

RECORDS
OF
PLYMOUTH COLONY.

Acts of the Commissioners of the United Colonies of New England.

VOL. I.

1643—1651.

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SOUTHERN CALIFORNIA AGRICULTURAL LIBRARY

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

DAVID PULSIFER,

CLERK IN THE OFFICE OF THE SECRETARY OF THE COMMONWEALTH,

MEMBER OF THE NEW ENGLAND HISTORIC-GENEALOGICAL SOCIETY, FELLOW OF THE AMERICAN STATISTICAL ASSOCIATION,
CORRESPONDING MEMBER OF THE ESSEX INSTITUTE, AND OF THE RHODE ISLAND, NEW YORK,
CONNECTICUT AND WISCONSIN HISTORICAL SOCIETIES.

Acts of the Commissioners of the United Colonies of New England.

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COMMONWEALTH OF MASSACHUSETTS.

Secretary's Department.

BOSTON, APRIL 5, 1858.



By virtue of Chapter forty-one of the Resolves of the year one thousand eight hundred fifty-eight, I appoint DAVID PULSIFER, Esq., of Boston, to superintend the printing of the New Plymouth Records, and to proceed with the copying, as provided in previous resolves, in such manner and form as he may consider most appropriate for the undertaking.

Mr. Pulsifer has devoted many years to the careful exploration and transcription of ancient records, in the archives of the County Courts and of the Commonwealth. As a penman, and in all clerical qualifications, he has no superior. The studies and practice of his life have rendered him competent and reliable, as a decipherer of the handwriting of the earlier periods of our history, to a degree not equalled, perhaps, by any other person. He is accurate, vigilant, industrious, and indefatigable in this his chosen pursuit; and having a competent knowledge of colonial history, there is every reason to be assured that he will faithfully and successfully perform the service intrusted to him.

OLIVER WARNER,

Secretary of the Commonwealth.

INTRODUCTION.

THE subject of a combination of the Colonies was agitated in a meeting at Cambridge as early as June, 1638, but the confederation was not agreed upon until May, 1643. An account of the meeting in 1638 is given in the New Haven Colonial Records, edited by CHARLES J. HOADLY, Esq. It is found, in the answer of the New Haven General Court (held 29th of June, 1653) to the Massachusetts Declaration, as follows:—

“The confederation betwixt the colonies was no rash & sudden ingagem^t, it had bine severall yeares vnder consideration. In anno 1638 there was a meeting at Cambridg aboute it, but some things being then propounded inconvenient for the lesser colonies, that conference ended wthout fruit, and the foure jurisdictions, though knitt together in affections, stood in refference one to another loose and free from any express couenant or combination, till vpon a new invitation and propositions from the Massachusetts, another meeting was appointed at Boston in May, 1643; so that magistrts, deputies and free-men, especially those of the Massachusetts had aboute five yeares time to consider what they were aboute, the compass and consequences of such a consociation, and probably did improue it, and saw cause to renew the treaty so long suspended.”

The following extracts from the Colonial Records of New Plymouth and Massachusetts show the action of the General Courts of those colonies in relation to the union of the four Col-

onies, previous to the signing of the Articles of Confederation by the Commissioners.

On the twenty-seventh day of September, 1642, the General Court of Massachusetts passed the following order:—

“The magistrates in & neare Boston wth the deputies of Boston, Charlestowne, Cambridg, Watertowne, Roxberry, Dorchester, or the greater part of them, are appointed to bee a comittē to treat wth any comission^{rs} from Plimoth, Coñectecot, or Newe Haven, about the union, & concerning avoyding any danger of the Indians, & to have power to do hearin what they shall find needfull for comōn safety & peace, so as they enter not into an offensive warr wthout order of this Courte./”

At the General Court holden at Plymouth the vijth of March, 164²/₃,

“Mr Edward Winslow & Mr Wil^m Collyer are elected by the Court to go to treat wth Massachusett^l Bay & d, about y^e combynacōn.”

At the General Court of Massachusetts held May 10, 1643:—

“The Gov^rno^r, Mr Dudley, Mr Bradstreete, Mr Treasurer, Cap^t Gibons, & Mr Hawthorne are chosen to treat wth o^r freinds of Coñectecot, New Haven, & Plimoth about a confederacy between us.”

And at the same session the following order is recorded:—

“The Governo^r & Mr Dudley are appointed on the comittē to treat wth o^r brethren & confederates of Coñectecot & Newehaven, & if either of the former be hindered, Mr Bellingham is appointed in his steede.”

Under date of June 6, 1643, the following order appears in the Records of the General Court of Plymouth:—

“It is ordered and concluded by the Court, that Mr Edward Winslow and Mr Wil^m Collyer shall haue full comission & authority, in name of the whole Court, to subscribe the articles of confederacōn (now read in Court) wth the Massachusetts, Coñectacutt, and New Haven, and to subscribe the same in name of the whole, and to affix thereto the comōn seale of the gou^lment.”

The Acts of the Commissioners of the United Colonies of

New England, now printed, being part of the New Plymouth Records, are contained in two folio manuscript volumes. It appears to have been the practice of the Commissioners at their meetings to put in writing their acts or conclusions, and to sign them; and it is probable that each colony was furnished by the Commissioners with the acts under their hands.

Gov. Winthrop says, "The names of the Commissioners and all their proceedings are at large set out in the books of their records, whereof every colony hath one." [Winthrop's Journal, II. 246.]

A folio volume of original minutes, from the year 1653 to 1662, much defaced, but recorded in the second volume, makes a part of the New Plymouth Records.

The original minutes of the meeting in September, 1646, and of the last day of the third month [May], 1653, and the greater part of the minutes of the meetings of Sept., 1648, and April, 1653, are all that are now known to be preserved belonging to the colony of Massachusetts. It is probable that the rest, together with the Book of the Acts of the Commissioners, referred to in this volume, were destroyed by the fire in 1747, of which an account is given by Secretary Willard, in a letter to Christopher Kilby and William Bollan, Esq., agents of the Province, in London, as follows:—

" Boston, Dec^r. 21, 1747.

Gentlemen

I am now to give you the sorrowful News of the grievous & surprizing Rebuke of Divine Providence on the Govern^t of this Province in the Destruction of the Court House by Fire which happened in the Morning of the ninth Instant. It was generally concluded to have begun in the Floor under the chimneys of the Council Chamber & House of Represent^{ves} & was not discover'd till it was greatly increased; All the Books of the General Court, Govern^r & Council & House of Represent^{ves} there in the House were wholly lost without saving one & all the Books of Commiss^{ns} and other Instrum^{ts} as well from the Crown as the Govern^t of the Province with most of y^e original Papers are likewise consumed."

In a letter received from J. HAMMOND TRUMBULL, Esq., Editor of the Colonial Records of Connecticut, dated Nov. 3, 1858, he says, "The Connecticut Manuscript is in excellent preservation." The Book of the Acts of the Commissioners belonging to New Haven Colony has not been preserved. That it was formerly kept is evident, not only from the statement of Gov. Winthrop, but by the following extract from the Records of the General Court held at New Haven the 27th of the third month, 1657:—

"What conclusions of the comission^s are yet to be recorded shall be entred in one of y^e new bookes that came last yeare from England."

The two volumes, first mentioned, are in the handwriting of different persons. The first volume appears to be in the handwriting of Nathaniel Souther, Nathaniel Morton, and other persons; the second volume appears to be wholly in the handwriting of Nathaniel Morton.

A few of the pages, left blank by those who recorded the Acts of the Commissioners, were subsequently used by John Cotton, Esq., of Plymouth, for indexes or tables of contents.

On the first and second pages of the first volume is recorded, "The agreement for the bounds betwixt Plymouth and Massachusetts," and on 279 and 280 the petition of Humphrey Johnson to the General Court of Plymouth, and answer thereto, which are printed in this volume. The pages of the manuscript are noted by a * in the margin. The following pages were left blank: 3, 4, 24, 42, 72, 174, 218, 219, 220, 261 to 277.

Some words omitted in recording, but found in the original minutes, are printed in brackets in the margin, as also some words from the originals, to correct mistakes in the record, are printed in the same manner. No blame, however, should be imputed to Secretary Morton or any one else on this account, as the minutes of the Commissioners appear to have been very hastily written.

The running title, and year and month in the margin, at the top of the printed page, are not in the original, but all other mar-

ginal entries, not in brackets, are found in the manuscript. In a few instances, words erased in the manuscript are printed with the erasures. The punctuation, with but a very little alteration, is retained.

The original Treaty between the Commissioners and the Narragansett sachems, or rather the part of the Treaty retained by the Commissioners, dated the 20th of the seventh month, 1645, engrossed on parchment, is preserved in the Archives of the Commonwealth. The marks of the Indian sachems as printed on page 48 were copied from it. The following, being part of the certificate or attestation of the witnesses, written on the back of the Treaty, was omitted in recording:—

“Signed & deliv'd in the p'sence of

Richard Saltonstall
Increase Nowell se^c
Simon Bradstreete.
Willm Durand
Benedict: Arnold
Richard Callicott.”

“Cutchamakin,” “Abda,” and “Pomunsh,” who seem, by the record, to be parties to the Treaty, appear on the original as witnesses, Cutchamakin's name and marks being at the left of, and Abda and Pomunsh's under, the signature of Richard Callicott.

Reverting to the subject of the confederacy, it may be stated, that it lasted until the colonial governments were subverted in the reign of James II. New Haven had been, however, previous to that time, namely, in 1665, annexed to Connecticut, and, by the charter of William and Mary, Plymouth was united to Massachusetts.

In pursuance of letters from the right honorable the Lords Commissioners for Trade and the Plantations, dated the 20th of August and 19th of September, 1753, to the governors of several of his Majesty's Plantations in North America, a General Convention of Commissioners for their respective governments was held at the city of Albany, N. Y., in June following, for the purpose of

having an interview with the Indians of the Five Nations, and making them presents on the part of the said governments, usual upon such occasions, in order to confirm and establish their ancient attachment to his Majesty and their constant friendship to his Majesty's subjects on this continent. After "brightening and strengthening the covenant chain" between the British Colonies and "the Six Nations," the Commissioners proceeded to the consideration of a plan for the union of the Colonies, prepared by Dr. Franklin, one of the Commissioners from Pennsylvania. By the plan, it was proposed that application be made for an Act of Parliament of Great Britain, by virtue of which, one general government might be formed in America, including the Colonies of Massachusetts Bay, New Hampshire, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina, and South Carolina, to be administered by a President-General, to be appointed and supported by the crown; and a Grand Council of forty-eight members, to be chosen by the representatives of the people of the several Colonies met in their respective assemblies; which, though unanimously voted, was to be of no force until confirmed by the several assemblies.

Hutchinson says, "Not one of the assemblies from Georgia to New Hampshire, when the report was made by their delegates, inclined to part with so great a share of power as was to be given to this general government.

The plan met with no better fate in England. It was transmitted, with the other proceedings of the convention, to be laid before the king. The convention was at an end; and no notice was afterwards publicly taken of the plan."

That profound statesman, friend of the human race, and fearless defender of their rights, the Hon. John Quincy Adams, said, "The New England confederacy of 1643 was the model and prototype of the North American confederacy of 1774. In neither of the two cases was the measure authorized or sanctioned by the charters of the several colonies, parties to the compact. In both cases it was the great law of nature and of nature's God,—the

law of self-preservation and self-defence, which invested the parties, as separate communities, with power to pledge their mutual faith for the common defence and general welfare of all. The New England colonists, conscious of this self-assumed sovereignty, expressly allege the *sad distractions* of their mother country, depriving them of her protection, and encouraging their enemies to combine for their destruction, as concurring with the other causes to impose upon them the duty of rallying all their energies for their own defence. The North American colonies, for the same assumption of sovereign power, appealed to their chartered rights as Britons,—and, finding that appeal fruitless and vain, to their natural rights as men, bestowed upon them by their Creator at their birth, and unextinguishable by human hands or human institutions. The compact of the New England colonies, without the sanction of their sovereign, was yet not against him. The union of the North American colonies turned the artillery of sovereignty against the sovereign himself, and demolished the throne of the oppressor with ordnance drawn from his own arsenals.”

Sir Henry Vane, one of the early Governors of Massachusetts, said, “Antient Foundations, when once become destructive to those very ends for which they were first ordained, and prove hinderances, to the good and enjoyment of humane Societies, to the true Worship of God, and the Safety of the People, are for their sakes, and upon the same Reasons to be altered, for which they were first laid. In the way of God’s Justice they may be shaken and removed, in order to accomplish the Counsels of his Will, upon such a State, Nation, or Kingdom, in order to his introducing a righteous Government, of his own framing.”

“In Quarrels between Subjects and Sovereigns, about the Subjects Liberty and the Kings Prerogative, ’tis seldom seen, but the Error lies on the Sovereign’s part, who is apt to be flattered into the presumptuous exercise of such an absolute Sovereignty and Legislative Dominion over them, as becomes no creature, and exceeds all the bounds of that contract he made with them, at his Inauguration.”

James I. of England said, "I dare send the challenge (and will require no second) to maintaine as a defendant of honour, that my Brother-Princes and my Selfe, whom God hath aduanced vpon the Throne of Soueraigne Maiesty and supream dignity, doe hold the Royall dignity of his Maiesty alone."

Sir Walter Raleigh said, "Such examples of the instability whereto all mortall affairs are subject, as they teach moderation, and admonish the transitory gods of Kingdoms not to authorize by wicked precedents, the evill that may fall on their own posterity: so do they necessarily make us understand, how happy that Country is, which hath obtained a king able to conceive and teach, That *God is the sorest and sharpest Schoolemaster that can be devised, for such Kings, as think this world ordained for them, without controlement to turn it upside-down at their pleasure.*"

"O eloquent, just, and mighty Death! whom none could advise, thou hast persuaded; what none have dared, thou hast done; and whom all the world hath flattered, thou only hast cast out of the world and despised: thou hast drawn together all the far stretched greatness, all the pride, cruelty, and ambition of man, and covered it all over with these two narrow words, *Hic jacet.*"

To HON. EPHRAIM M. WRIGHT and HON. FRANCIS DE WITT, former Secretaries, and HON. OLIVER WARNER, the present Secretary of the Commonwealth, a grateful acknowledgment is here recorded of obligation for many acts of personal kindness, as also for the cordial interest manifested in, and coöperation given to the work, from the commencement of my labors in the Secretary's Department, in June, 1853.

