<sup>o</sup> was allowed to Edward Sturgis for his attendance att the Court on this occasion.

[\*117.]

\*Att this Court John Woodcocke appeered and John Littlefield, impow-

ered from his daughter, whoe engaged to appeer att the Court to be held att Plymouth in July next, and to bringe the bond with him, and to attend the hearing of the case between Israell Woodeocke and Rebecka Littlefeild, and to abide the judgment of the Court concerning the same.

Nathaniell Hall, of Yarmouth, for vnciuill words and carryages towards Elizabeth Berry, and alsoe for giueing writings to the said Elizabeth Berry to intice her, altho hee had a wife of his owne, was centanced by the Court to pay a fine of five pounds to the vse of the collonie or be publickly whipt.

John Arther, Mathew Boomer, and John Leyton, being summoned to the Court to answare for their residing in the gofment without order, and not attending the publicke worship of God, liueing lonely and in a heathenish way from good societie, this Court ordereth, that they for the future shall frequent the publicke worship of God, and liue otherwise orderly, or that they depart the gofment

In like manor, Elias Williams, being summoned for coming into the gofment and not applying himselfe for libertie according to order, hee saying that hee is intended for England, the Court giues him libertie vntill the next October Court to be holden att Plymouth to remaine where he is, and then to depart the gofment; which incase hee neglect, the Court will see cause to remoue him out of the collonie.

Wilham Wood, of Marshfeild, for speaking contemptuously of Mr Arnold on the Lords day, in February last, as appeers by the euidence, was centanced by the Court to sitt in the stockes two houres the next training day att Marshfeild.

Robert Crosman, Senir, of Taunton, for abusing the constable in the execution of his office by throwing a sticke att him, and drawing his knife and saying hee could afford to stabb him, was fined the sume of forty shillings to the vse of the collonie.

Thomas Lucas, for being distempered with drinke, it being soe oftens, and that hee hath borne seuerall p̄ticular punishments gradually, and can not be reclaimed, it was ordered con erning him, that all that sell drinke be strictly ordered and prohibited to lett him haue none.

James Burt, of Taunton, for being di-tempered with drinke the second time, was fined ten shillings, according to law, to the vse of the collonie.

In answare to a petition preferred to the Court by Beniamine Higgens, in the right of his father, deceased, to be accomodated with land att Saconett with the p̄tenors and servants there, the Court, generally conceiueing that the said Richard Higgens had wronge in that hee was not accomodated in the said land with the rest, seuerall of the p̄tenors, being p̄sent, did engage before the Court,

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that in case the petitioner shall and doe make his adrese to the rest of the companie interested in those lands, that they will pswade them, that altho hee can not be supplied out of the deuided lands of it, that hee may be competently supplied in the vndeuided lands therof.

In answare to the petition of Richard Wright, requesting land in the right of Peter Maycocke, soñtimes a servant in this collonie, the Court sees noe right appeering by vertue of his claime; but as hee hath bin an ancient inhabitant, and hath not bin much considered, and appeers to stand in need, haueing children that may employ land, the Court saith, if hee can find out land that is free and may be granted, the Court will, vpon intelligence giuen them, consider him according to his condition.

An Order directed to the Com̄ittee of Seittuate.

Gentlemen: John Daman hath complained that you gaue him fifty acres of land, and vpon a suggestion that hee had land on that account before, you drew backe, notwithstanding hee appeered in a list from the Court to be one land was promised to; and therefore wee request and thinke indeed hee ought to be considered, and desire you would seee doe.

Wheras the townes of Taunton and Swansey haue complained that the towne of Rehoboth, haueing run their line, non of those townes being p̄sent, and soe being their owne carriers, they haue reason to feare the said line is much to their preiudice, and alsoe that Rehoboth bounds are yett imperfect and can not by them be certainly knowne, this Court doth therefore order, that the said lines between them and the complaining townes be run againe according to graunt of Court between this and October Court next, and that the said adjoyning townes haue seasonable notice of the time of their doing it, that they may haue further satisfaction improueing some of their <sup>^</sup>, to see it fairly settled.

[\* 118.]

\*In reference to a petition preferred to the Court by John Howland, John Tracey, Josiah Standish, Edward Southworth, Joseph Howland, David Aldin, and Jabez Howland, requesting a supply of land according vnto and by vertue of a Court order which ingageth land to children heer borne and brought vp before strangers, the Court haue ordered, that the lands yett vndisposed of shalbe viewed, and that such of the ancient freemen as haue not bin yett accomodated may be supplied in the first place, and afterward the petitioners to be supplied.

Att this Court, Nathaniel Morton requested the Court to haue libertie to seek out for some accomodation of land for himselfe and in the behalfe of the posteritie of his brother, John Morton, deceased, as being decended of M<sup>r</sup>

Gorge Morton, deceased, and in reference to his place as being one that hath served the country this many yeers, the Court hauncing considered his predecessor, M<sup>r</sup> Nathaniel Souther, with a considerable tract on that account, the Court ordered, that hee bee considered with such freemen as are aboucnamed that may make their addresses to the Court for a supply.

Wheras att a former request and petition of the towne of Taunton, the Court orders, that the line betwixt them and Bridgewater might be run, which notwithstanding hath bin hitherto neglected, and that now the towne of Bridgewater hath petitioned the Court that the said line may now be run, this Court now ordereth, that the line be run according to their graunt between this Court of his ma<sup>ty</sup> to be holden att Plymouth the first Tusday in July next, and that notice be given to the Treasurer and the time intended, hee being appointed and requested by the Court to assist therein.

The Court haue graunted vnto M<sup>r</sup> John Holmes, teacher of the church of Christ att Duxburrow, and vnto M<sup>r</sup> John Smith, teacher of the church of Christ att Sandwich, — to M<sup>r</sup> Holmes in the right of his father, and to the said M<sup>r</sup> Smith for his accomodation, — a certaine tract of land att Pinquine Hole, that is to say, the land of Charles the Indian, bounded on the northsyde by the lands of M<sup>r</sup> Josiah Standish, and Pinquine Hole Riuer on the south, by the sea on the west, and soe extending into the woods; to be equally deuided betwixt them in equall and alike proportions, they purchasing it of the Indians.

In reference vnto a difference between some of the purchasers and Wilham Nicarson about title of lands att Mannamoiett, exhibited to the Court, the one by his petition and the other by their remonstrance, giuen into the Court by Thomas Clarke and Jonathan Banges in the behalfe of severall others, the Court haue appointed M<sup>r</sup> Hinckley, M<sup>r</sup> Gorum, and Jonathan Sparrow to sett the bounds of their lands between them, according to the Courts graunt, vnto the freemen that haue interest with the said Nicarson therein; and that they take speciall regard that they leaue noe vacant lands between their inhabited lands and the sea or water; and if M<sup>r</sup> Hinckley can not attend it, then Captaine Howes to supply his place in it.

And wheras Wilham Nicarson requesteth that their neighborhood att Mannamoiett may be allowed to be a townshipp, the Court conceiues they are not in a capacittie att p<sup>r</sup>sent to manage the affaires of a towne, and therefore for the p<sup>r</sup>sent allow them to haue a deputie, constable and a grandjurymen, which shalbe chosen by the towne of Eastham together with themselves, and in all other respects to remaine and relate vnto the towne of Eastham for bearing their p<sup>r</sup>te of all other charge, as was settled the last June Court.

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Leiff Morton and Francis Combe are ordered by the Court to lay out a psell of land belonging to the successors of M<sup>r</sup> Prence, deceased, lying att Namassakett, whoe are to doe it according to the Courts graunt.

Jonathan Higgens is allowed and approned by the Court to be ensigne bearer of the milletary companie of Eastham.

Leiftenant Hunt, Ensigne Smith, and M<sup>r</sup> Daniell Smith are appointed and authorised by the Court to take some psent care of the estate of M<sup>r</sup> Wilham Blackston, deceased, and off his son now left by him, and to see that the next Court hee doe propose a man to the Court to be his guardian ; which in ease hee doe neglect, the Court will then see cause to make choise of one for him.

In reference vnto the petition of Mistris Elizabeth Tilden, wherin shee desires the Court to consider her soe as to order her some reliefe out of the estate in her hands for the bringing vp of three of her children, the Court, taking it into serious consideration, doe allow her out of the estate in her hands twenty pounds for the two last years.

[\*119.]

\*The Court doth allow the sume of ten pounds, besides what is due from Joseph Barstow, for and towards the building of a bridge for foot and horse over the North Riuer, which bridge is to be parrelllel for strength and workmanship vnto the bridge att the Eelriuer.

M<sup>r</sup> Thomas Dexter and Thomas Tupper are appointed by the Court to gather in the minnisters maintainance att Sandwich.

Wheras the Court is informed, that one whose name is John Steunson, son in law to M<sup>r</sup> Wilham Blackstone, late deceased, was very healpful to his father and mother in their life time, without whome they could not haue subsisted, as to a good healp and instrument therof, and that hee is now left in a low and mean condition, and neuer was in any measure recompensed for his good service aforesaid, and that, as is said att least, his father in law ingaged to his mother att his marriage with her, that hee should be considered with a competencye of land out of the said Blackstones land hee then liued on, which hath neuer bin yett pformed ; and forasmuch as the psonall estate of the said Wilham Blackston is soe smale and inconsiderable as that hee, the said Steunson, can not be relieued out of it ; this Court, therefore, on consideration of the pmises, doe order and dispose of fifty acres of land vnto the said John Steunson out of the lands of the said Wilham Blackstone, and five acres of meddow, to be layed out to him by Ensigne Henry Smith, M<sup>r</sup> Daniell Smith, and M<sup>r</sup> Nathaniel Paine, accordingly as they shall judge meet, soe as it may be most conuodious to him and as little prejudiciall to the seat of M<sup>r</sup> Wilham Blackstone as may be.

Concerning Saconesett, in reference to abuses of the Lords day, for the bringing of those misdemeanors to light, it is ordered by the Court. —

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That Barnstable choose one of their grandjurymen out of the inhabitants of Saconest.

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The sume of thirty five shillings is allowed by the Court unto John Woodcocke, to be payed to him by John Littlefeild for charges of him and his daughters attendance att the Court to giue testimony in reference to the controversy between Israell Woodcocke and Rebeckah Littlefeild.

Serje: Ephraim Tinkham, for coming into the Court drunke, fined forty shillings.

Samuell Wood, for comitting carnall copulation with  
his now wife before marriage, fined . . . . . } 5 : 00 : 00

\*Att a meeting of the counsell of warr for this jurisdiction, held att Plymouth, the fourth day of August, 1675, —

[\*120.]

In reference unto a companie of natives now in custody, brought in to Plymouth, being men, weomen, and children, in number one hundred and twelue, vpon seriouse and deliberate consideration and agitation concerning them, the conclusion is as followeth: that wheras, vpon examination, it is found that seuerall of them haue bine actors in the late rising and warr of the Indians against vs, and the rest complyers with them therein, which they haue done contrary to engagement and couenant made and plighted with this colonic, which they haue pfidiously broken, as appeereth further alsoe in that they did not discouer that pnisious plott which Phillip, with others, completed against vs, which hath caused the destruction of seuerall of vs, by losse of lines and estates, and still held in danger therby, the pmisses considered as aforesaid, the counsell adjudged them to be sold, and deuoted unto seruitude, excepting some few of them, which, vpon speciall consideration, are to be otherwise disposed of, and the Treasurer is appointed by the counsell to make sale of them in the countreyes behalfe.

Forasmuch as by frequent and sad experience it is found, that selling, &c. of armes and ammunition to the Indians is very pnisious and destructive to the English, it is therefore ordered, decreed, and enacted by the counsell of warr for this jurisdiction, that who-soeuer shalbe found to sell, barter, or giue, directly or indiretly, any gun or guns, or ammunition of any kind, to any Indian or Indians, and the same legally proued against them, enery such pson or psons shalbe put to death, and in defect of full and legall proffe there, the printed law to take place.

This law is  
ratified and  
confeimed  
by the Generall  
Court, Novemb:  
the 4, 1676.

The counsell of warr did vnanimously impower our honored Gov<sup>r</sup>, together with such of the counsell as can reddily giue him meeting, being

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neare to him, to dismisse and require our forces home againe, as occasion may require.

The councill of warr doe impower Serjeant John Tompson and Leiftenant Joseph Howland, to keep the Indian prisoners now att Plymouth, and doe allow them two shillings and sixpence for every day and night, for every man that is or shalbe employed in this present service.

The councill of warr for this jurisdiction, being mett together att Plymouth the second of September, 1675, to consider of a certaine sell of Indians lately come in to Sandwich in a submissiue way to this collonie, doe find, that they are in the same condition of rebellion as those formerly condemned to seruitude, and doe vnanimously agree that the said Indians, being in number fifty-seauen, are condemned vnto ppetuall seruitude, and therfore doe heerby order and appointe the Treasurer to make sale of them, for and to the vse of the collonie, as oppertunity may present.

[\*121.]

\*Received this 4<sup>th</sup> of July, 1671, of my father in law, John Cowin, of Scituate, the sume of five pounds, and is full satisfaction for my portion allowed mee out of my father, Richard Mans estate, by the honored Court of New Plymouth; I say receiued by mee.

THOMAS MAN.

Witnessed by James Cudworth.

Received this 30<sup>th</sup> of October, of my father in law Cowin, five pounds, for the vse of Josiah Man, which hee was to haue, by the Court order, of his father Cowine; wee owne it receiued by vs, Thomas Man and Richard Man, as witnes wherof wee haue heervnto sett our hands.

THOMAS MAN.

The marke of **R** RICHARD MAN.

Timothy White,  
Thomas Pinchen.

Of the order of  
Court heer in-  
timated in  
these receipts  
see in this  
booke in the  
year in July,  
1671

Received, the seauenth of June, 1673, of my father in law, John Cowin, one red horse, and is in full satisfaction for five pounds, which the Court ordered him the said Cowin to pay mee as a portion determined by the Court for mee out of my father, Richard Mans estate; I say I haue receiued the said horse, in full satisfaction for the said portion of five pounds. In witnes wherof, I haue heervnto sett my hand.

The marke of **R** RICHARD MAN.

Witnessed by James Cudworth.

*\*.At the Generall Court of his Ma<sup>ty</sup> held att Plymouth, for the Jurisdiction of New Plymouth, on the 4<sup>th</sup> of October, 1675.*

1675.

4 October.  
WINSLOW,  
Gov<sup>r</sup>.  
[\*122.]

**M**AJOR JAMES CUDWORTH was unanimously chosen and reestablished in the office of a generall or commaunder in cheiffe, to take the charge off our forces that are or may be sent forth in the behalfe of the collonie against the enimie, as occation may require.

And Serjeant Robert Barker to be his leiftenant of his particulare companie.

Cap<sup>t</sup> John Goram to be captaine of the other companie, and Ensigne Jonathan Sparrow to be his leiftenant.

Leif<sup>t</sup> John Browne is appointed and impowred by the Court to be cap<sup>t</sup> of the gaurd att Mount Hope.

Generall Cudworth, M<sup>r</sup> Constant Southworth, Cap<sup>t</sup> Freeman, M<sup>r</sup> Laythorp, and M<sup>r</sup> Chettenden were appointed to be a committee in the behalfe of the country, to take an accompt of the charges arising by this present warr.

It is ordered by the Court, that twenty five men, well provided with armes and ammunition, be pressed to be and lye in garrison att Mount Hope, and that the souldiers that are there att present be forthwith released.

M<sup>r</sup> Thomas Huckens was chosen commissary generall of the forces of this jurisdiction.

In reference vnto such emergent charges that haue fallen on our honored Gov<sup>r</sup> the summer past, the Court haue settled and conferred on him the prise of ten Indians, of those salvages lately transported out of the gowment.

The proportions of the salleries allowed by the Court to the commaunders and common souldiers which haue bin forth on the late expeditions out of this collonie against the Indians, or may be for the future employed on the countreyes occations: —

Imp <sup>r</sup> , to the generall, . . . . .	s	d	06: . a day.
To a captaine, . . . . .			05: 0 a day.
To a leif <sup>t</sup> , . . . . .			04: 00 a day.
To Cap <sup>t</sup> Mathew Fuller, as surjean generall of the forces of this collonie, and for other good service, pformed in the countreyes behalfe against the enimie, in the late expeditions, or which may be done for the future, as occation may require, the Court alloweth him . . . . .	}		04: 00 a day.
To the cap <sup>t</sup> of the gaurd att Mount Hope, . . . . .			04: 00 a day.

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To an ensigne, . . . . .	03 : 00 a day.
To a comissary generall, . . . . .	04 : 00 a day.
To a serjeant, . . . . .	02 : 06 a day.
To a corporall, . . . . .	02 : 00 a day.
To a comon souldier, . . . . .	01 : 06 a day.

The proportions of the souldiers to be pressed out of each towne of this jurisdiction, to goe forth as occasion may require :—

	{ To the garison att Mount Hope, to be subtracted out of them.	
Plymouth, . . . . .	15	2
Duxburrow, . . . . .	08	1
Scittuate, . . . . .	23	4
Sandwich, . . . . .	16	3
Taunton, . . . . .	20	3
Yarmouth, . . . . .	15	2
Barnstable, . . . . .	16	3
Marshfield, . . . . .	13	2
Reluboth, . . . . .	15	2
Eastham, . . . . .	08	2
Bridgewater, . . . . .	08	1
	157	25
		182

Memorand : that the Court proclaimed a sollemne day of humilliation, to be obserued by fasting and prayer, which was obserued by their order, on the 14<sup>th</sup> of October, 1675, throughout this jurisdiction, to humble our soules, and seeke and begg the Lords healp in our present troubles, by reason of the Indians, their persisting on in their hostile and barbarous creweltie and outrage against the English.

[\*123.]

\*October 4, 1675. It is ordered by the Court, that it shall and may be lawfull to and for any of the comission officers and souldiers in any of our townships, with the advice of their towne councell, if oppertunitie serue to consult them, or without, if the present exegency of an advantage against an enimie present, to prosecute the warr against them, tho it should be without the respectiue townshippis, as if such officers had a pticulare comission therevnto.

It is ordered by the Court, that during the time of publicke danger, every one that comes to the meeting on the Lords day bring his armes with him, and furnished with att least six charges of powder and shott, vntill further order shall be giuen, vnder the penaltie of 2<sup>s</sup> for every such defect, to be leuied by

destresse, by the constable, by order of any of the comission officers, for the townes vs.

It is ordered by the Court, that whosoever shall shoot of any gun on any nessesarie occasion, or att any game whatsoever, except att an Indian or a wolfe, shall forfeite five shillings for every such shott, till further libertie shall be giuen.

This Court, takinge into their serious consideration the tremendous dispensations of God towards the people of Dartmouth, in suffering the barbarous heathen to spoile and destroy most of their habitations, the enimie being greatly advantaged therevnto by their scattered way of liuing, doe therefore order, that in the rebuilding or resettling therof, that they see order it as to liue compact together, att least in each village, as they may be in a capassitie both to defend themselves from the assault of an enimie, and the better to attend the publicke worship of God, and minnistry of the word of God, whose carelesnes to obtaine and attend vnto, wee feare, may haue bin a prouocation of God thus to chastise their contempt of his gospell, which wee earnestly desire the people of that place may seriously consider off, lay to hart, and be humbled for, with a sollistis indeamor after a reformation therof by a vigorous putting forth to obtaine an able, faithfull dispenser of the word of God amongst them, and to incourage him therein, the neglect wherof this Court as they must not, and, God willing, they will not pmitt for the future.

Alsoe this Court doth order, that the people of Middleberry doe attend the like course in their rebuilding and resettling, as is ordered for Dartmouth.

And that none shall for the future erect any house or cottage without speciall lycence giuen him, in any place soe farr remote from the publicke worship of God as that they can not comfortable attend the same.

This Court, being informed of the low condition of Aphyra, the relict of John Knowles, of Eastham, whoe was lately slayne in the collonies seruice, towards the releiffe and support of the said widdow and her children, haue ordered to receiue ten pounds out of the proffitts of the fishing att Cape Codd, wherof five pounds to be payed to her this yeer, and the other five the next yeer.

The Court haue alsoe ordered ten pounds to be allowed to Ester, the widdow of Samuel Sampson, of Duxburrow, whose husband was alsoe slayne in the cuntryes seruice, to be payed five pounds this yeer and five pounds the next yeer, towards the support of herselfe and children.

Att this Court, seuerall Indians of the principall or heads of seuerall places of the southeren Indians, appeered before the Court, desirous to renew a former couenant plighted with this gouernment, viz<sup>t</sup>, of Paonett, Wequaahutt :

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for Nausett, Lawrance and Francis; for Saquatuckett Richard and Little Robin; for Nubscussett, Hurculus and Sampson; for Mannamoiett, Wasneckasuk; for Wequalutt, Paule; for Mattacheesett, Keencomsett; for the South Sea, Ashawaham; and for Mannomett, Pompaquin, allies Scippague; — these for themselves and their neighbors, and their heirs and successors, the Indians of the places above named did renew their covenant with our collonie, to renew their fidelitie with the English, and to declare it by their\* discovery and deliuering vp all such strange Indians which are enimies to the English, which shall or may at any time come amongst them, and to be reddey to doe such seruice as shalbe required of them in warr against our said enimies; and soe continewing their reall faithfulness towards vs, they were assured by the Court that they shall find like faithfulness and reall respect from vs on all occations.

In answere vnto the petition of Desire Sherman, in reference vnto her husband, Wilham Sherman, Jun<sup>r</sup>, whoe fell distracted in the seruice of the country, the Court allowes vnto her the summe of 20<sup>li</sup>, towards the relieffe of them and their familie, being by reason of great charges and nessesites in great straightnes.

The rates allowed for the horses prest or employed in the expedition against the enimie at Mount Hope, and places adjacent, viz<sup>t</sup>: five shillings for the vse of euery horse that hath bin returned to the owner within one month after the advance on the said expedition, and 10<sup>s</sup> p horse for all that are returned to the owner since the said month, or shalbe returned within 28 dayes after the date heerof, and twenty shillings for euery such horse or mare that shall not be returned within the said 28 dayes, vnesse there shalbe another horse in steed therof deliuered within the said time. ¶Att the Generall Court held at Plym<sup>th</sup>, June, 1678, the Court doth interpritt this order, that all such as had horses pressed from them for the countryes service, thō they were not returned unto them within the said 28 dayes, yett if afterwards any such horse were found, it was to be accepted his from whom hee was pressed, vnesse some other horse hath bine accepted in steed therof.]

September the 7<sup>th</sup>, 1676.

To John Cooke, to be communicated to such of the former Inhabitants of Dartmouth as are concerned heerin.

The councell being now assembled, considering the reason and nessesitie of that order of the Generall Court made the 14<sup>th</sup> of October, 1675, respecting the rebuilding or resettling the towne of Dartmouth, a copy wherof is heerwith sent, and considering withall that all the people of that place, by their deserting it, haue left it to the possession of the enimie, which, through

the good hand of God on the indeauors of this collonie, is now recovered againe out of the enimies hand, doe soe much the more looke att it as a duty incumbent on this councell to see the said order effectually attended, doe therefore heerby prohibite all and euery of the former inhabitants of the said towne of Dartmouth, or thaire or any of thaire assignes, to make any enterance on, building, or settling in any pte of the said former towneshipp of Dartmouth, vntill satisfactory securitie be first giuen to the Court or councell by some of the principall psons heertofore belonging to that place, that the said Court order shall in all respects be attended by them, as the transgressors of this prohibition will answare the contrary att their pill.

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*\*Att the Court of his Ma<sup>ty</sup> held att Plymouth, for the Jurisdiction of New Plymouth, the 27<sup>th</sup> Day of October, 1675.*

27 October.  
[\*125.]

BEFORE Josiah Winslow, Esq <sup>r</sup> . Gov <sup>r</sup> ,	John Freeman,
John Aldin,	Constant Southworth,
Wiltam Bradford,	James Browne, and
Thomas Hinckley,	James Cudworth,
Assistants, &c.	

**I**N reference vnto the dispose of the estate of Edward Cobb, of Taunton, deceased, the Court ordered, that his debts being payed, that ten pounds of the said estate be settled and allowed vnto the widdow Mary Cobb, for and towards the bringing vp of her smallest children, and that shee shall haue and injoy the one third, or one pte of three of the proffitts of the house and lands during her naturall life, and the one third of his psonall estate, to haue as her proper right for euer, and for the remainder theroff, that the eldest son shall haue a dubble portion therof, and what is lefte to be equally deuided in equall and alike proportion amongst the other children.

Leses of adminnstration were graunted by the Court vnto Mary Cobb, widdow, to adminnester on the estate of Edward Cobb, deceased.

In reference vnto the dispose of the estate of Sollomon Leonardson, of Bridgewater, deceased, the Court haue ordered, that such p<sup>r</sup>iculars as belong to Samuell Leonardson, the eldest son of the said Leonardson, being firstly sett apart, viz<sup>t</sup>, fifty acres of vpland, lying on the south-syde of Nunckatatesett Riuer, and twenty more adjoyning to it, on the northerly syde therof, and

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twelve acres lying att the towne of Bridgewater, on which the house standeth, and three lotts of meddow, containing two acres and an halfe, or therabouts, to a lott, and fifty acres of land appertaining to John Leanardson, the second son of the said Sollomon Leanardson, and all debts and dues owing to any from the said estate being first payed, the Court doth order, settle, and distribute the remainder as followeth :—

Viz<sup>t</sup>, that Samuell Leanardson, the eldest son of the said Solloman Leanardson, shall have a double portion, with what hee hath already received from him, of his estate, both real and psonall, according to law, and the remainder to be equally devided amongst the reste of the children in equall and alike proportions, provided that what any of them have received of their fathers estate be likewise reconed onward to them off their ptes.

This Court have granted tres of admmistration vnto Samuell Leanardson, to admmister on the estate of Sollomon Leanardson, deceased; and the Court doe request Elder Brett and M<sup>r</sup> Samuell Edson to be supervisors and assistant vnto the said admmistrator, in things proneing difficult relateing to the pmisses.

In reference vnto the dispose of the estate of Gershom Cobb, late deceased, the Court have ordered, that John Cobb, his brother, shall admmister on the said estate, and when all debts due from the same are fully payed, the said John Cobb, being the eldest brother of the said Gershom Cobb, shall have a double portion of the said estate, and then the remainder is to be devided amongst the rest of M<sup>r</sup> Henery Cobbs children, brothers and sisters to the said John and Gershom Cobb, in equall and alike proportions.

In regard that it doth appeer to the Court, that Mistris Elizabeth Tildin, of Scituate, is much straightened in the bringing vp of her children, inasmuch as there are but smale incomes coming into the estate of M<sup>r</sup> Joseph Tildin, deceased, the Court therefore doth allow vnto her the sume of twenty pounds out of the said estate, of that which is due to the children, for and towards her healp and support, in reference to the pmisses.

In reference to the dispose of the estate of Margarett Wells, widdow, of Barnstable, late deceased, the Court have ordered, that whereas M<sup>r</sup> John Miller and Isacke Chapman came into the Court and claimed interest therein, as being nearly related to her, that they shalbe joynt admmistrators on the said estate, and when all debts and dues owing to any from the said estate are fully satisfied, the remainder is settled on the said John Miller and Isacke Chapman, in equall and alike proportions, and in case that any difference doe arise between the said admmistrators relateing to the pmisses, this Court doth order, (with the concurrence and free choise likewise of the said admmistra-

tors,) that M<sup>r</sup> Hinckley and Leiftenant Laythorp, of Barnstable, shall have the hearing, settling, and determining of the same, and when the said estate comes to be settled, and appears to be cleare, that then the said adminnestrators, with the advise, consent, and approbation of the said M<sup>r</sup> Hinckley and Leiftenant Laythorp, shall dispose some gratuities to other of the relations of the said Margaret Wells, to be to them as remembrances of her.

M<sup>r</sup> Nathaniell Paine and M<sup>r</sup> Daniell Smith are appointed and approved by the Court to be guardians vnto John Blackston, the son of M<sup>r</sup> Wilham Blackston, deceased.

\*1675, October. To the Comission Officers and Councell of Barnstable. [126.]

This Court, considering the publicke imploy of M<sup>r</sup> Hinckley, doe see reason to order that a court of gaurd or watch be kept att his house, especially in his absence on the countryes seruice, with such a convenient number as is or shalbe appointed to attend other places for the same end, in this time of coñion danger, as hee shall see cause.

Joseph Burge, for his abusing of the watch att Sandwich, by entering into the gaurd, and assaying to take away a gun, and beating one of the gaurd which opposed him therein, is fined five pound, viz<sup>t</sup>, six shillings to the constable for bringing him to the Court, and ten shillings to John Dexter, the son of Ensigne Dexter, which was beaten as aforesaid, and five shillings a peece to the said Ensigne Dexter and his son, for their coming vp to and attending on the Court, on the said busines, and the remainder of the said five pound to the country. Memorand : that seauen shillings and sixpence is abated of what is due to the country from the said Burge.

Wheras a child is lately borne of Elizabeth Woodward, and that shee accuseth Robert Stedson, Jun<sup>r</sup>, to be the father therof, of which hee can not cleare himselfe, the Court sees cause to take securitie for the payment of what they judge nessesary for the keeping of the child, as followeth : —

Robert Stetson, Jun<sup>r</sup>, and Major James Cudworth, doe stand bound vnto our sou<sup>r</sup> lord the Kinge, joyntly and severally, in the penall sume of thirty pounds.

The condition, that in case the said Robert Stedson doe pay or cause to be payed, for and towards the keeping of the child lately borne of Elizabeth Woodward, two shillings a weeke, for the first three monthes, to be payed in corn or mony next after the birth of the said child, and one shilling and six pence a weeke, to be payed in mony or corn, vntill it attaine the age of seauen yeers, if it liue soe longe, that then the aboue written obligation to

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be void and of non effect, or otherwise to remaine in full force, strength, and vertue.

Thomas Lucase, for reviling some deceased majestrates, and for being drunke, was sentenced to be whipt att the post, which accordingly was pformed.

New Plymouth, the 20<sup>th</sup> of October, 1675.

Wee, whose names are vnderwritten, being sworne to view the dead body of John Fallowell, doe find that hee was accessory to his owne death, by wilfull going into a deep pond, called Loutt Pond, and drowned himselfe.

sworne,	{	WILEAM HARLOW,
		ANDREW RINGE,
		BENAJAH PRATT,
		ABRAHAM JACKSON,
sworne,	{	JOHN WATERMAN,
		JOSEPH DUNHAM,
		JONATHAN PRATT,
		JOHN DOTEY,
		CALEB COOKE,
	{	JOSIAH SMITH,
		FRANCIS CURTICE,
		ROBERT BARROW.

6 December. \*A[t] a Meeting of the Councell of Warr for the Jurisdiction of New Plymouth, held att Marshfeild, the sixt Day of December, 1675, —  
[\*127.]