DAVID PULSIFER.

April, 1859.

Extract from the original minutes of the meeting of the Commissioners of the United Colonies of New England, held at New Haven, September, 1646.

Itt beinge we be in all grace for God
we will not stand by us. And by your the God of
the world (as you re pleas) be with you and by your
for the Lord in the name of God and of
America and the ^{most} persons may be understood
as by the word said of Joseph. Example and
Example law - 1.

^{for over}
The ^{most} ^{of} ^{the} ^{United} ^{Colonies} ^{of} ^{New} ^{England} ⁱⁿ ^{the} ^{Year} ¹⁶⁴⁶

Theoph: Eaton ^{mod.}

Herbert Pelham

To: Endicott.

Edw: Hopkins

To: J. Hull: Mrs:

John Bartram
Edward Taylor

To: Leggen Wood

*Extract from the original minutes of the meeting of the
Commissioners of the United Colonies of New England,
held at New Haven, September, 1646.*

If thus we be in all thing℄ for God
hee will certaine℄ be wth vs. And though the God of
this world (as hee i℄ stiled) be wo^rshipped ℄ by vsurpa^o
sett vp hi℄ throne in the maine ℄ greatest pte of
America yet thi℄ ^{small} pte ℄ por^on may be vindicated
a℄ by the right hand of Jehouah . ℄ iustlie called
Emanuels land -/.

These ^{forgoing} Conclusions were agreed by the Com^omission^rs
of the vnited Colonie℄ . 18 : 7^{mo} 1646

Herbert Pelham
Edwa: Hopkins
John Browne
Tymothy hatherly

Theoph: Eaton pres^{dt}
Jo: Endecott:
Jo: Haynes:
Stephen Goodycare

MARKS AND CONTRACTIONS.

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

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

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

A Caret ^ indicates an omission in the original record.

A Cross x indicates a lost or unintelligible word.

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

Some redundancies in the original record are printed in Italics.

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

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

Several characters have special significations, namely:—

<p>@, — annum, anno.</p> <p>ā, — an, am, — curiā, curiam.</p> <p>ā, — mātrate, magistrate.</p> <p>ḥ, — ber, — numḥ, number; Roḥt, Robert.</p> <p>ĉ, — ci, ti, — acĉon, action.</p> <p>ĉō, — tio, — jurisdicĉōn, jurisdiction.</p> <p>ĉ, — cre, cer, — acs, acres.</p> <p>ḍ, — ḍḍ, delivered.</p> <p>ē, — Trēr, Treasurer.</p> <p>ē, — committē, committee.</p> <p>ĝ, — ĝñal, general; Georgĝ, George.</p> <p>ḥ, — chr, charter.</p> <p>ī, — begīg, beginīg, beginning.</p> <p>ł, — łre, letter.</p> <p>m̄, — mm, mn, — com̄ittee, committee.</p> <p>m̄, — recoḿdaĉōn, recommendation.</p> <p>m̄, — mer, — forḿly, formerly.</p> <p>m̄, — month.</p> <p>.n̄, — nn, — Peñ, Penn; año, anno.</p> <p>n̄, — Dñi, Domini.</p> <p>n̄, — ner, — manñ, manner.</p> <p>ō, — on, — mentiō, mention.</p> <p>ō, — mō, month.</p>	<p>ṗ, — par, por, — ṗt, part; ṗtion, portion.</p> <p>p, — per, par, pur, pear, — psuite, pursuite; appd, appeared; pson, person; pte, parte.</p> <p>p, — pro, — pporĉōn, proportion.</p> <p>p̄, — pre, — p̄sent, present.</p> <p>q, — qstion, question.</p> <p>q̄, — esq̄, esquire.</p> <p>r̄, — Ap̄r, April.</p> <p>š, — š, session; šd, said.</p> <p>š, — ser, — švants, servants.</p> <p>t, — ter, — neut, neuter.</p> <p>t̄, — cap̄t, captain.</p> <p>ū, — uer, — seſal, seueral.</p> <p>ū, — abouū, aboue, above.</p> <p>v̄, — ver, — seſal, several.</p> <p>w̄, — w̄n, when.</p> <p>y^e, the; y^m, them; yⁿ, then; y^r, their; y^s, this; y^t, that.</p> <p>z, — us, — vilibz, vilibus.</p> <p>ℓ, — es, et, — statutℓ, statutes.</p> <p>ℓĉ, &ĉ, &c^a, — et cætera.</p> <p>viz^s, — videlicet, namely.</p> <p>/ — full point.</p>
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Whereas there were two Comissions graunted by the two Jurisdiccōns the one of the Massachusetts Goūment graunted vnto John Endicot gentleñ and Israell Staughton gen̄ The other of New Plymouth Goūment to Wil̄m Bradford Esq̄ Governor and Edward Winslow gen̄ And both these for the setting out setting & determining of the bounds and limmits of the lands betweene the said Jurisdiccōns whereby not onely this p̄nte age but the posteritye to come may liue quietly & peaceably in that behalf And forasmuch as the said Comissioners on both sides haue full power so to do as appeareth by the Records of both Jurisdiccōns. Wee therefore the said Comissioners aboue named doe hereby wth one consent and agreement conclude determine and by these p̄nts declare That all the Marshes at Conahasset that lye of the one side of the Riuer next to Hingham shall belong to the Jurisdiccōn of the Massachusetts plantaçōn. And all the Marsh y^t lyeth on the other side of the Riuer next to Scittuate shall belong to the Jurisdiccōn of New Plymouth excepting Threescore acres of Marsh at the mouth of the Riuer on Scittuate side next to the Sea which wee doe hereby agree conclude & determine shall belong to the Jurisdiccōn of the Massachusetts And further we do hereby agree determine & conclude that the bounds of the limmits betweene both the said Jurisdiccōns are as followeth viz^t From the mouth of the brooke that rūneth into Conahasset Marshes (w^{ch} we call by the name of Bound brooke) wth a straight and direct line to the middle of a great pond that lyeth on the right hand of the vpper payth or comōn way that leadeth betweene Weimouth and Plymouth close to the payth as we go along w^{ch} was formerly named (and still we desire may be called) ACCORD POND lying about fiue or six miles from Weimouth southerly, and from thence wth a straight line to the Southermost pt of Charles Riuer & three miles *southerly inward into the Countrey according as is exprest in the Patent graunted by his Ma^{tie} to the Company of the Massachusetts Plantaçōn Provided alwayes & neūthelesse concluded and determined by mutuall agreement betweene the said Comissioners y^t if it fall out that the said line from ACCORD POND to the Southermost part of Charles Riuer and three miles Southerly as is before expressed shall straiten or hinder any part of any Plantaçōn begunn by the Goūment of New Plymouth or hereafter

to be begun w^hin the space of tenn yeares after the date of these p^rnts That then notw^hstanding the said line it shalbe lawfull for the said Goũment of New Plymouth to assume on the Northerly side of the said line where it shall so intrench as aforesaid so much land as will make vp the quantytie of eight miles square to belong to euery such Plantaçõn begun or to be begun as aforesaid w^h wee agree determine and conclude to apertaine & belong to the said Goũment of New Plymouth And whereas the said line from the mouth of the said brook w^h runneth into Conahasset salt Marshes (called by us bound brooke) and the pond called ACCORD POND lyeth neere the lands belonging to the Townships of Scittuate and Hingham Wee doe therefore hereby determine and conclude that if any diuisions already made and recorded by either the said Townes do crosse the said line, that then it shall stand & bee of force according to the former intents & purposes of the said Townes graunting them (the Marshes formly agreed on excepted) And that no Towne in either Jurisdicçõn shall hereafter exceede, but containe themselues w^hin the said lines before expressed In witnesse whereof we the Comissioners of both the Jurisdicçõns do by these p^rnts Indented set our hands and seales the ninth day of the fourth month in the sixteenth yeare of our Soũaigne Lord King Charles And in the yeare of our Lord 1640

JO: ENDECOTT ☉ WILLIAM BRADFORD GOU^R. ☉
 ISRAELL STOUGHTON, ☉ EDW: WINSLOW ☉

Articles of Confederation Betweene the

Plantations vnder the Goũment of the Massachusetts the Plantaçons vnder the Goũment of New Plymouth the Plantaçons vnder the Goũment of Connectacutt and the Goũment of New Haven wth the Plantaçons in Combinaçõn therewth.

Whereas wee all came into these part℄ of America wth one and the same end ℄ ayme namely to aduance the Kingdome of o^r Lord Jesus Christ and to enjoy the liberties of the Gospell in puritie wth peace And whereas in o^r settleinge (by a wise p^{ro}vidence of God) we are further dispersed vpon the Sea Coasts and Riuers then was at first intended, so that we cannot according to our desire wth convenience co^mmunicate in one Goũment and Jurisdicçõn: And whereas we liue encompassed wth people of seũall Nations and strang languages w^{ch} hereafter may proue injurious to vs or our posteritie. And forasmuch as the Natiues haue for^mly committed sondry insolences and outrages vpon seũall Plantaçons of the English and haue of late combined themselues against vs And seing by reason of those sad distracçõns in England w^{ch} they haue heard of, and by w^{ch} they know we are hindred, from that humble way of seekeing advise, or reapeing those comfortable fruit℄ of p^{ro}tection w^{ch} at other tymes we might well expecte. Wee therefore doe conceiue it our bounden dutye wthout delay to enter into a p^{re}sent Consotiation amongst our selues, for mutuall help and strength in all our future concernement℄: That as in Nation and Religion so in other respect℄ we bee ℄ continue *One according to the tenor and true meaneing of the ensuing Articles: Wherefore it is fully agreed and cõcluded by and betweene the pties or Jurisdicçõns aboue named and they joyntly and seũally doe by these p^{re}nt℄ agree ℄ conclude That they all bee and henceforth bee called by the name of THE VNITED COLONIES OF NEW ENGLAND.

*6

¶ The said Vnited Colonies for themselues ℄ their posterities do joyntly and seũally hereby enter into *into* a firme ℄ p^{er}petuall league, of ffrendship and amytie for offence and defence, mutuall advice and succour vpon all just

II

occasions both for p^rserueing & p^pagateing the truth and liberties of the Gos-
pell and for their owne mutuall safety and wellfare.

III

3 It is further agreed That the Planta^cōns w^h at p^rsent are or hereafter
shalbe settled w^hin the limmetts of the Massachusets shalbe foreuer vnder the
Massachusets & shall haue peculier Jurisdic^cōn among themselues in all cases
as an entire Body and that Plyouth Connecktacutt & New Hauen shall eich
of them haue like peculier Jurisdic^cōn and gouernment w^hin their limmetts
and in referrence to the Planta^cōns w^h already are settled, or shall hereafter
be erected or shall settle w^hin their limmetts respectiuely Provided that no
other Jurisdic^cōn shall hereafter be taken in as a distinct head or member of
this Confedera^cōn nor shall any other Planta^cōn or Jurisdic^cōn in p^rsent being
and not already in Combyna^cōn or vnder the Jurisdic^cōn of any of these
Confederat^c be receiued by any of them nor shall any two of the Confederates
joyne in one Jurisdic^cōn w^hout consent of the rest w^h consent to be inter-
preted as is expressed in the sixt Article ensuinge.

III

4 It is by these Confederat^c agreed that y^e charge of all just warrs
whether offensiue or defensiue vpon what pt or member of this Confedera^cōn
soe^u they fall, shall both in men p^uisions and all other disbursements be
borne by all the p^rs of this Confedera^cōn in differrent p^opor^cōns according to
*7 their differrent abillitie in manner following, namely *that the Comissioners
for eich Jurisdic^cōn from tyme to tyme as ther shalbe occasion bring a true
account and number of all the males in euery Planta^cōn or any way belong-
ing to or vnder their se^uall Jurisdic^cōns of what quallyty or condi^cōn soe^u
they bee from sixteene yeares old to threescore being Inhabi^ts there. And
that according to the differrent numbers w^h from tyme to tyme shalbe found
in eich Jurisdic^cōn vpon a true and just account, the service of men and all
charges of the warr be borne by the Poll: eich Jurisdic^cōn or planta^cōn
being left to their owne just course and custome of rating themselues and
people according to their differrent estates w^h due respects to their qual-
lites & exemptions among themselues though the Confedera^cōn take no notice
of any such p^ruiledg: And that according to their differrent charge of eich
Jurisdic^cōn and planta^cōn, the whole advantage of the warr (if it please God
so to bless their endeavours) whether it be in lands goods or p^ons shalbe
p^oportionably deuided among the said Confederat^c.

V

5 It is further agreed That if any of these Jurisdic^cōns or any plan-
ta^cōn vnder or in combyna^cōn w^h them be envaded by any enemie whom-
soeuer vpon notice & request of any three majestrats of that Jurisdic^cōn so
invaded, the rest of the Confederrates w^hout any further meeting or expostu-
la^cōn shall forthw^h send ayde to the Confederate in danger but in differrent

pporçõns : namely the Massachusets an hundred men sufficiently armed & guided for such a seruice & journey, and eich of the rest forty fiue so armed and guided, or any lesse number, if lesse be required according to this pporçõn. But if such Confederate in Danger may be supplied by their next Confederats, not exceeding y^e number hereby agreed, they may craue help there, and seeke no further for the p^rsent : the charge to be borne as in this Article is exprest : And at the returne to bee victualled and supplied wth poder and shott for their journey (if there bee neede) by that Jurisdicçõn which employed or sent for them : But none of the Jurisdicçõns to exceed these numbers till by a meeting of y^e Commissioners for this Confederaçõn a greater ayd appeare necessary. And this pporçõn to continue till vpon know-
*ledg of greater numbers in eich Jurisdicçõn which shalbe brought to the next meeting some other pporçõn be ordered. But in any such case of sending men for p^rsent ayd whether before or after such order or alterraçõn, it is agreed that at the meeting of the Comissioners for this Conferaçõn, y^e cause of such warr or invasion be duly considered : And if it appeare that the fault lay in the parties so invaded that then that Jurisdicçõn or plantaçõn make just satisfaccõn, both to the Invaders whom they have injured, and beare all the charges of the warr themselues wthout requireing any allowance from the rest of the Confederat^l towards the same. And further that if any Jurisdicçõn see any danger of any Invasion approaching, and there be tyme for a meeting, that in such case three majestrates of that Jurisdicçõn may suñon a meeting at such conveyent place as themselues shall think meete, to consider & guide against the threatned danger Provided when they are mett they may remooue to what place they please Onely whilst any of these foure Confederat^l haue but three majestrats in their Jurisdicçõn, their request or suñions from any two of them shalbe accounted of equall force wth the three mençõned in both the clauses of this Article, till there be an encrease of majestrat^l there.