An order directed from the said councell to the severall plantations within this jurisdiction, as followeth : —

Gentlemen Souldiers :

The providence of God soe disposing that wee are still exercised vnder the callamitie of a warr, and the councells and authoritie of the severall colonics resolving that there is a nessesitie of sending forth a considerable force, with all possible speed, it is desired and required, that each collonie, and every pticular towne psent their ablest and most suitable men, to be improved in that service, and the Gov<sup>r</sup> and Councell of this gou<sup>r</sup>ment request, that our people in the severall plantations therof will expresse their woonted chearfulness and currence in ingageing therin; and for your incuragement therunto you may please to take notice, that our Gov<sup>r</sup> is designed to haue the conduct of all the vnitd forces, of whose pticular fauor and kindnes you may be well assured, and alsoe that specciall and effectuall care is and shalbe taken, that those that goe

forth shall in all respects be comfortably provided for, according to the season and service, and that the lands and other profits of the warr, that have bin obtained, or by the blessing of God shalbe gained, shalbe kept as eccuritie for the souldiers pay that have bin and shalbe improved, and shall not be sold or disposed but to answere that end. The wor<sup>th</sup> Cap<sup>t</sup> Bradford and Capitaine John Gorum are your particular commanders. Such as cheerfully tender themselves to the expedition, or to presse, shalbe looked vpon with singular respect.

By order of the councell,

NATHANIEL MORTON, Secretary.

It is ordered by the councell, that the milletary officers of each towne of this jurisdiction shall, the next day after the army marcheth forth, exercise the one halfe of his companie in armes; and the next day after, the other halfe, and soe every day after, the one halfe each day to be in armes where the officers shall appoint, vntill further order.

Wheras great damage may acrew to the collonie by the southeren Indians their frequent resort to Plymouth, the councell haue ordered that speedy notice be giuen to those Indians to come noe further towards Plymouth then Sandwich, which shalbe their confine, on paine of death or imprisonment.

The councell of warr haue ordered and appointed Major Cudworth, Cornett Robert Studson, and Isacke Chettenden presse masters, for the pressing of able and fit men att Scituate to goe forth on the present expedition against the Indians.

An Order directed to y<sup>e</sup> milletary Comission Officers of this Jurisdiction, as followeth.

Gen<sup>le</sup>: You are heerby required to procure your men pressed to be in a reddlines to march, soe as they attaine to meet att Providence on the tenth of December next; and in order therunto, that they randevous on the seauenth of the said month att Plymouth, on the eight att Taunton, att Rehoboth on the 9<sup>th</sup>, and Providence on the tenth as aforesaid; and that you see that they be not oncly able and fit men, but alsoe well fitted with clothing nessesary for the season, and provided with knapsackes and ammunition, according to order. viz<sup>z</sup>, halfe a pound of powder and 4 pound of bullets to each man. Fayle not.

\*Att a Meeting of the Councell of Warr for the Jurisdiction of New Plymouth, held att Ducksberry on the 30<sup>th</sup> of December, 1675, — 30 December.  
[\*128.]

A letter received from the commissioners of the United Colonies was presented and read, which occasioned the proceedings following in this page or on this side heer recorded.

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The said Letter transcribed.

The commissioners, hauing had full information of the state and condition of the vnited forces now abroad vpon the publicke seruice, and alsoe vnderstanding the conjunction of the enimie by Phillips coming in with his forces to the Narragansetts, makinge one body with them, they doe agree and conclude, that the Lord calls for speedy and vigorus proceccution of the warr, by succuring those that are alreddy abroad with all mañor of supplyes of prouision and amunition, and alsoe by raising and sending forth new forces, doe therefore order, that one thousand men more be raised forth with, and euery way fited and provided with all manor of prouissions and amunition nessesarie for this expedition, to be raised in such proportions in each collonie as the former were, and to march to such randeuous, and att such times, as shalbe heerafter ordered; and because many of the souldiers now abrod, ptely by wounds and ptely by the seueritie of the season, are soe farr disinated that noe psent onsett can be made vpon the grand body of the enimie, wee doe order, that the generall doe forthwith take all posible care to send those that are soe disinated to such places as may be most convenient vntill they may be conveyed home; the remainder of the souldiers, that are capable of continuing in the seruice, wee doe order, that they be not disbanded, but detained and garrisoned in places as neare adjacent to the enimie as may be, as shall by the generall and his counsell on the place be judged best for the securitie of the English plantations and the anyoyance of the enimie. Further, wee comend it to the care of the generall and his counsell, that those left in garrison be vnder able and discreet comāunders, and that from time to time speedy information of their owne state and condition, and of the enimies motions, and alsoe pticular and speciall advice of the time when they shall judge most best for the marching of the new raised forces.

By the commissioners of the Vnited Collonies,

THOMAS DANFORTH, Presedent.  
WILLAM STAUGHTON,  
THOMAS HINCKLEY,  
JOHN WINTHORP,  
WAITE WINTHORPE.

Dated in Boston, December 25, 1675.

On consideration of the contents of this letter, the counsell agreed to procure in a reddines such a proportion of men as is vnderneath entered to be raised in each towne of this iurisdiction to goe forth as aforesaid.

It is ordered by the councell of warr for this jurisdiction, that if any pson, henceforward, being pressed into the countryes service in the expedition against the Indians, and shall neglect or refuse to goe forth on the service, being thervnto ordered and required by authoritie, euery such pson shall forfeite ten pounds in mony, or the full vallue therof, to the vse of the towne to which hee appertaineth; but in case noe estate can be found of the said pty to satisfy the same, that then hee shalbe forthwith comitted and suffer imprisonment, soe that it exceed not six monthes.

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It is ordered by the councell of warr for this jurisdiction, that if any man, that is ordered by the councell where hee liues to be pressed by the towne councell where hee liues to be pressed, shall leaue his owne towne and goe to another within this collonie, that the constable where hee is, vpon notice giuen him of his absenting himselfe from the presse, that constable is required and shall, by vertue heerof, presse the said pson into the service, and forthwith convey him vnto the constable of the towne to which hee appertaines.

The Proportions of the Souldiers to be raised out of each Towne of this Jurisdiction by Order of the Councell of Warr, as followeth.

Plymouth, . . . . . 11	Barnstable, . . . . . 13
Duxburrow, . . . . . 06	Marshfield, . . . . . 10
Seittuate, . . . . . 17	Rehoboth, . . . . . 15
Sandwich, . . . . . 11	Eastham, . . . . . 09
Taunton, . . . . . 13	Bridgewater, . . . . . 07
Yarmouth, . . . . . 10	In all, sixscore and two.

\*At a Meeting of the Councell of Warr for this Jurisdiction, held att Marshfield the 29<sup>th</sup> Day of February, 1675, Actes and Orders were made and concluded as followeth:—

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 }  
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 [\*129.]

Wheras great damage and prejudice may acrew vnto this jurisdiction by the withdrawing of the inhabitants therof in this time of publieke callamitie and trouble, it is therefore ordered by the councell of warr for this jurisdiction, that all the inhabitants seated in this gofment shall and doe abide in each towne of this collonie to which hee belongs, and not depart the same on pill of forfeiting the whole psonall estate of each one that shall soe doe to the collonies vse, except it be by the speciall order or allowance of the Gov<sup>r</sup>, or any two of the other majestrates; and that it shalbe lawfull for any majestrate of this gofment, taking notice of the intensions of any inhabitant of this collonie to withdraw as aforesaid, to make seizure of the psons and such their

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estates, and to seize all such barques, boates, or carts as shalbe found to be employed in transporting of the goods of such inhabitants intended to withdraw as aforesaid.

The Men appointed to be of the Towne Councell in each Towne of this Jurisdiction.

Plymouth :	John Miller,
Nathaniel Morton,	Jeremiah Howes.
Joseph Warren,	Barnstable :
Joseph Howland.	M <sup>r</sup> Thomas Hinkley,
Duxburrow :	M <sup>r</sup> Thomas Huckens,
M <sup>r</sup> John Alden,	M <sup>r</sup> Barnabas Laythorp.
M <sup>r</sup> Constant Southworth,	Marshfield :
M <sup>r</sup> Josias Standish.	Anthony Snow,
Scituate :	Nathaniel Thomas,
Cornett Robert Studson,	Nathaniel Winslow.
Isacke Chettenden,	Rehoboth :
Edward Jenkins.	M <sup>r</sup> Nathaniell Paine,
Sandwich :	M <sup>r</sup> Nathaniel Cooper,
M <sup>r</sup> Richard Bourne,	M <sup>r</sup> Daniel Smith.
M <sup>r</sup> Edmond Freeman, Jun <sup>r</sup> ,	Bridgwater :
Thomas Tobey, Sen <sup>r</sup> .	M <sup>r</sup> Wiltam Brett,
Taunton :	M <sup>r</sup> Samuel Edson,
James Walker,	John Willis, Sen <sup>r</sup> .
Wiltam Harvey,	Eastham :
John Richmond.	M <sup>r</sup> John Freeman,
Yarmouth :	Jonathan Sparrow,
M <sup>r</sup> Edmond Hawes,	Marke Snow.

The said towne councells, together with the comission officers, or the major pte of the whole concurring, shall have power to order all watches and wardings and garrisons in their respective townes, and the setting forth of scouts for the safty of the townes, and to take care that the townes stocke of ammunition, to which they belong, may be supplied, and have power to call the towne together to make a rate to defray the charge thereof as occasion may require, and to dispose the said stocke into such places as they shall judge most convenient; and whosoever shall neglect or refuse to watch or ward, being required and ordered so to doe, shall forfeite five shillings for every default, to be leuied by destresse on his estate, if hee haue any to answare it; and if

noe estate, then to be sett necke and heeles, by order of the comission officers, not exceeding halfe an houre; and for euery neglect of pformance of their duty in watching or warding one houre after the time appointed to sett it, to be fined one shilling; and after the first houre expired, the captaine of the watch shall hier another to watch or ward; and the whole fine of five shillings to be payed by the delinquent; \*and such fines soe gathered shalbe comitted to the comission officers or towne counsell to be improued for the supply in the defects in watching and warding abouesaid, and for other nessesary occations.

1675-6.

29 February.  
WINSLOW,  
Gou<sup>r</sup>.

[\*130.]

It is further ordered by the counsell, that the watches shall continew from sun seting vntill the sun rise, and the warding to be from sun rising to sun-setting successiuelly, and that none shalbe accepted to watch or ward but with fixed armes and suitable ammunition; and incase any doe come without the same, they shalbe returned againe, and the fine of five shillings shalbe speedily exacted.

The counsell doe agree, that the souldiers now vnder the presse from the southern townes be att Plymouth on Weddensday, the eight of this instant, in order vnto a further march, and with them 20 or 30 of the southeren Indians, whoe, together with the other whoe are vnder presse, to goe forth vnder the comāund of Captaine Michael Peirse and Leiftenant Samuell Fuller.

The counsell of warr now assembled doe comēd it to the seuerall townships in this jurisdiction to make some payment to the souldiers first sent out against the Indians, in pte of what is due to them for that seruice, especially to the poorer sort, whoe need some supply for their families; and the counsell doth heerby declare, that such payments made as aforsaid shalbe allowed to the respectiue townes in the generall publicke account when it shalbe orderly settled and proportioned.

The counsell of warr now assembled doe order, that the Namassachessett Indians be speedily remoued to Clarkes Iland, and ther to remaine, and not to depart from thence without lycence from authoritie vpon paine of death.

Wheras it is judged very nessesary and likely to be beneficiall, that a garrison should be kept att the house of Joseph Barstow, both in respect to the towne of Scituate and the country, —

The counsell doe therfore order, that speedily a garrison be erected and kept att the said house, with about 10 or 12 men; and for the further ordering thereof, it is refered vnto the comission officers and towne counsell of Scituate.

March, the 7<sup>th</sup>, 1675.

7 March.

\*In referēce vnto the estate of M<sup>r</sup> Gorum, deceased, the Court haue appointed M<sup>r</sup> Hinckley, M<sup>r</sup> Chipman, and M<sup>r</sup> Huckens to take care that such pte

[\*131.]

1675-6. of the said estate which belongeth vnto his youngest children be p̄serued and disposed to them as they come to be of age, according to the agreement.

7 March.  
WINSLOW,  
Gov<sup>r</sup>.

The Court haue graunted libertie vnto James Bell to improue the iland called Quetaquans, att Assowamsett, to plant and sow corn on, and to take in Joseph Wood with him therein, if hee, the said Wood, will, and also other of the neighbors att Taunton, as the said Bell shall see cause.

Samuell Dunham and Sarah Fallowell, widdow, are allowed by the Court to adminnester on the estate of John Fallowell, deceased.

Joseph Woodworth, plantor, acknowledgeth to owe vnto our soñ lord the Kinge the sume of twenty pounds. The condition, that if Elizabeth Woodworth doe appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth the first Thursday in June next, to answere the law for comitting fornication either by suffering corporall punishment or otherwise, as the law requires, and not depart the said Court without lycence; that then the said obligation to be void and of non effect, or otherwise to remaine in full force and vertue.

Thomas Roshall, as principall, and M<sup>r</sup> Wilham Thomas, as surtie, came into the Court, and acknowledged a judgment of fourteen pounds to be due and payable vnto M<sup>r</sup> Constant Southworth, Treasurer, according to a bond bearing date the tenth day of March, 1674.

Eres of administration were graunted by the Court vnto Mistris Desire Gorum, James Gorum, and John Gorum to adminnester on the estate of Capitaine John Gorum, deceased.

Experience Michell and Edward Michell appointed by the Court to vse the best care to enquire after and take into their costody the estate of Jacob Michell, deceased, and to make report thereof to the Court, that soe it may be preferred to the best that may be for the good of his children.

In reference vnto the estate of John Wood, Jun<sup>r</sup>, allies Attwood, late deceased, the Court haue ordered, that Nathaniell Wood, appeering to be his eldest brother, shall haue a double p̄tion of his estate, and that the resedue shalbe deuided amongst the rest of the children of the late deceased, John Wood, Sen<sup>r</sup>, allies Attwood, viz<sup>t</sup>, Isack Wood, Mistris Mary Holmes, widdow, Sarah Fallowell, Abigaill Leonard, Mercey, Elizabeth, and Hannah Wood, allies Attwood, in equall and alike proportions, both for quallitie and quantitie.

Nathaniell Wood was allowed by the Court to adminnester on the estate of John Wood, Jun<sup>r</sup>, deceased.

Libertie of administration was graunted vnto Sarah Wood, the wife of John Wood, Sen<sup>r</sup>, deceased, to adminnester on the estate of him, the said John Wood.

Letters of administration granted unto Anne Sauory, widdow, to administer of the estate of Thomas Sauory, Seni<sup>r</sup>, deceased.

1675-6.

Samuell and David Wood ordered by the Court to administer on the estate of Jonathan Wood, deceased.

7 March.  
[WINSLOW,  
GOVERNOR.]

Mistris Anne Torry engaged unto the Court either to procure and deliuer the sume of ten pounds, to answare the law for her daughter comitting fornication, by the next June Court, or to present her daughter before the said Courte to receiue corporall punishment.

Memorand: that the order prohibiting shooting and discharge of guns be put in execution during the time of the warr or vntill further libertie giuen.

\*Att a Meeting of the Councell of Warr for this Jurisdiction att Plymouth, the 10<sup>th</sup> Day of March, anno Domini 1675, Orders and Conclusions were made and ordered as followeth:—

10 March.  
[\*132.]

In reference to the forces abroad, the councell haue ordered and doe empower the presedent and such of the councell as are neare vnto him, that in case they shall see reason, by any inconvenience that may appeer to them by their permitting the said forces to continew out, they are impowered heerby to require them home againe.

And, further, that in case notice may be giuen from the other Vnited Colonies to require that our pte of the thousand men should be sent forth, the Godd is heerby requested to send into the Bay, and to respect the case vntill the generallitie of the councell can meet againe.

Memorand: that the order formerly voated prohibiting shooting bee putt in reall and vigorous execution.

In order to the keeping of a garrison att Barstowes, the councell doe order and allow two men, on the countryes charge, vntill the army now forth returne him againe.

In reference vnto the offence fact of Robert Barker in breaking away from the army when they were on their march in a mutinous way, and by his example alureing others to come away with him, to the great scandoll, prejudice, and disarragement of the collonie, and in p<sup>r</sup>icuarly vnto the commaunder in cheiffe, viz<sup>t</sup>, the generall, —

Forasmuch as, vpon his late examination, hee doth in some measure take to his great offence, the councell doe contance him heerby to be degraded from the honor and office of leiftenant, and to pay a fine of fifteen pounds to the vse of the collonie in curreant siluer mony of New England, and to defray the charge of his late imprisonment.

The councell doe alsoe order, that all such as came away from the army

1675-6. with the said Robert Barker, or followed him in a disorderly way, shall likewise forfeite their wages as to that expedition.

10 March.  
WINSLOW,  
Gov<sup>r</sup>.

The Fines of severall delinquent Souldiers.

	u	s	d
Simon Rouse fined . . . . .	01	00	00
Jonathan Winslow, . . . . .	01	00	00
John Hewitt, . . . . .	01	00	00
Daniell Butler, . . . . .	08	00	00
Zachariah Jenkins, . . . . .	08	00	00
Ephraim Allin, . . . . .	08	00	00
William Alline, . . . . .	04	00	00
Zachariah Coleman, . . . . .	08	00	00
John Nolman, . . . . .	08	00	00
Joseph Coleman, . . . . .	08	00	00
Thomas Coleman, . . . . .	08	00	00
John Rance, . . . . .	08	00	00
John Northy, . . . . .	01	00	00
Released. †The constables of Taunton for pressing Joseph Deane, } a man unfitt to goe forth on service,† . . . . . }	04	00	00
Released. †John Crossman, . . . . .	08	00	00†
Thomas Lincon, . . . . .	08	00	00
Jonathan Harvey, . . . . .	02	00	00
Esa Bourne, . . . . .	02	00	00
The constables of Bridgewater for pressing Samuel } Laythorp illegally, and hee a man unfitt to goe } forth on the service, fined . . . . . }	02	00	00
And likewise for not pressing John Willis legally, . . . . .	02	00	00
Unless the said constable of Bridgewater doe appeer before the Court, and cleare himselfe to the satisfaction of the Court.			
[*133.] *John Smith, the son of Mr John Smith, of Sandwich, } for neglecting to goe forth a souldier, notwithstanding his plea of necessity of keeping att home, } yett fined . . . . . }	02	00	00
John Fuller, the son of Samuel Fuller, of Barnstable, } for the same, notwithstanding his plea, fined . . . . . }	02	00	00

Israell Gaunt, twice defectiue, and did not appeer this meeting of the councell, is to be summoned.

Increase Allin, absent, is to be summoned.

Obadiah Butler, absent, is to be warned.

Off Sandwich, five defectiue and wanting of their number the last presse.

Off Bridgewater, five wanting in one presse and foure in another.

1675-6.

10 March.  
WINSLOW,  
Gou<sup>r</sup>.

In reference to the clearing vp of the case respecting John Smith, Jun<sup>r</sup>, of Sandwiche aforsaid, which case was left on inquiry, the constable of Sandwiche appeared before the councell, and affirmed that hee made publicke proclamation att Sandwiche in reference to the souldiers that they should be supplied with clothes and nessesaries for the expedition, and tendered him, the said Smith, in p̄ticular, seuerall thinges with which hee might haue bin supplied, if hee had seen cause.

Euery of those fornamed were fined, as aforsaid, for not goeing forth, being pressed; and some of them for neglecting, being constables, to executing their office concerning such, and the townes responsible to pay for not making vp their number of men.

A son of Ralph Jones excused himselfe by reason of his father falling sicke about the time of the souldiers goeing forth.

Wheras the Court, for the incurragement of the souldiers sent forth on the first expedition against the Indians, did order and engage, according to their desire, that they should haue their pay in money or lands; and noe way att p̄sent appearing to raise monyes, doe, theirfore, for their satisfaction, order, that certaine tracts of land be assigned, to the vallue of about one thousand pounds, to be deuided amongst them for the payment of their respectiue p̄tes due vnto them; the said tracts assigned being att Showamett supposed to be neare the vallue of 500<sup>li</sup>; att Assonett Necke, 200<sup>li</sup>; att Assowamsett, 200<sup>li</sup>; and about Agawaam and Sepecan, one hundred pound; soe as the said tractes shalbe more p̄ticularly viewed and vallued as att money prise, according to such indifferent rates as they might haue bine esteemed worth when the said order was made; and for the better effecting therof, the Treasurer, Major Cudworth, Cornett Studson, and James Walker are desired and appointed to take view therof and make reporte therof to the Court or councell, for the settling of the same att such reasonable rates as to them shall seeme meet, to be deuided to the said souldiers, or sold for their pay or discharge of other nessesarie dues occasioned by this warr.

It is alsoe further ordered, that the summe of one thousand pound be assessed on the seuerall townes of this gouernment, to be payed in clothing, provisions, or cattle, att money prise; an indifferent good, ordinary cow being to be vallued att forty five shillings, and other cattle according to that proportion, for the payment of such of the souldiers whose needy condition may call for other supplyes more suitable for their families then lands, and such other smale dues to others of them as may be by them desired and judged convenient by those betruisted in the seuerall townes for the management of that

1675-6. affaire, together with the defraying such other charges as hath bin occasioned by these warrs according to order. The proportions to the severall townes of the said summe of one thousand pounds are as followeth:—

10 March.  
WINSLOW,  
Gov<sup>r</sup>.

ii			
Plymouth, . . .	99 : 03 : 06	Yarmouth, . . .	74 : 15 : 06
Duxburrow, . . .	46 : 11 : 00	Barnstable, . . .	99 : 03 : 06
Bridgewater, . . .	46 : 11 : 00	Marshfield, . . .	75 : 08 : 00
Scituate, . . .	165 : 09 : 00	Rehoboth, . . .	136 : 19 : 00
Taunton, . . .	92 : 13 : 06	Eastham, . . .	66 : 16 : 06
Sandwich, . . .	92 : 13 : 06		

#### The Warrant.

Wheras your townes pte of the sum of 1000<sup>li</sup>, to be leuied for the defraying the charge of this warr, according to order in that case provided, amounts to the summe of, &c; these are, therefore, in his ma<sup>ties</sup> name to will and require you, p<sup>s</sup>ently on receipt heerof, to call your towne together to make a rate for the defraying of the said summe, to be payed in clothing, prouision, or cattle, att the prises in the said order provided, about the middle of May next, according to the Treasurers order, to be disposed to those appointed by the towne counsell, or such other order as the Treasurer shall appoint for the ends aforsaid. Fayle not, &c.

[\*134.]

\*For the better ordering of the garrisons or places of defence, soe called, in the severall townships, the counsell of warr doth order, that altho much respect is to be had by those impowered to manage that affaire to accomodate the conveniency and desire of the psons respectiuey concerned therein, yett in case any pson shall stubburnly refuse such reasonable order as shalbe by them appointed him therein, and acte in such wilfull way of his owne as may or shall apparently tend to the ouer throw of himselfe, family, neighborhood, society, or towneshipp wherein hee is scituated or concerned, such delinquent shalbe summoned to appeer att the next Court to be held att Plymouth after such offence committed to answare for the same.

29 March.

The 29<sup>th</sup> of March, 1676.

The counsell of warr for this jurisdiction ordered as followeth: in referencie vnto a p<sup>s</sup>ent exegeney and strait that is on vs by reason of the neare approach of our enimies, whoe haue fiered the greatest pte of one of our frontier townes, and that wee haue reason to expect that they may psist on in their hostilitie, and assault other townes before wee are aware, the counsell doe agree and order, that the number of three hundred English souldiers be

raised and pressed out of our collonie, and one hundred Indiāns, well fitted to goe forth, and to be redy for a march by the eleuenth of Aprill next.

1675-6.

29 March.  
WINSLOW,  
Gov<sup>r</sup>.

The Proportions of Men pressed out of the severall Townes of this Goūment.

Plymouth, . . 30	Taunton, . . 30	Rehoboth, . . 30
Duxburrow, . . 16	Yarmouth, . . 26	Eastham, . . 18
Scituate, . . 50	Barnstable, . . 30	Bridgewater, . . 16
Sandwich, . . 28	Marshfield, . . 26	

It is ordered by the councell, that such youthes as are vnder the age of sixteen yeers, and notwithstanding are able to pforme service in watching and warding, shalbe required soe to doe, and pforme their duty therein as others, being soe judged by the cōmānders or towne councell.

Vpon consideration of the late sad and awfull hand of God vpon Rehoboth and other places, by the saluages their murdering, firing, and destroying, &c, being much advantaged in their creweltie and hostilitie by the dispersed being of people in each townshippe, soe as on any alarum or assault persons are exposed to hurrey, and indeavour to gett to places of safety with great difficultie and danger of losse of life, and not knowing how soon more of vs may be exposed to like difficulties, the councell doe aduise and recoōmend it to the severall townes of this jurisdiction to gather together, as much as may be, into fewer garrisons or places of safty with all speed and the best prudence that may be; and that ten or twelue men be assigned and appointed att least to attend such garrisons; and that the severall townes would take speciall care of their mills, that they may be safe guarded and defended the best they can.

The Treasurer is desired and ordered to procure the bread for the souldiers in a reddines to attend the expedition.

And to procure a competencye of bullets for the souldiers in their said intended expedition, as hee shall judge meet.

And, likewise, when the surjean appointed to goe forth with the said souldiers shall giue in his account of what hee takes vp to be impropred in the said expedition, the Treasurer is to defray the same in the behalfe of the country.

The eleuenth of Aprill, 1676, diuers of the councell appeered and mett together att Plymouth in order vnto proceecution of the said expedition; but many of the souldiers that were pressed came not to goe forth, especially Scituate and Sandwich proued very deficient, which caused a frustration of the whole designe, soe as they did not agree to goe forward in any thing for publicke good, either for the healp and defence of Rehoboth, then in straites, or otherwise for our offence of our enimie or defence from them, but rather

1676.

11 April.

1676.

11 April.

WINSLOW,  
Gov<sup>r</sup>.

26 April.

[\*135.]

brake vp in a deuision and confusion; onely a few of the southeren souldiers went out of their way as farr as Middbery, and returned home.

\*Att a Meeting of the Councell of Warr for this Jurisdiction of New Plymouth, held att the towne of Plymouth the 26 Day of April, 1676, Ordered as followeth: —

Wheras, in this time of our callamitie, wee can not but be in dayly expectation of the Indians their invading and assaulting our townes, to the end wee may be in the better posture of defence, and more able to make resistance against the enimie in such case, the councell doth order and require, that the watch be strictly maintained in enery allowed garrison; and that a ward, consisting of one fift pte of the inhabitants of each towne lyable to the pformance of such duty, shall every day be in such reddines to make the best opposition and resistance they can both for the townes defence and the aūoying of the enimie; and that our milletary officers for each day be appointed to make the best improuement of his dayes squadron of men for the ends aforsaid; and hee that is warned to pforme his duty therein, and shall neglect it, shall forfeite two shillings p day, to be forth with leuied by the constable for the vse of his squadron where the neglect was made; but for the place where they are dayly to meet, and for the mañor and meathod of their proceedings heerin, it is left to the descretion of the councell and cheiffe officers, and this to continew untill further order from authoritic.

7 June.  
[\*136.]

*\*.Att the Court of Election holden att Plymouth, in New England, the 7<sup>th</sup> Day of June, Anno Doñi 1676.*

BEFOR Josiah Winslow, Esq <sup>r</sup> , Gov <sup>r</sup> ,	Wiltam Bradford,
John Alden,	John Freeman, and
Thomas Hinckley,	Constant Southworth,
Assistants, &c.	

**J**OSIAH WINSLOW, ESQ<sup>R</sup>, was chosen Gov<sup>r</sup>, and sworne.

John Alden,	} were chosen Assistants, and sworne.
Thomas Hinckley,	
Wiltam Bradford,	
John Freeman,	
Constant Southworth,	
James Browne, and James Cudworth,	

Josiah Winslow, Esq̄, Gov̄, and }  
 M<sup>r</sup> Thomas Hinckley } was chosen Com̄missioners.  
 And Cap<sup>t</sup> Bradford the next in nomination.

1676.  
 7 June.  
 WINSLOW,  
 Gov<sup>r</sup>.

The Choelect Men in each Towne.

Plym̄ :	Edward Sturgis, Seni <sup>r</sup> ,
Leif <sup>t</sup> Morton,	John Miller.
Wiltam Clarke,	Barnstā :
Wiltam Crow,	^     ^
Joseph Howland.	Marshfeild :
Dux :	Ensigne Eames,
^     ^	Wiltam Foard, Seni <sup>r</sup> ,
Scittuate :	Anthony Snow.
^     ^	Rehoboth :
Sandwich :	Ensigne Smith,
^     ^	M <sup>r</sup> Daniell Smith,
Taunton choelect :	M <sup>r</sup> Nathaniel Paine.
Richard Williams,	Bridg <sup>w</sup> :
Walter Dean,	Samuell Edson,
Leif <sup>t</sup> Maeye,	John Willis, Seni <sup>r</sup> ,
Wiltam Harvey,	John Carey.
Samuell Smith.	Eastham :
Yarmouth :	Leif <sup>t</sup> Sparrow,
M <sup>r</sup> Edmond Hawes,	Marke Snow,
Cap <sup>t</sup> Howes,	Jonathan Banges.
Ensigne Thacher,	

The Constables of the severall Townes.

Plym̄, . . . . .	Gorge Morton, sworne.
Duxb, . . . . .	David Alden, sworne.
Scit <sup>t</sup> , . . . . .	{ M <sup>r</sup> Nathaniel Tilden, } sworne.
	{ James Briggs, }
Sand, . . . . .	Joseph Burge, sworne.
Taunton, . . . . .	{ John Hathwey, sworne.
	{ William Witherell, sworne.
Yarm̄, . . . . .	Jeremiah Howes.
Barnstable, . . . . .	Job Crocker.
Marshfeild, . . . . .	{ John Bourne,
	{ Samuell Sherman.

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Rehoboth, . . . . . Nathaniel Cooper.  
Eastham, . . . . . John Done.  
Bridgewater, . . . . . John Aimes, Jun<sup>r</sup>, sworne.

\*The Grand Enquest.

sworn,	{	Serjeant Harlow,	sworne.	{	Arther Howland,
		Wiltam Sabin,			John Crocker,
		Francis West,			Samuell Annible,
		Anthony Perrey,			John Ottris,
		John Rogers,			John Washburne,
sworn,	{	Serjeant Tinkham,	sworne.	{	Benjaminie Higgens,
		Elisha Bourne,			John Bryant,
		Kanelme Winslow,			Israell Dean,
		Anthony Frey,			John Hall.
		John Carver,			

The Names of the Deputies that served att this Court.