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6 It is also agreed that for the mannageing & concluding of all affaires pper & concerneing the whole Confederaçõn two Comissioners shalbe chosen by and out of eich of these foure Jurisdicçõns namely two for the Mattachusets two for Plymouth two for Connectacutt and two for New Hauen being all in Church fellowship wth vs w^{ch} shall bring full power from their sefuall gefiull Courts respectiely to heare examine weigh & determine all affaires of our warr or peace leagues ayds charges and numbers of men for warr diuision of spoyles and whatsoeif is gotten by conquest receiueing of more Confederats for plantaçõns into combinaçõn wth any of the confederates and all thinges of like nature w^{ch} are the pper concoñitants or

VI

*9 consequents of such a Confederation for anytie offence & defence not intermedleing wth the gou^{rn}ment of any of the *Jurisdiction^s w^{ch} by the third Article is p^rserued entirely to themselues. But if these eight Comissioners when they meete shall not all agree, yet it is concluded that any six of the eight agreeing shall haue power to settle and determine the businesse in question: But if six do not agree that then such p^osition^s wth their reasons so farr as they haue beene debated be sent and referred to the foure gen^l Courts viz^z the Mattachusetts Plymouth Conecttacutt and New Haven: And if at all the said Gen^l Courts the businesse so referred be concluded, then to bee p^rsecuted by the Confederates and all their members. It is further agreed that these eight Comissioners shall meete once euery yeare besides extrordinary meetings (according to the fift Article) to consider treatie & conclude of all affaires belonging to this Confederation w^{ch} meeting shall euer be the first Thursday in Septemb^r. And that the next meeting after the date of these p^rnts w^{ch} shalbe accounted the second meeting shalbe at Bostone in the Massachusetts the third at Hartford the fourth at New Haven the fift at Plymouth, the sixt and seauenth at Bostone. And then Hartford New Hauen and Plymouth and so in course successiue^{ly}, if in the meane tyme some middle place be not found out and agreed on w^{ch} may be com^odious for all the Jurisdiction^s.

VII 7 It is further agreed that at eich meeting of these eight Comissioners whether ordinary or extraordinary, they orr six of them agreeing as before, may chose their President out of themselues whose office and worke shalbe to take care and direct for order & a comely carrying on of all p^rceedings in the p^rsent meeting: but he shalbe invested wth no such power or respect, as by w^{ch} he shall hinder the p^ounding or p^rgresse of any businesse or any way cast the scales otherwise then in the p^rcedent Article is agreed.

VIII 8 It is also agreed that the Comissioners for this Confederation hereafter at their meetings whether ordinary or extraordinary as they may haue Comission or opertunitie do endeavoure *to frame and establish agreements and orders in gen^l cases of a ciuill nature, wherein all the Planta^ons are interressed for p^rserueing peace among themselues, & p^rventing as much as may bee all occasions of warr or differenc^e wth others, as about the free and speedy passage of justice in euery Jurisdiction, to all the Confederats equally as to their owne, receiueing those that remooue from one planta^on to another wthout due certefycat^on, how all the Jurisdiction^s may carry it towards the Indians, that they neither grow insolent nor be injured wthout due satisfac^on, lest warr break in vpon the Confederates through such miscarryages. It is also agreed that if any servant runn away from his master into any other of these

confederated Jurisdiccōns That in such case vpon the Certyficate of one Majestrate in the Jurisdiccōn out of w^{ch} the said servant fled or vpon other due prooffe: the said servant shalbe deliued either to his Master or any other that pursues and brings such Certificate or prooffe. And that vpon the escape of any prisoner whatsoever or fugitiue for any criminall cause, whether breakeing prison or getting from the officer or otherwise escapeing vpon the certificate of two Majestrats of the Jurisdiccōn out of w^{ch} the escape is made, that he was a prisoner or such an offender at the tyme of the escape, The Ma:^{trates} or some of them of that Jurisdiccōn where for the p^{re}sent the said prisoner or fugitiue abideth shall forthwth graunt such a warrant as the case will beare for the app^rhending of any such pson, and the deliuey of him into the hands of the officer, or other pson who pursues him And if there be help required for the safe returning of any such offender, then it shalbe graunted to him that craues they same he payinge the charges thereof.

9 And for y^t the justest warrs may be of dangerous consequence especially to the smaler plantaçōns in these vnited Colonies, It is agreed that neither the Massachusetts Plymouth *Connectacutt nor New Hauen, nor any of y^e members of any of them, shall at any tyme hereafter begin vndertake, or engage themselues or this Confederaçōn or any part thereof in any warr whatsoever (sudden exegents wth the necessary consequents thereof excepted) w^{ch} are also to be moderated as much as the case will pmitt) wthout the consent and agreement of the forenamed eight Comissioners or at least six of them, as in the sixt Article is puided: And that no charge be required of any of the Confederat^l in case of a defensiuē warr till the said Comissioners haue mett and approued the justice of the warr, and haue agreed vpon the su^m of money to be levyed, w^{ch} su^m is then to be payd by the se^uall Confederates in pporçōn according to the fourth Article.

10 That in extraordinary occations when meettings are su^mioned by three Ma:^{trats} of any Jurisdiccōn, or two as in the fift Article If any of the Comissioners come not due warning being giuen or sent It is agreed that foure of the Comissio^{rs} shall haue power to direct a warr w^{ch} cannot be delayed and to send for due pporçōns of men out of eich Jurisdiccōn, as well as six might doe if all mett: but not lesse then six shall determine the justice of the warr or allow the demaund^l or bills of charges, or cause any levies to be made for the same

11 It is further agreed that if any of the Confederates shall hereafter break any of these p^{re}sent Articles, or be any other wayes injurious to any one of thother Jurisdiccōns: such breach of agreement, or injurie shalbe duly

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XI

considered & ordered by y^e Comissio^{rs} for thother Jurisdiccōns, that both peace & this p^rsent confederacōn may be entirely p^rserued wthout violaōn.

XII 12 Lastly this ppetual Confederacōn and the seūall Articles and agree-
 *12 ments thereof being read and seriously considered both by the geñall Court for
 the Massachusetts and by the Comissioners for Plymouth Conectacutt & New
 Hauen were fully allowed & confirmed *by three of the forenamed Confed-
 erates namely the Massachusetts Conectacutt & New Hauen Onely the
 Comissioners for Plymouth haueing no Comission to conclude, desired respite
 till they might advise wth their Generall Court, wherevpon it was agreed and
 concluded by the said Court of the Massachusetts and the Comissioners for the
 other two Confederates That if Plymouth Consent, then the whole treaty as
 it stands in these p^rnte Articles is and shall continue firme & stable wthout
 alteracōn: But if Plymouth come not in: yet the other three Confederates
 doe by these p^rnts confirme the whole Confederacōn and all the Articles
 thereof: onely in September next when the second meeting of the Comis-
 sioners is to be at Bostone, new consideraōn may be taken of the sixt Article
 w^{ch} concernes number of Commissioners for meeting & concluding the affaires
 of this Confederacōn to the satisfacōn of the Court of the Massachusetts,
 and the Comissioners for thother two Confederats, but the rest to stand
 vnquestioned.

In testimony whereof the Geñall Court of the Massachusetts by their
 Secretary and the Comission^rs for Conectacutt & New Hauen haue subscribed
 these p^rnte Articles this xixth of the third month commonly called May
 Anno Dñi 1643.

At a meeting of the Comissioners for the Confedacōn held at Boston
 the seauenth of Septemb^r, It appeareing that the Geñall Court of New Plymth
 & the seūall Townships thereof haue read considered & approoued these Articles
 of confederacōn, as appeareth by Comission from their Geñall Court beareing
 date the xxixth of August 1643 to M^r Edward Winslow & M^r Wil^m Collyer
 to ratifye and confirme the same on their behalf wee therefore the Comissioners
 for the Mattachusetts Coneectacutt & New Hauen doe also for o^r seūall Goū-
 ments subscribe vnto them.

JOHN WINTHROP Goū Massachus^ts.

THO DUDLEY

GEO: FENWICK

THEOPH: EATON

EDWA: HOPKINS

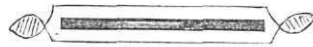
THOMAS GREGSON.

* At a meeting of the

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Commissioners for the vnitd Colonies of New Eng-
land holden at Bostone the seaventh of Septemb^r

1643



THE Articles of Confederacōn agreed at Bostone the xixth of May last being now read M^r Edward Winslow & M^r William Collyer Comissioners for the Jurisdicōn of New Plymouth deliuered in an Order of their Geñall Court Dated the xxixth of August 1643 by w^{ch} it appeares that the said Articles of the xixth of May weere read approued and confirmed by the said Geñall Court & by all their Townships and they the s^d M^r Winslow & M^r Collyer were both authorized to ratific them by their subscriptions and chosen & sent as Comissioners for that Jurisdicōn wth full power to treat and conclud in all matters concerneing warr and peace according to y^e tenor and true meaneing of the said Articles of Confederacōn for this p^rsent meetinge

1643.

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An order made by the geñall Court of the Massachusetts was now also p^rsentd & read, dated the xxth of May 1643. By w^{ch} it appeares That John Winthrop and Thomas Dudley Esqrs were chosen Comissioners for the Jurisdicōn of the Mattachusetts, and invested wth the like full power for this meeting.

An order made by the Geñall Court for Conneetacutt was p^rsentd and read dated at Hartford the fift of July last: By w^{ch} it appeares that Georg Fenwick Esq^r & M^r Edward Hopkins were chosen Comissioners for that Jurisdicōn* and invested wth the like full power for this meeting

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An order made by the Geñall Court for the Jurisdicōn of New Hauen was p^rsentd & read dated the vjth of July 1643 by w^{ch} it appeares that M^r Theophilus Eaton and M^r Thoñ Gregson were chosen and sent as Comissioners for that Jurisdicōn wth the like full power for this meeting.

John Winthrop Esq^r was chosen President for this meeting according to the vijth Article in the Confederacōn.

Vpon a motion made by the Comissioners for New Hauen Jurisdicōn

1643.

September.

It was graunted and ordered That the Towne of Milford may be receiued into Combinaçõn and as a member of the Jursdicõn of New Hauen, if New Hauen and Milford agree vpon the termes & condiçõns among themselues The like liberty was also granted in regard of the Towne of Southampton

The Comissioners were informed that Vncus Sagamore of the Munhegen Indians haueing in warr taken Miantinomy Sagamore of the Narrohiggunsets prisoner, had brought him to be kept at Hartford till he might receiue aduice from the English how to pceed against him for sondry treacherous attempts against his life besides this last suddaine Invasion wthout denouneing warr, and when Vncus was unpvided to wthstand the great force Miantinomo brought against him: Wherevpon the Commissioners did seriously consider Miantinimos course and carriage, And though they knew and well remembered his ambitious designes to make himself vnüsall Sagamore or Gouvernor of all these p^{ts}, and his plotts to remooue whatsoeü stood in his way, And though they haue had many concurrant & pregnant testymonyes from the Indians in seüall p^{ts} of the Countrey, of his treacherous plotts by guifts *to engage all the Indians at once to cutt of the whole body of the English in these parts w^{ch} were further confirmed by the Indians Geñall p^rparaçõns, messages, & sondry insolencies and outrages by them comitted against the English and such Indians as were subjects or frend℄ to the English, so that all the English Plantaçõns were to their great charge and damage forced to arme to keepe stronge watches day and night and some of them to trauell wth Convoyes from one plantation to another yet leauing these consideraçõns w^{ch} discouer the pride treachery cruelty and malicious disposiçõn of the man, and to the English might haue beene sufficient puocaçõns to a warr a^gst him: The Commissioners weighed the cause & passages as they were clearely represented & sufficiently euedenced betwixt Vncus & Myantynomo and it appeared that a Tripartite agreement was made and concluded at Hartford betwixt Vncus and Myantynomo wth some reference to the English; in w^{ch} one of the Articles were, That though either of these Indian Sagamores should receiue injuries from the other, yet they should not make warr one of them against the other till they had first complayned, and that the English had heard their greevances, & had declared & determyned what was just & right betwixt them: And that if either of them should attempt against the other wthout consulting wth the English, the English might then assist against the Invader: Notwthstandinge Myantynomo and his Confederats haue sondry wayes manefested their enmity & treacherously plotted and practised against the life of Vncus But especially of late since they were p^rpareing & ripening their plotts against

the English *first a Pequin Indian one ^ Vncus his subjects shott Vncus wth an arrow through the arme but aymeing at his life añ presently fled to the Nanohiggansets or their Confederats p^laymeing in the Indian planta^ons that he had killed Vncus: but when it was knowne Vncus was not dead though wounded, the Traytor was taught to say that Vncus had cutt through his owne arme wth a flint, and had hyred the Pecott to say hee had shott and killed him. Myantinomo being sent for by the Go^vnor of the Massachusetts vpon another occasion brought the Pecott wth him: but when this disguise would not serue, and that y^e English out of his owne mouth found him guilty & would haue sent him to Vncus his Sagamore to bee p^oceeded against, Myantinomo desired he might not be taken out of his hands, p^omiseing he would send himself to Vncus to be examined & punished, but contrary to his p^omise, and feareing as it appeares his owne treachery might be disco^ured, he wthin a day or two cutt of the Peacotts head that he might tell no tales. After this some attempts were made to poison Vncus, & as is reported to take away his life by sorcery. That being disco^ured some of Sequassons company an Indian Sagomore allyed to, & an intimate confederate wth Myantinomo, shott at Vncus as hee was going downe Conectacutt Riuer wth a arrow or two: Vncus according to the foresaid agreement complayneing to the English they sought to make peace betwixt Vncus & Sequassen: but Sequassen refused, & expressing his dependance vpon Myantinomo p^offered warr before peace they fought and Vncus had the victory. Lastly Myantinomo wthout any p^ouocac^ons from Vncus (vnlesse the disappointment of former plotts p^ouoked) and suddainly wthout denounceing warr came vpon Vncus wth nine hundred or a thousand men when Vncus had not half so many to defend himself: Vncus had before the battell told Myantinomo he had many wayes sought his life offered by single combat betweene themselues to end the quarrell and spare blood: But *Myantenomo p^osumeing vpon his number of men, would haue nothing but a battell, and since Myantenomo was taken prisoner the Indians affirme that the Mohawkes haue beene sent vnto, and are come wthin a dayes journey of the English planta^ons, but stayed by Miantenomo till hee may attaine his liberty, and then they will carry on their designes whether against y^e English or Vncus or both is yet doubtfull.

These thinges being duely weighed & considered the Comissioners apparently see that Vncus cannot be safe while Myantenomo liues but that either be secret treachery or open force his life wilbe still in danger. Wherefore they thinke he may justly put such a false & blood-thirsty enimie to death, but in his owne Jurisdic^ons, not in the English planta^ons, And adviseing that in the manner of his death all f^oncy and modera^ons be shewed, contrary to the

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practise of the Indians who exercise tortures & cruelty. And Vncus hauing hitherto shewed himself a friend to the English, and in this craueing their advice, if the Nanohiggansetts Indians or others shall vnjustly assault Vncus for this execu^on, vpon notice and request the English promise to assist and p^{ro}tect him, as farr as they may agst such vyolence.

The Comissioners do think it fitt to aduise euery geⁿerall Court that they would see that euery man may keepe by him a good gunn & sword one pound of poud^{er} wth foure pound^{er} of shott wth match or flints sutable, to be ready vpon all occations, and to be carefully viewed foure tymes a yeare at least, And that ouer and aboue this euery generall Court do see that they keep a stock of poud^{er} shott & match euer by them. And it is conceiued by the Comissioners that one hundred pound^{er} of poud^{er} and foure hundred pounds of shott wth match sutable at the least be p^{ro}uided for euery hundred men throrow all the vnited Colonies *of New England, and that the Comissioners at each meeting report how the sc^holl Jurisdic^ons are furnished.

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It is thought fitt and ordered That there be one and the same measure throughout all y^e Plantacons wthin these vnited Colonies, w^{ch} is agreed to be Winchester measure viz^t eight gallons to y^e bushell.

It is judged meete by the Comissioners y^t there be trayneings at least six tymes euery yeare in each planta^on wthin this Confedera^on.

The p^{ro}por^ons of men to be sent for by any of the Jurisdic^ons in case of any p^{re}sent danger, vntill the Comissioners may meete according to the fourth Article in the Confedera^on: is for the Massachusetts one hundred and fifty men Plymouth thirty Conneetacutt thirty and New Hauen twenty f^{ve}. And according to this p^{ro}por^on are all numbers to be ordered in case of any warr that may fall out vntill the next meeting of the Comissioners in Septemb^r 1644

Whereas complaints haue beene made against Samuell Gorton & his Company, and some of them weighty & of great consequence, And whereas the said Gorton and the rest haue beene formerly sent for, and now lately by the generall Court of the Massachusetts wth a safe conduct both for the comeing and returne, that they might giue answe^re and satisfac^on, wherein they haue donn wrong. If yet they shall stubbornely refuse The Comissioners for the vnited Colonies think fitt that the Majestrats in the Massachusetts p^{ro}ceed against them according to what they shall fynd just: and the rest of the Jurisdic^ons will approue and concur in what shalbe so warrantably donn, as if their Comissioners had beene p^{re}sent at the Conclusions Prouided that this conclusion do not prejudice the Go^uernment of Plymouth in any Right they can justly clayme vnto any tract or tracts of land besides that possessed by the English & Indians who haue submitted themselues to the Go^uernment of the Massachusetts.

P. 94.

*In regard of the diſſitie of expreſſions w^{ch} are ſeem to be uſed in the Comiſſions coming from the ſeuall Juridic^ōns w^{ch} may occaſion diſputes, It is thought fitt and ordered that this enſuing forme bee hereafter used by all the Confederates.

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At a geⁿall Court holden at _____ for the Juridic^ōn
of _____ the _____ day of _____

A. and B. were choſen Comiſſioners for this Juridic^ōn for a full and compleat yeare as any occaſion or exigents may require and p^ticulerly for the next yearely meeting at _____ the firſt Thursday in September

The forme of
y^e Comiſſion
to be used.

And were inueſted wth full power and authoryty to treat of & conclude of all thinges according to the tenure & true meaneing of the Articles of Confed- a^ōn for the vnitd Colonies of New England concluded at Boston the xixth of May 1643.

Vpon informa^ōn and complaynt made by M^r Eaton and M^r Gregson to the Comiſſioners of ſoudry injuries and outrages they haue receiued both from the Dutch and Sweads both at Delaware Bay and elſwhere the p^ticulers wth their prooſes being duly conſidered. It was agreed and ordered That a l^{et}re be written to the Sweadiſh Go^vnor expreſſing the p^ticulers and requireing ſatisfaction w^{ch} l^{et}re is to be vnderwritten by John Winthrop Eſq^r as Go^vnr of the Maſſachuſetts and Preſident of the Comiſſioners for the vnitd Colonies of New England. And whereas the Dutch Go^vnor wrote to the Go^vnor and geⁿall Court of the Maſſachuſetts complayneing againſt Hartford as by his l^{et}re dated the xxth of July laſt appeares vnto w^{ch} M^r Winthrop in p^t answered the ſecond of Auguſt referring to the Geⁿall Court for the Maſſachuſetts and to this meeting of the Comiſſion^rs for a further & full anſwere, It was thought fitt that in that anſwere the wrongs donn both to Hartford and New Hauen be expreſſed requireing anſwere to the p^ticulers: and p^{ro}feſſing that *as wee will not wrong others, ſo we may not deſert our Confederates in any juſt cauſe.

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THESE foregoing conclusions were subscribed by the Comiſſion^rs for the ſeuall Juridic^ōns the xvjth of Septemb^r 1643.

JOHN WINTHROP Pres^t

THO: DUDLEY

GEOR: FENWICK

THEOPH: EATON

EDW: WINSLOW

W^m COLLIER

EDWA: HOPKINS

THO: GREGSON.

* At a meeting of the

Comissioners for the vnitid Colonies at Boston the vijth Septemb^r 1643

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IT was agreed that the Goũment of the Massachusetts in the behalf of the vnitid Colonies of New England giue Conoonacus and the Nanohiggunsets to vnderstand that from tyme to tyme we haue taken notice of the violaçõn of that league betweene y^e Massachusetts and themselues, (notwthstanding the manefestacons of loue & integrity towards them by the English) w^{ch} they haue discovered as by other wayes, so lately by their concurrence wth Myantenomo their Sachim in his mischeevous plotts to roote out the Body of the English Nation purchasing the ayde of all the Indians by *by* guifts threats and other allurements to their pty (except a few viz^t Vncus and his men, whom they haue not spared to invade notwthstanding A tripartie Couenant to the contrary, betweene the Goũment of Conectacutt Myantenomo & Vncus Sagamore of the Mohegan vnder their hand & marks: But vnderstanding how peacable Conoonacus & Mascus the late father of Myantenomo governed that great people, we rather ascribe these late tumults outbreakings & malitious plotts to the rash and ambitious spirit of Myantenomo then any affected way of their owne. And therefore once more notwthstanding all those former vnworthy passages so well knowne vnto us, as a people inclining to peace & desireing their good we do in our owne names and in the behalf, & w^{ch} the consent of the vnitid Colonies tender them peace & such loucing correspondency as hath forũly beene euer obserued on our pts viz^t the seũall Goũments of the Massachusetts Plymouth Conectacutt & New Hauen w^{ch} all such as are in Combynaçõn & confederaçõn w^{ch} them both *English and Indians as Vncus Sagamore of the Mohegins & his people Woosamequine and his people Sacanocoe & his people Pumbam & his people, whose peace and lawfull liberties we may not suffer to be vyolated. And if the Nanohiggansetts be desireous of peace as formerly we shalbe as carefull to p^rserue their peace & liberties from vyolaçõn: but shall expect more faythfull obseruance then we haue forũly found from Myantenomo in the tyme of his Goũment requireing answeere w^{ch} as much expediçõn as the waight of the case requireth. And whereas Vncus was aduised to take away the life of Myantenomo whose law-

*22

full Captiue he was, They may well vnderstand that this is without violaçõn of any Couenant betweene them & vs for Vncus being in confedaçõn wth us, and one that hath dilligently obserued his Couenants before mençõned for ought we know, & requireing advice from us vpon serious consideraçõn of the p^rmisss., viz^t his treacherous & murtherous Disposiçõn against Vncus & how great A Disturber hee hath beene of the Co^mon peace of the whole Countrey we could not in respect of the justice of the case safety of the Countrey and faythfullnes of our friend do otherwise then approue of the lawfullnes of his death, which agreeing so well wth the Indians owne manners and concurring wth the practise of other Nations wth whom we are quainted, we p^rswade o^rselues how euer his death may be greevous at p^rsent, yet the peacable fruits of it will yeild not onely matter of safety to the Indians but pfitt to all that inhabite this continent.

1643.

September.

That assoone as the Comissioners for Conectacutt and New Hauen shall returne into those parts that then Vncus be sent for to Hartford wth some considerable number of his best & trustyest men, and that then he being made acquainted *acquainted* wth the advice of the Comissioners *Myantenomo be deliued vnto him that so execuçõn may be donn according to justice & prudence Vncus carrying him into the next pt of his owne go^vment and there put him to death. Prouided that some discret & faythfull p^rsons of y^e English accompany them and see the execuçõn for our more full satisfacçõn, and that the English meddle not wth the head or body at all : And this being donn that notice be giuen to all y^e Confederates by lres That so the Massachusetts go^vment may therevpon send to Nanohiggunsett, & Plymouth may take due course wth Woosamequin as after is aduised.

*23

That Hartford furnish Vncus wth a competent strengh of English to defend him against any p^rsent fury or assault of the Nanohiggunsets or any other.

That in case Vncus shall refuse to execut justice vpon Myantenomo. That then Myantenomo be sent by Sea to the Massachusetts, there to be kept in safe durance till the Comissioners may consider further how to dispose of him.

That Plymouth labour by all due meanes to restore Woosamequin to his full liberties in respect of any encroachments by the Nanohiggunsets or any other Natiues that so the pprieties of the Indians may be p^rserued to themselves, and that no one Sagomore encroach vpon the rest as of late : And that Woosamequin be reduced to these former termes & agreements betweene Plymouth and him.

JO : WINTHROP Presid
THO : DUDLEY
GEO : FENWICK
THEOPH EATON

EDW : WINSLOW
W^m COLLIER
EDWA : HOPKINS
THO : GREGSON.

* **At A meetinge** of the Comissioners for
the vnitd Colonies in New England at Hartford the fift of
Septemb^r 1644.

1644. **T**HE articles of Confederacōn being read an order of the geñall Court
of the Massachusets dated May the xxixth 1644 was p^rsented and read
September. whereby it appeared M^r Symon Brodstreete and M^r Willm Hawthorne were
chosen Comissioners for one full and compleat yeare being invested wth full
power & authority according to the tenor of the said Articles and an order
made therevpon at A meeting at Boston the vijth of Septemb^r. 1643.

M^r Edward Winslowe and M^r John Browne were in like manner chosen
Comissioners for the Colony of New Plymouth as appeared by an order of
their geñall Court dated the fift of June 1644.

M^r Edward Hopkins and Georg Fenwicke Esq^r were chosen Comissioners
for the Colony of Conectacutt as appeared by an order of their geñall Court
dated y^e last of July 1644.

M^r Theophilus Eaton and M^r Thomas Gregson were likewise chosen
Comissioners for the Colony of New Hauen as appeared by an order of their
geñall Court dated the xxvijth of Octob^r: 1643.

M^r Edward Hopkins was chosen President for this meeting.

*26 The Comission^rs for the Massachusetts mooued that a due order might
be attended in the subscriptions of the Acts and determinacōns of this and
any future meetings of the Comissioners for the vnitd Colonies, and ex-
pressed not onely their owne app^rhensions but the judgment of their geñall
Court, That by the Articles of Confederacōn the first place did of Right
belong to the Massachusetts, as being first named and so thother Colonies in
like order, w^{ch} being taken into consideraōn, and the Articles of Confederacōn
read, It appeared euidently to the Comissioners *that no such p^ruiledg had
beene euer p^pounded graunted or practised by the Comissioners for the
Jurisdiccōns in either of their form^l meetings, and yet the first subscription
was made in the p^rsence of the geñall Court of the Massachusetts. And to
p^rvent future inconvenienc vpon this occation they thought fitt to declare that
this Commission is free and may not receiue any thing (not expresly agreed
in the Articles as imposed by any geñall Court, yet out of their respects to

the Government of the Massachusetts they did willingly graunt that their Commissioners should first subscribe after the President in this and all future meetings. And the Commissioners for the other Colonies in such order as they are named in the Articles viz^t Plymouth Conectacutt and New Hauen.

1644.

September.

The Commissioners being put in mynd of the differences betwixt the Narrohiggansets and Vncus and the former engagements of the English to Vncus and his expectacōn of succors from them in regard of some Assaults p^rtended to be made vpon him by the Narrohiggansetts, as also of a Charge layd vpon Vncus by the Narrohiggansetts of takeing a ransome or at least a part thereof for the life of their late Sachime, whō afterward^l notw^hstand- ing he put to death. It was conceiued requisite before a full considera- cōn could be taken of the said differenc^l or any determina- cōn therevpon, that two Messengers should be sent to both the said Sachims w^h the following Instruc- tions.

Instrucōns for Thomas Stanton & Nathaniell Willett sent by the Commissioners for the vnitied Colonies of New England to Pessicus Canoonacus & other the Sachims of the Narrohiggan- sett Indians and Vncus Sagamore of the Mohegan Indians.

You shall informe the aboue men- cōnded Sagamores respectiue- ly That the Commissioners for all the English Colonies namely the Massachusetts New Plym- outh Conectacutt and New Hauen who haue full power & authorytie from all the said Jurisdicōns to consider and conclude both of peace and warr, and by all just meanes to p^ruide for the safety & welfare of the Countrey are now mett together at Hartford.