Leif Morton,	M <sup>r</sup> John Thacher,
M <sup>r</sup> Edward Gray,	Leif Laythorp,
M <sup>r</sup> Josiah Standish,	M <sup>r</sup> Barnabas Laythorp,
Wiltam Paybody,	Ensigne Eames,
John Cushen,	Anthony Snow,
John Daman,	M <sup>r</sup> Nathaniel Paine,
Wiltam Swift,	M <sup>r</sup> Daniell Smith,
Steuen Skiffe,	Leifteñ Jonathan Sparrow,
Leif Macey,	Jonathan Banges,
Wiltam Harvey,	John Willis.
Cap <sup>t</sup> Howes,	

Surveyors of the Highways.

Plymouth :	Scittuate :
Steuen Bryant,	^ ^
Isacke Cushman,	Sandwich :
Ephraim Tilson, and	^ ^
Mordica Ellis.	Taunton :
Duxburrow :	^ ^
John Rogers, Jun <sup>r</sup> ,	Yarmouth :
Thomas Delano.	^ ^

Barnstable :	Rehoboth :
Marshfeild :	Gilbert Brookes,
Jonathan Winslow,	Robert Fuller.
Samuell Sprague.	Eastham :
Yarmouth :	Robert Vixon,
John Bryant,	Henry Attkins.
Samuell Hall.	

1676.

7 June.  
WINSLOW,  
Gov<sup>r</sup>

Vpon consideration of the nessesitie of sending forth some forces, to be, by the heale of God, a meanes of our safety and preservation, the Court came to a conclusion and doe heerby voate, that one hundred and fifty English, and fifty Indians, be with the best speed that may be raised and prouided and sent forth towards the frontiere ptes of this collonie, to be vpon motion to scout to and frow for the safty of the collonie; the time appointed of sending forth is on Weddensday, the 21 of this instant June, 1676.

The proportions of the men and mony to be raised for the seting forth in the expedition aforsaid is as following : —

The Proportions of Men.	Mony.
	ll s d
Plymouth, . . . . 15	Plymouth, . . . 16 : 00 : 00
Duxburrow, . . . . 09	Duxburrow, . . . 09 : 10 : 00
Scituate, . . . . . 25	Scituate, . . . . 26 : 10 : 00
Sandwich, . . . . . 15	Sandwich, . . . . 16 : 00 : 00
Taunton, . . . . . 15	Taunton, . . . . 16 : 00 : 00
Yarmouth, . . . . . 13	Yarmouth, . . . . 14 : 00 : 00
Barnstable, . . . . . 15	Barnstable, . . . . 16 : 00 : 00
Marshfeild, . . . . . 13	Marshfeild, . . . . 14 : 00 : 00
Rehoboth, . . . . . 15	Rehoboth, . . . . 16 : 00 : 00
Eastham, . . . . . 10	Eastham, . . . . 10 : 15 : 00
Bridgewater, . . . . . 09	Bridgewater, . . . 09 : 10 : 00
154	164 : 10 : 00

\*It is ordered by the Court and the authoritie thereof, that the Gov<sup>r</sup>, or in his absence the Deputie Gov<sup>r</sup>, with any two more of the Assistants, vpon any suddain exegent or emergent ocaation falling out wherin more of the counsell can not speedily be conuened, shall haue as full power and authoritie to presse and send forth men, horses, armes, aūnitions, and prouissions, and all other nessesaries needfull for the countries service as if the whole counsell of warr were conuened.

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1676.

7 June.  
WINSLOW,  
Gov<sup>r</sup>.

It is ordered by the Court and the authoritie therof, that every such pson or psons as refuse or neglect to attend the countryes service wherto they are or shalbe pressed by any presmaster or their deputies, by order from any legall authoritie heer established or impowred, shall forfeit five pound, or, in want therof, be compelled to run the gantlett (or both, as the transgression shalbe cercomstanced) for every such default; and where there is or may be oppertunity for such delinquents timely to declare their resolution not to attend the said service, that soe another may be pressed in their sted, and shall neglect the same, shall forfeit the sume of five pounds more, to be leuied by destresse on their goods; the said forfeitures to be, the one halfe therof to the country, and the other halfe to the towne wherto such delinquents doe belonge; the said forfeitures being to be leuied in such case as aforesaid, in case a satisfactory reason be not giuen by such delinquents to the Court or councell for such neglect, being forthwith to be brought vp by the constable or his order to their tryall.

It is ordered by this Court, that the comission officers of every towne, together with the towne councell, or the major pte of the whole, shall haue full power and authoritie to appoint and require any pty or pties of their men as a scout for the descouery or surprisall of the enimie within or neare their respectiue townes, as alsoe for the releife of any of their naighbour townes or plantations as occasion may require; alsoe, that the comission officer or officers in every towne are impowred, in case of any suddaine exegent wherin hee or they cannot haue oppertunitie to aduise with the towne councell, to comaund or lead forth such a pty of men as hath bine before agreed on, or to him shall seeme nessesary, for the present releife of any pte of their owne towne or naighbour towne assaulted, or repelling the enimie in his advance therunto: and that every such souldier as shall not obey in any of the cases appointed or comaunded as aforesaid, shall forfeite five shillings a day for such his default, to be leuied by warrant from any of the majestrates or eleet men of the towne, or be layed neeke and heeles, where noe estate can be found, vnlesse such delinquent giue a satisfactory reason to the comaunder and towne councell for such his neglect.

It is ordered by this Court and the authoritie therof, that where the comission officers and towne councell of diuers townes are or shalbe in a consociation or vicinety for their mutuall defence and preservation, and haue and shall agree to keep out a standing scout att any place for the comon good of the whole vicinety aforesaid, if any of those townes shall fayle in sending and keeping out the whole or any pte of their men agreed to be on the said scout, shall forfeite to the other townes in vicinety as aforesaid five shillings for every

day for every such man wanting, to be levied by destresse by warrant from any one majestrate on the goods of such delinquents, or on the goods of any of the comission officers or towne counsell of such defectiue townes, and by them to be recovered by destresse or otherwise on the proper delinquents, the said fines to be improued by the comission officers and towne counsell of any the said townes to promote the said scoute or other publicke service of those townes.

It is further ordered, that where the comission officers and towne counsell of such townes in vicinity as aforesaid haue or shall agree to haue such a pte of their men in a reddines to march forth to the relieffe of any of those townes assaulted or in eminent danger to be assaulted, or to surprize or repell any pty of the enimie which may be descouered to lye lurking about any places neare any of those townes, wherby they may haue oppertunitie suddainly to assault them if not preuented, if any such townes shall neglect to attend that seruice, on notice giuen them either by any of the majestrates or any two or three of the comission officers or towne counsell, those townes shall forfeite five shilts p man for every day wanting therein, to be levied as aforesaid for the publicke vse of the other townes as aforesaid; and if any p̄ticular psons shall refuse to attend the order of their p̄ticular comāunder to march forth as aforesaid, vnlesse a satisfactory reason shalbe giuen to the officers and counsell, shall alsoe forfeite five shillings a day for every such neglect, to be levied as aforesaid and improued by the comission officers and towne counsell of that place for the publicke seruice of those townes; and it is further ordered, for the better management of such expeditions, that the souldery mett together may chose one to take the conduct of the whole, being one of the comission officers of one of the said townes, whome they shall reddily obey as their comāunder in cheiffe, *in cheife* \*whoe is heerby impowered to acte with the aduice of his counsell, the comāunders of the seuerall squadrons, and such other descreet men of his companie as hee shall see cause to aduise with, in surprissall, repelling, psueing, or distruction of the enimie, as occasion and oppertunitie may present, for the mutuall defence of those townes, or any other in destresse, as may be, and these to be his and their sufficient discharge.

It is ordered by the Court and the authoritie therof, that each towne make a rate to pay all their souldiers and officers which haue bin out on the countreyes seruice from first to last their full due in such specie as by the last rate for their payment in pte was ordered, vnlesse any of them desire rather to stay to haue it in laud; and that the seuerall townes bring or send in an account of their p̄ticular distinct disbursments to July Court next. that soe there may be a right proportioning of the whole charge of this warr vpon the seuerall townes.

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It is ordered by the Court, that such as refuse or neglect to procure for themselves, or them that are vnder them, good, fixed armes, fitt for service, within one month after the date hecrof, shall haue soe much of their goods leuied by distresse, by warrant from any of the majestrates, as may procure armes for them, to be procured by the comission officers; and if any such delinquents will not pforme seruize with their guns when prouided, then they shalbe kept, by the comission officers order, for the vse of them that will serue with them.

It was agreed and ordered by the Court, that ten hogsheds of bread be procured for and towards the expedition intend, and a thousand waight of bullets.

And that the sume of twenty or thirty pounds be improued in the paying of the colonis debts att Rhode Iland.

Mr Hinckley, Mr Freeman, and Mr Huckens are appointed by the Court to take course about the estate of Mr John Mayo, deceased, to make deuision and settlement of the said estate, both with reference vnto his wifes pte and amongst his children, and therin to acte, if it may be, to their satisfaction; and incase they can not, then to make report therof to the next Court, that soe further may be taken for settlement therof.

Mr Daniell Smith,	} were appointed by the Court to take the Treasurers account this yeer.
Captaine Howes, and	
Leiftenant Laythorpe,	

In reference vnto the estate of John Wright, deceased, the Court haue ordered, that his land att Winnatucksett be settled vnto and vpon Adam Wright, his brother.

The Court haue settled the sume of four pound, which was the pecculare estate of Isacke Wright, deceased, on Richard Wright, his father.

This Court doth order and impower Leiff Peter Hunt, of Rehoboth, and Robertt Fuller, together with the widdow Sabine, to adminnester on the estate of Nehemiah Sabine, deceased.

This Court order and impower Mr Daniell Smith and Thomas Read, *Paine* of Rehoboth, together with Mistris Rachel Read, widdow, to adminnester on the estate of Mr John Read, deceased.

Leiff Jonathan Sparrow and Jonathan Banges are ordered and appointed by the Court to be healfull vnto the widdow Knowles, of Eastham, in managed of the estate of John Knowles, deceased, both in payment of such debts out of the said estate as are due and owing to any from the same, and other wise to be healfull about it as need may require, and to make report therof to the Court.

Libertie of administration is graunted vnto Adam Wright to adminnester on the estate of John Wright, deceased.

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Letters of administration was graunted vnto Jeremiah Burroughes to adminnester on the estate of John Burroughes, deceased.

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Letters of administration were graunted vnto Mary Russell to adminnester on the estate of Samuell Russell, deceased.

Adam Wright stands bound vnto the Court in the penall sume of forty pounds. The condition, that wheras the aboue bounden Adam Wright hath obtained of the Court tres of administration to adminnester on the estate of John Wright, deceased, if, therefore, the said Adam Wright doe pay or cause to be payed all such debts and legacies as are due vnto any from the same, soe farr and by equall proportions as the estate will amount vnto, and be reddey to giue in an accompt therof to the Court when by them required, and to saue harmles the said Gov<sup>r</sup> and Court from any damage that may acrow to them by his said administration, then the aboue written obligation to be void and of non effect, or otherwise to remaine in full force and vertue.

\*The 28<sup>th</sup> of June, 1676, three Indians — the first named Peter, (Awashunckes, the squa sachems son,) the 2<sup>nd</sup> Gorge, the third Dauid, allies Chohawanna — appeered before the councell, in the behalfe of themselves and other Indians of Saconett to the number of about thirty men, with their wiues and children, and tendered to renew their peace with the English, and requested libertie to sitt downe in quietnes on their lands at Saconett.

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The Examination of the said Indians before the Councell in Reference to the  
¶mises.

Peter, (Awashuncks son,) being asked the reason of their coming hither, answered, because hee and the Indians of Saconett desired to settle there againe; vnto which was replied as followeth: What reason haue you to expect that your request heerein should be graunted, since you haue broken your engagements with vs by joyning with the sachem Phillip at Mount Hope and other Indians, our professed enimies, and haue bin copartenors with them in all assaults and enterprisses against vs, in which said hostile attempts many of ours haue lost their liues, habitations, and estates? And you must not thinke that wee can passe ouer matters of such a high nature soe shighly. Wee are not willing to value the blood of our English frinds att soe low a rate. You are neuer able to make satisfaction for the wronge, nor make good the damage you haue don vs by your pfiduous dealings in this respect. Your way had bine, when you saw the said Phillip and other our enimies to rise vp in rebel-

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lion against vs, to haue declined them and repaired to the English, and placed your selues vnder our protection, &c.

Then Peter said they had not bin actiue in fighting with the English, but fledd away for feare.

Ques. Why did you feare the English ?

Ans. When the English army went out, wee were afraid, and desired to go ouer to Rhode Iland ; but the younge men there kept such a strict watch that wee could not get ouer in saftey. Then wee were forced to hyde ourselues in swampes ; and the English army came and burnt our houses ; and wee vnderstanding that the Narragansetts were frinds to the English, wee went to them.

Question. Did the Indians burne the English houses before the army came ?

Answer. Yee, they burned theire forsaken houses.

Quest. Did the English doe you any wrong att any time, or speak high or threating words to you that scared you ? Speake freely, without feare.

Ans. The English neuer did vs any hurt or wronge to this day ; if they had, wee would speake of it.

Gorge, another of the three Indians, said, that att the first breakeing forth of the warr, diuers of them satt still and minded theire worke att home ; but some of theire Indians did then goe to Phillip, and fight with him against the English.

Peter and Gorge againe desired the gofiment heer to giue them leaue to liue sofmwhere within our liberties, and they would be subject to the English, and desired that the English would propound tearmes, and they and all theire companie would consent to them ; for they had noe cause to be angry with the English, who had don them noe wronge.

To which was answered, Wee haue found you soe pfiduous, that wee must haue some good security for your fidelitie before wee can graunt your desires.

Chowohumma, allies Dauid, said, Wee cannot make satisfaction for the wronge don ; but if our weemen and children can be ceured, wee will doe any seruice wee can by fighting against the euimie. They further said, that Suncanowassucke was the first man that stired vp the Indians to joyne with Philip to fight against the English, and that hee now is att Saconett ; and they promise to surprise him, if they can, as soon as they returne home ; they owned, alsoe, that diuers of the Saconett Indians were killed in the fight att Narragansett.

After some time of consideration of the foregoing debate, the councell came to this conclusion, that they would returne this answare : —



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Court, this Court, haueing heard and considered theire mutuall pleas, doe order, that the said John Doughty shall haue allowed vnto him by the sonnes that enjoy the lands of the said Jacob Cooke pportionable to theire respectiue ptes by them enjoyed, either two acres of the marsh lying together out of the six acres lying att Joneses Riuer, or forty shillings in current New England mony, and forty shillings more to him in curent country pay out of the estate belonging to the sisters according to theire respectiue ptes, and this to be a finall end of the said difference.

Joseph Bartlett stands bound vnto this Court in the penall sume of forty pounds sterling. The condition, that whereas the said Joseph Bartlett hath obtained letters of administration to adminester on the estate of Katheren Fallowell, late of Plymouth, widdow, deceased, if, therefore, the said Joseph Bartlett doe pay or cause to be payed all such debts and legacyes as are justly due and payable vnto any pson or psons from the said estate, soe far and by equal proportions as the estate will amount vnto, and keep a faire account of the said administration, and be redy to giue in the account vnto the Go<sup>v</sup> and Court of New Plymouth when required, and saue and keepe harmles and vndammnyed the said Go<sup>v</sup> and Court from any damage that may aerev vnto them by his said administration, that then the said administration to be void and of non effect, or otherwise to remaine in full force, strength, and vertue.

The 12<sup>th</sup> of June, anno 1676, generall Indians, a pte wherof were sent in by Major Bradford, with others brought in by a smale pty of ours that issued out as scouts, were conuented before the councell, such of them as were accused of workeing vsufferable mischeiffe vpon some of ours.

The first of them in question was a salvage named Wotuchpo, allies Tutchpo, whoe was questioned with three pticulars or articles.

1. Why hee fled out of his confines, which hee was enjoyned to keep on paine of death, wherin if hee obediently had stayed, hee might haue bine safe; to which hee made little answare to ppose.

2. Was in reference vnto his abusing our Go<sup>v</sup> by fraud and falshood, indeauoring to pswade him that there would be noe need to send forth an army, forasmuch as Phillips men had deserted him, soe as hee had very few left with him except old men and boyes; to which hee could say nothinge.

3. Was in reference to his goeing too and contincwing with our open bloody enimies all the time of the warts hither vnto, in which time soe many crewill and hostile villanies haue bin acheiued; neither could hee defend this.

Att the same time three other Indians appered before the councell, whose names were Woodcocke, and Qnanapawhan, and one called John Num; the

two former were accused by an Indian s<sup>q</sup>ua, that they were p<sup>r</sup>esent and actors in that bloody murder of Mistris Sarah Clarke, on the 12<sup>th</sup> of March before the date heerof; and these two accused John Num of the same fact; and they all, vpon examination, confessed they were p<sup>r</sup>esent att the comitting of that horred murder and outrage, and soe had a hand as coc p<sup>r</sup>tenors therein; the last named, John Num, owned, alsoe, that hee was of that companie that murdered Jacob Michell and his wife and John Pope; and soe c<sup>r</sup>entance of death was pronounced against them, which accordingly emediately was executed.

Now, forasmuch as the counce<sup>ll</sup> had before this engaged to seuerall Indians, desirous to come in and tender themselves to mercye, that they should find fauor in soe doeing, it was fully made knowne to such Indians as were then p<sup>r</sup>esent that the said engagement was to be vnderstood with exception against such as by murder as abouesaid had soe acted, and not against such as killed his enimie in the feild in a souldier like way.

\*The three Indians fore named, some little time before their c<sup>r</sup>entance, accused Keweenam, an Indian sometimes liueing about Sandwich, that hee was the first instigator of Tatoson to comitt the aforesaid murder, viz<sup>t</sup>, that hee went to him and certifiyd him that hee had lately bin att the house of Wilham Clarke, att the Eelriuer, and that his house was slightly fortified, and that it was well furnished with nessesaries, and that his way would be to reaire thither now, and that on the Lords day, the folkes of the house being but three, the most of them would be gon to meeting, and they, being there, might descerne it; and in case they left a man att home or soe, they might soon dispatch him, and then they would mett with noe opposition, but might doe as they pleased, on which the night following, (this being on the last day of the weeke,) the said Tatoson went towards Plymouth, and on the morrow following, in the morning about 9 or ten of the clocke, hee with his companie did this crewill villanic.

On the 21 of July, 1676, the said Keweenam was p<sup>r</sup>esented before the counce<sup>ll</sup>, and examined on the p<sup>r</sup>ticulars before named; but hee did not fully owne the said accusation, onely hee owned that hee was att Wilham Clarkes house a little before the facte comitted, and in companie with Tatoson the day before, which was the Satterday, the said fact being comitted on the Lord day following, and further confessed that hee held correspondency with Tatoson, one of the most notorious of our enimies, and had giuen him information of the weaknes of the house, both with respect to fortification and men; and withall it being manifest that hee altogether neglected to giue intelligence to the English where Tatoson was, nor concerning his intensions and actions, which if hee don seasonably, it might haue preuented the following mischeiffe.

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Hee, the said Keeweenam, being required againe to speake, if hee had ought to say for himselfe, hee had free libertie, but said little or nothing to any purpose.

Wherupon the councill, considering that there three positivie testimonies whoe witnessed as abovesaid, and with all diuers concurring cercomstances, which haue a tendeneye to the clearing vp of the case, doe judge, that the said Keeweenam is worthy to die, and so receiued the cenceance of death, which was, that his head should shalbe seuered from his body, which was immediately accordingly executed.

The names of those Indians whoe were cocpartenors in the outrage committed att Wiltam Clarkes house, att the Eelriuer, in the township of New Plymouth, on the 12<sup>th</sup> of March, 1676.

Imp <sup>r</sup> , Tatoson,	Thoñ Piant,
Musquash,	Sanballett,
Wapanpowett,	Vttsooweest,
Thoñi, Tatasons brothers son,	Woonashenah

These, with such as are before named, make vp the number of eleuen.

A p̄sell of am̄nition deliuered to soñ souldiers lately gon forth was to Marshfeild men 37<sup>li</sup> of bullets and 14 pound of powder.

To Duxburrow men 23 pound of bullets.

To Daniell Turner, of Scittuat, 4 pound of bullets.

The names of such souldiers of Scittuat whoe desired to be satisfied in lands for such seruice as they pformed for the country, with the sum̄es due to them on that account, is as followeth :—

	li	s	d
Imp <sup>r</sup> , Leifē Isake Bucke, . . . . .	10	00	00
Zachariah Daman, . . . . .	06	06	01
John Daman, . . . . .	06	05	07
Richard Prowtey, . . . . .	06	12	03
Coñ John Bucke, . . . . .	08	09	05
Jonathan Jackson, . . . . .	06	05	04
Thomas Clarke, . . . . .	05	05	02
Wiltam Hatch, . . . . .	02	01	00
Walther Bridges, . . . . .	05	18	07
Joseph Garrett, . . . . .	05	09	07
Richard Dwelley, . . . . .	11	13	07
Charlse Stockbridge, for Benjamine Woodworth, . . . . .	07	09	00

\*July the 22, 1676. Rates.

	l	s	d
Plymouth, . . . . .	351	03	09
Duxburrow, . . . . .	164	19	00
Scituate, . . . . .	586	07	04
Marshfield, . . . . .	266	01	00
Sandwich, . . . . .	327	15	06
Barnstable, . . . . .	351	03	09
Yarmouth, . . . . .	266	01	00
Eastham, . . . . .	236	05	00
Bridgewater, . . . . .	164	19	00
Rehoboth, . . . . .	485	05	04
Taunton, . . . . .	327	15	06
Swansey, . . . . .	165	00	00
	3692	16	02

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WINSLOW,  
Gov<sup>r</sup>.

[\*143.]

Plymouth, the 22<sup>nd</sup> of July, 1676.

It was ordered by the counsell of warr, that it shalbe lawfull for any of the majestrates of this jurisdiction to dispose of the children of those Indians that haue come in and yeilded themselues to the English, vnto such of the English as may vse them well, especially their parents consenting therunto, during the time vntill such children shall attaine the age of twenty foure or twenty five yeers, and the men and wemen to be where they are, or sent to the seuerall townes in some meet proportion of them, where they may haue libertie att p̄sent to worke for their liuings, till some other place be assigned them.

July the 7<sup>th</sup>, 1676.

It was ordered by the Court, that the seuerall townes of this jurisdiction should send in some one of each towne of this jurisdiction to giue meeting to the majestrates on the 19 of this instant July, att Plymouth, to settle their accompts respecting the charges of the p̄sent warr, on paine of forfeiting, euery towne that shall neglect, ten pounds to the vse of the collonie.

The 22<sup>nd</sup> of July, 1676.

The counsell haue ordered, that all such volentcers as shall or haue sett forth to oppose the enimie, in case they shall take any prisoners, they bearing the charge of the expeditions, shall haue the one halfe of them for their paines and venture, from the day of the date heerof, including those prisoners alsoe last brought in by Benjamine Church and his companie.

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[\* 144.]

\*Whereas the last will and testament of Captaine Michaell Peirse, of Scituate, lately slayne on the countryes service, bearing date the 15<sup>th</sup> of January, 1675, was presented vnder oath to this Court, wherein Benjamine Peirse is made executor, this Court, considering the large legacies in the said will giuen, and not knowing whether there will remaine soe much cleare estate, when debts and the widdowes maintainance are discharged out of the same, as will amount to salue the said executors portion, intended by his father, as by the said will is declared, doe therefore order, that the said Benjamine Peirse, executor, shall detaine and keep in his owne hand the land mentioned in the said will, bought of Wiltam James, being the one halfe of a six acree lott of meddow, and alsoe one quarter pte of each legacye by the said will giuen, vntill the Court shall see cause otherwise to order it, on their being satisfied concerning the clearnes of the said estate, the executor being appointed to pay the resedue of the said legacyes and bequest, according to the will, in the mean time.

These may certify the honored Court, or whom it may concerne, that I, Robert Studson, in the behalfe of my son Robert, and that I, Joseph Woodworth, in the behalfe of my sister Elizabeth, are mutually agreed about the Court's verdict about the maintainance of the child that the said Elizabeth layed to him the said Robert Studson, and doe desire that the said Robert may be sett att libertie.

As witnes my hand,

Witness,

JOSEPH WOODWORTH.

Charles Stockbridge,  
Jeremiah Hatch.

The Verdict of the Jury on the vntimely Death of Bethyah Howland, the younger, of the Towne of Plymouth, late deceased.

Wee find, that Bethyah Howland, Junir, came to her death by being drowned or stifflled in a tubb of clothes and water, viz<sup>d</sup>, that shee off her selfe cast herselfe into the said tub of clothes and water.

GORGE BONUM,

The marke  of STEUEN BRYANT,  
THOMAS CUSHMAN,  
JOHN COLE,

The marke  of EBENEZER FINKHAM,

The marke  of JOSIAH SMITH,  
RALPH CHAPMAN,  
ANDREW RINGE,  
ISACKE LEANARD,  
DAUID WOOD,  
SAMUELL CUTBERT.

February the 16<sup>th</sup>. 1677.

Wee, whose names are vnderwritten, being called together on a coroners inquest, vpon that sad accident which befell Micaell Walker, about ten yeers of age, wee doe find, that hee came accidentally to his end by his falling through the flore of the saw mill vpon the water wheele, or just by it, when it was goeing, and was carryed away with the streame vnder the iyce.

STEUEN PAINE, Senr,  
WILLAM BUCKLAND,  
NICHOLAS PECKE,  
SAMUELL NEWMAN,  
SAMUELL BUTTERWORTH,  
GORGE KINRICKE,  
JOHN FITCH,  
NICHOLAS IYDE,  
SAMUELL PECKE,  
JOHN PERREN,  
SAMUELL READ,  
MOSES READ.

This jury, being pannelled by the constable of Rehoboth, came and made oath to this verdict before mee.

JAMES BROWNE, Assistant.

February 16<sup>th</sup>, in the yeer 1677.

\*Whereas an Indian called Captaine Amos hath made tender to be officious in fetching off such of the Indians that are our enimies as are att Elizabeth Ilands, the counsell doe accept of his tender, and doe order him to acheiue the enterprisse with such strength of the Indians as hee shall think meet to improve; and for his and theire incouragement, it is ordered, that in case they take and bring in Tatoson and Penachason, or either of them, they may expect for theire reward for each of them four coates, and a coate apeece for euery other Indian that shall proue marchantable.

[\*145.]

It is ordered by the counsell, that all such Indians as haue or shall come into the collonie in a clandestine way, not applying themselves to the authoritie of this jurisdiction for libertie, shall not expect the benefitt of the indempnitie formerly shewed to other Indians that did come in in an orderly way, but shalbe forthwith taken vp and desposed off, as other captiue Indians, to the collonies vsce.

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WINSLOW,  
Gov<sup>r</sup>.

1676.

22 July.  
WINSLOW,  
Gov<sup>r</sup>.

It is ordered by the councell, that every towne of this gou<sup>r</sup>ment shall pay their souldiers and officers what is due to them for their service against our com<sup>o</sup>n enimie since last June Court, wherein that noe towne may be oppressed, that they bringe in their disbursments vnto the next Generall Court, that soe there may be an equall ballence of charges.

Wheras it is apprehended that the p<sup>r</sup>ision of Indian men that are captiues to settle and abide within this collonie may proue prejudittiall to our com<sup>o</sup>n peace and safety, considering there hath neuer bin any lycence for such soe to doe, it is ordered by the councell and the authoritie therof, that noe Indian male captiue shall reside in this gou<sup>r</sup>ment that is aboue fourteen yeers of age att the begi<sup>n</sup>ing of his or their captiuity, and if any such captiues aboue that age are now in the gou<sup>r</sup>ment, which are not desposed of out of this jurisdiction by the 15<sup>th</sup> of October next, shall forthwith be desposed of for the vse of this gou<sup>r</sup>ment.

This order was  
confermed by  
the Court, No-  
uember the 4<sup>th</sup>,  
1676. This  
voated.

It is ordered by the councell, that the Indians whoe came in, applying themselves to the gou<sup>r</sup>ment for acceptance to mercye, shall take vp their abode from the westernmost syde of Sepecan Riuer, and soe westward to Dartmouth bounds, as they haue occation, and not any of them to goe any where off the aforesaid tract of lands but by order from some majestrate, or hee that is appointed to haue the com<sup>o</sup>mand of them, and to attend such orders and directions as may att any time be sent them from this gou<sup>r</sup>ment, and that for the present three Indians, viz<sup>t</sup>, Numpus, Isacke, and Ben Petamanuett, shall haue the inspection of them, and to healep them in their settlement, and to order them the best they can, and that in matters most momentus, to repaire to M<sup>r</sup> Hineckley for direction & healpe.

Vpon consideration of the great losses which M<sup>r</sup> Bradford hath sustained in the late warrs, and the faithfull service hee hath p<sup>r</sup>formed for the country, the councell doe propose and order, that the sum<sup>e</sup> of fifteen pounds in mony be payed to him out of the countryes stocke, to be refered vnto the Generall Court, that if they shall see cause and reason to bestow it freely on him as a gratuity, then soe to be, or that it be accounted to him as p<sup>r</sup>te of his salary for his service to the country.

In reference vnto the complaint of M<sup>r</sup> Wharton and his p<sup>r</sup>tenors concerning a p<sup>r</sup>-sell of Indians detained in this collonie, which ran away, the councell sees reason to allow vnto them six Indians, not to infringe them of more, in case that the com<sup>o</sup>missioners of the United Collonies shall see reason (on proposition of the case) to allow more.

To the Constable of, &c.

1676.

Septem̄ the 7<sup>th</sup>, 1676. In reference vnto the making vp of accoumpts with the Vnited Collonies, you are required heerby to acquaint youer towne that they are to send in their account vnto the Gou<sup>r</sup> to Marshfield, between this date and the 19<sup>th</sup> of this instant, in reference vnto the charges of the last expedition, and euer since June last, concerning the late warrs, as alsoe the charge of such scoutes as haue bin sent out on the countrys service, out of p̄ticular townships, before and since June last.

7 September.  
WINSLOW,  
Gov<sup>r</sup>.

*\*.Att the Court of his Ma<sup>ty</sup> held att Plymouth, for the Jurisdiction of New Plymouth, the first of Nouember, 1676.*

1 November.  
[\*146.]

BEFORE Josiah Winslow, Esq<sup>r</sup>, Gov<sup>r</sup>.      Constant Southworth,  
John Alden,                                      James Browne, and  
Thomas Hinckley,                              James Cudworth,  
Wiltam Bradford,

Assistants, &c.

**L**RES of administration was granted by the Court vnto Elizabeth Blackmore to adminester on the estate of Wiltam Blackmore, deceased.

And in reference vnto the estate of the said Wiltam Blackmore, the Court haue his lands to be settled on his eldest son, and that all other his estate be settled and disposed vnto the said Elizabeth Blackmore, widdow, for and towards the bringing vp of her children.

Elizabeth Ensigne, widdow, and Thomas Wade, are approued by the Court to be joynt executors of the last will and testament of John Ensigne, deceased.

RES of administration was granted by the Court vnto John Palmer to adminester on the estate of Samuell Palmer, deceased.

RES of administration was granted vnto Martha Chettenden and Israell Chettenden to admimester on the estate of Isacke Chettenden, deceased.

Major Cudworth and Cornett Studson were appointed by the Court to be healpful in settling the estate of the said Isacke Chettenden, and incase they settle it to satisfaction, then the Court will rattify what they shall doe therein, or otherwise to determine what shalbe requisite about it.

1676.

1 November.  
WINSLOW,  
Gov<sup>r</sup>.

In reference vnto the settlement of the estate of James Bursell, of Yarmouth, deceased, the Court doe agree that his three daughters are joynt heires therof, both psonall and reall, and doe order, that they shall haue alike proportions therof, made equal with what any of them haue had abreddy, and that the widdow Emmett Bursell shall haue her thirds of the moucables, both goods and chattles, and her thirds of the vse and benefitt of his lands durning her life, and that the said Emmett Bursell and Silas Saers are granted libertie of administration therypon.

Eres of administration is granted vnto Wilham Carpenter and Samuell Carpenter to adminnester on the estate of Margarette Carpenter, and to see Joseph Carpentors will pformed according to the tenour therof, and that the lands that the said Joseph Carpenter left, to be disposed of by his wife vnto his three sonnes, be see disposed to them, onely the eldest to haue a double portion, and that they, the said Wilham and Samuell Carpenter, doe likewise dispose off the other children of the said Joseph Carpenter, the best they can for the bringing of them vp.

In reference vnto the estate of John Fuller, of Rehoboth, deceased, the Court haue ordered, that the estate be left vnto the widdowes dispose, to be towards the bringing vp of the children, and that her father and father in law be helpfull to her in ordering of the estate for the bringing of them vp.

Eres of administration are graunted joyntly vnto John Tisdall, James Tisdall, Joshua Tisdall, and Joseph Tisdall, to adminnester on the estate of John Tisdall, Sen<sup>r</sup>, deceased.

Letters of administration is graunted vnto Robert Vixon, of Eastham, to adminnester on the estate of Nathaniel Brewster, deceased.

In reference vnto the estate of Nathaniel Pecke, deceased, the Court haue ordered, that Jonathan Bosworth, Sen<sup>r</sup>, and Samuell Pecke shall adminnester on the said estate, and that there being two children, viz<sup>3</sup>, a son and a daughter, that the son haue a double portion of the lands and the other estate, and the daughter a single pte or share therof, onely that such pte of the estate as shalbe most suitable to the son be disposed to him, and what may appeer to be most suitable for the daughter be appointed to her; onely the Court doth order, that the estate remaine vndeuided to them vntill they come of age, or chose their owne guardians.

[\*147.] \*This Court haueing considered the pleas and euidences p<sup>s</sup>ented by Mistris Mary Almey, relict of M<sup>r</sup> John Almey, late of Rhode Island, deceased, for her right in those lands within this collonie, of the said M<sup>r</sup> John Almey, her late husband, doe judge, although the said euidences doe not fully make

a legall allianation of those lands from the heire vnto her, yett foras-much as those euidences declare his intent to giue them vnto the said Mary, his then wife, and doe therefore determine and order, that Mary, the relict of the said John Almey, doe and shall enjoy all the said lands to her proper vse and behoofe, during the tearme onely of her naturall life, vnlesse any further euidences shall appeer justly to alter this determination, and this Court doth alsoe graunt heerby vnto the said Mary Almey letters of adminestration, to adminester on that pte of the estate which is within this gouernment.

Mr Browne is appointed by the Court to giue oath vnto the witnesses of the will of Sampson Mason, and to adminester an oath vnto Mary Mason for the truth of the inventory.

Thomas Huckens, in the behalfe of Job Crocker, appeered before the Court, and cleared vp to the Courts satisfaction that hee hath adminestered on the estate of John Crocker, deceased, according to the bond; the Court gaue order to see his bond cancelled.

Letter of adminestration was graunted vnto Thomas Lapham, of Scituate, to adminester on the estate of Joseph Lapham, of Bridgewater, deceased, that is to say, that hee take the said estate into his custody, and p-sent a true inventory therof, on oath, vnto the Court, att the next Court, but not further to dispose therof without further libertie from the Court.

This Court haue appointed Mr Hinckley, or Cap<sup>t</sup> Freeman, to giue oath to the inventory of Richard Saers estate, of Yarmouth, and likewise to adminester an oath to such as it concernes, for the truth of the inventory of the estate of James Bursell, of Yarmouth, deceased, and alsoe to the will of Richard Saers.

The Court doth graunt pres of adminestration vnto Daniell Daman, to adminester on the estate of John Daman, Jun<sup>r</sup>, his brother, deceased, and doe order, that the said Daniell Daman shall haue twelue pound out of the estate, and the remainder of the said estate to be deuided betwixt his brother, Zacheriah Daman, Deborah Woodworth, and Mary Daman, in equall and alike proportions.

Pres of adminestration was graunted vnto Samuel Hall, of Taunton, to adminester on the estate of Henry Green, of Taunton, deceased.

Libertie of adminestration is graunted vnto Joseph Bartlett to adminester on the estate of Jonathan Fallowell, deceased.

Mr John Jacob, of Hingham, is allowed and approued by this Court to be gaurdian to John Peirse, the son of Cap<sup>t</sup> Peirse, deceased.

Letters of adminestration is graunted vnto Mistris Mary Almey to adminester on the estate of M<sup>r</sup> John Almey, deceased.

1676.

1 November  
WINSLOW,  
Gou<sup>r</sup>.

1676. \*The Names of the Deputies that served at the Generall Court of his  
 Ma<sup>tie</sup>, held at Plymouth the last Day of October, and the first of  
 November, 1676.

1 November.  
 WINSLOW,  
 Gov<sup>r</sup>.  
 [\*148.]

Leif <sup>t</sup> Morton,	Cap <sup>t</sup> Hawes, absent,
Leif <sup>t</sup> Howland,	Leif <sup>t</sup> Laythorp,
M <sup>r</sup> Samu <sup>el</sup> Saberry,	M <sup>r</sup> Barnabas Laythorpe,
Will <sup>am</sup> Paybody,	Ensigne Eames,
Cap <sup>t</sup> John Will <sup>ams</sup> ,	Anthony Snow,
Jeremiah Hatch,	M <sup>r</sup> Nathaniel Paine,
James Walker,	M <sup>r</sup> Daniell Smith,
Will <sup>am</sup> Withere <sup>l</sup> .,	Th <sup>o</sup> Paine,
Will <sup>am</sup> Swift,	Jonathan Banges,
Steu <sup>n</sup> Skiffe,	M <sup>r</sup> Samu <sup>el</sup> Edson,
John Miller,	John Willis.

This Court engaged, that Charles Stockbridge and others, of such of Scituate as listed their names to take their pay in land, shall be payed for their service for the country in money out of the price of those lands which shall be first sold, which is appointed for the payment of souldiers, &c.

Whereas Cap<sup>t</sup> Roger Goulden, of Rhode Island, hath approved himselfe to be our constant, real friend in the late warr, and very officious and helpfull as occasion hath bin, when as our armies and souldiers have bin in those parts, and have had necessity of the transportation of our men to the said island, and otherwise very ready to doe vs good, this Court doth graunt vnto the said Cap<sup>t</sup> Roger Goulden one hundred acres of land, lying and being vpon the northsyde of Saconett mens linne, to him and his heires and assignes for ever.

And inasmuch as David Lake and Thomas Lake have bin very usefull and seruicable to the country in the late warr, this Court hath likewise graunted one hundred acres of land vnto them, in different proportions to each of them, viz<sup>t</sup>, that whereas David Lake hath bin most helpfull as aforesaid, hee is graunted threescore acres of the said hundred, and to Thomas Lake the remaining forty acres of land of the said hundred, to them and each of them, and their heires and assignes for ever.

The said two hundred acres of land is to extend a mile into the woods eastward from Punchatecsett Pond, and soe farr in breadth from Saconett bounds as shall make vp the mile in length, two hundred acres, which being equally devided, Cap<sup>t</sup> Goulding to take the first choise, and the northerly line to be a parralel line, to the line of Saconett bounds, that is to say, east nearest.

And the Court haue appointed Wilham Paybody, Nathaniel Thomas, and Cap<sup>t</sup> Church, to lay out the abouesaid lands, and likewise twenty acres of land appointed and to appertaine to the ferry.

In regard of the more then ordinary paines, faithfulness, and diligence, of Mr Nathaniel Cooper, which hee hath expressed in the countryes service in the late time of the warrs, as late constable of Rehoboth, the Court haue ordered, that hee be releued and rewarded by the com<sup>it</sup>tee out of that to be provided for the relieff of such as whose deserts and needs requires it from the country.

The Court doe order a ferry to be att Pocasset, to transport people ouer to Rhode Hand, prohibiting any other on that coast, and doe allow twenty acres of land to belonge and appertaine to the said ferrey, for pasture land and planting land, to be laid forth by Mr Nathaniel Thomas, Wilham Paybody, and Cap<sup>t</sup> Church, to the best conveniency they can thervuto, and the least prejudice to any other accomodation.

John Simmons is allowed by the Court to keep the said ferrey for the tearme of five yeers from this p<sup>re</sup>sent date, in case hee carryeth well in it, and to enjoy the vse of the land abouesaid, and att the end of the said five yeer, in case hee leaues it, the country are to pay him for such housing as hee erects thereon, but in case hee holds it, that it be vpon other composition.

And that hee keep entertainment for strangers, soe as hee keep good order therein.

In answare to the petition of Humphrey Johnson, the Courts returne is, that haueing read the petition, they are sensible that the petitioner is wronged, but for p<sup>re</sup>sent they can not come to a full and cleare vnderstanding of the case, soe as to giue a suitable and proportionable releiffe.

John Cowin is freed from his bonds for appeerance att this Court.

\*It is enacted by the Court, and the authoritie therof, that the Indians which came in and applyed themselues to this gou<sup>er</sup>nment for acceptance to mereyc, shall take vp their abode from the westernmost syde of Sepecan Riuer, and soe westward to Dartmouth bounds, as they haue occation, and not any of them to goe any where of the aforsaid bounds or tracts of land, but by order from some majestrate of this jurisdiction, or hee that is appointed to haue the ouer sight of them, and to attend such orders and directions as may att any time be directed to them from this gou<sup>er</sup>nment, and that for the p<sup>re</sup>sent, three Indians, viz<sup>t</sup>, Numpas, Isacke, and Ben Sachem, allies Petanannett, shall haue the inspection of them, and to heelp them in their settlement, and to order them the best they can; and that in matters most momentus, they haue recourse to Mr Hincley for healp and direction.

1676.

1 November.  
WINSLOW,  
Gov<sup>r</sup>.

See booke of  
Lawes, actes, &  
orders, made  
Nouem. 76.

And hee is to  
haue free vse  
of wood and  
timber to be  
vsed thereon  
for fiering,  
fencing, and  
building.

[\*149.]

1676.

1 November.  
WINSLOW,  
Gov<sup>r</sup>.

In reference vnto a negro named Jethro, taken prisoner by the Indians, and retaken againe by our army, which said negro appertained to the estate of the successors of Cap<sup>t</sup> Willett, deceased, our Generall Court haue agreed with M<sup>r</sup> John Saffin, administrator of the said estate, mutually, that the said negro doe forthwith betake himselfe to his former seruice, and to remaine a servant vnto the successors of the said Captaine Willett, vntill two yeers be expired from the date heerof, and then to be freed and sett att libertie from his said seruice, prouided, alsoe, that during the said tearme of two yeers, they doe find him meat, drinke, and apparrell fitting for one in his degree and calling, and att the end of his said seruice, that hee goe forth competently prouided for in reference to apparrell.

Wheras diuers psons of Rhode Iland and others haue, from time to time, droue into and pastured their cattle and horses on the lands att Pocassett and places adjacent, and oft times in driueing of the said cattle and horses from the said land haue droue and conveyed diuers cattle and horses of other mens, wherby the owners of such cattle and horses haue bine deprived of them, to their great losse and damage, —

For preuention wherof, —

1. It is enacted by this Court, that noe pson whatsoever shall transport any cattle or horses from Pocassett, or places adjacent to Rhode Iland, which shall not first be viewed and their markes by such as the Court shall appoint, and alsoe shall pay to the viewer or viewers one peny in mony p head for euery beast soe viewed, on forfeiture of twise the vllue of the said cattle to the vse of this collonie that shalbe transported contrary to this order.

2. That noe pson whatsoever shall driue or convey any cattle or horses from Rhod Iland, or any other places, to Pocassett or places adjacent, there to pasture them on the land of this collonie leased out by order of this Court, without leaue of the leasers; and if any psons shall soe doe contrary to this order, it may and shalbe lawfull for the said leasers to impound all such cattle and horses, and there to detain them vntill satisfaction for their treaspas be made according to the law of this collonie.

The abovesaid leasers are Cap<sup>t</sup> Benjamine Church and John Simmons.

3. And it is further ordered, that all such cattle as are kept and pastured in this collonie as aforsaid shalbe lyable to be rated proportionably to what is layed vpon other cattle whose owners liue within this gouernment; and that noe such foreigners cattle shalbe transported out of this collonie vntill such just rates be payed to the aboue said leasers, whoe are heerby impowered to obtaine the same for the countryes vse, as alsoe to vse their best care and

indeauors to preuent the cutting downe or carrying away any of the timber on this collonies lands afsaid out of the same, by seizing therof or arresting the psons that transgresse therein.

Letters of adminnestration were graunted by the Court vnto Mistris Ruth Winslow to adminnester on the estate of M<sup>r</sup> Jonathan Winslow, deceased.

1676.

1 November.  
WINSLOW,  
Gou<sup>r</sup>.

*\*At the Court of his Ma<sup>ty</sup> held att Plymouth, for the Jurisdiction of New Plymouth, the sixt of March, 1676.*

1676-7.

6 March.  
[\*150.]

BE: Josiah Winslow, Esq <sup>r</sup> , Gou <sup>r</sup> ,	John Freeman,
John Alden,	Constant Southworth,
Thomas Hinckley,	James Browne, and
William Bradford,	James Cudworth,

Assistants.

**C**ONSERNING the settlement of the estate of M<sup>r</sup> Judah Thacher, of Yarmouth, late deceased, the Court haue ordered, that his widdow shall haue the whole proffitts of the estate, both psonall and reall, vntill the children come to their respectiue ages, for and towards the bringing vp of the children; and when the children come of age, the eldest son to haue the house and halfe the land most convenient to the house, according to the worth of it, and the other son to haue the other halfe of the lands, and his three daughters to haue ten pounds apeece out of the psonall estate, and the remainder of the estate to be the widdowes for euer, and the thirds of the proffitts of his lands during her naturall life onely if need shall require. The Court ordereth, that the two somes shall pay fiue pounds apeece out of their estate, to be payed and disposed vnto and for the bring vp of younger children, or vnto the daughters, as the Court shall see cause, and in such convenient time as the Court shall judge meet.

Sarah, the relict of Edward Bobbett, is graunted letters of adminnestration on the estate of her husband, deceased; and in order to the settlement of the estate, this Court doth order, that the eldest son shall haue a double portion of the whole estate, and to take it in lands vnimproued; and the adminnestratrix is to haue during her life the land that is improued, with a thirds of the meddow, as in full of her thirds of the proffitts of the lands, and as a healy to the bringing vp of the children, and a thirds of the goods and chat-

1676-7. tles to her owne dispose, the rest of the estate to be equally devided amongst the rest of the children.

6 March.  
WINSLOW,  
Gov<sup>r</sup>.

In referrence vnto the settlement of the estate of Job Bourne, late of Sandwich, deceased, intestate, the Court orders, that the debts being first payed, that Ruhamah Bourne, relict of the said Job Bourne, shall haue the vse and proffitt of one third of all the lands hee died possessed of, which are alsoe heerafter mensioned, during her naturall life, and one third of all the mouables, to be att her dispose, together with twenty pounds more out of the mouables towards her charge in bringing vp the smale children, and the residue of the estate to be equally devided into six ptes, wherof the eldest son to haue two ptes therof, and the other three sonnes and the daughter to haue their equall ptes; the lands being to be devided amongst three of the sonnes being equally apprised as according to the distinct bounds therof, they are assigned by their grand father, M<sup>r</sup> Richard Bourne, with the consent of the said Ruhamah, their mother, and to be allowed towards their respectiue ptes in such proportions as the vallue therof shall amount vnto; Timothy, the eldest son, to haue the lands followjng, viz<sup>d</sup>: all the meddow his father bought of M<sup>r</sup> Standish, and halfe the creeke stuffe, with some smale skirts of meddow lying from the bounds of the meddow called M<sup>r</sup> Standish his meddow towards Weeoachett, and halfe the vpland bought with the said meddowes, and halfe the herbage of Mannomett feilds, with halfe the wood and cedar swamps bought by his father, with the priuillidges belonging to the first graunt or bargain, according to the proportion of his land and meddow. And the other two sonnes, called Eliezer and Hezekiah, to haue the rest of the meddow, being bounded by a marked tree standing about the middle betwixt Cowesett and Muchmanus feild, their ranging southwest to a white oake tree att the head of a little creeke which ruñeth from Thomas Burgis his meddow next the spring, and soe runs downe the riuier to Jacob Burgis his meddow, and soe to the stake standing in the marsh and to the Red Rocke in the riuier; to be equally devided between them in equall and alike proportions.

Hezekiah is alsoe assigned to haue six acres on the northsyde of the riuier, which was bought of M<sup>r</sup> Freeman and Joseph Burgis, and six acres more of new ground lying on the easterly syde of the riuier, begiñing att the smale run of water and soe downewards, together with the priuillidges therto belonging.

And to the said Timothy and Eliezer is alsoe assigned the land on the westerly syde of the riuier, with the house; the said lands begiñing att the riuier about by the hills, \*and soe alonge the topp of the hill, vntill it comes downewards to the narrow stoney place, and vnto and in that stoney place,

Of this see another draught more exacte in Booke of Euidences of Lands, enroled folio 74.

[\*151.]

and some cleare ground on the easterly syde of the riuer from the end of the six acres giuen to Hezekiah first aboue mensioned, and thence extending to a little swamp that cometh from the riuer vp to the cartway. And for any other p̄sell of land, not aboue mensioned, it shalbe disposed by the adminnestrators, with the advise of the said Richard Bourne, to such of the children as they shall judge meet; the other son, not aboue mensioned, being to haue his p̄te and portion out of the moueables; the said M<sup>r</sup> Bourne haueing declared his intension to prouide some land for him, and the said Ruhamah, thaire mother, to haue the vse of the house and one third of the land during her naturall life, as abouesaid, and the vse of the whole estate, besides her twenty pounds and thirds abouesaid, towards the bringing vp of the said children, vntill they shall respectiuey attaine the age of twenty one yeers or the day of marriage, which shall first happen, or the time that any of them shall choose thaire gaurdians and take thaire respectiue portions into thaire hands; Ruhamah, the said relict, and her brother, John Hollott, and Elisha Bourne being graunted letters of administration, vpon thaire giueing securitie to M<sup>r</sup> Hinckley on the Courts behalfe.

Att this Court, in answare to a petition of John Smith and James Dean refering to the settlement of the estate of John Tisdall, late deceased, this Court doth order, according to the law heer established, the whole estate of the p̄son deceased, both reall and p̄sonall, being equally apprised, shalbe distributed as followeth: to the eldest son a double portion, and to the other three sonnes and four daughters an equall proportion of the whole estate, vnlesse, in case of weaknes, there may be reason to advance to any for thaire nessesarie supply, respect being had to what each child hath alreddy receiued of thaire late fathers estate, which shalbe accompted in p̄te of thaire portion, being aded to the accompt of thaire fathers estate; and for the better execution heerof, M<sup>r</sup> James Browne and Wiltam Harvey, Richard Williams and Leiftenant Gorge Macey are appointed a com̄ittee to take notice of the whole estate, with thaire apprisments, and claimes of what each child hath had and receiued in p̄te of thaire portions, and are heerby impowered to heare and determine all such cases that may be p̄sented to them refering to the said estate, and to make returne to this Court respecting the p̄mises.

Furthermore, in reference vnto the controuersy amōnst the children of John Tisdall aforsaid, deceased, the Courts advice is, that concerning the two younger sonnes, in regard that they haue approued themselues to be faithfull in the p̄seruation of the estate since thaire fathers death, in spending much of thaire time therin to the indangering of thaire liues, that they be considered

1676-7.

6 March.  
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Gou<sup>r</sup>

1676-7. by the committee in the distribution and disposition of the said estate in that respect.

6 March.  
WINSLOW,  
Gov<sup>r</sup>.

Whereas Leiftenant Sparrow and Jonathan Banges were ordered by the Court to adminnester on the estate of John Knowles, of Eastham, deceased, this Court doth, vpon the desire of the said parties, release them from their bonds giuen to the Court on that account; and on consideration that Steuen Wood, Juni<sup>r</sup>, hath married the relict of the said Knowles, this Court doth graunt letters of adminnistration to the said Steuen Wood to adminnester on the said estate, hee giueing securitie to the Court concerning his said adminnistration; and because the said estate is impaired by the said John Knowles his purchase of lands in his life time, this Court orders, that such lands as haue bin soe purchased may be by the said Steuen Wood sold, and the prise improued for the defraying of the said debts.

[\*152.] \*This Court, Thomas Clapp, of Deadham, appeered before the Court, claiming himselfe to be heire vnto the estate of Eliezer Clapp, his brother, deceased; and the Court being well satisfied that hee is the eldest son of Deacon Thomas Clapp, of Scituate, wherfore the Court doe order, that it be signified vnto Samuell Clapp, that they require his appeerance att the Court of his ma<sup>tie</sup> to be holden in Plymouth in June next, then and there to giue an account of his adminnistration, and in the mean time that hee doe forbear to dispose of any of the lands of the said Eliezer vnlesse all the psons concerned therein doe otherwise agree.

Letters of adminnistration are graunted by the Court vnto Mary, the relict of M<sup>r</sup> Judah Thacher, deceased, and vnto M<sup>r</sup> John Thacher, and to Nathaniel Hall, to adminnester on the estate of the said Judah Thacher, deceased.

Letters of adminnistration is graunted by the Court vnto John Hammore, Juni<sup>r</sup>, to adminnester on the estate of John Hammore, Seni<sup>r</sup>, deceased.

Letters of adminnistration was graunted vnto Constant Snow, and Marke Snow, and John Snow, to adminnester on the estate of Nicholas Snow, deceased.

Letters of adminnistration is graunted by the Court vnto the wife of Moses Symons, Juni<sup>r</sup>, to adminnester on his estate.

Letters of adminnistration is graunted by the Court vnto Samuell Hunt to adminnester on the estate of Thomas Hunt, deceased.

Letters of adminnistration is graunted by the Court vnto Mary Bartlett & Joseph Bartlett to adminnester on the estate of Robert Bartlett, deceased.

In reference vnto the will of Sampson Mason, tendered vnto the Court, wheras it doth appeer that some p̄sells of land haue bin purchased since his will was made that are not yett payed for, this Court hath ordered, that his widdow, Mary Mason, shall haue libertie from the Court to make sale of some p̄te of the said land to make payment for the rest, and that what remains be improued for the bringing vp of his children. And M<sup>r</sup> Browne, M<sup>r</sup> Daniell Smith, and her brother Butterworth are deputed by the Court to be healfull to her in the disposing of the said estate.

In reference vnto the inventory of the estate of James Reddaway, Jun<sup>r</sup>, deceased, the Court haue ordered, that incase James Reddaway, Sen<sup>r</sup>, father of the said Reddaway, doe make noe matteriall objection against John Reddaway his adminnestration on the said estate betwixt this date and the Court to be holden att Plymouth in June next, that then hee may haue letters of adminnestration graunted to him to adminnester on the said estate.

Letters of adminnestration is graunted vnto Major Cudworth to adminnester on the estate of John Laythrope, of Scituate, deceased.

William Gifford and his wife, for comitting fornication before marriage or contract, fined each fine pounds to the vse of the collonie.

\*In answare to the petition prefered to the Court, by Sandwich men, for the remoueing an acte of Court bearing date the 30<sup>th</sup> of October, 1672, whereby, notwithstanding their absence and not yett being heard in point of plea, that acte determines an alteration of the bounds between Sandwich and Barnstable townes, and giues some of the petitioners lands to the Fullers, and therby a barr putt to the free passage of law and justice, this Court therefore orders, that it be signified to both those townes by their agents, if they see cause, to appeer next Court to be held next June att Plymouth on the first Tuesday therof, and especially that Captaine Fuller and Samuell Fuller, Sen<sup>r</sup>, haue notice therof, then and there to make their defence why that acte should not be reversed.

Samuell Dunham, Sen<sup>r</sup>, aged fifty yeers or therabouts, and John Rickard, Sen<sup>r</sup>, aged 50 yeers or therabouts, being deposed, doe testify, that vpon an agreement between Grigory Williams and Richard Willis, the said Grigory Williams did agree, that the said Richard Willis should haue deliuered to him three pounds siluer mony, attached in M<sup>r</sup> Edward Grayes hand, and a hyde and a barrell of mackerell, which was likewise the estate of the said Williams, attached, should be deliuered to the said Richard Willis, to end all accompts and differences between them from the begiūing of the world to February last past before the date heerof; vpon the deposition of the p̄ties aboue mentioned

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[\*153.]

1676-7. the action commenced by the said Willis against the said Williams was withdrawn.

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In reference vnto a kettle appertaining to James Walker, Jun<sup>r</sup>, taken away by Jerrud Talbutts souldiers, but not returned, the Court haue ordered, that the said souldiers shall forthwith make payment of 31<sup>s</sup> currant siluer mony of New England vnto the said James Walker or his order, in full satisfaction for the said kettle.

The order and distribution of this collonie's p<sup>te</sup> of the contribution made by diuers Christians in Ireland for the relieffe of such as are impouershed, destressed, and in nessesitie by the late Indian warr, was, as it respects this collonie, proportioned as followeth :—

	ii	{ Leif Morton, } appointed
Plymouth, . . . . .	08 : 00 : 00 . . . . .	{ Joseph Warren, } to distrib-
		{ William Crow, } ute it.
Duxburrow, . . . . .	02 : 00 : 00 . . . . .	{ M <sup>r</sup> Josiah Standish,
		{ William Paybody.
Scituate, . . . . .	12 : 00 : 00 . . . . .	{ Major Cudworth,
		{ Cornett Studson, and
		{ Edward Jenkins.
Taunton, . . . . .	10 : 00 : 00 . . . . .	{ William Harvey,
		{ James Walker,
		{ John Richmond.
Swansey, . . . . .	21 : 00 : 00 . . . . .	{ M <sup>r</sup> Browne,
		{ John Butterworth.
Middle Berrey, . . . . .	04 : 10 : 00 . . . . .	{ Francis Combe,
		{ Isacke Howard.
Eastham, . . . . .	00 : 10 : 00 . . . . .	Captaine Freeman.
Yarmouth, . . . . .	00 : 10 : 00 . . . . .	M <sup>r</sup> John Thacher.
Barnstable, . . . . .	03 : 00 : 00 . . . . .	{ M <sup>r</sup> Hucksens,
		{ Barnabas Laythorp.
Dartmouth, . . . . .	22 : 00 : 00 . . . . .	{ John Cooke,
		{ John Smith,
		{ John Russell.
Rehoboth, . . . . .	32 : 00 : 00 . . . . .	{ M <sup>r</sup> Nathaniel Paine,
		{ Leif Hunt,
		{ M <sup>r</sup> Daniell Smith.
Marshfeild, . . . . .	02 : 00 : 00 . . . . .	{ Ensigne Eames,
		{ Anthony Snow.

Bridgewater, . 07 : 00 : 00 . . { Elder Brett,  
Deacon Willis,  
Mr Samuell Edson.

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This Court ordereth, that such of the majestrates as haue disposed of any of the Indians children to English masters vntill they attaine the age of twenty four or twenty five yeers of age, according to order of Court in that case prouided, shall signe indentures for such as are soe disposed, to prevent future differences.

Att this Court, the lycence graunted vnto Edward Sturgis, Seni<sup>r</sup>, to keep an ordinary att Yarmouth, was called in, and hee required to desist.

\*Att this Court, Mr Daniell Smith is authorised and impowered by the Court to adminnester marriage in the liberties of the towne of Rehoboth, and to graunt summons and warrants vnto the tryall of actions, and alsoe incase of misdemeanor, and to adminnester oathes to witnesses relateing thervnto, and to graunt subpenaes for witnesses to giue euidence vnto the grand enquest as occasion may require. [154.]

Lycence is graunted by the Court vnto Edward Rew to keep an ordinary att Taunton for the entertainment of strangers and traouellers, and that hee constantly prouided with nessesaries for the same, and that hee keep good orders in his house, that soe noe abuse be suffered by him on that accompt.

The Inditement of Mary Ingham.

Mary Ingham : thou art indited by the name of Mary Ingham, the wife of Thomas Ingham, of the towne of Scittuate, in the jurisdiction of New Plymouth, for that thou, haucing not the feare of God before thync eyes, hast, by the healp of the diuill, in a way of witchcraft or sorcery, malliciously procured much hurt, mischeiffe, and paine vnto the body of Melittable Woodworth, the daughter of Walter Woodworth, of Scittuate aforesaid, and some others, and p̄ticularly causing her, the said Melittable, to fall into violent fitts, and causing great paine vnto seuerall p̄tes of her body att seuerall times, soe as shee, the said Melittable Woodworth, hath bin almost bereaued of her senses, and hath greatly languished, to her much suffering therby, all which thou hast procured and don against the law of God, and to his great dishonor, and contrary to our soū lord the Kinge, his crowne and dignitie.

The said Mary Ingham did putt herselfe on the tryall of God and the cuntry, and was cleared of this inditement in processe of law by a jury of twelue men, whose names follow : —

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sworn.	{ Mr Thomas Huckens,	sworn.	{ Marke Snow,
	{ John Wadsworth,		{ Joseph Bartlett,
	{ John Howland,		{ John Richmond,
	{ Abraham Jackson,		{ Jerud Talbutt,
	{ Benajah Pratt,		{ John Foster,
	{ John Blaeke,		{ Seth Pope.

The jury brought in not guilty, and soe the said prisoner was cleared as abouesaid.