I

*That the said Commissioners haue heard that the Narrohiggansett Saga- mores and their company do charge Vncus & the Mohegan Indians that an agreement was made for the Ransome of the late Narrohigganset Sachim And that Vncus hath receiued part of the said ransome w^h Vncus denyeth to haue receiued vpon any such considera- cōn, and therefore hath hitherto refused to returne the same.

2

*27

That diuers Acts of hostillity haue lately passed betwixt the Narrohig- gansets and the Mohegan Indians w^h are like to breake forth into an open warr to the disturbance of the publike peace vnlesse some seasonable course be taken to p^revent it.

3

That they Comission^rs haue therefore sent you both to the Narrohig- ganset and Mohegan Sagamores to let them know that if they please either to come themselues, or to send any considerable men of theirs to p^round their seuerall greevances whether concerneing the foremen- cōnded ransome or any other matter, and to bring due prooffe of their complaints:

4

1644. They Commission^rs w^hout any ptiall respect to either pty will consider their differenc^l, and giue answerable advice to them both to settle peace and A
 September. neighbourly correspondence w^h due satisfac^ōn for injuries betwixt them.

5 That the Commission^rs hereby do p^mise & assure them, that they or their messengers shall haue free liberty to come and returne, and to treat and p^{ro}secute their affaires in peace w^hout molesta^ōn or any just greevanc^l from the English. And in the name of the Commiss^rs you shall require of both pties that during this treaty no acts of hostillyty passe either against any of their se^uall planta^ōns, or of their people in their occations or Sagamores or Messengers in their traue^lls.

6 If either of the pties put in excuses and seeme vnwilling to come, you may remember them of the treaty made and concluded at Hartford betwixt the Narrohigganset Indians, and the Mohegans, by w^h they engaged themselues, that vpon any differenc^l or offences before they entred vpon warr, they would first acquaint the English w^h their greevances and receiue advice and direction from them.

7 But if notwithstanding they refuse to come or send *you shall from the
 *28 Commission^rs demaund from the refusing pty what their purpose and resolu^ōn is whether for peace or warr betwixt themselues, and on what termes they stand w^h the English Cononies, whether they purpose to hold and continue all former treaties & agreements made either w^h the English of the Massachusetts or the English at Hartford, or whether they account them all as broken and voyd that they Commission^rs may accordingly order their occations.

8 You shall endeavour p^{ar}ticularly & clearly to acquaint & open euery one of the former Articles both of the Narrohigganset and Mohegan Indians, and you shall take their answe^re in writing to eich p^{ar}ticular, And when you haue so donn reade their answe^re in the se^uall pts of it to them that they may vnderstand how y^u vnderstand their answe^re, & that we may know they owne it, and that there is no mistake

HARTFORD Septemb^r: 6^h: 1644

Youghco the Sachim of Munhausett vpon long Island presenting himself to, the Commission^rs desired that in regard he was a Tributary to the English, and had hitherto obserued the Articles of agreement, he might receiue from them A certyficat whereby his rela^ōn to the English might appeare and he p^{ro}serued asmuch as might be from vnjust greevances and vexa^ōns (though the Colonies be no way engaged to protect him) yet herevpon the following certificate was giuen him

To all whom it may concerne, whereas Longe Iland w^h the smaler Iland^ℓ adjacent, are graunted by the Kings Ma^{tie} of Greate Brittainē to the Lord Starling, and by him passed ouer to some of the English in these vnitēd Colonies And whereas the Indians in the Easterne pt^ℓ of long Iland are become tributaries to the English and haue engaged their land^ℓ to them: And whereas Youghcoē Wiantause Moughmaitow and Weenagaminin do p^fesse themselues frends both to the English and the Dutch and that they haue not benee injurious to either of them in their p^sons cattle or goods, nor by wampam or any other meanes haue sought to p^ure the Mohawkes or any other Indians to annoy or hurt either of the Nations, and p^mise still to continue in a peaceable and *and* inoffensiuē course toward^ℓ them both and that if it may appeare that any of their men in any secrett way haue benee actors in any thinge against either English or Dutch, vpon due notice and prooffe they will deliuer all such to deserued pⁿishment, or p^rvide due satisfaccōn for all injuries & offences donn. It is our desires that the said Sagamores and their companies may enjoy full peace w^hout disturbance from y^e English or any in frendship w^h them, whilst they carry themselues in wayes of peace w^hout engaging themselues in the quarrells of others or doing wrong to any.

Septemb^r: 9^h 1644.

1644.

September.

*Whereas the Comission^rs for the Massachusetts by vertue of A joynt Conquest layd clayme to some part of y^e lands lately belonging to the Pecoats, desireing that a diuision might either now be ordered, or some course & tyme appoynted in w^h it might be settled: M^r Fenwick for himself and some Noble p^sonages, by patent interessēd in the lands in question, desired that nothing might be concluded against their Right & Title in their absence, and p^fesseth y^t Pecoat Harbor and the land^ℓ adjoyneing were of great conc^rne-ment to those interessēd in Concetacutt Riuer, and that they had a speciaall ayme and respect to yt when first they consulted about planting in these pt^ℓ. The rest of the Comissioners considering the demaund and answe^re thought fit that due and conveyent respect be giuen to those noble & worthy p^sons absent to pleade their owne interest, and that all patents of equall Authority receiue the same construcōn, both in referrence to p^rrietie in land^ℓ & iuris- dicōn: And M^r Fenwick was desired to acquaint those in England interessēd, that the question might be yssued w^h conveyent speed. And vpon this occasion M^r Fenwick desired a meete p^rporcōn of the Tribute receiued from the Indians as a fruite of the Conquest attayned by A cōmōn charge wherein the Gentlemen interessēd in Say-Brooke-fort bare a considerable part.


*29

Whereas the most considerable p^sons in these Colonies came into these

1644.

September.

pt^l of America that they might enjoy Christ in his ordinance wthout disturbance, and whereas among many other precious mercies the ordinances haue beene and are dispenced among us wth much puritie and power. The Commission^rs tooke it into their serious considera^on how some due mayntenance according to God might be p^{ro}uided and settled both for the p^{re}sent & future for the encouragement of the ministers who labour therein and concluded to p^{ro}ppound & com^{en}d it to eich geⁿerall Court. That those that are taught in the word in the seⁿerall planta^ons be called together, that euery man voluntarily set downe what he is willing to allow to that end & use And if any man refuse to pay a meete p^{ro}por^on, that then hee be rated by authoryty in some just & equall way, And if after this any man wthhold or delay due payment, the ciuill power to be exercised as in other just debts.

 Mr Browne desired further considera^on about the 2 last clauses of this conclusion

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*This ensuing p^{ro}posi^on of A geⁿerall Contribu^on for the mayntenance of poore Schollers at the Colledg at Cambridge being p^{re}sented to the Commission^rs by M^r Shepard pastor to the Church at Cambridg was read and fully approoued by them & agreed to be comended to the seⁿerall geⁿerall Courts as a matter worthy of due considera^on and entertainment for advance of learning and w^{ch} we hope wilbe chearfully embraced.

To the Honored Commission^rs.

Those whom God hath called to attend the welfare of Religious Co^mon weales haue beene prompt to extend their care for the good of publike Schooles by meanes of w^{ch} the Co^mon wealth may be furnished wth knowing and vnderstanding men in all callings the Churches wth an able ministry in all places and wthout w^{ch} it is easy to see how both these estates may decline and degenerate into grosse ignorance, & consequently into great and vni^uersall p^{ro}phanesse. May it please y^e therefore among other thinges of Co^mon Concernement and publike benefitt to take into yo^r considera^on some way of comfortable mayntenance for that Schoole of the Prophets that now is: For although hitherto God hath carryed on that worke by a speciall hand and that not wthout some euident fruit and successe yet it is found by too sad experience, that for want of some externall supplys many are discouraged from sending their children (though pregnant and fitt to take the best impression) therevnto, others y^t are sent their p^{er}ents enforced to take them away too soone or to their owne houses too oft as not able to minister any comfortable and seasonable mayntenance to them therein. And those who are continued not wthout much pressure geⁿerally to the feeble abillities of their p^{er}ents or other priuate frends who beare the burthen therein aloane, If therefore it were commended by you at least to the freedome of euery famyly (w^{ch} is able

and willing to giue) throughout the plantacons to giue yearely but the fourth part of a bushell of Corne, or somethinge equiulent therevnto. And for this end if euery minister were desired to stirr up the hearts of the people once in the fittest season in the yeare to be freely enlarged therein and one or two faythfull and fitt men appoynted in each towne to receiue and seasonably to send in what shalbe thus giuen by them: It is conceiued that as no man would feele any greevance hereby, so it would be a blessed meanes of comfortable p̄uision for the dyett of diuers such studients as may stand in neede of some support, & be thought meete and worthy to be continued a fitt season therein. And because it may seeme an vnmeet thing for this one to suck^e draw away all that norishment w^{ch} the like Schooles may neede in after tymes in other *Colonies, your wisdomes therefore may set downe what limmitacons you please, or choose any other way you shall think more meete for this desired p^rsent supply, yo^r religious care hereof as it cannot but be pleasing to him whose you are and whom now you serue, so the fruit hereof may hereafter abundantly testyfy that your labour herein hath not beene in vayne.

1644.

September.

*31

The Goũment of Massachusetts may receiue Martins vineyard into their Jurisdiccon if they see cause

The Jurisdiccon of Conectacutt hath the same liberty for Southhampton vpon Long Iland.

Whereas a Question hath beene formerly ppounded betwixt the Massachusetts and M^r Fenwick about the ruining of the Massachusetts line in referrence to Woranoake where M^r Hokins & M^r Whiteing haue purchased land & from the Indians, & haue built and are possessed of a trading there w^{ch} the Indians. And whereas the p^rsent Comission^rs for the Massachusetts p̄duced an order of Court made at Massachusetts wherein M^r Fenwick p̄mised to cleare the title to Woronoak as not w^{ch}in y^e Massachusetts line at or before this meeting or els to submitt yt to the Massachusetts Goũment, The Comission^rs fynd that M^r Fenwick hath not yet cleared his title by Patent to Woronoak, & therefore see not for the p^rsent but that the trading house and land & at Worock doth fall vnder all just orders made at the Massachusetts w^{ch} other trading houses and land w^{ch}in that Jurisdiccon, till the title be further cleared. But the pprietie of the land to be left to the Purchasors they making their title appeare, p̄uided it excede not a thousand acres.

It is ordered that no pson w^{ch}in any of the vnitd Colonies shall directly or indirectly sell to any Indians either powder shott bulletts guñs swords daggers arrow heads or any amunition vnder the penalty of twenty for one nor shall any Smyth or other pson whatsoever mend any gunn or other fore-

1644.

September.
This last clause
is also con-
firmed.

mençoned weapon belonging to any Indian vnder the aforesaid penalty And it is comended vnto the serious consideraçõn of the seùall Jurisdicçõns whether it be not expedient & necessary to prohibit the selling of the aforesaid ammunition, either to the French or Dutch or to any other that do comõnly trade the same wth Indians.

*32 Whereas there was a petition p^rsented to the Comission^rs for a pporçõn of powder and other guifts giuen to New England in geùall It is thought fitt that what appeares *to be so giuen shalbe deuided according to a just pporçõn reserueing the p^rticuler guifts giuen to each Jurisdicçõn as pper to themselves.

The Comission^rs fynding that in that intercourse of occations wth they may haue wth their neighbours whether Dutch French Sweeds or others ayd may be demaunded or liberty & pmission for voluntaries to strenghen and assist one pty wth may bee lyable to misconstrucçõn and hassard the peace of the Colonies It is therefore ordered that no Jurisdicçõn wthin this Confederacçõn shall pmitt any voluntaries to goe forth in a warlike way against any people whatsoever, wthout order & direcçõn of the Comission^rs of the seùall Jurisdicçõns.

☞ Whereas the Trade wth the Indians in these pts is or may be of great Concernement, but wthall subject to many questions and differrence & as whether eich Jurisdicçõn shalbe limmited and restrayned to their owne knowne and allowed bound^l, whether in each Jurisdicçõn each p^rticuler pson shall haue liberty at his discretion to mannage a p^rticuler trade according to his optunitie, or whether the trade shalbe rented out to some either at certaine yearely rate, or such pporçõn by the hundred or skinn, or whether as the Colonies are now vnited so a geùall stock be raised for, & throughout them all, into wth each man shall haue liberty to put in as he is able & willing The Comission^rs conceiued this latter more pfitable & honorable and accordingly agreed to comend it to their geùall Courts in their seùall Jurisdicçõns wth these following consid^racçõns.

- I It is conceiued that a stock of fve or six thousand pound^l may begin such a Trade, but Tenn thousand or more may comfortably, and to good advantage be ymployed in yt
- 2 That in each Plantaçõn euery man may either put in his pporçõn vnder his owne Name (puided he put not in lesse then xx^t, or diuers may put in vnder the name of some one whom they geùally trust and are satisfied in, And in such case he whose name is used, to be called an vndertaker or feoffee, and all the rest adventu^rs.
- 3 That in each Jurisdicçõn two or three be chosen by the vndertakers to

mannage this joynt stock, by puiding Comōdities for trade, setting trading houses hiring factors or servant℄ to trade wth the Indians, receiueing the Beauer or other pceed of the trade from them wthaccount℄ from tyme to tyme and what els may be necessary and ordered as pp to their plac℄ ℄ these to be called Committees.

1644.

September.

*That if the señall Geñl: Courts approve this course of trading by a joynt stock euery man may have tyme wthin three months after to vnder write what hee will furnish for the trade, and six months after to pay it in. Pro- uided that whateuer any man vnder writes no more shalbe accounted or ex- pected then what he payeth in wthin the aforesaid six months

4

*33

For the payment of euery mans pporcōn, either money English comōdi- ties fitt for Trade wampom Beauer English Corne or cattell fitt for the Butcher or markt℄ shalbe accepted: so that by the Comittees they bee duly ℄ indif- ferrently rated, that they may equall to the payment of others that no man be wronged.

5

That this way of tradeing wth due p̄uiledges be established by each Geñall Court for tenn yeares ℄ that all Interlopers both our owne and others be restrayned asmuch as may be.