Att this Court, likewise, three Indians, named Timothy Jacked, allies Canjuncke, and Nassamaquat, and Pompacanshe, were indited for murdering John Knowles, John Tisdall, Senir, and Samuell Attkins; the said Indian prisoners did put themselves likewise on the tryall of God and the country according to the manor of the English, and had due processe in law, according to the English manor, by a jury of twelue men, whose names follow: —

Mr Thomas Huckens,	Marke Snow,
John Wadsworth,	Joseph Bartlett,
John Howland,	Samuell Jenings,
Abraham Jackson,	Arther Howland,
Benajah Pratt,	Samuell West,
John Blaeke,	Seth Pope.

The verdict of the jury followeth concerning Timothy Jacked, allies Canjuncke, and Nassamaquate: Wee find they are very suspicious of the murder charged on them.

And in reference vnto Pompacanshe, wee find nothing against him. There not appeering further euidence against them to cleare vp the case, the centance of the Court was, that the two former were to be sent out of the country speedily, and the other likewise, as hee is prisoner taken in warr.

[\* 155.]

\*Att this Court, Mamanuett, an Indian sachem att or about Saconett, appeered before the Court, and cleared it vp to good satisfaction, that himselfe and his men, in number fifteen, had, during our late troubles, continewed faithfull to the English, and some of his men had all the time bin in our service, and therefore desired that hee and they might now againe retorne to reposesse their lands not formerly disposed of; the which the Court graunted, and ordered him to giue vs a list of his men and two or three more of his kindred, that were alsoe allowed to liue; and this Court requires him to haue

a constant care and inspection ouer them, and to see that they carry faithfully and orderly, and not to entertaine any other Indians there but such as the Court shall allow of.

And forasmuch as this collonie haue bin att great charge to defend both his lands and our owne against the com̄on enimic, hee ingageth to accomodate soñ Englishman, or entertaine some Indians such as the Court desireth, on that accompt.

The Names of the Indians belonging to Mamanuett whoe haue approued themselves faithfull to the English during the late Rebellion, besides himselfe and Family.

Contachoho,	Tokissimo,
How Doe Yce,	Josament,
Patchmatoo.	Tokocsquintec,
Suchquotamuch,	Aweeepanish,
Jacke Hauens,	Muckasunke,
Pasuckquckquoh,	Pawmett,
Gorge,	Aquistausuncke.

Here followes the names of those whoe haue libertie to returne to Namanuett : Hewaquin, Anumpas, Steuen, Apamach, Old Thomas.

Libertie is graunted vnto eight of the souldiers, Indians, which haue bine in the seruice, may sit downe and plant att Saconett, Cap̄t Church accomodate them with land on condition that they shalbe redly to march forth vnder the com̄aund of Cap̄t Church when hee shall see cause to require them for the further psueing and surprising our Indian enimies ; hee, satisfying the Indians, shall haue the whole prophett of such an adventure.

Wheras att June Court, 1674, William Hatch and Jeremiah Hatch made their appearence, as being chosen to the office of constables and refusing to serue, craued libertie to make their addresse to the Generall Court, in order to the getting off their fine ; and though they were att the Generall Court, yett made noe applycation vnto the Court respecting the finis : wherfore this Court doth order their fines for neglecting to serue in the office off constable to be collected and gathered.

Wee, whose names are vnderwritten, being impannelled on a jury the 29<sup>th</sup> of July, 1676, by Mr Nathaniel Tilden, the constable of Scituate, to view the corpes of Joseph Ellis, of Scituate, by intelligence vnderstanding that hee went in to the harbour att Scituate, to swim or wash himselfe, with

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1676-7. John Vaughan and Daniell Hickea, Juni<sup>r</sup>; whoe doe affirme, that the said Ellis made the first motion soe to doe, and tosing past his depth, cryed for healp; and the said Vaughan did the best hee could to healp him, but could not saue his life; and wee judge, that the water in the said harbour was the sole meanes of his death.

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sworne,	{	ISACKE CHETTENDEN,
	{	SAMUELL WITHERELL,
	{	JOHN BARKER,
	{	THOMAS PENCHEN, Juni <sup>r</sup> ,
	{	EDWARD JENKENS,
	{	RICHARD CURTICE,
sworne,	{	DANIELL HICKES,
	{	THOMAS JENKENS,
	{	THOMAS WADE,
	{	JOHN BAYLEY,
	{	THOMAS NICHOLLS,
	{	JOHN DAMAN, Seni <sup>r</sup> .

[\*156.] \*Wee, whose names are vnder written, being impannelled and sworne to view the corpes of John Rose, late of Marshfeild, and to make dilligent inquiry how hee came to his vntimly death, wee find, that on the 13<sup>th</sup> of this instant February, hee, being a guining, was ouercome by the violence of the weather, which was the cause of his death.

sworne,	{	WILLIAM THOMAS,
	{	JOHN CARUER,
	{	NATHANIELL WINSLOW,
	{	WILLIAM FOARD,
	{	JOHN BRANCH,
	{	JOHN ROUSE, Juni <sup>r</sup> ,
sworne,	{	SYMON ROUSE,
	{	JOHN REED,
	{	RALPH POWELL,
	{	SETH ARNOLD,
	{	ISRAELL HOLMES.

The verdict of the jury, whose names are vnder written, concerning the death of one Robbinson: Wee find, by the relation of John White, and Edward Wanton, Juni<sup>r</sup>, and Job Chamberline, that the fall of a tree in Scituate, neare the land of Edward Wanton, was the occation or meanes of his

death, finding vpon his body seuerall wounds and bruises, according to the relation of

JOHN TURNER, Junir,  
 JOHN TURNER, Senir,  
 WILLIAM PARKER,  
 JEREMIAH HATCH,  
 THOMAS TURNER,  
 THOMAS PERREY,  
 JOSEPH WOODWORTH,  
 JOHN NORTHEY,  
 JONATHAN TURNER,  
 JAPHETT TURNER,  
 JOHN TURNER,  
 BENJAMINE WOODWORTH.

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Wee, whose names are heer vnder written, being required, in his ma<sup>ties</sup> name, by James Briggs, constable of Scittuate, to serue in the crownes inquest and on the body of John Merritt, and haueing don our duties therin, wee apprehend the oecasion of his death was falling on the rockes att a place called Ceder Point, att Scittuate Harbour, March the first, 1676.

JOHN WILLIAMS,  
 SAMUELL JACKSON,  
 RODULPHUS ELLMES,  
 JAMES DOUGHTIEY,  
 JOHN ALLIN,  
 JOSEPH WHITE,  
 JOHN BRIGGS,  
 STEUEN VINALL,  
 ISRAELL CUDWORTH,  
 THOMAS WADE,  
 THOMAS PENCHEN,  
 ISRAELL CHETTENDEN.

} all sworn.

The Oath to the Jury after they had giuen in their Verdict vnder their Hands, taken the third of March, 1676.

You and euery of you call the euerliuing God to witnes, that vpon your dilligent sereh and serious view of the body of John Merrett, and by the best light and information you can obtaine either from psons or thinges, that what is aboue expressed in your verdict is most probable to be the cause

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and meanes of bringing him to his vntimly end; and this you testify to be according to your best vnderstanding and discretion, as you looke for heale from God, whoe is the God of truth and the punisher of falsehood.

Taken before mee.

JAMES CUDWORTH, Assistant.

Jabez Hackett haueing bin examined by the Court, and hath confessed that hee detained and concealed seuerall goods belonging vnto Mistris Mary Winslow, of Boston, which are supposed to haue bin ploynded, the Court haue ordered, that all such goods shalbe forthwith returned to the said Mistris Winslow or her order, and that hee, the said Jabez Hackett, shall pay vnto the collonie a fine of forty shillings to the vse of the collonie, or to be sett in the stockes att Taunton.

And if there is any goods appertaining to the said Mistris Winslow, or any other, in the hands of the said Jabez Hackett, the Court hath ordered, that all such goods be required and kept by the constable of Taunton vntill any make appeer that they haue right to them, and vntill hee shall haue further order from the Gov<sup>r</sup> to deliuer them.

In reference vnto a gun pressed for an Indian called Isacke for the countreyes seruice, which gun was pawned by the Indian, and since sold to John Tompson by the Treasurer, the Court haue ordered the said Indian to pay the sume of ten shillings to the said John Tompson, vpon his demaund, in siluer mony, or fifteen dayes worke in defect therof.

[\*157.]

\*Receiued by mee, Samuell Clapp, of Scituate, as adminestrator to the estate of Eliezer Clapp, soñtimes of Barnstable, of M<sup>r</sup> John Ottice, of Sittuate aforsaid, the sume of seauen pounds in current siluer mony of New England, and is in p<sup>t</sup> of a bill of cleuen pounds thirtecn shillings and four pence from the said John Ottis vnto the said Eliezer Clapp, which said bill beareth date May, 1677.

I say, receiued by mee.

SAMUELL CLAPP.

Dated att Plymouth, the 8<sup>th</sup> of May, 1677.

Receiued by mee, Samuell Clapp, of Scituate, as adminestrator to the estate of Eliezer Clapp, deceased, of M<sup>r</sup> John Ottis, of Scituate, the sume of cleuen pounds thirtecn shill<sup>i</sup> & 4<sup>d</sup>, in current siluer mony of New England, which was payable by bill to Eliezer Clapp in May last past before the date heerof. I say receiued by mee.

SAMUELL CLAPP.

Dated att Plymouth, the 8<sup>th</sup> of May, 1677.

Samuell Clapp, admimnestrator to the estate of Eliezer Clapp, late of Barnstable, deceased, gave in this account therof to the Court of New Plymouth the eight of June, 1677 :—

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The estate cr. inventoryed, . . . . .	106 : 10 : 11
The estate is debtor to seucrall psons att Barnstable and Scittuate payed by the said admimnestrators, . . }	10 : 16 : 00
To Serjeant John Thompson, last yeer, . . . . .	20 : 00 : 00
To Serjeant John Thompson, the eight of June, . . . . .	20 : 00 : 00
To his charges expended about his admimnestracion 36 dayes, . . . . . }	05 : 00 : 00
Rest credit, . . . . .	50 : 14 : 11

Wherby it appeers all the psonall estate is expended, and 9<sup>th</sup> 5<sup>th</sup> 1<sup>d</sup> due out of the lands mensioned in the inventory vnto the said admimnestrator, whoe is impowred by the Court to receive of John Otice that debt of 11<sup>th</sup> 13<sup>th</sup> 4<sup>d</sup>, due by bill to the estate, to be payed next May, it being alreddy discharged by the admimnestrators in the aforsaid, though not received by him, the said estate alsoe remaines debter.

To pay next yeer to John Tompson more as appeers due by bond, . . . . . }	20 : 00 : 00
Item, and more claimed by Thomas Clapp, Seni <sup>r</sup> , for monyes lent the said Eliezer, . . . . . }	22 : 00 : 00

\*.At the Court of Election holden att the Towne of Plymouth, for the Jurisdiction of New Plymouth, the fift Day of June, 1677.

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[\*158.]

**J**OSIAH WINSLOW, ESQ<sup>r</sup>, was chosen Goff, and sworne.

John Alden, Thomas Hineckley, Major William Bradford, John Freeman, Constant Southworth, M <sup>r</sup> James Browne, Major James Cudworth, }	were chosen Assistant in gofiment, and sworne.
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Gov<sup>r</sup> Winslow, }  
Mr Thomas Hinckley, } were chosen Commissioners.  
Major Bradford the next in nomination.  
Mr Constant Southworth was chosen Treasurer, and sworne.

## Celect Men.

Plym <sup>th</sup> :	Mr John Miller,
Leif <sup>t</sup> Morton,	Mr Jeremiah Howes.
Serjeant Harlow,	Barnst <sup>a</sup> :
Mr Wilham Crow.	Leif <sup>t</sup> Laythorpe,
Duxb <sup>o</sup> :	Mr Barnabas Laythorp,
Mr Josiah Standish,	Mr Thomas Huckences.
Mr Samucl Saberry,	Marshfe <sup>i</sup> :
John Traeye.	Anthony Snow,
Seit <sup>t</sup> :	Mr Nathaniel Thomas,
John Cushen,	Samucl Sprague.
John Bryante, Sen <sup>r</sup> ,	Reho <sup>b</sup> :
Leif <sup>t</sup> Isaacke Bucke.	Leif <sup>t</sup> Hunt,
Sand <sup>o</sup> :	Mr Nathaniell Paine,
Mr Edmond Freeman, Jun <sup>r</sup> ,	Mr Daniell Smith.
Wilham Swift, Sen <sup>r</sup> ,	Eastham :
Thomas Tupper.	Jonathan Sparrow,
Taunton :	Marke Snow,
Leif <sup>t</sup> Maeye,	John Done.
Wilham Harvey,	Bridg <sup>w</sup> :
Richard Williams,	John Willis, Sen <sup>r</sup> ,
Walter Dean,	Sañell Edson,
Samuell Smith.	John Carcy, Sen <sup>r</sup> .
Yarmouth :	Swansey :
Mr Edmond Hawes,	John Allin, Sen <sup>r</sup> ,
Edward Sturgis, Sen <sup>r</sup> ,	Mr Nicholas Tanner,
Mr John Thacher,	Leif <sup>t</sup> John Browne.

## Grand Enquest.

Mr John Cushen,	Richard Curtice,
Andrew Ringe,	Ensigne Leonard,
Experience Mitchell,	Esra Perrey,
Phillip Delano,	Wilham Witherell,
Benajah Pratt,	John Whilden,

Gurshom Hall,	Noah Mason,
John Crocker,	Daniel Done,
Samuell Annible,	John Carey,
Justus Eames,	Zacheriah Eedley,
Nathaniell Winslow,	John Nye.
John Titus, Seni <sup>r</sup> ,	

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Constables.

Plymouth, . . . . .	Jonathan Barnes.
Duxbu <sup>r</sup> , . . . . .	Edward Southworth.
Sit <sup>t</sup> , . . . . .	{ John Turner, Juni <sup>r</sup> , son of Humphery Turner, Thomas Jenkins.
Sand, . . . . .	James Pursnall.
Taun <sup>t</sup> , . . . . .	{ Thomas Gilbert, Joseph Hall.
Yar <sup>m</sup> , . . . . .	John Hawes.
Barnst <sup>a</sup> , . . . . .	Samuell Huckley, Seni <sup>r</sup> .
Marsh, . . . . .	{ Isacke Little, Ralph Powell.
Rchob, . . . . .	{ Thomas Cooper, Juni <sup>r</sup> , Samuell Carpenter.
Eas <sup>t</sup> , . . . . .	Thomas Mulford.
Bridg <sup>w</sup> , . . . . .	John Feild.
Swansey, . . . . .	John Thurburrow.

Deputies.

Ply <sup>m</sup> , . . . . .	{ M <sup>r</sup> Edward Gray, Leif <sup>t</sup> Joseph Howland.
Duxb, . . . . .	{ M <sup>r</sup> Josiah Standish, Wilham Paybody.
Scit <sup>t</sup> , . . . . .	{ Cornett Studson, John Bryant, Seni <sup>r</sup> .
Sand, . . . . .	Wilham Swift.
Taun <sup>t</sup> o, . . . . .	{ Wilham Harvey, Leiftenant Macey.
Yar <sup>m</sup> , . . . . .	{ M <sup>r</sup> John Miller, M <sup>r</sup> Jeremiah Howes,
Barnst <sup>a</sup> , . . . . .	{ M <sup>r</sup> Huckens, M <sup>r</sup> Barnabas Laythorpe.

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Marsh, . . . . .	{ Anthony Snow, M <sup>r</sup> Nathaniel Thomas.
Rehob <sup>t</sup> , . . . . .	{ M <sup>r</sup> Nathaniell Paine, M <sup>r</sup> Daniell Smith.
Easth, . . . . .	{ Capt <sup>t</sup> Jonathan Sparrow, Marke Snow.
Bridg <sup>w</sup> , . . . . .	John Willis.
Swan <sup>s</sup> , . . . . .	Samuell Luther.

## Surveyors of Highwaies.

Plym <sup>h</sup> , . . . . .	{ Leiff Morton, Serj. Harlow, M <sup>r</sup> Crow.
Duxb <sup>u</sup> , . . . . .	{ Gorge Partrich, Peter West, Robert Barker, Seni <sup>r</sup> .
Scit <sup>t</sup> , . . . . .	{ Char <sup>t</sup> Stockbridge, John Witherell.
Sand, . . . . .	{ Peter Gaunt, Wiltam Gifford.
Taunt <sup>o</sup> , . . . . .	{ Thomas Linkolne, Isacke Dean.
Yar <sup>m</sup> , . . . . .	{ Wiltam Eldred, John Ryder.
Bar <sup>n</sup> , . . . . .	{ John Davis, Scui <sup>r</sup> , Wiltam Throop.
Marsh, . . . . .	{ John Foster, John Bourne.
Rehob <sup>t</sup> , . . . . .	{ Steuen Paine, Juni <sup>r</sup> , John Butterworth.
Eastham, . . . . .	{ Jonathan Banges, John Done.
Bridg <sup>w</sup> , . . . . .	{ Marke Laythorpe, John Howard.
Swan <sup>s</sup> , . . . . .	{ Israell Peeke, John Crabtree.

[\*159.]

\*Att the motion of Mistris Jane Gilbert, of Taunton, and of her eldest son, John Gilbert, this Court doth order, that forasmuch as her husband, M<sup>r</sup>

Thomas Gilbert, is said to be deceased beyond the sea, that Leifteniant Maceye, Wilham Harvey, and Samuell Smith to take an inventory of the estate of Mr Thomas Gilbert, and that the said Jane Gilbert shall present it to the Court to be holden att Plymouth in July next, that the Court may deuid and settle the estate amongst the children.

In reference vnto a petition prefered to the Court by Sandwich men for reversing of an order of Court about bounds of lands between Barnstable and Sandwich, after a longe discourse about it, the Court concluded in the negative, viz<sup>o</sup>, that the said order shall not be reversed.

In reference vnto the cure of Jabez Gorum, whoe was wounded in the late warr, the Court doth apprehend, that incase it be not payed by sume of Rhode Iland concerned in it, that they judge the charge of the said cure should be defrayed out of the generall estate of Captaine John Gorum, deceased, both lands and moueables.

Mr Browne is appointed by the Court, with the consent, likewise, of Elizabeth Beares, widdow, to dispose and make distribution of the estate of Richard Bullocke, her first husband, amongst the children of the said Bullocke, according as hee shall judge meet for the good of the said children.

A Receipt appointed to be recorded.

Receiued of Benjamin Nye and Steuen Skiffe, agents for the towne of Sandwich, and on there accompt, the sume of fifty pounds, and is in full of what is owing from this towne vnto ours vpon ballence of accompt ordered by the councill of the collonie of New Plymouth. Wee say, receiued, this second of February, 1676, in the behalfe of the towne of Barnstable.

p nosse,            THOMAS HINCKLEY,  
                         THOMAS HUCKENS,  
                         BARNABAS LAYTHORPE.

Witnes, John Laythorp,  
          Nathaniell Hatch.

The Generall Court, now siting this 7<sup>th</sup> of June, 1677, desire the elders of the seuerall churches in this collonie to giue their resolution to the following query, viz<sup>o</sup>: What are those due bounds and lymetts which ought to be sett to a tollaration in matters of religion as may consist with the honor of Christ, the good and welfare of the churches and of the ciuill gouernment?

Wheras our Court formerly appointed John Simmons to keep the ferrey att Pokassett, forbidding all others to ferry ouer any people and cattle there, and being informed that some others doe carry ouer people or cattles, or both.

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to the prejudice of the aforesaid ferryman, and alsoe to ourselues, or may soe proue to be, this Court doth therefore order, that whosoever shall either ferry ouer psons or cattle, vnlesse by and vnder the aforesaid Simmons, shall for euery such offence pay a fine of fiue shillings vnto the said John Simmons, the one halfe to the collonie and the other halfe for himselfe; which if hee or they soe offending shall refusse or neglect to pay, that then the said Simmons shall, after the first transgression, seize vpon any boate or vessell improued soe in ferryng contrary to order, the one halfe for the vse of the collonie, the other halfe for the vse of the said John Simmons.

Cap<sup>t</sup> Church is appointed by the Court for the precincts of Saconett and Pocasset to issue out warrants against any pson or psons for the prophanation of the Sabbath or other vicious practices contrary to the lawes of this gofiment, to answare the same the next Court after the transgression comitted, att Plymouth, and to end differences arising among the Indians there, alsoe to see that they demean themselues orderly.

Adminnestration is graunted vnto Robert Fuller and Nicholas Iyde, Seni<sup>r</sup>, and Mary Fuller, on the estate of Samuell Fuller.

And to Rebeckah Hunt, and to Steuen Paine, Juni<sup>r</sup>, to adminnester on the estate of Peter Hunt, Juni<sup>r</sup>.

[\*160.]

\*It is ordered by the Court, that M<sup>r</sup> Constant Southworth, Cornett Robert Studson, M<sup>r</sup> Daniell Smith, Wiltam Paybody, and M<sup>r</sup> Nathaniel Thomas, and Thomas Huckens are appointed a comittee to heare the just complaints and demaunds of all such psons to whom the collonie is in any way indebted relating to the late warr with the natiues, and that all such psons doe giue or send in an account of the same vnto the said comittee on the last Weddensday of this instant June to Plymouth; which comittee shall make report of the same to the next adjournment of this Court, that soe the collonies debts may be knowne to the Court.

In reference vnto the estate of John Cole, deceased, the Court doth order, that forasmuch as the estate is but smale, and four smale children to bringe vp, that the whole psonall estate shalbe settled on his widdow for tne bringing vp of the children, and the proffitts of the lands vntill the children come of age; and in case there shalbe nessesitie therof for the bringing vp of the children, that then some of the lands shalbe sold by further advice and leaue from the Court; and in case any lands shalbe left, that then it be disposed to the two sons, according to law, they paying some smale legacies to the daughters, as the Court shall order.

Richard Marshall, of Taunton, and Ester, his wife,	}	stand bound vnto the Court joyntly and seucrally in	} 60 : 00 : 00
the penall sume of . . . . .			

The condition, that whereas the said Richard and Ester Marshall haue obtained letters of adminnestration to adminnester on the estate of James Bell, deceased, if, therefore, the said Richard and Ester Marshall shall and doe pay, or cause to be payed, all such debts and legacyes are *are* due and owing to any from the said estate soe farr and by equall proportions as the estate will amount vnto, and alsoe the childrens portions, according to order of Court, and saue and keep harmles the said Goũ and Court from all damage that might acrew vnto them by their adminnestration, and keep a faire accompt therof, and make returne therof vnto the said Court when by them required, that then the said obligation to be void and of none effect, or otherwise to remaine in full force, strength, and vertue.

In reference vnto the dispose of the estate of James Bell, deceased, the Court haue ordered, that the said Esther Marshall shall haue the desposall therof vntill the child is brought vpp, and the proffitts of the lands, and then the said Ester to haue the thirds of the psonall estate and the thirds of the proffettts of the lands, according to law.

These to impower and authorise Thomas Lake as the cheife marshalls depute of the jurisdiction of New Plymouth, viz<sup>d</sup>, to serue such warrants and giue such summons as shalbe in his ma<sup>ties</sup> name directed vnto him from the Goũ or any of the majestrates of this jurisdiction, or from Cap<sup>t</sup> Church, for the seizing or apprehending any pson or psons that transgreese any law or order of this collonie, and to present them before the next Court after the fact convicted, and to be proceeded with according vnto law.

Mistris Elizabeth Ellis and Mordica Ellis doe heerby stand bound vnto the Court, joyntly and senerally, in the penall sume of one hundred pound sterling, for the payment wherof well and truly to be made on condition that the said Elizabeth Ellis and Mordica Ellis, haueing obtained tres of adminnestration to adminnester on the estate of John Ellis, Jun<sup>r</sup>, of Sandwich, late deceased; if, therefore, they, the said Elizabeth Ellis and Mordeca Ellis, doe pay or cause to be payed all such due debts as are due and owing vnto any from the said estate soe farr and by equall proportions as it will amount vnto, and otherwise adminnester on the said estate accordingly as the Court shall order for the disposing therof, and saue and keep harmles the said Goũ and Court from any damage that may acrew vnto them by their said adminnestration, and keep a faire accompt therof, and be redy to giue in the same into the said Court when by them required, that then this obligation to be void and of none effect, or otherwise to remaine in full force, strength, and vertue.

\*This Court doth allow and approue of Lydia Standlake, the wife of Richard Standlake, of Scittuate, to be gardian vnto her two sons, John Bar-

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stow and Jeremiah Barstow, of Scittuate aforesaid; and shee is heerby impowered to demandaund, recouer, and receiue a legacy giuen vnto each of them, the said John Barstow and Jeremiah Barstow; by Micaell Barstow, late of Water-towne, deceased, as appears by his last will and testament; shee haucing giuen securitie to the Court to delinere the said legacies to each of them, the said John and Jeremiah, when they come to be of the age of twenty and one yeers, and legally demandaund.

The constables of Taunton now in being are required by the Court, that when a psell of iron shalbe attached by them for the defraying the rate for the souldiers wages, that they require Ensigne Thomas Leonard, or James Leonard, to draw it forth into marchantable barrs.

Wheras complaint is made of Gorge Barlow, that hee carryes very turbulently in Sandwich, threatening to make such further disturbance as will driue their minnester away, the Court haue ordered, that a warrant be sent for him to appeer att the next Court to answare the said complaiuant.

In reference to the dispose of the estate of Joseph Lewis, the Court haue ordered, that Mary Jenkins, the relict of the said Joseph Lewis, shall haue all the mouables of the said estate, and the vse of the lands, for and towards the bringing vp the children vntill they come off age; and when they are of age, that the eldest, being a son, shall haue a double portion therof; and when her children come of age, that they pay vnto their mother fife pounds, the son to pay two ptes of three therof.

Letters of adminnestration are graunted to the said Mary Jenkins to adminnester on the said estate *estate*.

In reference vnto the dispose of the estate of John Merritt, deceased, the Court haue ordered, that Elizabeth Merrett shall haue the improuement therof vntill the children come of age, for and towards the bringing of them vp; and when the children come of age, that then the estate shalbe deuided according to law, viz<sup>d</sup>: the said Elizabeth to haue one pte of three therof, and the eldest son to haue a double portion; the remainder to be deuided to the children in equall and alike proportions.

In reference vnto the dispose of the estate of Robert Jones, deceased, the Court haue ordered, that his wife that was shall haue a thirds of the proffits of the lands during her life, and a thirds of the moueables now inventoried to her owne dispose, and the other two thirds of the mouables, with what shall further come to be inventoried, to be for the payment of the debts; and incase that they will not extend fully to cleare the debts, that then the lands shalbe sold for the payment therof, as the Court shall see cause to order.

Att the Court holden att Plymouth for tryall of actions, the 3<sup>th</sup> of July, 1677, for tryall of actions and settleing of estates, and &c,—

Martha Daman, of Scituate, appeered, viz<sup>o</sup>, the relict of John Daman, Seni<sup>r</sup>, deceased, and doth, with Arther Howland, of Marshfeild, stand bound vnto the Court joyntly and seuerally in the sūme of 400<sup>l</sup>.

The condition, that wheras the said Martha Daman, the relict of John Daman, Seni<sup>r</sup>, and Arther Howland, haue obtained tres of adminnestration to adminnester on the estate of the aboue named John Daman, if, therefore, the afore named Martha Daman and Ather Howland doe pay, or cause to be payed, all such debts as are due and owing to any pson or psons from the said estate, and dispose otherwise of the same according to order of Court, and saue and keep harmles & vndamnified the Goū and Court of Plymouth from any damage that may acrew vnto them by their adminnestration, and keep a faire accompt therof, and giue it in to the said Court when thervnto required by them, that then the aboue written obligation to be void and of none effect, or else to remaine in full force and vertue.

Letters of adminnestration is graunted by the Court vnto Martha, the relict of Serjeant John Daman, of Scituate, and vnto Arther Howland, of Marshfeild, to adminnester on the estate of the said Serjeant John Daman; and they haue giuen securitie to the Court for their said adminnestration.

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*\*All the Court of his Ma<sup>ty</sup> held att Plymouth for the Tryall of* [\*162.]  
*Actions and Causes, the third of July, 1677.*

BEFOR Josiah Winslow, Esq <sup>r</sup> , Gou <sup>r</sup> , and	John Freeman,
John Aldin,	Constant Southworth,
Wiltam Bradford,	James Browne, and
Thomas Hinckley,	James Cudworth,
Assistants, &c.	

**L**ETTERS of adminnestration was graunted vnto Robert Fuller, of Rehoboth, and Nicholas Ide, Seni<sup>r</sup>, on the estate of Samuell Fuller, of Rehoboth, deceas<sup>d</sup>.

Letter of adminnestration was graunted by the Court to Rebecka Hunt and Stenen Paine, Juni<sup>r</sup>, to adminnester on the estate of Peter Hunt, Juni<sup>r</sup>, of Rehoboth, deceased.

Ruth Sprague, the relict of John Sprague, of Duxburrow, late deceased,

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doth heerby assure, assigne, allott, and make ouer vnto the Goff and Court of Plymouth all and singulare the lands the said John Sprague died possessed off, with all and singulare the appurtenances appertaining thervnto or to any pte or pcell therof; and shee, the said Ruth Sprague, widdow, doth heerby likewise stand bound vnto the Court of Plymouth aforesaid in the penall sume of forty pound sterling; for the payment wherof, well and truely to be made, shee heerby bindeth herselfe, her heires, executors, and adminnestrators, feirmly by these pscents.

The condition of the aboue written obligation is such, that wheras the aboue bounden Ruth Sprague hath obtained of the Court letters of adminnestration to adminnester on the estate of John Sprague, of Duxburrow, late deceased, if, therefore, the said Ruth Sprague doe pay, or cause to be payed, all such debts as are due and owing vnto any from the said estate soe farr and by equall proportions as the estate will amount vnto, and saue and keep harmles the Goff and the said Court from any damage that may acrew vnto them by her said adminnestration, and keep a faire accoumpt therof, and be reddey to giue in the same when thervnto required by the said Court, that then the aboue written obligation to be void and of none effect, or otherwise to remaine in full force, strength, & vertue.

Gorge Barlow, being sumoned to this Court, appeared to answare for his turbulent carryage att Sandwich, and for his threatening to make such further disturbance as would drine their minnester away, vpon examination, the said Barlow owned that hee had spoken such words respecting the pmisses as were witnessed against him, but saith hee spake them in passion, and vpon an apprehension of great prouocation, withall professeth that it is contrary to his judgment and former practice, and doth not justify his said words, and doth ingage, that for the future he wilbe willing, according to his abillity, to afford such support towards M<sup>r</sup> Smithes maintainance as reason may require, and likewise that hee will incurrage others to doe the same, and for such pparticulars as hee hath deeply resented, and were soe offensiuie to him as aforesaid, hee will in-deauor to bury them in obliuion.

The Court, vpon consideration of what before written concerning Gorge Barlow, in hopes that hee will make good his engagements, with admonition released him, and passed ouer the aforesaid offences.

In referance to the complaint of M<sup>r</sup> Edward Sturgis, Seni<sup>r</sup>, of Yarmouth, that his house hath bin robed, and a considerable pcell of mony, about eight pounds, was taken away, and an Indian named Nopye, being pscnted before the Court, is groundedly suspected to haue stollen away the said mony, the Court haueing strictly examined him, and finding that hee was lurking about

the house of the said Edward Sturgis on the Lords day on which the mony was stollen, which giues great suspicion that hee had a hand att least in takinge it away, this Court doth therefore centance the said Tom Nopye publickly to be whipt att Yarmouth, for breach of the Sabbath, att the descretion of the celect men of the said towne, and that hee be allowed about a month or six weekes from this date to make enquiry and bringe out the theiffe or theines that stole the said mony, and by that time to discouer them to some one of the majestrates of this jurisdiction, or else that hee shall make payment thereof himselfe to M<sup>r</sup> Sturgis, or to his satisfaction.

Nicholas White, of Taunton, for selling liquor to the Indians seuerall times contrary to the law of this gou<sup>r</sup>ment, was fined the sume of thirty pounds, to the collonies vse.

\* Att the 2<sup>cond</sup> session of the Generall Court, held in the 10<sup>th</sup> of July, 1677.

Memorandum: that Mamanewett be sent for vnto the next Court, and treated with in reference vnto satisfaction for the defence of his land from the enemy.

The Generall Court find the land which M<sup>r</sup> Gray and others lay claime vnto to be conquest land.

Wheras there is about thirty shillings of the estate of Faith Phillipps, deceased, lying in the custody of John Phillipps, her husband, it is agreed by and between the sonnes of the said Faith Phillipps, and with their joynt consent, that the said sume shalbe payed vnto the daughters of the said Faith Phillipps, viz<sup>3</sup>, Desire Serman, Elizabeth Rouse, and Mary Doten, in equall and alike proportions, vulesse the two younger sisters shall see reason, in respect of the low condition of the eldest, to consider her in that respect.

This Court giues libertie vnto John Wing, Seni<sup>r</sup>, of Yarmouth, to exchange a p<sup>s</sup>cell of land with an Indian named Pampanuett, which land is a p<sup>s</sup>cell of land belonging to the said John Winge, lying att or about Satucket, for a p<sup>s</sup>cell of land, being about one hundred acres, lying and being by the Riuer Canteeticutt, allies Teticutt Riuer.

The answare of the Generall Court vnto Barker, of Rhod Iland, his letters that there are some genthmen of our owne that lay claime to the lands desired by them, and if they please to try for the title of it, the law is open.

This Court doth order the towne of Scittuate to appoint a fitt p<sup>s</sup>on to keep an ordinary att Scittuate, betwixt this and the next October Court, and then to propose him to the Court, and Edward Jenkins is allowed by the Court to keep entertainment for strangers, viz<sup>3</sup>, provide victuall and draw beer for that Court.

The sume of twenty pounds is allowed by the Generall Court vnto

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10 July.

[\*163.]

1677. Thomas Baxter, a maimed souldier, whoe hath lost the vse of one of his hands in the time hee was in the countreyes service.

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In reference vnto the debts owing by the country vnto M<sup>r</sup> Symon Cooper, of Rhode Iland, for surjery exercysed on Wiltam Die and others, of Dartmouth, the Generall Court doth not owne themselues concerned therein, but that it is the proper busines of the towne of Dartmouth to take care of and be healfull in such case ; and wheras hee proffers to take his pay in land, the Court judgeth, that Dartmouth is in a capassitie to defray it in such a way to satisfaction.

This Generall Court haue ordered, that the sume of twenty pounds be allowed out of the treasury of the collonie, to be payed to the widdow and children of M<sup>r</sup> Nathaniel Cooper, deccased, as a grattification for his great paines and care taken for and concerning our souldiers, when in the office of a constable in the time of the late warrs.

This Court doe appoint Cornett Studson and M<sup>r</sup> Nathaniell Thomas, to joyne with and be assistant to the Treasurer, in making sale of the countreyes lands att Showamett and Assonett, as alsoe for improuement of such monyes as may be receiued for the same, for satisfaction of those to whom the country is indebted.

Att this Court, John Rauce, of Scittuate, for railcing on M<sup>r</sup> Baker, in saying hee is a falce prophett, and saying that Major Cudworth is a falce, hipocritticall man, and that M<sup>r</sup> Baker had receiued stollen goods, and for goeing vp and downe from house to house, to intice younge p<sup>r</sup>sons to come to heare their falce teachers, was centanced by the Court to be publickly whipt, which accordingly was p<sup>r</sup>formed.

13 July.  
[\*164.]

\*Att the 2<sup>nd</sup> session of the Generall Court held att Plymouth the 13 day of July, 1677, seuerall acts and order made and enacted by them as followeth :—

Wheras the late warr hath bine very chargable to the seuerall townes of this gou<sup>r</sup>nment, and many debts occasioned therby are still due, this Court, considering that, by the good prouidence of God, there are seuerall tracts of conquered lands, doe therefore order, that Showm<sup>e</sup>tt lands and Assonett shalbe sold to defray the p<sup>r</sup>sent debts, and that all other such lands shalbe either sold, if chapmen appeer to buy them, within a yeer or two, soe as to settle plantations thereon in an orderly way, to promote the publicke worship of God, and our owne co<sup>m</sup>mon good ; and the produce thereof shalbe deuided to the seuerall townes in this gou<sup>r</sup>nment, according to their different disbursments towards the aforsaid warr, and what of the aforsaid lands shall then remaine vnsold

shalbe decided to every of our townes, their pte according to the rate fore-  
mensioned; alsoe, the comitte to make sale as aforesaid shall giue account of  
any their actings therein, to the next Generall Court after such their actings.

In reference vnto one hundred aerees of land formerly graunted by the  
Court vnto Cap<sup>t</sup> John Gorum, deceased, which land lyeth att Papasquash  
Necke.

This Court doth giue vnto his heires and successors the Indian purchase  
of the said hundred aerees of land, and vpon consideration that it was graunted  
vnto him formerly by the Court as aforesaid, and forasmuch as hee hath pformed  
good service for the country in the late warr, and ended his life in the said  
service, this Court sees reason, and doe heerby rattify, establish, settle, and  
conferme, the aforesaid hundred aerees of land, formerly graunted vnto the  
aforesaid Cap<sup>t</sup> John Gorum, lying on Papasquash Necke aforesaid, to his heires  
and successors for euer.

Wheras many wayes haue bine tryed for the raising of a comfortable  
and certaine maintainance for the minnisters of the gospell in this collonie,  
which, notwithstanding some plantations not giueing due incurragment to  
those that were or should haue bin improued in that honorable and profitable  
worke, some plantations haue for a considerable time, and still doe remaine  
destitute of the publicke preaching of the word, vnto the great prejudice of  
their owne soules, and continewed grieffe of all well affected amongst vs, and  
in some other plantations where minnisters are yett continewed, the meanes  
for their support is raised with great difficulty and vncertainty, —

It is therfore enacted by this Court and the authoritie therof, that such  
summes as the people of the seuerall townes or plantations in this gouernment doe  
agree to allow to their respectiue minnisters, or for defect of their mutuall  
agreement, such summe or summes as the Court shall iudge meet, and appoint  
to be payed to them, or to be raised for incurragement of minnisters to settle in  
such places as now are or att any time may be distitute, shalbe raised by rate  
on all the rateable inhabitants of the seuerall plantations of this gouernment, and  
shall yeerly goe forth att the same time and in the same rate that is to be made  
and leued for ordinary country charges, and shall in the seuerall plantations  
be made, and by the constables be gathered therwith, and by them payed to  
the Treasurer or his order, in such speeue and in such seasons as the majes-  
trates sallery is vsually payed in; and if any townes, raters, or constables  
make default of what is of them required respecting the pmisses, thay, or any  
of them in whom the defect is found, that obstruct the full and timely execu-  
tion therof, shalbe lyable to such penaltie or fine as is provided. Respecting the  
making, gathering, or paying of other country rates, and in such plantations

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Mr Browne and  
Mr John Allin  
were appointed  
to lay it out.

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where noe allowed minnester is, some pson or psons shalbe by the Court appointed by the Treasurers order to receiue the said summes there raised, which shalbe improued to such publicke pious vse in that plantation as the Court shall direct vnto. This order to take place att p̄sent, where ther is no other prouision made for the effecting of the said ends.

The 2<sup>nd</sup> Session of the Generall Court.

[\*165.] \*A barr was putt att this Court to M<sup>r</sup> Brownes demand of a p̄sell of land att Swansey.

Wheras John Haward, of Dartmouth, hath disposed his share of land att Saconett, the one halfe of it to his son Daniell, deceased, who willed his said halfe to his children, the said John Haward and the widdow of the said Daniell Haward desiring a deuision of the said share of land, this Court hath ordered, that if the said John Haward, and Captaine Church, whoe is agent for the said widdow, doe agree in a way of deuision therof, it shalbe satisfactory to the Court; but if not, that then the Court will take course for the deuision therof, and what they doe in that behalfe, to returne to the Court to be recorded.

Att this Court Cap<sup>t</sup> Goulding appeered and complained, in the behalfe of himselfe, and Dauid Lake, and Thomas Lake, that they haue mett with opposition from so<sup>m</sup>e psons in their peacable ioyment of those portions of land graunted to them by the Court, by some threatening speeches from some psons in that behalfe. The Court returne to them was, that incase any should appeer to molest them in any wise in the improuement therof, the Court will maintaine the title therof vnto them; but as for words, they must beare with them when they meet with them, and passe them ouer respecting the p̄mises.

A com̄ittee appointed by the Generall Court to meet the second Tuesday in August next, whoe are appointed and impowered to heare and determine all matters respecting debts due from the collonie to all psons whatsoever, and ballence the accompts between the seuerall townes of this collonie concerning the late warr, not before ballenced, and each towne to pay them for their time, and their expences to be bourne by the collonie.

The names of the com̄ittee chosen are as followeth:—

The Treasurer,	M <sup>r</sup> John Miller,
M <sup>r</sup> Edward Gray,	Thomas Huckens,
Wilkam Paybody,	M <sup>r</sup> Daniell Smith,
Cornett Studson,	Cap <sup>t</sup> Sparrow,
Wilkam Swift,	John Willis,
Wilkam Harvey,	Samuell Luther.

The deputies were desired to acquaint their townes respectively that if any of them will fish at Cape Codd, that such will meet at Plymouth, when the committee is to be together to agree vpon termes for fishing there.

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WINSLOW,  
Gov<sup>r</sup>.

\*1677. The Rates of the severall Townes of this gouernment, proportioned for this present year, as followeth:—

	To the Treasurer.		To the Officers.	
Plym̄,	19:00:00	15:00:00	04:00:00	
Duxb̄,	11:06:06	08:06:06	03:00:00	
Bridḡw̄,	10:00:00	07:03:00	02:17:00	
Scituate,	30:10:00	24:10:00	06:00:00	
Taunton,	16:00:00	12:10:00	03:10:00	
Sandw̄i,	22:16:00	18:16:00	04:00:00	
Yarmouth,	18:10:00	15:00:00	03:10:00	
Barnst̄,	24:05:00	20:05:00	04:00:00	
Marsfield,	18:10:00	15:10:00	03:00:00	
Eastham,	15:18:00	12:18:00	03:00:00	
Swansey,	05:00:00	05:00:00	00:00:00	
Rehoboth,	12:00:00	08:17:00	03:03	
	<u>203:15:06</u>	<u>162:15:06</u>	<u>40:00:00</u>	
		<u>040:00:00</u>		
		162:15:06		

The Court voted that barley shall be paid for the rate this year at three shillings a bushell.

The proportions above entered are to be payed, two parts of three thereof in wheat, and barley, and butter, or silver, the wheat at 4<sup>s</sup> a bushell, the barley at three shillings a bushell, and the butter at five pence a pound, this first payment to be made at or before the first of October next after the date hereof, and the other third part to be payed in Indian corne and rye, the Indian corne at three shillings a bushell, and the rye at three shillings and six pence a bushell, this latter payment to be payed at or before the first of Aprill next after the date hereof, all good and marchantable, to be deliuered to the Treasurer, or where hee shall appoint, provided it be at Plymouth or Boston, and charge of transportation defrayed.

The excise due to the country from James Cole is remitted to the said James Cole.

\*Whereas Phillip, the late sachem of Paukanakett, and other sachems, his accomplices, haueing bin in confederation and plighted couenant with his

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ma<sup>tes</sup> collonie of New Plymouth, haue lately broken couenant with the English, and they and their people haue likewise broken out in open rebellion against our sou<sup>r</sup> lord Kinge Charles, his crowne and dignitie, expressed by raising a crewell and vnlawfull warr, murdering his leich people, destroying and burning their houses and estates, expressing great hostilitie, outrage, and crewelty against his said ma<sup>tes</sup> subjects, wherby many of them were personally slaine, and some bereaued of their deare children and relations, among which said rebels an Indian named Popanooie is found to be one, whoe hath had a hand, and is found to be very active in the great crewelty and outrage acted vpon seuerall of the inhabitants of the towne of Dartmouth, in the said his ma<sup>tes</sup> collonie of New Plymouth, in p<sup>t</sup>icular it being manifest that hee was very active towards and about the destruction of seuerall of the children of Thomas Pope, late of Dartmouth aforesaid, and seuerall others of the said towne; in consideration wherof, after due examination had of the p<sup>m</sup>ises, this Court doth heerby condemne and centance him, the said Popanooie, and his wife and children, to ppetuall seruitude, they likewise being found coc<sup>p</sup>tenor with him in the said rebellion, and p<sup>t</sup>icularly that hee, the said Popanooie, is to be sold and sent out of the country.

The country haue sett and to farme lett their priuiledges and proffitts of fishing att the cape vnto the Treasurer, M<sup>r</sup> Huckens, M<sup>r</sup> Gray, and Thomas Paine, for the tearme of seuen yeers from the date heerof, for and in consideration of the sume of thirty pounds a yeer, to be payed in currant siluer mony, to be payed att or before the first of May yeerly. It is mutually agreed between the Court and the p<sup>t</sup>enors, that it shalbe improued by our owne people, but in case they shall refuse, that then it shalbe att the libertie of the p<sup>t</sup>enors to admitt of any other, out of the collonie, to improue it with them; and the Court appoint Cornett Studson and M<sup>r</sup> Nathaniel Thomas to make leasses to the p<sup>t</sup>enors, and to receiue the cuntryes mony for it, for the cuntryes vse, as it is due and payable.

To the intent that the townes of this gou<sup>r</sup>ment might haue seasonable notice of the p<sup>m</sup>ises, order was giuen by the Generall Court to the deputies of the seuerall townes of this iurisdiction, to acquaint their townes that such as will fish att Cape Codd for mackerell, &c, should apper att Plymouth, when the co<sup>m</sup>ittee appointed to settle the cuntryes debts should meet, which is to be on the second Tusday in August next after the date heerof, att which time those whoe haue hired the fishing there of the country wilbe p<sup>s</sup>ent, to agree with them.

The fift of June, 1678. That the farmers of the fishing att Cape Cod,

and other priviledges there, according to their indentures, may be secured from molestation in what is leased out to them, it is ordered by this Court, that whosoever shall attempt to gett fish there without order, or otherwise molest such as are orderly by the farmers employed there, any sayne heaved out by intruders to gett fish there, and the fish by them soe taken, and any vessell, goods, or estate of any other kind shalbe seized for the collonies use, out of which all damage done there by such molesters, with all charge that may arise therby, shalbe fully payed, and such seizures to be made by vertue of warrant from the Gou<sup>r</sup> or some one of the Assistants.

June, 1678. It is ordered by the Court, that it shalbe in the libertie of the leassers of the priviledges of the cape fishing, to admitt of the one halfe of the improuers therof to be off any of the collonie of the Massachusetts, as they may see reason.

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[WISSLOW,  
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This was ordered by the  
Generall Court  
the day and  
year above  
said.

*\*Att the Court of his Ma<sup>tie</sup> held for this Govern<sup>ment</sup> att Plymouth, on the 30<sup>th</sup> of October, Anno Do<sup>mi</sup> 1677.*

30 October.

[\*170.]

BEFORE John Alden, Esq<sup>r</sup>, Deputie Gou<sup>r</sup>, and Constant Southworth,  
William Bradf<sup>ord</sup>, James Browne, and  
Thomas Hinckley, James Cudworth,  
John Freeman,  
Assistants, &c.

**A**T this Court, Ambrose Fish was indited by the name of Ambrose Fish, for that hee, haueing not the feare of God before his eyes, did wickedly, and contrary to the order of nature, on the tweluth day of July last past before the date hecrof, in his owne house in Sandwich, in this collouie of New Plymouth, by force carnally know and rauish Lydia Fish, the daughter of M<sup>r</sup> Nathaniell Fish, of Sandwich aforesaid, and against her will, shee being then in the peace of God and of the Kinge.

The grand jury found billa vera. The verdict of the jury of life and death was as followeth:—

Viz<sup>o</sup>, if one euidence with concurring cercomstances be good in law, wee find him guilty.

But if one euidence, with concurring cercomstances, be not good in law, wee find him not guilty.

Vpon consideration of the verdict, the Court centanced him, the said

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Ambrose Fish, to suffer corporall punishment by being publickly whipt att the post, which accordingly was inflicted, and the prisoner released.

The Names of the Jury.

Mr John Thompson,	} sworne.	Encrease Robinson,	} sworne.
Captaine Benjamine Church,		Abraham Jackson,	
John Wadsworth,		Shuball Dimacke,	
Dauid Aldin,		Nathaniell Hall,	
Nathaniell Southworth,		John Gorum,	
Gorge Morton,		Jonathan Higgens.	

Anne Annible, of Barnstable, widdow, for selling of beer to English and Indians without lycence, was centanced by the Court to pay a fine of twenty shillings, to the vse of the collonie.

And the said Anne Annible stands heerby bound vnto the Court in the penall summe of . . . . . }<sup>ll</sup> 20 : 00 : 00

And Samuell Annible surety, in the summe of . . . . . 10 : 00 : 00

The condition, that incase the said Anne Annible shall att any time heer-after be found to transgresse the law of this collonie in selling beer, wine, liquor, cakes, &c, to either English or Indians, without lycence from the Court, that then, &c.

This Court graunted libertie to Edward Jenkins, of Scittuate, to keep an ordinary in Scittuate, for the entertainement of strangers, and refreshment of traellers, &c.

Libertie is graunted by the Court vnto M<sup>r</sup> Barnabas Laythorpe to be provided with wine and liquors to sell, for the supply of such as are or may be in wante, either by sicknes or otherwise, to dispose thereof to sober psons, as there may be occasion for their refreshment, according to his discretion.

John Whilden, of Yarmouth, is exempted from training in the milletary companie of Yarmouth, on consideration that hee hath three soñes, fitted with armes for publicke service.

[\*171.]

\*Att this Court M<sup>r</sup> Symon Cooper, chyrurgion, liueing att New Port, on Rhode Hand, appeered, and p<sup>s</sup>ented a paper vnder John Cookes hand, whereby hee stands ingaged, in the behalfe of the inhabitants of Dartmouth, to see the said Symon Cooper satisfied for a cure wrought on Wilkan Dic, of Dartmouth aforesaid, in consideration the Court directed an order to John Cooke, to call the said towne together, and to see the said M<sup>r</sup> Cooper satisfied for his paines and skill, improued in the said cure.

Wheras a natie named Capit Daniell was warned by warrant from the

Gou<sup>r</sup> to appeer att this Court, to answare the complaint of an Indian named Saconiansett, the sonne of Yannoos, sachem, in reference vnto a controversye about land, which M<sup>r</sup> Hincley and M<sup>r</sup> Freeman, by order of the Court, haue formerly settled, the said Saconiansett not appeering, and the said Cap<sup>t</sup> Daniell therby much damnified therby, this Court doth award the said Saconiansett to pay to the said Cap<sup>t</sup> Daniell eight bushells of Indian corne, or the value of it, vpon his demaund.

In reference vnto the dispose of the estate of James Barnabey, deceased, the Court haue ordered that Lydia, his wife, shall haue all the mouables of the said estate, on condition as followeth, viz<sup>t</sup>: that whereas the said Lydia Barnabey is to joyn in marriage with John Nelson, of Plymouth, late of Middleberry, if therefore the said John Nelson, with the said Lydia, his wife, doe, according to his p<sup>r</sup>sent engagement, keep and bringe vp the two children of the said James Barnabey vntill they attaine the age of fourteen yeers, and then doe pay to each of them, or to such as may be ordered by the Court to receiue it for them, six pound a peece, in currant siluer mony of New England, that then they, the said John Nelson, and Lydia, his wife, are to haue as followeth, viz<sup>t</sup>: the said Lydia the mouables of the said estate, as aforesaid, and the said John Nelson to haue and enjoy the lands of the said estate, vntill the children come of age; and the Court doe order and appoint, according to the desire of the said Lydia Barnabey, that her two bretheren, viz<sup>t</sup>, Benjamine Bartlett and Joseph Bartlett, to be ouerseers to see the said conditions made good and accomplished, for and in the behalfe, and to the vse and benefitt, of the said children.

Wilham Witherell, of Taunton, stands bound vnto the Court in the penall summe of forty pound; the condition, that if the said William Witherell, hauing obtained libertie of administration to adminester on the estate of Elias Irish, if therefore the said Wilham Witherell shall and doe pay all such debts and legacies as are due and owing to any pson or psons from the said estate, soe far and by equall proportions as the estate will amount vnto, and saue and keep harmlesse and vndamnified the Gou<sup>r</sup> and Court of Plymouth from any damage that may acrew vnto them by his said administration, and keep a faire account therof, and be reddey to giue in the same vnto the Court when by them required, that then the said obligation to be void and of non effect, or otherwise to remaine in full force, strength, and vertue.

The Court haue voated and hiered vnto M<sup>r</sup> Nathaniell Thomas, M<sup>r</sup> Edward Gray, and John Rogers, all the herbage and grasse which shall grow on the countreyes lands att Pocassett and places adjaent for one yeer, and thire tearme to begin when Cap<sup>t</sup> Churches and his ptenors ends, and they haue engaged to pay therefore vnto the Treasurer the summe of ten pounds.

The summe of fiue pounds is allowed by the Generall Court vnto M<sup>r</sup>

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Hinckley and Major Cudworth, towards the bearing the charge and expence they may be att in their journeyes to and fro, in their attendance vpon his ma<sup>ties</sup> order and comāund, respecting the busines about and concerning William Harris, of Patucket, neare Providence.

Memorand: that a warrant be drawne vp and sent to Mamanewett, the Indian sachem, in reference to his appeerance att Plymouth, and treaty with him for satisfaction, for defending his land from the enimie in the late warr.

The sume of ten pounds is allowed by the Court vnto John Paysley, for his releiffe, to be payed the next yeer, in fines or by rate.

1 November.

[\*172.]

\*Att the Generall Court held att Plymouth for the jurisdiction of New Plymouth, the first of Nouember, ann<sup>o</sup> Doñi 1677.

Wheras the Generall Court held the 10<sup>th</sup> of July, 1677, appointed and impowered the Treasurer, with the assistance of Cornett Studson and M<sup>r</sup> Nathaniel Thomas, to make sale of the lands att Shawamett, &c, to defray the countreyes debts, this Court doth declare, that the said words, "the lands att Shawamett," are to be interpreted to containe the lands called the out lett, as well as the necke itselfe, called Shawamett, and therefore doe heerby allow and confeirme the sale of the said out lett lands, as well as the necke itselfe, to all those to whom the said Treasurer hath made sale therof, according to the boundaries of the said out lett heerby mensioned, viz: bounded on the east by Taunton Riuer, on the north by Taunton lands, on the west, ptely by Swansea lands which were purchased of the Indians by Cap<sup>t</sup> Thomas Willett and M<sup>r</sup> Stephen Paine, Seni<sup>r</sup>, and ptely by the lands of Rehoboth, if the countreyes lands extend soe farr westwards, and on the south by the said necke.

And forasmuch as the towne of Swansea conceiue themselves to haue right to the aforsaid outlett lands, which although this Court att p<sup>s</sup>ent are otherwise minded, yett being willing for the quiett settleing and satisfaction of Swansea, soe farr as to appoint a comittee to view a stripp of land att the enterance of Mount Hope Necke, with some of Swansea, and some of the p<sup>s</sup>ent purchasers of Mount Hope, which said comittee, after the hearing of both pties, shall haue power to determine that stripp of land soe farr to belonge to Swansea as they shall judge most comodious, and least prejudiciall to either place, provided their graunt and determination extend not about 50 or 60 rodd from the said fence downward into the necke, except the comittee shall see cause to extend it soe farr as Kekamenest Springe, and provided that in case Swansea accept therof, then to relinquish all their claime to the said outlett, and all their claime of jurisdiction to the said Mount Hope; and M<sup>r</sup> Hinckley and Major Cudworth are appointed by the Court to determine as abouesaid, in the behalfe of the collonie.

The committee appointed by the Court to treat with the agents of Swansea in reference to a settlement of the matters now in controversy between the colonie and them about the claime made by Swansea men vpon their borders, were —

M <sup>r</sup> Constant Southworth,	M <sup>r</sup> Barnabas Laythorpe,
M <sup>r</sup> Daniell Smith,	M <sup>r</sup> William Paybody,
M <sup>r</sup> Thomas Huckens,	M <sup>r</sup> Nathaniell Thomas,
and Cornett Robert Studson.	

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Gou<sup>r</sup>.

[The following paragraph was made subsequent to the original record.]

James Barnabey appeered before the Court held att Plymouth the last Tusday in October, 1684, and made choise of his father in law, John Nelson, and Thomas Faunce, to be his gaurdians, and att the same time John Nelson p<sup>r</sup>sented six pound in siluer mony, in the p<sup>r</sup>sence of the said Court, for the said James Barnabey, accordinge to the ingagements of the said John Nelson, and Lydi, his wife, vnto the Court in October, 1677, and att the abouesaid Court in 1684, the said John Nelson, as gaurdian to the said James Barnabey, did receiue six pound into his hands & keeping, for the vse and improuement of said James Barnabey.

\*The verdict of vs, a jury impannelled by the constable of Yarmouth, to serch into and view the what might be the ocaation or cause of the vntimly death of the wife of James Claghorne, of Yarmouth. Wee made enquiry whoe were the p<sup>r</sup>sons which first found the woman, and wee found that it was her daughter Elizabeth and her son Robert, whoe, vpon examination, declared to vs that they, missing their mother, and had made serch and enquiry for her, they sent vp into the chamber by one of the children, whoe cryed out that his mother is hanging herselfe; whervpon the said Elizabeth and Robert ran vp, and found her hanging and dead. They thought, howeuer, that shee might haue life, and therefore p<sup>r</sup>sently vnloosed the rope or halter, and tooke her downe; and seeing noe life in her, they p<sup>r</sup>sently made out cry abroad, and there came to them Jabez Gorum and Jonathan White, whoe declared to vs that they went vp, and found the woman vnder the rope dead and cold, and they tooke her vp and brought her downe into the lower rome; and the abouesaid Elizabeth said that her mother was mising, as shee judged, two houres or more before they found her. Haucing thus farr proceed, wee went to view the place where shee was hanged, as they told vs, and found there an haire rope or halter, fastened very feirme to the collar beame, in which the abouesaid Elizabeth and Robert said shee hanged; then wee viewed the corpses, and found an aparent strake on her necke, where the blood was settled; soe that

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it is apparent to vs that shee strangling herselfe with a cord was the cause of her death, and by all our serch and inquiry, wee judge that shee hanged herselfe, and haue noe cause, by all our examination and obseruation, to suspect any other to haue any hand in it.

Yarmouth, this 21 of the 8<sup>th</sup>, 1677.

This verdict was taken vpon oath this 29<sup>th</sup> of October, 1677, before mee.

JOHN FREEMAN, Assistant.

ANDREW HALLOTT,  
EDWARD STURGIS, Seni<sup>r</sup>,  
JOHN MILLER, sworne.  
ELISHA HEDGE, sworne.  
EDWARD STURGIS, Juni<sup>r</sup>,  
NATHANIEL HALL,  
JOHN WHILDING, Seni<sup>r</sup>,  
JOHN RYDER, sworne,  
ANTHONY FREY,  
JOHN TAYLER,  
NATHANIEL BASSETT,  
JOHN TILACHER.

You shall carefully and dilligently serch the body of Gorge More, and make dilligent<sup>ly</sup> inquiry, and gett the best information you can from psons and things, what may be the cause and meanes, or the most probable cause and meanes, of this his vntimely death, all which you shall well, truely, and faithfully pforme according to the best of your vnderstanding and discretion, as you looke for healp from God.

Rodolphus Elmes,	Luke Squire,
Wilham Peakes,	Thomas Hatch,
William Hatch, Seni <sup>r</sup> ,	Thomas Clarke,
Joseph White,	Wilham Hatch, Juni <sup>r</sup> ,
Nathaniel Turner,	Thomas Man,
Josiah Leichfeild,	Joseph House

The jury being impanclled and sworne to inquire of the death of Gorge More, this 26<sup>th</sup> of March, 1677, giue in this following for their verdict:—

Wee, whoe according to our oath had the viewing of the body of Gorge More, of Scittuate, cannot find either by psons or things what was the cause

of his death, but according to our best vnderstanding, wee apprehend that it was some suddaine fainting fitt, or some stoping of his breath, was the whole and sole cause of his death.

RODULPHUS ELMES,  
WILLIAM PEAKES,  
WILLIAM HATCH,  
JOSEPH WHITE,  
NATHANIEL TURNER,  
JOSIAH LEICHFEILD,  
LUKE SQUIRE,  
THOMAS HATCH,  
THOMAS CLARKE,  
WILLIAM HATCH, Junijr,  
THOMAS MAN,  
JOSEPH HOUSE.

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See Micall  
Walkers vn-  
timely death  
recorded att  
the Court Rec-  
ord, July, 1676.

*\*Att the Court of his Ma<sup>tie</sup> held att Plymouth, for the Jurisdiction of  
New Plymouth, the fift of March, .Anno<sup>o</sup> Domini one thousand six  
hundred seauenty and seauen.*

1677-8.

5 March.  
[174.]

BEFORE Josiah Winslow, Esq<sup>r</sup>, Gou<sup>r</sup>,                      John Freeman,  
John Aldin,    Jañs Browne,  
William Bradford,    Constant Southworth, and  
Thomas Hinckley,    James Cudworth,  
Assistants, &c.