6

That the accounts of this joynt stock be made by the aforesaid Comittees euery yeare and tendred to the view of the Comissioñs in each Jurisdicōn be- fore this yearely meeting in Septemb^r. And that after the first yeare so much of the gayne and pfitts (if it please God to prosper the trade) be de- uided as the Comission^rs for the Colonies wth the aforeñd Comittees shall thinke meete.

7

The aforesaid Comittees to haue such allowance and consideraōn for their care and paynes in mannageing this joynt stock as the vndertakers shall thinke meete.

8

Whereas it is conceiued there wilbe a geñall Court in each Jurisdicōn this next ensuing month or the begiñing of Novemb^r. where these pposicōns may be seriously considered, the Comission^rs p̄mise mutually to certefy each other what entertainment they fynd that accordingly each Jurisdicōn, ℄ tra- der may order their owne occations.

9

Some of the Inhabitants of Roade Iland haueing intimated a willingnes to be receiued into and vnder the Goñment of one of the Colonies. The Comission^rs considering that by an vtter refusall, they may by the discords and diuisions among themselues, be exposed to some greate inconuenyenc℄, ℄ hoping many of them may be reduced to a better frame by goñment, thought fitt that if y^e major pt ℄ such as haue most interest in the Iland will absolutely ℄ wthout reseruaōn submitt either the Massachusetts ^ Plymouth may receiue them.

1644.

September.

*34

*It is agreed by way of explanation of the fourth Article that in each meeting of the Commission's in September, they always bring with them the true number of all their males from sixteen to sixty years of age. That till the next years meeting in any occasion of ayde the number of men to be sent from each Jurisdiction shall continue as was ordered in September 1643 but all charges past with fall upon the Colonies by the Articles shall be paid according to y^e number of males last year brought in and all future charges for this year according to the number to be brought in in September 1645.

Confirmed.

There being a question propounded of what esteeme and force a verdict or sentence of any one Court within the Colonies ought to be of in the Court of another Jurisdiction the Commission's well weighing the same, thought fit to commend it to the severall severall Courts, that every such verdict or sentence may have a due respect in any other Court through the Colonies where occasion may be to make use of it and that it be accounted good evidence for the plaintiffe until either better evidence or some other just cause appeare to alter or make the same voyde, and that in such case the yssuing of the cause in question be respited for some convenient tyme, that the Court may be advised with, where the verdict or sentence first passed.

The Commissioners for the Massachusetts informing what ayde had formerly beene afforded to Mons^r de la Toure at his owne charge by some Merchants or other volunteers out of the Bay without publike order or allowance that Mons De Aulney hath since given out Commissions to take any vessells belonging to the said Bay: that Mons^r de la Toure is or lately was in the Bay desiring further ayde against Mons^r De Aulney that the Ma:^{trates} in the Massachusetts haue not onely refused to graunt any further Assistance, but by a publike declaration haue strictly forbidden all theirs (saue in their owne defence) either as volunteers or any other way to do any hostile Act against Mons^r De Aulney or any of his till further consideration & order. And y^t the Counsell for the Massachusetts haue written to Mons^r De Aulney that the former ayde was carryed by priuate men, hyred by Mon^{sr} De la Toure at his owne charge and had no Commission, countenance nor any allowance from the severall Court or Government there settled, that if it appeare any injurie haue beene donn by any of them in that Course, they will as they may, provide for a due repaire and for that purpose are ready and do desire that in a faire treaty consideration may be taken of all former passages and greivances betwixt the English now vnited *in these Colonies and himself and his Company, y^t due satisfaction may be given and received and peace and a neighbourly corresponden^{ce} preserved & continued betwixt them. And in the meane tyme that their Merchants may proceed in their lawfull trades without dis-

*35

turbance, but what answer or successe they may receive or fynd is yet doubtfull, wherefore they desired advice from the Comissioners how to p̄ceede further in these treaties or affaires wth Mons^r De Aulney.

1644.

September.

The Comissioners seriously considering the p^rmiss^s did fully approve the late offer of a faire and neighborly treaty to consider of greivanc[℥] mutually that just repairacōns may bee accordingly made and if occasion require themselues shalbe ready to second and confirme that foremenconed offer that justice may be furthered and peace wth the sweet fruits of it continued but if notwthstanding those just p^ositiōns made by y^e Massachusets Mons^r De Aulney shall refuse to treat, or neglect to call back his fore^sd Comissions, if he shall p^resse a Resolu^on for warr or p̄ceede in Courses of actuall hostilitie assaulting or seizeing any of the vessells belonging to any of the Colonies either at Sea or in any harbour, before any attempt or further just p^rovocation haue beene offered by any of the English, then it shalbe lawfull for the geⁿall Court of the Massachusetts to graunt a lymitted Comission to any of theires to repaire themselues and by seizeing any vessells of his to reco^u their losses. And further if it bee apparent to the said geⁿall Court that Mons^r De Aulney be so resolved vpon warr that peace and neighbourly correspondency cannot bee had vpon any equall termes. Then it may be lawfull for the said Court in the name and for the use of the said vnited Colonies to treat wth Mons^r De la Towre ℥ if he be willing to purchase all his right and title to the land[℥] forte and app^rteⁿces at S^t Johns Riuer, or if hee will not part wth it, they may then take the best ℥ speedyest course they can according to rules of justice ℥ prudence at his charge to secure Mons^r De la Towres fort there, that yt fall not into the hands of such an implacable enemie. But in such case the Comissioners for the vnited Colonies are to be sumōned assoone as the season will p^rmitt to afford their further advice and direc^on in a businesse of so great importance and concernement.

Whereas a peti^on was deli^ved to the Comissioners desireing the mending of some places in the way from the Bay to Concetacutt It was agreed that it be left to M^r Hopkins President, to take care for the p^ruideing some man or men to fynd ℥ lay out the best way to the Bay, ℥ the charge to be borne by the whole.

qr

*A motion being made by the Comissioners of Plymouth that satisfac^on might be required of Mons^r De Aulney for the injurie donn to them at Matthebiquatus in Penobscott The Comissioners thought mee^te to deferr the same till they see what Answer the said Mons^r De Aulney will returne to a

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he sent him by the Ma:trates of the Massachusetts wherein that pticular is mençoned, and that therevpon it be taken into further consideraçõn.

Whereas by a wise Prouidence of God two of the Jurisdicçõns in the westerne part℄ viz^s Conectacutt and New Hauen haue beene lately exercised by sondry Insolencies and outrages from the Indians. As first an English man ruining from his Master out of y^e Massachusetts was murthered in the woods in or neere the limmits of Conectacutt Jurisdicçõn and about six weeks after vpon discouery by an Indian the Indian Sagamor℄ in those pts promised to deliuer the murtherrer to the English bound, and haueing accordingly brought him w^hin the sight of Vncowa by their joynt consent as it is informed he was there vnbound ℄ left to shift for himself, wherevpon tenn English men forthw^h comeing to the place, being sent by M^r Ludlow at the Indians desire to receiue the Murtherrer, whoe seeing him escaped, layed hold of viij^t or ix Indians there p^rsent amongst whom there was a Sagamore or two, and kept them in hold two dayes, till foure Sagamores engaged themselues w^hin one month to deliù the prisoner And about a week after this agreement, an Indian came p^rsumptuously, ℄ w^h guile in the day tyme, and murtherously assaulted an English weoman in her house at Stamford, ℄ by three wound℄ supposed mortall left her for dead after hee had robbed the house, by w^h passages the English were p^rvoaked, ℄ called to a due consideraçõn of their owne safetie, and the Indians generally in those ptes arose in an hostile manner, refused to come to the English to cary on treaties of peace departed from their wigwams left their Corne vnweeded ℄ shewed themselues tumultuously aboute some of the English Plantaçõns, and shott of peece℄ w^hin hearinge of the Towne, and some Indians came to English ℄ tould them the Indians would fall vpon them soe that most of the English thought it vnsafe to trauell in those pts by land and some of the Plantaçõns were put vpon strong watch and ward night and day, and could not attend their private occasions and yet distrusted their owne strengh *for their defence, wherevpon Hartford and New Hauen were sent vnto for ayde, and saw cause both to send, both into the weaker part℄ of their owne Jurisdicçõns thus in danger And New Hauen for conuenyency of Scittuaçõn sent ayd to Vncowah though belonging to Conectacutt, of all w^h passages they p^rsently acquainted the Comission^rs in the Bay and had allowance and approbaçõn from y^e geñall Court there w^h direccõn neither to hasten a warr nor to beare such insolencies too long, w^h courses though chargable to themselues, yet through Gods blessing they hope the fruite is and wilbe sweete and wholesome to all the Colonies, the Murtherrers are since deliuered to justice, the publike peace p^rserued for the p^rsent ℄ pbably may be better secured for the future The

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Comissioners for Connecticut & New Hauen for their Jurisdiccōns who haue expended these charges in the aforesaid cause ppounded how they should be borne whether by the Colonies or the aforesaid Jurisdiccōns w^{ch} being considered & the Articles for Confederaçōn read, the greater part of Comissioners conceiued that till warr be begunn vpon some one of the Colonies by an Actuell Assault, no charg shall be expected from the rest of the Jurisdiccōns. And the Comissioners doe joyntly agree that in any such Assault or warr begunn vpon any one of them no charge is to be borne by the rest till all the grounds and occations of the warr be considered, and the Jurisdiccōn invaded cleared by the Comissioners according to the Articles, but being cleared then from the beginning of the warr the charge to fall vpon the Colonies according to their pporçōn, wherein the French busines (if there be cause) shall be taken into consideraçōn, and the order now entred in this meeting of the Comissioners shall be of no force to guide the matter of charge in any warr w^{ch} may follow any further then the Articles thus expounded require.

1644.

September.

Vpon certaine differrenc^l betweene the Massachusetts and M^r Whiting wth others concerneing an agreement beareing date the xiiijth of the fourth month 1641 concerning two patent^l vpon the Riuer of Pascataque The Comissioners for the Massachusetts pleaded that their geⁿall Court intended not to graunt any land^l to the foresaid gentlemen but onely to receiue from them *what then was conceiued to be theirs vpon a supposiçōn that the Patent^l of the said gentlemen were auncienter then that of the Massachusetts and desired that some course might be thought vpon and setled, whereby the Townes on the said Riuer might enjoy such liberties as other Townes in the Bay doe according to a clause in the said Agreement, or otherwayes they shall be forced to surrender w^{ch} being duly considered, it appeared to the rest of the Comissioners y^t in the agreement mençōned the Court of the Massachusetts do graunt or consent to the reseruacōn therein expressed & p^mise to assist them by all legall courses in the mayntenance of those reseruacōns, And that in making the said agreement there was a debate & agitaçōn both aboute the Massachusetts line and date of the two Patents but they were by the said Court layd aside that the said Agreement might p^oceede and be concluded, And the Comissioners conceiue that that clause wherein there is mention of liberties refers onely to Jurisdiccōn, and cannot infring or weaken the Gentlemens p^prietic in y^e land^l reserued by the said agreement: yet they thinke it reasonable and just, that the Gentlemen afford some such further accomōdaçōn in land to the Inhabitant^l, as by w^{ch} they may comfortably subsist and enjoy ordinances among them though no such thing be expressed or p^ouided for in the agreement before mençōned.

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1644.

September.

Vpon the reading of A lre from the Goūnor of y^e Massachusetts to the Comission^rs dated the second of the vijth month 1644 and vpon a serious considera^on among themselues how the spreading course of Error might be stayed, and the Truths wherein the Churches of New England walke set vpon their owne firme & cleare founda^ons The Comission^rs p^pounded to and receiued from the Elders now p^rsent at Hartford as followeth :

Quest.

Whether the Elders may not be intreated seriously to consider of some confession of doctrine and discipline wth solid ground℄ to be approoued by the Churches, & published by consent (till further light) for the confirmeing y^e weake among our selues, & stoping the mouths of adūsaries abroad.

Ans:

Wee who are here p^rsent in all thankfullnes acknowledg yo^r Christian and Religious care to further the good of our Churches and posteritye, and do readily entertaine the motion: and shall use our best dilligence & indeavour to acquaint the rest of our breethren wth yt, and shall study to answere yo^r desires & expecta^on assoone as God shall giue a fitt season.

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*Whereas there hath beene some difference betweene the Massachusetts and New Plymouth concerneing A planta^on now called Seacunck, to w^{ch} Jurisdic^on it should belong and appertaine, w^{ch} was now referred by both pties to the Comission^rs and an abstract or cobby of a clause of Plymouth Patent expressing & limmiting their bounds shewed vnto them: By w^{ch} it appeareth that A Countrey or place called Poccanokick (a^{ts}) Sewamsett is graunted vnto them. The Comission^rs not conceiuing that the clause (a^{ts}) Sewamset as there expressed should stretaten their limmits and improueing an oppertunitie of the Narrohigganset Deputies now p^rsent do find Secunck clearely wthin the limmits so graunted to new Plymouth, And therefore adjudg that vnlesse better euedence be brought at or before the Comission^rs meeting the next yeare in Septemb^r) Seacunck doth and should fall into the Jurisdic^on of New Plymouth.

Thomas Stanton vpon his returne informed that hee had fully acquainted the Narrohigganset Sagomores wth the contents of his instruc^ons that they consulting amonge themselues and wth Einemo one of the Nayantick Sachems had sent a Sagamore wth other considerable psons as their Deputies wth direc^on and full power to charge Vncus and to treate wth the English p^miseing to ratify & confirme what the said Deputies shall agree & conclude, wherevpon the Comission^rs gaue a full heareing bothe to the Narrohigganset Deputies and to Vncus Sagamore of the Mohegans concerneing a p^rtended ransome for Myantinomo And as the yssue found, that thoug sefall discourses had passed from Vncus and his men that for such quantities of Wampom and such pcells of other goods to a great value, there might have beene some p^babillitie

of sparing his life, yet no such pcells were brought: But Vncus denyeth and the Narrohigganset Deputies did not alleadg, much lesse proue that any ransome was agreed, nor so much as any treaty begunn to redeeme their imprisoned Sachim. And for that Wampoms and goods sent as they were but smale pcells and scarce considerable for such a purpose, ℄ part of them disposed by Myantinomo himself to Vncus his Coūsellers and Captaines for some favoure either past *or hoped for, ℄ part were giuen and sent to Vncus ℄ to his Squa for p^rserueing his life so long and vseing him curteously during his imprisonment. Wherefore the Comission^rs declared to the Narrohigganset Deputies as followeth.