**A** NNA TISDALL, widow, of the towne of Taunton, in the jurisdiction of Plymouth, in New England, and John Richmond and Samuell Smith, of the towne aforesaid, in the jurisdiction aforesaid, yeomen, and John Rogers, of the towne aforesaid, in the jurisdiction aforesaid, yeoman, doe acknowledge ourselues bound and feirly obliged vnto the Gou<sup>r</sup> and Court of Plymouth aforesaid, in the penall sume of one hundred and fifty pound, for the payment, wherof well and truely to be made, wee bind ourselues, our heires, executors, and adminnistrators, joyntly and seuerally, feirly by these p<sup>s</sup>ents.

The condition of the aboue written obligation is such, that whereas the aboue bounden Anna Tisdall hath obtained letters of adminnistration to

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adminnester on the estate of John Tisdall, Jun<sup>r</sup>, late of Taunton aforesaid, deceased, if therfore the said Anna Tisdall shall and doe pay, or cause to be payed, all such debts and legacies as are due and owing vnto any from the estate of the said John Tisdall, soe farr and by equall proportions as the said estate will amount vnto, and likewise dispose of the remainder of the said estate according to the Courts order, and keep a fure accompt therof, and be in a reddines to giue in a faire accompt therof, when thervnto required by the Court, and saue and keep harmles and vndannified the said Gov<sup>r</sup> and Court from any damage that may aerev vnto them by her said adminnestration, that then the said obligation to be void and of none effect, or otherwise to remaine in full force and vertue.

The Court haue ordered that a deuission shalbe made of a p̄sell of land att Saconett, which is a share of land there which was the land of John Irish, deceased, and by him bequeathed to his two sonnes, Elias Irish and John Irish, Jun<sup>r</sup>, his brother, which is to be made by William Witherell, in the behalfē of the said Elias Irish, his child, and the said John Irish, Junier, in case they can agree soe to doe; but if not, the Court orders that Cap<sup>t</sup> Church and John Richmond, of Taunton, shall doe it in their belaffe equally both for quantity and quallity, deuided and vndeuided, vpland and meddow land, and that then the said William Witherell and John Tisdall shall draw lotts for the same.

Wheras it doth appeer vnto the Court that there is due vnto M<sup>r</sup> Symon Cooper the so<sup>m</sup>e of fifteen pounds in mony from the towne of Dartmouth, for surjery exerceysed on Wilkam Dye, which the said towne hath hitherto neglected to satisfy, the Court doth heerby engage to take some effectuall course that the said so<sup>m</sup>e shalbe satisfied some time in Nouember next, and alsoe twenty shilling in mony, for his paines and charge of his journeyes to Plymouth about it.

Experience Michell, Edward Michell, and Joseph Bartlett are allowed and appointed by to be gaurdians to the children of Jacob Michell, deceased, to call in the debts due vnto the said estate, and to gather the same together, and to improue the same for the future good of the said children, when they come to be of age.

Wilkam Carpenter and Samuel Carpenter, ouerseers of the estate of Margerett Carpenter, deceased, are ordered by the Court to dispose of a competent p̄te of the land of Joseph Carpenter, Sen<sup>r</sup>, for the vse of Joseph Carpenter, Jun<sup>r</sup>, in regard hee is in some want of land att the p̄sent for his p̄sent vse, and to be accounted as p̄te of his share of the land due vnto him out of his said fathers land.

These are to signify vnto all to whom these presents shall come, that this Court sees cause to prohibite all and every pson and psons within our jurisdiction or elsewhere, to buy any of the Indian children of any of those our captiue saluages that were taken and became our lawfull prisoners in our late warrs with the Indians, without special leaue, liking, and approbation of the gouernment of this jurisdiction.

Letters of administration is granted vnto Anna Tisdall, widdow, to adminester on the estate of John Tisdall, late deceased.

And John Richmond, and John Rogers, and Samuell Smith, of Taunton, are appointed to be ouerseers for the desposall of the said estate.

\*In reference to the complaint of Robert Badston against Charles Wills, that hee had lyen with his wife, the Court, haucing examined the euidences respecting that case, did not find him guilty of that fact, and therefore cleared him therof, and from keeping the child, and the rather because the said Robert Badston hath frequently companied with his said wife by beding with her, both before and after the child was borne.

1677-8.

5 March.  
WINSLOW,  
Gov<sup>r</sup>.

[\*175.]

Joseph Burge, for selling liquore to the Indians, fined five pounds, to the vse of the collonie.

This fine of five pound of Joseph Burgis is respected on his good behavior.

Att this Court Pompmoe was presented before the Court for frequently stealing of horses, powder, &c, and goeing on vureclaimably therein. The Court sees reason to take the engagement of three Indians, viz<sup>t</sup>, Symon Pompmoe, Lawrance, and John Sias, that hee, the said Sam Pompmoe, shall pay or cause to be payed all the charge that shall appeer to be due for his imprisonment, and for the bringing of him to prison.

Joseph Burge for prophanly swearing in the face of the Court, fined ten shillings, to the vse of the collonie.

Samuell Jemey, for vseing railing and reuiling speeches to seuerall psons at the mill att Plymouth, fined five shillings.

Joseph Dunham, for laciuiouse carriages vsed toward Elizabeth Ringe, fined twenty shillings, to the vse of the collonie.

Ruhamah, the wife of Joseph Nicarson, for prophaning the Sabbath by fighting and quarreling twise, fined forty shillings, or to suffer corporall punishment by whipping.

Samuell Nicarson, for prophanly breaking the Sabbath by quarrelling and fighting, fined forty shillings, but hath libertie to appeer before the next Court, to make his defence.

1677-8.

5 March.  
WINSLOW,  
Goc<sup>r</sup>.

Edward Cottle & his wife, of Mannamoiett, for prophaning the Sabbath by quarrelling, fined forty shillings. And likewise the wife of Nathaniell Couell, for prophaning the Lords day by quarrelling & fighting, fined forty shillings, siluer mony, or to be whipt.

Teague Jones, for drunkenes, knowne to be the second time, fined ten shillings.

In regard of the defect of a constable in the towne of Dartmouth, this Court doth order and authorise John Cooke, John Russell, and Leiftenant Smith, they or any two of them, in his ma<sup>ties</sup> name, to call their towne to come together to make such rates as are requisite for the defraying of such dues as are due and owing from their towne, and p̄ticularly a debt due to Symon Cooper for the cure of Wilham Die, and for the charge of journeyes to Plymouth, for the demanding of the said debt, which is sixteen pounds, to be payed in siluer mony, to be payed to him or his declared order, Major Bradford; as alsoe the summe of forty shillings to Jonathan Delano, and to Thomas Tabor 2<sup>0</sup> 10<sup>s</sup>, and to Wilham Spooner two pound and ten shillings, and to Samuell Jenney 1<sup>2</sup> 0; to John Cornwell 2<sup>0</sup> 10<sup>s</sup>; to Phillip Tabor 2<sup>1</sup> 10<sup>s</sup>; to Eliezer Smith five shillings. These summes, excepting that due to Symon Cooper, to be payed in marchantable pay, att money prise; they are to returne a true account of their doings respecting the p̄mises vnto June Court next, to be holden att Plymouth.

[\*176.]

\*I, Serjeant John Bryant, of Scittuate, standeth bound heerby vnto the Court of the jurisdiction of New Plymouth in the penall summe of thirty pounds sterling, for the payment wherof, well and truly to be made, I bind myselfe, my heires, executors, and administrators, feirly by these p̄sents, this eight of March, ann<sup>o</sup> Dom̄ one thousand six hundred seauenty and seauen, 78.

The condition, that wheras Isable Hiland, of Scittuate, the relict of Samuēll Hiland, late of Scittūte aforsaid, deceased, hath obtained letters of administration to administer on the estate of the said Samuell Hiland, if, therefore, the said Issabell Hiland doe pay or cause to be payed all such debts and legacies as are due and owing vnto any p̄son or p̄sons from the said estate, soe farr and by equall proportions as the same shall amount vnto, and keep a faire and true accompt of her said administration, and be redly to giue in the same vnto the said Court when by them required, and saue and keep harmles and vndammifyed the said Gou<sup>r</sup> and Court from any damage that may

acrew to them by her said administration, (according to the promises,) that then the above entered obligation to be void and of none effect, or otherwise to remaine in full force, strength, and vertue.

Henry Ellis, of Boston, in the Massachusetts gouernment, being bound ouer to this Court by Thomas Hinckley, Esq<sup>r</sup>, Assistant, to answere a complaint or information against him, for that the said Ellice did on Munday night last past before the 8<sup>th</sup> of Nouember, 1677, vse abusive and laciuous carriages with or towards an Indian squa, called Toqueo, att Cap Codd, which plaint, information, or charge is by him, the said Ellice, traucersed and put to the jury for tryall.

1677-8.

5 March.  
WINSLOW,  
Gou<sup>r</sup>.

The jury find not guilty

The names of the jury is as followeth: —

M <sup>r</sup> Thomas Huckens,	Eliezer Churchill,
Leif <sup>t</sup> Samuell Allin,	John Caruer,
Leiftenant James Lewis,	Ephraim Little,
Leif <sup>t</sup> Jabez Howland,	John Sutton,
Steuen Skiffe,	John Briggs,
John Soule,	Joseph Wadsworth.
sworne.	sworne.
	sworne.

This Court taking notice that the bounds are not yett settled between the towne of Eastham and the purchasers on both sydes of them, doth order, that they lay out and settle theire bounds, and in defect therof, that they appeer by theire agents the next June Court, to render theire reason of theire neglect, that soe the Court may take care for the settlement therof.

*\*At the Generall Court of Election holden att Plymouth, for the Jurisdiction of New Plymouth, the fift Day of June, Anno Do<sup>m</sup>i 1678.*

1678.

5 June.  
[176.]

BEFORE Josiah Winslow, Esq <sup>r</sup> , Gou <sup>r</sup> ,	John Freeman,
John Alden,	James Browne,
William Bradford,	Constant Southworth, and
Thomas Hinckley,	James Cudworth,
Assistants.	

1678.

5 June.  
WINSLOW,  
Gov<sup>r</sup>.

**J**OSIAH WINSLOW, ESQ<sup>r</sup>, was chosen Gov<sup>t</sup>, and sworne.

Mr John Alden,	}	were chosen Assistants in gou <sup>v</sup> ment, and sworne.
Major Wiltam Bradford,		
Mr Thomas Hinekley,		
Cap <sup>t</sup> John Freeman,		
Mr James Browne,		
Mr Constant Southworth,	}	chosen Com <sup>is</sup> sioners.
Major James Cudworth,		
Gou <sup>r</sup> Winslow and Mr Thomas Hinekley		

Major Cudworth the next in nomination.  
Mr Constant Southworth was chosen Treasurer, and sworne.

The Deputies.

Leiff Morton,	Mr Barnabas Laythorpe,
Leiff Joseph Howland,	Ensigne Marke Eames,
Mr Josiah Standish,	Anthony Snow,
William Paybody,	Mr Daniell Smith,
Cornett Studson,	Mr Nicholas Peeke,
John Bryant,	Cap <sup>t</sup> Jonathan Sparrow,
Wiltam Swift,	Thomas Paine,
James Walker,	Ensigne John Haward,
Samuell Smith,	Samuell Luther,
John Thacher,	John Willis,
John Miller,	John Cooke.
Mr Thomas Huckens,	

The Grand Enquest.

Mr John Cushen,	Francis West,
Serjeant Wiltam Harlow,	Obadiah Bowin,
Joseph Warren,	Richard Steucens,
Mr John Sunderland,	John Hinekley,
Phillip Delano, Seni <sup>r</sup> ,	John Eames,
Edmond Freeman, Juni <sup>r</sup> ,	Nathaniell Williams,
Shuball Dimake,	Ephraim Little,
Phillip Walker,	Mordica Ellis,
John Caruer,	John Briggs,
John Butterworth,	Nicholas Nicarson,
Arther Hathewey,	Gorge Crispe.

\*Elect Men.

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5 June.  
WINSLOW,  
Gov<sup>r</sup>.  
[\*179.]

Plym̄ :	Yarmouth :
Leif Morton,	M <sup>r</sup> Edmond Hawes,
William Crow,	Edward Sturgis, Sen <sup>r</sup> ,
William Clarke.	John Thacher,
Duxbu <sup>r</sup> :	John Miller.
John Tracye,	Barnstable :
Benjamin Bartlett,	M <sup>r</sup> Thomas Huckens,
John Wadsworth.	Leif Laythorpe,
Scittuate :	M <sup>r</sup> Barnabas Laythorpe.
John Cushen,	Marshfeild :
John Bryant,	^           ^
Leif Bueke.	Reliboth :
Saudw <sup>i</sup> :	Leif Peter Hunt,
M <sup>r</sup> Edmond Freeman,	M <sup>r</sup> Daniell Smith,
William Swift,	Ensigne Nicholas Pecke.
Thomas Tupper.	Bridgwater :
Taunton :	Samuell Edson,
Leif Maeye,	Ensigne Haward,
William Harvey,	John Carey, Sen <sup>r</sup> .
Walter Dean,	Eastham :
James Walker,	Cap <sup>t</sup> Sparrow,
Samuell Smith.	Marke Snow,
	John Done.

The Constables of the seuerall Townes are as followeth :—

Plymouth, . . . . .	Nathaniel Southworth.
Duxb, . . . . .	John Simons.
Scittuate, . . . . .	{ John Turner, Jun <sup>r</sup> ,
	{ Thomas Wade.
Sandwich, . . . . .	John Blackwell.
Taunton, . . . . .	{ Samuell Williams,
	{ Thomas Harvey, Sen <sup>r</sup> .
Yarmouth, . . . . .	M <sup>r</sup> Edward Sturgis, Sen <sup>r</sup> .
Barnstable, . . . . .	Nathaniel Bacon.
Marshfeild, . . . . .	{ Samuell Arnold,
	{ Thomas Macomber.

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Rehoboth, . . . . .	{ Thō Read, Abraham Perren.
Eastham, . . . . .	{ Josiah Cooke.
Bridg̃w, . . . . .	{ Zacheus Packer.
Swansey, . . . . .	{ Caleb Eedey.

## Surveyors of Highwayes.

Plym̃, . . . . .	{ Leif Joseph Howland, James Cole, Juni <sup>r</sup> , Ephraim Morton, Juni <sup>r</sup> .
Duxb, . . . . .	{ John Rogers, Abraham Sampson, Wiltam Tubbs.
Scittuate, . . . . .	{ John Bryant, Juni <sup>r</sup> , John Vinall.
Sandw̃, . . . . .	{ Thomas Burge, Samuell Briggs.
Taunton, . . . . .	{ James Tisdall, James Leonard, Juni <sup>r</sup> .
Yarmouth, . . . . .	{ Nathaniel Bassett, John Burgis.
Barnstā, . . . . .	{ Wiltam Troope, Ensigne Howland.
Marshfeild, . . . . .	{ Richard Bowin, John Perren.
Bridg̃watē, . . . . .	{ Thomas Turner, Joseph Haward.
Eastham, . . . . .	{ William Walker, Wiltam Merricke, Juni <sup>r</sup> .

[\*180.]

\*This Court have settled the easterly bounds of the towne of Duxburrow to be the sea, neare Greens Harbour, where the lines cuts between Marshfeild and Duxburrow to the Gurnetts Nose, excepting the Gurnett, Clarkes Iland and Sagaquas, which are not to be within the jurisdiction of Duxburrow, saueing alsoe every mans propriety and right to him that is now in possession of any lands or meddowes within their bounds, whether by graunt or purchase, without disturbance, as touching propriety, by vertue of this graunt, yett to be within the jurisdiction of Duxburrow townshipp.

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Gou<sup>r</sup>.

Whereas Thomas Jenkins, constable of Scituate, being to pay by order of the Treasurer out of the rate dated the sixt of December, 1677, a certaine summe vnto M<sup>r</sup> Gray, and the said constable, in gathering his rate, was constrained to take sheep of severall psons, which were by men fittally chosen apprised, but coming to Plymouth they were refused to be receiued vntill there were another apprisall, and hee, the said Thomas Jenkins, coming to the Court the fift of June, 1678, to craue the Courts advice what hee might doe with safety therein, the Court doth declare and advise, that Thomas Jenkins and M<sup>r</sup> Gray doe each of them chose a man to prise the sheep, and the chiefe marshall to be the third man, in case the other two agree, and soe M<sup>r</sup> Gray to receiue them; and what losse shalbe in the second apprisall, that the said losse be bourn by the towne, and not by the constable.

Whereas it doth appcer to the Court, that two Indians, one named Thomas Hunter and the other Peter, of Teticutt, were both mutually injoynd and did engage vnto their sachem to keep, and not imbezell, or sell, or make away certaine lands comitted to them by him, and notwithstanding, the said Peter hath lately made sale of some pte of the said land, contrary to the mind of his ptenor in this matter, vpon the complaint of the said Hunter, the Court ordereth and doth heerby prohibite the said Peter from imbezelling or any wayes making away any more of the said land; but that Thomas Hunter shall retaine it in his owne custody, soe as it may be improued according to the order and mind of him by whom they were betrusted with it.

Lycence is graunted vnto M<sup>r</sup> Edward Gray to sell some smale quantities of liquor, as hee may haue oecation, to such as are or may be employed by him in fishing, and such like oecations, for their vse and refreshing.

Libertie is graunted vnto M<sup>r</sup> Joseph Bradford and Mistris Jaell Bradford, his wife, to draw and sell beer as oecation may require, soe as they prudently prevent all excesse that may come therby.

M<sup>r</sup> Daniell Smith and Serjeant Thomas Reed are appointed by the Court, together with the gaurdians of the children of M<sup>r</sup> Nathaniel Pecke, of Swansey, deceased, to make deuision of certaine lands in ptenorship between the said Nathaniell Pecke and Israell Pecke, between the said Israell Pecke and the said children.

The summe of ten pounds in siluer mony, out of the proffitts of the cape fishing, is graunted by the Court and ordered to be payed, five pounds therof vnto Mistris Newman, the wife of M<sup>r</sup> Noah Newman, deceased, and the other five pounds to the schoolmaster att Rehoboth, in reference to the order of Court disposing such pay to be improued towards the keeping

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Gov<sup>r</sup>.

of a gram̄er scoole in each towne of this jurisdiction, as in the said order is expressed.

Thirty shillings is abated and remitted of the fine of Serjeant Tinkham, soe that there remains but ten shillings payable.

[\*181.]

\*This Court remitteth vnto Christopher Winter, vpon the forfeiture of a bond of fifty pounds currant siluer mony of New Eng<sup>d</sup>, the sum̄e of thirty pounds, retaining the sum̄e of twenty pounds, which said twenty pounds is to be payed in currant siluer mony of New England; which said abatement is for that wheras the said Winter gaue the said bonds for his daughter, Anna Batson, her appeerance att this Court to answare for an acte of vncleanes, and shee made an escape; and wheras for what can be descerned her said escape was contrary to her fathers mind, the Court did condescend to abate p̄te of the said forfeiture, as aforsaid.

Elizabeth Loe, being a single woman, is convicted of com̄itting whordom, and centanced by the Court to suffer corporall punishment by whipping, which accordingly was p̄formed.

And wheras shee accused Phillip Leanard to be the father of the child begotten on her by the said acte of vncleanes, wherof hee hath not cleared himselfe to the satisfaction of the Court, hee is ordered and required by the Court to allow towards the keeping of the child two shillings and six pence a weeke in currant marchantable corne, att prise currant att times of payment, or two shillings p weeke in currant siluer mony of New England, vntill the child, if it liues, attaines to the age of 7 yeers from the date heerof.

The Court saw cause to tender her liberty to sweare, for the clearing of the case; the tenure of which oath followeth:—

You shall sweare by the name of the cuerlasting God, that Phillip Leanard, of Marshfeild, is the reall father of the child last borne of your body, begotten in whordom; which oath shee reddily tooke.

Phillip Leanard, of Marshfeild, in the jurisdiction of New Plymouth, nailer, stands heerby bound vnto the Goū and Court of Plymouth aforsaid in the penall sum̄e of thirty pounds sterling: for the payment wherof well and truly to be made, hee heerby bindeth himselfe, his heires, executors, and adminnistrators feirmly by these p̄sents.

The condition of the aboue written obligation is such, that wheras the said Phillip Lenard is accused by Elizabeth Loe, widdow, of begetting her with child, wherof hee hath not yett cleared himselfe, if, therefore, hee, the said Phillip Leanard, hee, his heires, executors, adminnistrators, or assignes, shall and doe pay and make good vnto Elizabeth Loe, the mother of the child begotten as aforsaid, two shillings and six pence in good, marchantable corne, att prise cur-

rant att times of payment, or two shillings a weeke in currant siluer mony of New England, for and towards the bringing vp of the said child, vntill, if it liue, it doe attaine the age of seauen yeers from the date heerof, that then the abouewritten obligation to be void and of non effect, or otherwise to remaine in full force, strength, and vertue.

Jane Barlow, the wife of Gorge Barlow, of Sandwich, haucing bin p̄sent-ed for selling liquore to an Indian, her plea being that what shee did in that behalfe was ignorantly done, and engageth that shee neuer doe the like any more, the Court saw cause to passe it by, on condition that if euer heer-after shee be taken selling liquore to any Indian, that then shee shall pay a double fine.

\*The Court, taking notice of the free and orderly choise of M<sup>r</sup> Nicholas Peeke to be ensigne bearer of the milletary companie of Rehoboth, de approue of and appoint the said Nicholas Peeke to be ensigne bearer of the said companie.

1678.

5 June,  
WINSLOW,  
GOU<sup>r</sup>.

[\* 182.]

Wheras seuerall of the counsell of warr of the towne counsell of Rehoboth being lately deceased, wherby there is a vacaneye in their towne counsell in that respect, the Court doeth approue and establish Ensigne Nicholas Peeke, Serjeant Thomas Reed, M<sup>r</sup> Samuëll Newman, and Serjeant Willmoth to be of the counsell of warr in Rehoboth.

Wiltam Perrey, of Scittuate, declaring to the counsell of warr that hee is very much disabled in body by reason of a wound receiued in the seruice of the countryes service in the late warr, and therby vnfitt to bear armes in training, desiring to be freed from publicke exerceyse in that kind, the counsell sees cause, therefore, heerby to free him from publicke training in the milletary companie of Scittuate.

Daniell Wilcoekes is graunted the sūme of ten pounds, in consideration of a considerable charge by him sustained in answare of a suite comēced against him att Rhode Iland and tryed there, and a verdict of twenty pound siluer mony obtained against him, to make good the charge of a man lately cured, which man was one of the wounded men that were wounded in the late warr.

March the 25, 1678.

Wee, whose names are vnderwritten, being required by authoritie as a jury to serch out the cause of the death of the child of Anne Batson, wee doe find as followeth :—

That wee saw nothing that might be the cause of its death, but onely att the lower p̄te of the belly and the private members there being a settling of red and blacke, and the members being swelled; and, further, wee required

1678. Anne Batson and severall of the family to touch the dead child, but ther was nothing therby did appeer respecting its death.

5 June.  
WINSLOW,  
Gov<sup>r</sup>.

ANTHONY SNOW,  
JOHN BOURNE,  
JOHN BRANCH,  
JOSIAH SNOW,  
NATHANIEL WINSLOW,  
ARTHER HOWLAND,  
SYMON ROUSE,  
ABIGAILL SNOW,  
FAITH WINSLOW,  
MARTHA POWELL,  
MARY WILLIAMSON,  
MARY BRANCH.

Wee, whose names are heervnto subscribed, being, this sixt of May, 1678, impanelled vpon the coronors enquest to make inquiry and true p̄sentment make of the cause and manor of the death of Thomas Totman, doe declare, that wee find noe other thinge or cause but onely his owne wilfull absenting himselfe from food to be the cause and meanes of his death. In witnes wherof wee haue sett to our hands.

WILLIAM PEAKES,  
JOHN SUTTON,  
ROBERT WHETCOM,  
ISRAELL CUDWORTH,  
JOHN BRIGGS,  
ANTHONY DODSON,  
JAMES BRIGGS,  
BENJAMINE PEIRSE,  
JOHN BOOTH,  
JAMES HOLBROOK,  
JOSEPH HOUSE,  
CHARLES WELLS.

Wee, whose names are vnderwritten, being sworne to view the corpes of Samuell Drew, deceased, the 21 day of May, 1678, doe judge, according to our best judgment, as followeth: that goeing on board of a shallopp, finding there a bottle of liquor, and drinking soe much of itt, that, as hee went to gett out

of the boate, hee fell from the boate into the water and sand, which wee judge was the cause of his death.

1678.

5 June,  
Winstow,  
Gov<sup>th</sup>.

WILLIAM HARLOW,  
GORGE WATSON,  
Serjeant TINKHAM,  
WILLIAM CLARKE,  
JAMES COLE,  
Leiftenaut HOWLAND,  
NATHANIEL SOUTHWORTH,  
THOMAS MORTON,  
JOSEPH DUNHAM,  
RICHARD WILLIS,  
ANDREW CLARKE,  
EPHRAIM MORTON.

Taken before Major Bradford the day and yeer first aboue written.

\*Edward Wanton, for disorderly joyning himselfe in marriage with his now wife in a way contrary to the order of this gofiment, is fined to the vse of this collonie the sume of ten pounds.

[\*183.]

It is ordered by the Court, that the Gov<sup>th</sup>, M<sup>r</sup> Hineckley, Major Cudworth, and the Treasurer be a committee to review the lawes of this collonie, and to reduce them into one vollume, and to put them into such order as they may more reddily conduce to our generall vse and benefitt; and whatsoeuer they shall doe respecting, shall be exhibited to the next Generall Court for their concurrence and approbation.

A Coppy of a Warrant sent from the Court to Taunton, as followeth.

New Plymouth to the constables of Taunton, or either of them, greet, &c: These are, in his ma<sup>ties</sup> name, to will and commaund you, on receipt heerof, to warne your towne to come together to make a rate to defray some charges that did arise among you in the time of the late warr with the Indians, and yett not payed, viz<sup>t</sup>, for billeting Captaine Freeman and his men and their horses, and for billeting some men left in your towne by M<sup>r</sup> Saberey, and for billeting some of your owne towne souldiers after they were pressed, viz<sup>t</sup>, such as were placed forth by the constable, and the constable requiring men to billett them, and likewise to pay for beefe which was disposed off when Cap<sup>t</sup> Freeman was att your towne, either by Cap<sup>t</sup> Freeman or any of your select men, for the relieffe of some of your poor, whoe were in extreamp<sup>ty</sup>, and alsoe to pay for carrying Jane Hallowey to Plymouth. The Court, haue-

1678.

5 June.  
WINSLOW,  
Gov<sup>r</sup>.

ing taken these things into consideration, doth see good reason to place the charge of these fore mentioned particulars on yourer towne; therefore fayle not in any of the particulars.

This was an order of Court ordered to be sent as abovesaid the last Court, but neglected by those that should haue carryed it, was sent this Court in forme of a warrant.

5 July.  
[\*184.]

*\*Att the Court of his Ma<sup>tie</sup> holden att Plymouth, for the Jurisdiction of New Plymouth, the fift of July, 1678.*

BEFORE Josiah Winslow, Esq <sup>r</sup> , Gov <sup>r</sup> ,	John Freeman,
John Aldin,	Constant Southworth,
Thomas Hinekley,	James Browne, and
William Bradford,	James Cudworth,
Assistants, &c.	

**L**IBERTIE was graunted vnto M<sup>r</sup> Samuell Saberry, of Duxburrow, to sell liquors vnto such sober minded neighbours as hee shall thinke meet, soe as hee sell not lesse then the quantie of a gallon att a time to one pson, and not in smaller quantities by retaile, to the occationing of drunkenes.

Gorge Barlow doth heerby acknowledge himselfe to stand bound vnto our so<sup>u</sup> lord the Kinge and the collonie of New Plymouth in the penall sume of ten pounds; for the payment wherof well and truly to be made, hee heerby bindeth himselfe, his heires, executors, and adminnestrators, feirly by these p<sup>r</sup>sents.

Released.

The condition of the aboue written obligation is such, that wheras Gorge Barlow, aboue bounden, is accused to haue earyed factiously and turbulently in the towne of Sandwich, and p<sup>r</sup>ticularly in a puerse way against M<sup>r</sup> John Smith, the teacher of Gods word ther<sup>e</sup>, if, therefore, the said Gorge Barlow shall and doe psonally appeer att the Court of his ma<sup>tie</sup> to be holden for this go<sup>u</sup>ment att Plymouth on the last Tusday in October next after the date heerof, then and there to make further answare in reference to the p<sup>r</sup>misses, and not depart the said Court without lycence, that then, &c.

Ephraim Doan, being bound ouer to this Court, appeered to answare the complaint of Jawannum, late wife of James Pequin, of Billingsgate, as suspected by her and Nicholas to haue bin an occasion of the violent death of the said Pequin, her husband.

This Court, being in an incapassitie to make tryall therof, in regard of the absence of the grand inquest, refered the tryall therof vnto the Court of his ma<sup>tie</sup> to be holden att Plymouth on the last Tusday of October the next after the date hecrof, in order whervnto they tooke sufficient securitie for the appearence of the said Doane, and dismissed him vntill the said Court.

This Court haue appointed and impowered John Irish, of Saconett, to serue in the office of a constable att the said Saconett, and his libertyes and wardshipp to extent to Panchateosett and places ajacent, and soe to Pocassett, and as farr as the Fall Riuer, and by speciall order haue impowere Cap<sup>t</sup> Benjamin Church to adminnester an oath to him.

Nathaniel Fitrandall, for his wifes frequency in selling cyder to the Indians, contrary to order of the Court prohibiting the same, is fined the sume of twenty pounds.

Richard Siluester, of Milton, for comitting fornication with the daughter of old Leonard, of Taunton, is centanced by the Court to pay a fine of five pound; and incase hee be not married, or doe not marry the said woman, then hee is to pay other five pound, according to the law.

Thomas Paine, of Eastham, doth acknowlidg himselfe to stand vnto the Go<sup>u</sup> and Court of Plymouth in the penall sume one hundred and twenty pound sterling; for the payment wherof well and truly to be made, hee heerby acknowledgeth himselfe, his heires, executors, administrators, and assignes, feirly by these p<sup>re</sup>sents.

The condition of the aboue written obligation is such, that wheras Mary Rogers, of Eastham, widdow, hath obtained of this Court tres of adminnestration to adminnester on the estate of James Rogers, of Eastham aforesaid, late deceased, if, therfor, the said Mary Rogers, widdow, the relict of the said James Rogers, shall and doe pay all such debts and legacyes as are due and owing to any from the said estate, soe farr and by equall p<sup>ro</sup>rtion as the said estate will amount vnto, and dispose of the remainder therof according to order of Court in that case provided respecting the same, and keep a faire account of her said adminnestration, and saue and keep harmles and vndamnified the said Go<sup>u</sup> and Court from any damage that may acrew vnto them by her said adminnestration, that then the next aboue written obligation to be void and of non effect, or otherwise to remaine in full force & vertue.