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That they did not fynd any prooffe of any ransome agreed.

1

It appeared not that any Wampom had beene payd as A ransome or part of a ransome for Myantinomos life.

2

That if they had in any measure proued their charg agn:st Vncus. The Comissioners would haue required him to haue made answerable satisfacōn.

3

That if hereafter they can make satisfying prooffe the English will consider the same ℄ pceede accordingly.

4

The Comission^rs did require that neither themselues nor the Nyanticks make any warr or injurious assault vpon Vncus or any of his company vntill they make prooffe of y^e ransome charged. And that due satisfacōn be denyed vnlesse he first assault them.

5

That if they assault Vncus the English are engaged to assist him.

6

Herevpon the Narrohigganset Sachim aduiseing wth the other Deputies engaged himself in the behalf of the Narrohiggansets ℄ Nayantick℄ That no hostile Acts should be comitted vpon Vncus or any of his, vntill after the next planting of Corne. And that after that, before they begin any warr they will giue thirty dayes warneing to the Goūnor of the Massachusetts or Conectacutt.

The Comissioners approueing of this offer, and takeing their engagement vnder their hand℄ required Vncus as hee expected the continuance of the fauoure of the English to obserue the same termes of peace wth the Narrohiggansets and theirs

These foregoing conclusions were subscribed by the Comission^rs for the seūall Jurisdicōns this xixth Septembr 1644.

EDWA: HOPKINS Presid^{nt}.

SYMON BRADSTREETE

WILLM HATHORNE

EDW: WINSLOW

JOHN BROWNE

GEOR: FENWICK

THEOPH: EATON

THO: GREGSON.

1644.
 {
 September.
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*Weetowishe one of the Narrohigganset Sachims Pummumsh (als) Pūñumshe and Pawpianet two of the Narrohigganset Captaines being sent wth two of the Narrohigganset Indians as Deputies from the Narrohigganset and Nayantick Sachims to make prooffe of the ransome they p^rtended was giuen for their late Sachims life As also to make knowne some other greevance they had against Vncus Sachim of the Mohiggins did in conclusion promise and engage themselues (according to the power committed to them) That there should be no warr begun by any of the Narrohigganset or Nayantick Indians wth the Mohegan Sachim or his men till after the next planting tyme: And that after that, before they begin warr, or use any hostility towards them, they will giue thirty dayes warneing thereof to the Goũment of the Massachusetts or Conectacutt.

Hartford the xvijth of Septemb^r:

1644



The marke of WEETOWISHE

The marke of PAWPIAMET

The marke of CHIMOUGH

The marke of PUMUMSHE

The wthin named Narrohiggansets Deputies did futher promise That if contrary to this agreement any of the Nayantick Pecoatts should make any assault vpon Vncus or any of his, they would deliuer them vp to the English to be punished according to their demeritts. And that they would not use any meanes to pcure the Mawhakes to come against Vncus during this truce.

* **Boston Massachusetts the**28th of the fift Month 1645

July

**At a meetinge extraordinary**

1645.

July.

of the Comissioners for the United Colonies called by speciall Order of the geñall Court of the Massachusetts John Winthrope Herbert Pellame Esqrs M^r Thomas Prence M^r John Browne gen^t George Phenwick & Edward Hopkins Esqrs Theophilus Eaton and M^r Steeven Goodyer

The señall
Comissions
Mattachusetts

An Order of the geñall Court of the Massachusetts dated the xiiijth of the third month 1645 was shewed whereby John Winthrope and Herbert Pellame Esqrs were chosen Comission^rs according to the tenure of the Articles for this p^rnte yeare vntill new be chosen.

Plym

An Order of the geñall Court of Plymouth dated the fourth of the fourth month 1645 was likewise p^rduced whereby M^r Thom^s Prence and M^r John Browne were chosen Comission^rs according to the tenure of the Articles for this p^rnte yeare.

Conectacut

A like Order of the geñall Court at Hartford for the Jurisdic^õn of Conectacut was p^rduced whereby George Fenwick & Edward Hopkins Esqrs were chosen Comission^rs according to the tenure of the Articles & for this p^rnte yeare w^{ch} order was dated the ixth of the fift month 1645.

New Hauen

A like Order of the geñall Court at New Hauen dated the xxxth of the eight month 1644 was shewed forth whereby M^r Theophilus Eaton and M^r Steeven Goodyer were chosen Comissioners according to the tenure of the Articles & for a yeare then following.

John Winthrope was chosen President for this meeting of the Comissioners

1645.

July.

The occasion
of the meeting

The Commissioners desired to know the special occasion of this meeting, the Commissioners of the Massachusetts answered That it was concerning the french businesse w^{ch} not being fully p^rpared this day and the warrs betwixt Pissicus and Vncus being begun and requireing speedy course &c It was agreed to take that first into considera^on according to the p^rsent state of Affaires, It was thought fitt to send messengers forthwth to both the pties to pcure the Narrohiggansetts and Mohiggen Sachems to come or send to Boston and Instruc^ons were drawne accordingly as followeth.

Instruc^ons for Serjeant John Davies Benedict Arnold and Francis Smyth sent by the Comission^rs for the vnitied Colonies of New England to Pissecus Canonnacus and other the Sachems of the Narrohiggansetts and Neantick Indians And to vncus Sagamore of the Mohegans.

I

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Instruc^ons for
the messeng^rs
to the Sachims

*You shall informe thaboue men^oned Sagamores respectiuey that the Commissioners for all the English Colonies namely the Massachusetts New Plymouth Coneetacutt and new Hauen whoe haue full power and Authority from all the said Jurisdicc^ons to consider and conclude both of peace and warr and by all just meanes to p^ruide for the safety and welfare of y^e Countrey are now mett together att Bostone.

2

That the Comission^rs take knowledg both of some vnderhand Assaults on eich pte made one against the other contrary to the true meaning of the late truce betwixt them at Hartford and of se^ruall hostile Invasions made by the Narrohiggansets vpon and against Vncus and the Mohegan Indians to the disturbance and breach of the peace w^{ch} the English haue sought to settle.

3

That therefore the Comission^rs haue sent you both to the Narrohiggansets and Mohegan Sagamores to let them know That if it please them to come themselues or to send any considerable men of theirs fully instructed to declare and proue vpon what occasions and grounds this warr is thus broken out, and fully authorised to treat and conclude as occasion shall require, the Comission^rs wthout any ptiall respect to either pty will consider the same and take y^e best Course they cann to restore and confirme peace betwixt them for their mutuall safety and advantage.

4

The Comission^rs do hereby p^rmise and assure them that they or their Messengers shall haue free liberty to come and returne to treat p^rsecute and conclude their affaires in peace wthout molesta^on or any just greevance from the English. And in the name of the Comission^rs you shall require of both pties, y^t during this treaty no acts of hostilitie passe either against any of their se^ruall Planta^ons or any of their people in their occasions or any of their Sagamores or messengers in their travells too & froo.

If either of the pties put in excuses & seeme vnwilling to come or send to surcease or suspend the warr begunn you shall remember them of their former treaty made & concluded at Hartford five yeares since wth Mr Heaynes and other majestrat^l there by w^{ch} they are both engaged to acquaint the English wth their greevances and receiue advice and direc^ons from them.

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5

But if notwithstanding they refuse to come or send y^e shall acquaint them that the English are engaged to assist against these hostile Invasions, and that they haue sent some of their men to defend Vncus. You shall therefore from the Comission^rs demaund of the refusing pty what their purpose is eich to other, and on what termes they stand wth the English Colonies whether the former Treaties *for peace stand and remayne in force, or whether they will assault the English now wth the Mohegans that y^e Colonies may p^{ro}uide accordingly.

6

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You shall endeavour p^{ar}ticularly and clearly to open euery one of the former Articles to the Sagamores both of the Narrohiggansetts and Mohiggan Indians that y^e may fully vnderstand the same, and you shall take their answer^s in writing to eich p^{ar}ticular and when you haue so donne reade their answer^s in the se^{ma}ll pts to eich of them, that y^e may owne the Returne they make, and that wee may know there is noe mistake.

7

Our said Messengers being returned Benedict Arnold our Interpretor informed vs upon his Oath of the answer^s hee receiued and what vsage he found from the two Sachims of Narrohigganset^l and Naantick as appeares in the declara^on hereafter inserted. They brought us also a letter from M^r Roger Williams wherein hee assures us the warr would p^{re}sently breake forth and that the Narrohigganset Sachims had lately concluded a Neutrallyty wth Providence and the Townes vpon Aquidnett Iland. Wherevpon the Comissioners considering the great p^{ro}vocations offered and the necessity we should be put vnto of making warr vpon the Narrohiggañ & being also carefull in A matter of so greate waight and ge^{ne}ral concernement to see the way cleared and to giue satisfac^on to all the Colonies did think fitt to aduise wth such of the Majestrats & Elders of the Massachusetts as were then at hand, and also wth some of the Cheefe Millitary Com^{ma}nders there who being assembled it was then agreed. First that our engagement bound us to ayde and defend the Mohegan Sachim 2^{ly} That this ayde could not be intended onely to defend him and his in his fort or habita^on, but (according to the Com^{mo}n accepta^on of such Couenants or engagements considered wth the ground^l or occasion thereof) so to ayde him as hee might be p^{re}served in his liberty and estate. 3^{ly} That this ayde must be speedy least he might bee swallowed vp in the meane tyme & so come too late

The messengers
returne

Aduice about
the warr

Conclusion of
the warr

1645.

July.

The number
of men
Boston 190
Plymth 40
Conect^{icut} 40
New haw^{den} 30

4th The justice of this warr being cleared to our selues and the rest then p^rsent it was thought meete that the case should be breifly stated and the reasons & grounds of the warr declared and published wth declaracōn hereafter inserted

5th That a day of humiliacōn should be appoynted, w^{ch} was after agreed to be the fift day of the wecke following

6th It was then also agreed by the Comission^rs that the whole number to be raised in all the Colonies should bee three hundred. whereof from the Massachusetts 100 one hundred and nynety Plymouth forty Conectacutt forty and New Hauen thirty.

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40 men sent to
ayde Vincus
from the Mas-
sachus^{etts}

The Major
sent to

The men
brought in

Humfrey Ath-
erton Lieften-
ant & Daucis
Serjeant.

*According to the Counsell and determinacōn aforesaid the Comiss^rs considering the p^rsent danger of Vincus the Mohegan Sachim (his forte haueing beene diuers tymes assaulted by A great Army of the Narrohiggansets) agreed to haue forty Souldiers sent wth all expedition for his defence, and because a considerable number of men had formly beene sent to him from Conectacutt and New hauen, and that the Narrohiggansets (w^{ch} might know that the rest of the Colonies were resolved to joyne in this warr and not to sit still and deferr the tyme by Messages It was agreed that those forty men should bee sent from the Massachusetts, and because the businesse would admitt no delay (notice being giuen to the Comission^rs that y^e Ayde sent him from Conectacutt and New Hauen were returned hoame) so as there was not tyme to stay the conveineinge either of the geñall Court or of the standing Counsell It was ordered by the Comission^rs that those forty men might and ought to be raised (w^{ch} by the p^rsent Authority Wherevpon they acquainted the Go^{vt} & here wth who gaue assent and advice therevnto and w^{ch} hall sent out summons for the geñall Court to be assembled aboute fiue or six dayes after vpon this the Comission^rs for the Massachusetts one of them being President sent first to the Majors of the Regiments of Suffolk and Middlesex for their assistance in raising the said forty men: But feareing that would not succeed so speedily as was required they sent warrants w^{ch} hall to the Constables of six of the nearest Townes intemateing the vrgent and pressing occation & requiring them to impresse so many men and some horses to be ready at Bostone wthin two dayes (w^{ch} The Majors endeavoured to rayse the volunteers, but they returned us answere they could haue men, but they expected to be ympressed So the Constables brought in our full number and we sent them forth wthin three dayes armed and victualled vnder the Comāund of Lieftennant Humphrey Atherton and Serjeant John Davies wth foure horses and two of Cutchamakins Indians for their guides and gaue Lieftennant Atherton A Comission and Instruccōns by which himself and Serjeant Davies vnder him were to con-

duct the said forty men to Mohegan and to stay there vntill Captaine Mason should come to them, as in the said Commission and Instruccions more fully appeares: And it was further ordered that the forces to be sent from Connetacutt & Newhauen should joyne wth Leiftennant Atherton at Monhegan and should be there by the xxvijth of this month at furthest & Leiftennant Atherton not to attempt vpon the Towne otherwise then in Vncas his defence before they came and then Captaine Mason to haue cheife comāund of all those companys vntill they should meete wth the rest of our forces in the Narrohiggansets or *Nyanticks Countrey and the rest of the forces from the Massachusetts and Plymouth being to joyne together at Seacunck now called Rehoboth and so to proceede And comission to the same purpose in forme of a letter was sent to Captaine Mason by Leiftennant Atherton as followeth.

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To attempt the
towne in Vn-
cas defence.