\*On the 12<sup>th</sup> of August, 1678, the James Frigate, soe called, arriued att Plymouth, in New England, M<sup>r</sup> Sollomon Blackleich commaunder in cheiffe, accompanied with one Cap<sup>t</sup> Robert Daniell and John Roads; they said they came from New Yorke the last port they came from, but came from Corralina thither; they stayed att Plymouth aforesaid seuerall weekes in repairing, alter-

1678.

5 July.  
WINNSLOW,  
Gov<sup>r</sup>.

12 August.  
[\*187.]

1678.

12 August.  
WINSLOW,  
Gov<sup>r</sup>.

ing, and fitting their shipp for the sea, their designe vnkowne to the authoritie heer.

The honored Gov<sup>r</sup> and Councell of the Massachusetts, haueing notice of such a vessell att Plymouth, ill resented it, supposing it might be of ill consequence to the whole country, if pmitted to goe on on a privateering enterprise, which they feared, and for the preventing therof directed a letter to our honored Gov<sup>r</sup> and Councell by the hands of M<sup>r</sup> John Nelson and severall other marchants of Boston, therein and by them declaring the reasons of their suspicions, viz<sup>t</sup>, that whereas Blackleish, haueing bine lately att Boston, gaue noe account of himselfe and designs, but in a private way seduced a considerable companie of seamen to serue with them vnder a comission and prync to them vnkowne, (if any,) which gaue them ground of suspition that they were in a way of piracye.

They alsoe signified, that they doubted that it would be off ill consequence to abett, harbour, or assist those whoe in shew professe an oppen enmitie to the French, our neighbours, with whom wee ought to hold, as well as wee haue receiued all good correspondency, as likewise the euident detriment that wee had and did dayly receiue by the losse and ruining away of their seamen, severall of their vessells being retarded, and others wholly discouraged from going on in their lawfull designes, vpon the suspition and threats of the said Blackleish and his adherents.

Further, they requested our Councell for their p<sup>t</sup>icular and speciall serch into the designes of the forenamed p<sup>er</sup>sons, and, if possible, to giue some sufficient satisfaction to his ma<sup>ties</sup> proclamation prohibiting any of his subjects to serue vnder any forraigne prince or state, &c, which they had lately receiued, and was hitherto vnkowne to vs, and that noe pretence of forraigne comissions is allowed and fauored by the said his ma<sup>ties</sup> proclamation. They supposed that it would be best for p<sup>re</sup>sent to obstruct the said vndertakers in their further proceedings respecting the p<sup>er</sup>misses, and the rather because, as it is reported, if true, that they are said to be robbers of the said vessell.

The p<sup>er</sup>misses, with other p<sup>t</sup>iculares of like nature considered, occasioned a seizure of the said vessell and supposed com<sup>an</sup>dors in order vnto further inquiry into this matter; and the said p<sup>er</sup>sons before our Councell, and his ma<sup>ties</sup> said proclamation read in their audience, and vpon examination it appeared, that the said John Roads had noe comission, or att least produced none, but being a debauched p<sup>er</sup>son, and vnder censure of banishment for piracye from the Massachusetts gov<sup>r</sup>, and had broken prison att New Yorke, was receiued on board this vessell in a private way; and as for the master, although hee gaue good satisfaction that hee was put in com<sup>an</sup>dor of the said shipp, and

impowered to improue her as a marchant man, but had noe com̄ission made p̄ticularly to him as a privateer or man of warr, but had thought to acte by vertue of a Duch com̄ission graunted vnto the aforsaid Cap̄t Daniell, which was *was* now rendered null and of non effect by his ma<sup>ties</sup> said proclamation, and was required to be surrendered vnto the custody of our Councell on that account; but hee, being not free soe to doe, tendered rather to engage before our Councell noe further to proceed by vertue of that com̄ission because prohibited by his ma<sup>ties</sup> said proclamation; which ingagement indorsed on the said com̄ission, it was further declared to be void and of non effect, onely retained by the said Cap̄t Daniell for his defence and securitie, because it appeared hee had formerly acted by vertue thereof.

In fine, because the motions of the fore named vndertakers with their men and vessell was rendered very vncertaine, whether towards the French, as aforsaid, or otherwise, to the damage of the country, an imbergoe was layed on the vessell, and a cessation required of the said vndertakers from further proceeding respecting the p̄mises vntill further securitie can be giuen for the saffety of their future motions on that account; and the said John Roads com̄itted to durance vntill hee can be returned to New Yorke, from whence hee made his escape.

\*New Plymouth, in New England, in America.

1678.

12 August.  
WINSLOW,  
Gov<sup>r</sup>.

[\*188.]

To all people to whom these p̄sents shall come: Know yee, that I, Solomon Blackleich, com̄aunder of the James Friggett, being by the disposing and all ordering hand of Gods prouidence arined in the harbour of the towne of New Plymouth aforsaid, and in the said towne, of whole and sound mind, and of a good and p̄fect remembrance, thankes be to God, notwithstanding being weake of body through sicknes, not knowing how soon it may please God to change my life vnto death, haue therfore made, and doe by these p̄sents make and ordaine, this my p̄sent testament, containing heerin my last will in manor and form following: Imp̄mes, I bequeath my soule to God that gaue it, and my body to the dust. Item, my will is, that my servant, Thomas Maca, serue my wife, Sindeniah Blackleich, or her order, two yeers in Catalina, and then the remainder of his time I freely giue him: and release my servant, Thomas Fenden, his whole time, to be released att such time as hee can haue oppertunity to gett to his father or mother; and for my other servant, Edward, my will is hee shalbe released when hee hath served one whole yeer in the shipp James Friggett. Item, my desire and will is, that my child or children be att the dispose and care of bringing vp of my wife, Sindeniah Blackleich. Item, I will and bequeath vnto my deare and loueing wife, Sin-

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Gou<sup>r</sup>.

deniah, for her and my childrens comfort, my debts and legacies being first payed, all my estate whatsoever and whersoever it may be found, be it lands, monyes, goods, cattle, or chattles, or debts, or any other estate whatsoever that I now haue in England, Cattalina, New England, or any other place whatsoever, or shall or may haue due, owing, or belonging vnto mee in any of the aforesaid places whatsoever, lett it be in speeue whatsoever, I giue it all to my deare and loueing wife as aforesaid; and I doe by these p<sup>r</sup>sents nominate, ordaine, and appoint my aforesaid loueing wife, Sindeniah Blackleich, to be my whole and sole executrix and adminnistrator on my said estate, to pay all such debts and legacies as are due out of the estate, and to receiue all such debts or other estate whatsoever as is due to mee. And I doe by these p<sup>r</sup>sents nominate and appoint my loueing friends, Collonell Joseph West and Captaine Robert Daniell, to be the ouerscers of this my will; and doe impower them by these p<sup>r</sup>sents to call M<sup>r</sup> Ralph Marshall and M<sup>r</sup> Gorge Canty to an account, and to take and receiue of and from them all my estate whatsoever, in whatsoever speeue it may be found, and to recouer it by law if oecation require, for the vse and benefitt of my aforesaid executrix, reuoakeing all former wills and testaments. Hoping that this my last will and testament will remaine feirme and inuolable, I, the said Sollomon Blackleich, haue heervnto put my hand and seale, this thirteenth day of September, one thousand six hundred seauenty and eight.

SOLLOMAN BLACKLEICH, and a seal.

Signed and sealed in the p<sup>r</sup>sence of

John Colle.

I, Wiltam Crow, doe testify, that I writt this will of M<sup>r</sup> Sollomon Blackleich; the substance and instructions therof I had from the aboue said John Colle, whoe stood between mee and the said M<sup>r</sup> Blackleich, whom I very well knew spake to the said Colle, by his voyce, though I could not goe in to him by reason of the sicknes. Taken vpon oath by the said Crow, this 24<sup>th</sup> day of September, one thousand six hundred seuenty and eight, att the towne of Duxberry, in the collonie of New Plymouth, in New England.

Before mee, JOHN ALDEN, Assistant.

11 September. \*M<sup>r</sup> Robert Daniell.

[\*190.]

Sir: Since it hath pleased God to visitt me in this condition, it giueth mee great cause to beleine my dayes are not longe in this world; therefore my desire and order is, that after my death, you take possession of my shipp, James Friggett, and with all possible conueniency depart this harbour for Barbadoes, and from thence in any p<sup>t</sup> of America vse her on any designe or employment, as

you shall thinke most convenient and beneficiall for the owners; for I must needs confesse, that by reason of my misfortunes in the disastors of the seas, my owners cargoe being spent, you haue noe other then a bare and naked shipp to worke with; yett through my good thoughts of youer industry, I doubt not but the shipp may for the future proue advantageous to them. For the better compliance with their order, I desire that with the first you advise them of all youer proceedings, and apply youerselfe to them for further order; the which after once receined, doubt not youer compliance, haueing little else to trouble you; once more requesting youer extraordinary care in the pformance of this last desire of your loueing frind,

1678.

11 September.  
WINSLOW,  
Gov<sup>r</sup>.

SOLLOMON BLACKLEICH.

Plymouth, the 11<sup>th</sup> of September, anno Domini 1678.

Signed in the presence of

John Colle,

Joseph Goowin.

\*New Plymouth.

[\*192.]

A trew Inventory of the Goods on board and Necessaries belonging to the Shipp James Friggett, of London, wherof M<sup>r</sup> Sollomon Blackleich, deceased, was Comāander, and is now in the Custody and vnder the Comāund of M<sup>r</sup> Robert Daniell, taken this twenty and seauenth Day of September, anno Domini 1678.

Imp<sup>r</sup>, thirty and nine barrells of mackerell.

Item, 1 mayne sayle and fore saile, halfe worne.

Item, 1 fore sayle, 2 topp sayles, one missen, one spred sayle and topp sayle, one topp stay sayle, two stedding sayles, and one top gallant sayle, all old.

Item, six great guns, eight musketts, one blunderbusse, 2 pistoles, 4 cutt leses, one smale caske of powder.

Item, one caske of shott, and one of bullets, old water caske, 5 tunns.

Item, two good cables, one warpp, and three ankers suteable.

Item, one boate, with grapnell &amp; creeper, a mast, sayle, and oares.

Item, one suite of coullers, with wast-cloths, topp armore.

Item, the shipp James Friggett abouesaid.

Item, one compas, one pott, one kettle.

Item, one stew pann, one platter.

Item, 1 bowle, one grind stone.

Taken by vs,

PAULE CRANE,

JOHN FREEMAN,

JOHN COLLES.

1678.

11 October.  
WINSLOW,  
Gov<sup>r</sup>.

These three men, namly, Paule Crane, John Freeman, and John Colles, came before mee, this eleuenth of October, 1678, and tooke their oathes to the truth of this abovesaid inventory, soe farr as they knew to be all that did belonge to the shipp, and knoweth nothing ells considerable belonging to her; these, I say, tooke oath to the truth of this abouewritten inventory, the day and yeer aboue written.

Before mee,      CONSTANT SOUTHWORTH, Assistant.

[\*193.]

\*These may certify any whom it may concern, that certaine Indians, liewing in or neare Sandwich, in the jurisdiction of New Plymouth, in New England, whose names are Canootus, and Symon, and Joell, being apprehended, and on their confession convict of feloniously breakeing open a house, and the chest of Zacheriah Allin, of Sandwich aforesaid, and stealeing from him the sume of twenty five pounds in mony, they haueing lost or imbezelled the said mony, and noe other way appeering how hee should be satisfied for his losse and charges therevpon arising, the authoritie of this collonie haue centanced the aboue named Indians to be his ppetuall slaues, and haue and heerby doe authorise and impower him, the said Zacheriah Allin, to make sale of them, the said Conootus, Symon, and Joell, to any Christian pson or psons in New England or else where, as his lawfull slaues for tearme of their naturall life. In testimony wherof I haue heervnto sett my hand, and affixed the publicke seale of this gofiment, this 12<sup>th</sup> day of Nouember, 1678.

Marshfeild, in New Plymouth.

JOSIAH WINSLOW, Gov<sup>r</sup>.

JOHN ALDEN, Assistant.



‡It is ordered by the Court, that in case Zacheriah Allin can not sell them, that this record shalbe heer extant against them, the said Canootus and Symon, that if euer they be taken faulty in like respect, that then they shalbe forthwith sold out of the country.‡

30 October.

[\*194.]

*\*Att the Court of his Ma<sup>ty</sup> held att Plymouth, for the Jurisdiction of New Plymouth, the 30<sup>th</sup> of October, 1678.*

BEFORE Josiah Winslow, Gov<sup>r</sup>,

John Aldin,

William Bradford,

Thomas Hinckley,

John Freeman,

James Browne, and

Constant Southworth,

Assistants, &c.

**L**IBERTY of administration is granted to Marke Snow and John Rogers, of Eastham, to administer on the estate of Thomas Rogers, of Eastham aforesaid, late deceased, and to be healed therein by the advice of Mr Freeman and Capt Sparrow.

Whereas Thomas Rogers, of Eastham, administrator to the estate of Leiff Rogers, his father, deceased, ended his life before his said administration was completed, this Court impowers Capt Sparrow and John Rogers to complete and finally end the said administration.

James Walker, } are appointed and established by the Court to take  
James Wilbore, and } notice of such liquors as are brought in disorderly  
Encrease Robinson, } derly into the towne of Taunton, and to make seizure theroffe according to order.

Whereas complaint is made by some of Taunton, that one Samuell Chiuericke is come into their towne disorderly, and contineweth there contrary to the mind of the townsmen, these are therefore to require the said Chiuericke either speedily to procure their approbation to stay there, or otherwise forthwith to depart the said towne.

In reference vnto the settlement of the estate of John Sauage, of Rehoboth, deceased, the Court haue ordered, that forasmuch as the estate consists mostly in land, and scarsly enough of other estate to pay the debts, this Court haue ordered and authorised Obadiah Bowin, Samuell Luther, and Hugh Cole by advice and councill to assist the widdow, Sarah Sauage, the relict of the said John Sauage, in the disposing and improuement of the said estate to the best advantage they can, for the payment of the debts and bringing vp of the children; and incase they be nessesitated to make sale of any of the lands for that purpose, they are heerby impowered soe to doc, it appeering to the Court that the lands were purchased, some of them to the impairing of the said estate; and incase any of the said estate is left when the debts are payed and the children brought vpp, that then the widdow being allowed the thirds, according to law, the remainder to be deuided in equall and alike proportions amongst the children then surviueing when of age.

This Court doth agree with and engage vnto Theophilus Witherill, in regard of his being disabled in the late warr soe as hee is likely to be a cripple all his dayes, the sume of three score pounds in siluer mony of New England, ten pounds therof to be payed forthwith vpon demandaund, and fifty pounds the next yeer; and the said Theophilus did accept therof in full satisfaction in respect of his wound receiued in the late warr.

Lycence is granted by the Court vnto Mary Williamson, whoe keepeth an ordinary att Marshfeild, to draw and sell beer, wine, and liquors, soe as

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shee keep good orders in her house, that soe there be noe just cause of complaint in that respect.

Samuell Dunham, of Middlebery, appeered att the latter end of this Court to demand charges for two witnesses in a case depending betwixt John Doten, plaintiffe, against the said Samuell Dunham, defendant, but could not haue them, the plaintiffe not being in the Court; therefore it resteth vntill the next Court.

[\*195.]

\*In referenee vnto the settlement of the estate of Samuell Annible, late of Barnstable, deceased, the Court haue ordered, that the seate of land which was formerly Mr Thomas Allins, be and heerby is settled vpon and vnto Samuell Annible, the eldest son of the said Samuell Annible, deceased; and hee is to pay or cause to be payed vnto his sister, Anna Annible, the full and just sume of twenty five pounds, the one halfe in currant siluer mony of New England, and the other halfe in current pay att prise current, att the deliuey therof within two yeers after hee is of age; and that the youngest son, John Annible, shall haue the farme that the aged widdow Annible hath her life in and now liueth on, which was pte of the lands which formerly Anthony Annible lined on; and that hee, the said John Annible, shall likewise pay or cause to be payed to his sister, Anna Annible, the sume of twenty five pounds, the one halfe in currant siluer mony of New England, and the other halfe in currant pay att prise current, att the deliuey therof within two yeers after hee comes to be of age.

And that the widdow shall haue all the moucables and all the stocke for euer, to be att her owne dispose for and towards the bringing vp of the children, hoping that shee will haue a care to bringe them vp in a way of education as the estate will beare, and to haue all the profitts of all the lands vntill the said Samuell Annible and John Annible comes to be of age, and then the thirds in the profitts of the lands dureing her naturall life.

Wheras it doth appeer to the Court, that Mistris Mary Wyatt, of Taunton, widdow, is in great nessesitie and a very low condition, in want of maintenance, notwithstanding the estate of her deceased husband came by her, these are to giue libertie, and appoint and authorise Mr James Walker, Wilham Harvey, Senir, and Walter Dean, or any two of them, to lease out some of the lands or meddowes of the said Leiftenant Wyatt, and the pay or benefitt arising therby shalbe improued for the releiffe of the said widdow, Mary Wyatt; and that the lands or meddowes shalbe leased out for fifty yeers, except the heire see cause to redeem it within that time; and incase the heire redeem it, hee shall pay all that the possesser hath bine att charge on it.

Wheras Capit Fuller, att his death, bequeathed a certaine house, and land, and meddow vnto his grand son, Samuell Fuller, wherin Mistris Francis Fuller hath interest vntill her death, this Court haue appointed and impouered Elder

Chipman, and Thomas Huckens, and Mary Fuller, widdow, the relict of Leiff Fuller, deceased, to rattify and confierme what Mistris Francis Fuller shall doe and agree vpon in reference vnto the letting and setting forth of the said land and meddow, and they consenting to what the said Francis Fuller shall doe respecting the p̄mises, shalbe in full confection therof for the full tearme it shalbe lett forth.

Wheras Hugh Stewert, administrator of the estate of Thomas Phelps, saith, that there is nothing left for seauen or eight children but an house añ land, which house falleth to decay, the rent not being sufficient to keep it in repaire, the Court giues libertie to the said administrator, with the advice of John Thacher and John Miller, to make sale therof, and the mony to be secured by them vntill the Court shall demaund it, and see cause to order it for the good of the children.

\*1678, October. In answare to the petition preferred to the Court by Francis Combe, and likewise the Court being informed that Samuell Fuller is in a likelyhood to be procured to teach the word of God att Middleberry, they doe approue therof; and incase hee be obtained, and be likely to settle amongst them, doe heerby signify, that they will indeaour that the propriators of the lands within that townshipp may be healpfull towards his maintainance.

Francis Combe is lycenced by the Court to keep an ordinary att his house in Middleberry for entertainment of strangers, and is allowed to draw and sell beer, wine, and liquors there, for the entertainment and refreshment of trauelers, and is heerby required to keep good orders in his house, that there arise noe cause of just blame by his negligence in that behalfe.

Taunton, the second of August, 1678.

Wee, whose names are vnderwritten, being warned by the constable as a jury to take the view of a child named Mary Gould, aged about foure yeers or therabouts, being found in the riuer drowned, and haueing dilligently enquired into the matter, our apprehensions are, that the child came to its death by some accedent by falling in or adventuring to wade through, being taken vp out of the water by its mother, and past all meanes of reconery.

WILLAM HARVEY.	NATHANIEL THAYER,
WILLAM HOSKINS,	NICHOLAS STAUGHTON,
JOSEPH WILBORE,	JOSEPH WILLIS,
JOHN MAYCOMBER,	SAMUELL HOSKINS,
GYLES GILBERT,	HENERY HODGIS,
AUSTINE COBB,	JOHN KNAPP.

It was Mary Gould, the daughter of John Gould, of the towne of Taunton.

1678.

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Gov<sup>r</sup>.

[\*196.]

1670.

29 May.  
[\*:200.]PRENCE, GOV<sup>r</sup>.ANN<sup>o</sup>: 1670.

[Pages \*197, \*198, and \*199, are blank.]

*\*.An exact List of all the Names of the Freemen of the Jurisdiction of New Plymouth, transcribed by Nathaniel Morton, Secretary to the Court for the said Jurisdiction, the 29<sup>th</sup> of May, Ann<sup>o</sup> Dom<sup>i</sup> 1670.*

## Plymouth.

M <sup>r</sup> Thomas Prence,	Gyles Rickard, Juni <sup>r</sup> ,
Cap <sup>t</sup> Wilham Bradford,	Benajah Pratt,
M <sup>r</sup> John Howland,	Thomas Morton,
M <sup>r</sup> John Winslow,	John Rickard,
M <sup>r</sup> John Cotton,	Stephen Bryant,
M <sup>r</sup> Thomas Cushman,	M <sup>r</sup> Wilham Clarke,
M <sup>r</sup> Thomas Clarke,	James Clarke,
Gor <sup>g</sup> Watson,	Gor <sup>g</sup> Bonum,
Robert Bartlett,	Joseph Dunham,
Samuell Eedey,	Samuell Ryder,
James Cole, Seni <sup>r</sup> ,	Abraham Jackson,
Wilham Hoskins,	Wilham Crow,
Nathaniel Morton,	James Cole, Juni <sup>r</sup> ,
Gyles Rickard, Seni <sup>r</sup> ,	Sarjeant Ephraim Tinkham,
Richard Wright,	Edward Gray,
John Dunham,	Jonathan Pratt,
Andrew Ringe,	Daniel Dunham,
Robert Finney,	John Doged, Seni <sup>r</sup> ,
Leiftenant Ephraim Morton,	Gor <sup>g</sup> Morton,
M <sup>r</sup> Joseph Bradford,	Ephraim Tilson,
John Wood,	Jabez Howland,
Jacob Cooke,	John Fallowell,
Samuell Dunham,	Thomas Cushman,
Samuell Fuller,	John Dotey,
Sarjeant Wilham Harlow,	‡Gorge Morton,‡
Thomas Lettice,	John Waterman.

## Duxburrow.

M <sup>r</sup> John Aldin,	M <sup>r</sup> Christopher Wadsworth,
M <sup>r</sup> Constant Southworth,	Experience Mitchell,
‡M <sup>r</sup> Wilham Collyare,‡ deceased,	Leif <sup>t</sup> Samuell Nash,
M <sup>r</sup> John Holmes,	Phillip Delano,
‡M <sup>r</sup> Constant Southworth,‡	

Moses Simons,	‡John Washburn, Junr,‡	1670.
Henry Sampson,	Abraham Sampson,	29 May.
‡Francis Sprague,‡	Francis West,	
William Tubbs,	Benjamin Bartlett,	
John Rogers, Senr,	John Tracey,	
Abraham Peirse, Senr,	Ensigne Jonathan Aldin,	
*Gorg Partrich,	Joseph Wadsworth,	[*201.]
Gorge Soule, Senr,	M <sup>r</sup> Samuel Saberry,	
John Washburne, Senr,	John Sprague,	
M <sup>r</sup> Allexander Standish,	Samuell Hunt,	
M <sup>r</sup> Josias Standish,	35. John Wadsworth,	
M <sup>r</sup> John Aldin, Junr,	Benjamin Church,	
William Paybody,	John Rogers, Junr,	
Edmond Weston,	Samuell West,	
William Clarke,	Rodulphus Thacher.	
Robert Barker,		

## Scittuate.

M <sup>r</sup> William Witherell,	Stephen Vinall,
M <sup>r</sup> Nicholas Baker,	John Vinall,
Humphery Turner,	Jeremiah Hatch,
John Hewes,	Rodulphus Elmes,
Walter Woodward,	‡Isacke Bucke,‡
Edward Jenkins,	Joseph Colman,
Samuell Jackson,	Walter Briges,
Thomas Clapp,	John Hollett,
William Wills,	William Brookes,
Leif <sup>t</sup> Isacke Bucke,	Richard Curtice,
Cornett Robert Studson,	William Curtice,
John Wilkams, Junr,	Walter Hatch,
Isacke Chettenden,	Mathew Gannett,
Gorg Russell,	Micaell Peirse,
John Bryant,	John Hanmore,
Henry Ewell,	Samuell Witherell,
‡John Daman,‡	John Bryant, Junr,
M <sup>r</sup> Thomas Kinge,	John Cushen,
John Turner, Senr,	Anthony Collymore,
John Turner, Junr,	Peter Collymore.
Thomas Pincen,	

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29 May.

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\*Sandwich.

Mr Edmond Freeman, Senr,	Thomas Tupper, Junr,
Mr Richard Bourne,	Mr Edmond Freeman, Junr,
Thomas Tupper, Senr,	Stephen Skiffe,
James Skiffe, Senr,	Joseph Burgis,
‡William Bassett, ‡ deceased.	William Swift.

Taunton.

Mr Gorge Shoue,	John Bryant,
Walter Dean,	James Phillips,
Richard Williams,	John Hatheway,
Leiff Gorg Macey,	John Cobb,
‡Gorge Hall, ‡	‡Thomas Deane, ‡
James Walker,	‡James Tisdall, ‡
John Tisdall, Senr,	‡John Hall, ‡
William Harvey,	‡Joseph Williams, ‡
William Hailstone,	‡James Leonard, Junr, ‡
William Witherell,	‡Richard Burt, ‡
Thomas Linkolne,	‡Jonathan Brigges, ‡
Peter Pitts,	‡Aron Knap, ‡
Francis Smith,	Jonas Austine,
Samuell Smith,	Nathaniel Williams,
Ensigne Thomas Leonard,	Mr John Pole,
Samuell Williams,	Aron Knapp,
John Tisdall, Junr,	Joseph Williams,
Israell Deau,	Encrease Robinson.
Edward Bobbitt,	

Yarmouth.

Mr John Crow,	Yelverton Crow,
Thomas Falland,	Joseph Howes,
Emanuel White,	John Thacher,
James Mathews,	Henry Vincent,
Mr Edmond Hawes,	Samuell Sturgis,
Mr John Vincent,	Judah Thacher,
Jeremiah Howes,	Thomas Howes,
John Miller,	John Hawes,
Edward Sturgis, Senr,	Kanelme Winslow, Junr.
Richard Saers,	

## \*Barnstable.

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29 May.

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Mr Thomas Hinckley,	Abraham Blush,
Mr Nathaniel Bacon,	Austine Beirse,
Mr Thomas Walley,	John Jenkens,
Mr Thomas Allin,	Robert Shilley,
Mr Wilham Sarjeant,	John Scudder,
Elder Henery Cobb,	Thomas Laythorpe,
Eld John Chipman,	John Tompson,
Anthony Annible,	‡  Leiff   Joseph Laythorpe,‡
Henery Rowley,	Gorge Lewis,
John Cooper,	John Howland,
‡Henery Cobb,‡	Wilham Dexter,
Ensigne Barnard Lambert,	James Cobb,
Henery Bourne,	James Hamblen, Junir,
James Hamblen, Senir,	Thomas Lewis,
Mr Thomas Dexter, Senir,	35. James Lewis,
Captaine Mathew Fuller,	Job Crocker,
John Finney,	‡Shuball Dimacke,‡
‡John Chipman,‡	John Finney, Junir,
Wilham Crocker,	Samuell Allin,
Roger Goodspeed,	Pellatiah Laythorp,
Mr John Gorum,	Jabez Lombard.
Thomas Huckens,	

## Marshfield.

Major Josias Winslow,	Timothy Williamson,
Mr Samuell Arnold,	John Rouse,
Mr Kanelme Winslow,	Morris Truant,
Mr Josias Winslow, Senir,	Wilham Holmes,
Mr Thomas Besbech,	John Carver,
Captaine Nathaniel Thomas,	Wilham Foard, Junir,
Leiftenant Peregrine White,	Jonathan Winslow,
John Dingley,	Nathaniel Thomas,
Robert Carver,	John Rogers,
Anthony Snow,	Samuell Sprague,
John Bourne,	John Foster,
Mr Anthony Eames,	Nathaniel Winslow,
Ensigne Marke Eames,	Jacob Dingley,
Wilham Foard, Senir,	Micaell Foard.
Mr Resolved White,	

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29 May.

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||Mr Daniel Smith,||  
 ||Mr Noah Newman,||  
 Mr Stephen Paine,  
 Mr Thomas Cooper,  
 Richard Bowin,  
 Leiftenant Peter Hunt,  
 †Mr Noah Newman,†  
 Nicholas Hyde,  
 ||Mr|| Wilkam Sabine,  
 Nicholas Peeke,  
 Phillip Walker,  
 Nathaniel Paine,  
 Ensigne Henery Smith,  
 John Read,  
Samuell Newman,  
 Wilkam Carpenter,

\*Rchoboth.

Gilbert Brookes,  
 John Peeke,  
 Anthony Perrey,  
 John Woodeocke,  
 Samuell Carpenter,  
 Samuell Peeke,  
 John Titus,  
 Jonathan Blisse,  
 Robert Fuller,  
 Gorge Kenericke,  
 Steuen Paine, Junir,  
 Preserved Abell,  
 John Read, Junir,  
 Peter Hunt, Junir,  
 John Ormsbye,  
 Nathaniell Cooper.

Eastham.

Mr John Freeman,  
 Mr John Doane,  
 Edward Banges,  
 Nicholas Snow,  
 Josias Cooke,  
 Leiftenant Joseph Rogers,  
 Job Cole,  
 Daniel Cole,  
 Robert Vixon,  
 Steuen Wood,  
 Ensigne Wilkam Merricke,  
 Henery Atkins,

Marke Snow,  
 Wilkam Walker,  
 John Doan, Junir,  
 Samuell Freeman,  
 Thomas Paine,  
 Jonathan Sparrow,  
 Benajah Dunham,  
 Gorg Crispe,  
 Jonathan Banges,  
 John Banges,  
 Thomas Rogers,  
 Joseph Harding.

Bridgewater.

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\*Mr James Keith,  
 Mr Wilkam Brett,  
 Thomas Haward, Senir,  
 John Willis,  
 Samuell Tompkins,  
 John Carey,  
 Joseph Aldin,  
 Leiftenant Thomas Haward,

Arther Harris,  
 Nathaniell Willis,  
 Nicholas Byram,  
 Ensigne John Haward,  
 Samuell Packer,  
 John Eames,  
 Samuell Allin.

## Dartmouth.

John Cooke,	Wiltam Spooner,
John Russell,	Samuell Hlickes,
James Shaw,	Wiltam Palmer.
Arther Hathewey,	

1670.

29 May.

## Swansey.

Captaine Thomas Willett,	Hugh Cole,
M <sup>r</sup> James Browne,	Sacaryah Eedey,
John Allin,	Samuell Luther,
M <sup>r</sup> Nicholas Tanner,	M <sup>r</sup> John Myles, Junir.
Nathaniel Pecke,	

## Middleberry.

John Morton,	Francis Combe,
[Henry Wood, deceased,	Wiltam Nelson, Senir,
Jonathan Dunham,	Samuell Eaton.



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