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Loueing friend Captaine Mason we are assured you haue full notice before this how things stand betwixt the Colonies & the Narrohiggansets and their Confederates All the Companies hitherto sent haue beene limitted to defend Vncas wthout invadeing his enemies Now we see our selues called to a warr in the full compas and extent of it forty men vnder the direcōn of Leiftennant Atherton are sent from the Massachusetts thirty wilbe sent from New hauen wee desire and hope Leiftennant Silly may haue the ouersight of them And forty are to be sent from Connetacutt the charge of the whole company is intrusted to your care we so now ayne — — at the p^{re}textion of the Monhegans that wee would haue no optunitie neglected to weaken the Narrohiggansets and their confederats in their number of men their corne canowes wigwams wampam and goods. Wee looke vpon the Nyanticks as the cheif Incendiaries and causes of the warr and should be glad they might first feele the smart of it. The Massachusetts & Plymouth will send another Army to invade the Narrohiggansets or to deuide themselues as the service may require, and as oppertunity serueth: You shall from tyme to tyme haue notice of their p^{re}ceedings, we rest assured of yo^r experience and prudence in these affaires and neede the lesse to aduise for the safety of yo^r men, p^{re}seruacōn of all p^{ro}uisions whether for dyett or service, and p^{ar}ticularly that Vncas Fort be secured when any strength is sent forth against the Enemy lest hee and wee receiue more damage by some Indian stratageme then the enemy. What booty you take or prisoners whether men weomen or children you may send them to Seabrook fort to be kept and improoued for the advantage of the Colonies in seūall p^{ro}porcōns answering their charge &c

Capt Mason his
Comission

These dispatches being made and Leiftennant Atherton beinge vpon his

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march the geñall Court assembled where the Gouñnor declared vnto them the occasion of calling this Court, and the Comission^rs being all p^rsent, the President seconded him and tould them that the Comissõrs had drawne vp a Declaraçõn of the justice and necessary of this warr w^h was openly read to them, w^h being done the Deputies desired to haue it w^h the señall Treaties & Agreements made w^h the Narrohiggansets &c, that y^e might consider of the cause and so pceede: The same day they sent three or foure of themselues to the Majestrats w^h a Bill to this effect: viz^y. That in regard the forty Souldiers were gone forth w^hout Comission from the geñall Court, That a Comission might be sent after them, The Comissioners being p^rsent w^h the Ma^{trates} when this Bill came to them they *declared to the Majestrats how they had pceeded and vpon what grounds Wherevpon the Ma^{trates} returned the Bill w^hout consenting to yt, the Deputies not satisfied w^h this, desired a conference in w^h the case was debated The Deputies aleadged that seing the Court was now assembled before the forty men were gone out of the Jurisdicçõn they ought to haue Comission from this Court, otherwise if any blood should be shed, the Actors might be called to an account for it: It was answered that however it did pperly belong to the Authoritie of the señall Jurisdicçõns (after the warr was agreed vpon by the Comission^rs & the number of men) to pvide the men and meanes to carry on the warr yet in this present case the pceeding of the Comissioners & y^e Comission giuen was as sufficient as if it had beene done by y^e geñall Court.

- I First it was a case of such p^rsent & vrgent necessary as could not stay the calling of the Court or Counsell
- 2 2ly In the Articles of Confederaçõn power is giuen to the Comission^rs to consult order and determyne all affayres of warr &c and the word determine comprehend^l all acts of authority belonging therevnto.
- 3 3ly The Comissioners are the sole judges of the necessary of the expedition
- 4 The geñall Court haue made their owne Comission^rs their sole Counsell for these affaires
- 5 These Counsell could not haue had their due effect except they had power to pceede in this case as they haue donn w^h were to make the Comission^rs power and the mayne end of the Confederaçõn to be frustrate & that meere-ly for obserueing A Ceremony.
- 6 6ly The Comission^rs haucing sole power to mannage y^e warr for number of men for tyme place &c They onely know their owne Counsell & determinaçõns, and therefore none can graunt Comission to act according to these but themselues

7th To send a new Commission after them or any confirmacion of that w^{ch} they haue would cast blame vpon the Comissioners and weaken their power as if they had pceded vnwarrantably

After much agitacon & long tyme spent herein it was at last agreed That the Court would allow the pcedings of the Comissioners in this case for the matter thereof but they would reserue the manner of pcedinge as to their owne Comissioners to further consideracon and so go on to expedite the p^rsent busines ppounded to them by the Commissioners. And first they agreed that it did belong to the Comissioners onely to appoynt one to haue comāund in cheife of all the forces to be sent from the seūall Colonies and therefore desired them to consider of a man fitt for so weighty a service: The Comissioners willing *to shew all respects to the Massachusetts agreed to make choyce of one out of that Colony, and accordingly diuers able and sufficient men being ppounded at last they made choyce of Major Gibbons and acquainted the geūall Court therew^h that if they had any just exception against him it might be considered: The geūall Court not objecting any thing the Comissioners sent for Major Gibbons who accepted the charge and had comission and instruccon as followeth. *

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Major Gibbons
Commander in
cheefe

The Comissioners of the vnitied Colonies of new England being to appoynt A Comāunder in Cheife ouer all such millitary Forces as are to be sent forth & ymployed not onely in ayde of the Mohegan Sachem but also against y^e Narrohiggansets Nyanticks and other their Confederats, who in making warr vpon Vncas the Mohegan Sachem contrary to former treaties and agreements are now become aswell our enemies as his, in regard of our engagement. The said Comissioners haueing sufficient knowledg of y^e pyety courage skill and discretion of You Major Edward Gibbons do hereby comitt vnto you the charge comāund conduct and gouernment of all the said Millitary forces w^h all such Armes & Amunition pvision and other appurtenēces w^h all Officers therevnto appoynted, to be ordered mannaged and disposed of vpon all occasions by Yo^r self and yo^r Counsell of warr according to the course of millitary Discipline and according to such Instruccons as You may receiue from the said Comissioners from the tyme of Your setting forth in your March vntill your returne or sufficient discharge sent you from the same authority. You haue power also hereby (w^h aduice of yo^r Counsell of warr to use and execute Marshall Discipline vpon all offendders and delinquents as occasion shalbe by fynes corporall punishments and capitall punishments also if neede shall require. And all psons whatsoeū ymployed vnder you in this service are hereby required to yeild due obedyence and subjection to all Your lawfull

The Majors
Commission

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Comaunds according to the quality & power wherewth you are hereby invested. You haue also power to Comaund all such Barkes and other Vessells w^{ch} are to be set forth in the said service wth all Seamen Souldiers and Amunition and p^uisions in them: And the said Comission^{rs} doe hereby constitute and ap^oynt Captaine Miles Standish Captaine John Mason Captaine John Leveret Leiftennant Rob^{te} Silley (or such others as shall haue cheefe Comaund of the Forces comeing from New Hauen) Leiftennant Humfrey Atherton, and the rest of the Leiftennants vnder Yo^r Comaund to be Yo^r Counsell of warr whereof Yo^rself to be President and to haue a casting voyce: And you and yo^r said Counsell or the greater number thereof shall haue power from tyme to tyme as a Cou^ssell of ^{*}to mannage all affaires concerning the same and to joyne to you any other descreete and able officer or officers to be of your said Counsell as you see meete. You haue also power hereby vpon any necessary occasion to make new officers and to giue them titles sutable to their places. Giuen vnder the hands of the said Comission^{rs} at Boston in the Massachusetts the 19th of the 6 month 1645.

Instructions for Serjeant Major Edward Gibbons Comaunder in cheife of our millitary forces and for such as are joyned to him as a Counsell of warr.

Whereas You Serjeant Major Edward Gibbons are ap^oynted Commaunder in cheefe of all such forces as are or shalbe sent forth of the sefall Colonies as by Yo^r Comission bearing the date of these p^rnts doth more fully appeare And whereas there is joyned to you by the same authoritie as a Counsell of warr diuers of yo^r cheife Officers p^ons of approoued worth and fidelty as in the said Comission they are more fully expressed And whereas the scope and cause of this expedition is not onely to ayde the Mohegans but to offend and invade the Narrohiggansets Nyanticks and other their Confederates who vpon makeing warr vpon Vncas the Mohegan Sachem contrary to their engagements are become as well our enemies as his Yet it being the earnest desires of the Comission^{rs} if it may be attayned wth justice honour and safety to p^ocure peace rather then to p^osecute warr It is first comended to yo^r good discretions to take any fitt occasion (or if wth safety you may wthout any considerable delay or danger to your p^oceeding) to use meanes to draw on such a peace w^{ch} you haue hereby power to treat of and conclude, wherein you are to take due considera^on of the charges the Colonies haue expended in the warr w^{ch} you may estimate by the number of men sent forth at sefall tymes by their continuance abroad wth wages and p^uisions aptaincing, And of the damage w^{ch} Vncas hath sustained since the warrs began wherein it

Peace first desired

Charges payd

& Vncas
charges

were meete (if it may be donn wth convenyency) hee were consulted wth that both the Colonies and hee may receiue just satisfac^ōn and repayre, wth if the Narrogansets cannot p^rsently make A considerable pt may be payd in hand, and the rest by a yearely tribute. But wthhall according to our engagements you are to p^ruide for Vncas his future safety y^t his planta^ōns be not invaded, that his men and Squawes may attend their planting fishing and other occasions wthout feare or injurie And that Vssamequine Pomham, Sokakono^oo, Cutchamakin & other Indians frends or subjects to the English be not molested wth will disturbe the peace and drawe on further charge and Inconvenience: But a peace well framed will hardly be secured vnlesse either some of y^e cheife Sachims deliuer their Sonnes as Hostages or that some considerable pt of the Countrey be yeilded to the English for planta^ōns wherein there may be forts built by the *English and mayntayned (at least in pt) by a tribute from the Narrohiggansets to secure the Agreement. And it might pbably conduce to the settleing or p^rserueing of peace, if A trade were settled betwixt the Colonies and them, by wth they might be supplied wth necessaries, but peeces & poder kept back wth other traders furnish them wth. Yf You cannot conclude a peace wth them vpon the termes aboue men^ōned, to p^ruent greater Inconueniences, you may abate somewhat of our charges, and of the Damage Vncas hath sustayned, but much care must be taken to secure both our and his future peace which if it may be donn by raising fortes & keepeing Garrisons in the Narrohiggansets and Nyantick Countreys at their charge, thōgh we require Hostages as aboue, they may bee restored when the Fortifyca^ōns are finished & their payments made, And the Articles for future peace are to be agreed & confirmed by the Comission^rs of the vnited Colonies at their next meeting, otherwise to be of no force

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Vncas future safety to be provided for
 Vssamequin
 Pomham
 Sokakono^oo
 Cutchamakin
 &c.

Hostages or considerable plac^e for a forte.
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A trade settled wth them

Hostages & forts for security of the peace

But if peace may not be obtayned in such way as before p^rsecut. warr. expressed, you are then wth all prudent seleritie to p^rsecute wth force of Armes the said Narrohiggansets & Nyanticks and all such as shall assiste them vntill you may (through the Lords assistance) haue subdued them or brought them to Reason And if the necessitie of the service shall require a further supply of men or p^rvisions (be it one hundred more or lesse) vppon your letters of aduice to the Gou^rners of the se^ruall Colonies, supply shalbe speedily sent vnto you according to the p^rpor^ōn agreed. You are to make fayre warrs wthout exercising cruelty and not to put to death such as you shall take captiue if you can bestowe them wthout daunger of your owne. You are to use yo^r best endeavours to gayne the Enemies Canowes or vtterly Cannowes to destroy them, and herein you may make good use of the Indians our cou-

Supply of men & p^rvisions

Cannowes

1645.

August.
English strag-
glers

A tickett for
any taken up.
*52

federates as you may doe vpon other occasions, haueing due regard to the honor of God, whoe is both our sword and sheild, and to the distance w^{ch} is to be obserued betwixt Christians and Barbarians, as well in warrs as in other negotia^ons, if you fynd any English Stragglers traders or others whom you shall suspect to giue intelligence or to furnish wth Armes or Amunition, or to giue any other ayd to the Enemy, you may secure them or send them to Boston, All other of our Countrey men carrying themselues peaceably & inoffensiue^{ly} shalbe at peace wth you. And if you haue occasion to make use of any their boats or vessells, cattell, puisions or other goods you shalbe very tender of indamnageing them, And you shall giue them a tickett whereby they may receiue due satisfac^on from the Colonies or some of them. *When you shall meete wth the forces w^{ch} come from the Confederates of Plymouth Connecticut and New Hauen or any of them Yo^r self and yo^r Counsell may order and dispose of them into such bodyes, and vnder such of the Co^mmandors as you shall fynd to be most conuenient and most agreeable to the seruice, haueing care to giue no just occation of offence or discontent to any of the Co^mmanders or Officers of any of the Colonies.

Wee doubt not but Your self and your Counsell knowing well how p^recious the liues and healths of our men are among all our Colonies, and how greate charg this warr is like to bring vpon us wilbe very carefull in p^rserueing and husbanding both to the best advantage, so as we shall not neede to giue you any Instruc^ons or Direc^ons about the same, but shall rest satisfied in the confydence wee haue of your wisdomes and faythfullnes, to be ymproued through the Lords assistance & blessing vpon you in this service for his owne glory and his peoples safety and p^rseritie in this wildernes.

Yf the Enemy fly so as you cannot come to fight wth them it may be expedient that you build one or more fortyfica^ons in the most conuenient places of the Narrohiggansets or Nyantike Countreys into w^{ch} you may by the help of the Indians our frends gather and p^rserue the Enemies Corne and other goods for the advantage of the seruice.

Lastly (yet aboue all the rest) we co^mend to yo^r Christian care the vpholding of the worship of God in yo^r Army and to keepe such watch ouer the confusa^on of all those vnder yo^r charge, as all p^rphanenes ympieties, abuse of the sacred name of God luxury and other disorder may be avoyded or duly punished, that the Lord may be pleased to go forth before you, and prosper all yo^r p^reedings and returne you to us in peace w^{ch} we shall dayly pray for.

BOSTON the 19th of the 6th month 1645.

The Commissioners considering that of necessity they must employ seſſall
 veſſells to carry provisions by Sea for the Army and to attend ſuch occasions as
 the ſervice may require, agreed that the men employed in ſuch veſſells ſhould
 be an over number about the three hundred, and to be payd by the Colonies
 in their due proportions, And in like occasions the other Colonies have and will
 ſend an over number as occasion ſhall require wth the geſſall Court approved.

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August.
 Botes to carry
 provision

An over number
 of men

The President informed the Commissioners that ſince Myantonomy his
 Death the Narrohigganset Sachems by meſſengers ſent him a preſent expreſſing
 their deſire to keepe peace wth the English ; but deſireing to make warr
 with Vncas for their Sachems Death, Mr. Winthrope then Goſſnor would not
 receiue it vpon any ſuch termes, The meſſengers deſired they might leaue
 it, till they had further aduised wth their *Sachems, and the preſente not ac-
 cepted nor diſpoſed off remaines in Spetic, to be ordered as the ſtate of
 thinges now required, Wherevpon the Comiſſion^rs thought fitt to returne it
 by expreſſe meſſengers conceiuing thereby the Indians would ſee the reſo-
 lution of all the Colonies for warr : and accordingly Captaine Harding M^r
 Welborne & Benedict Arnold had Inſtructions giuen them as followeth.

The preſent of
 Beades, or
 Wampon'

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Inſtructions for Captaine Harding M^r Welborne and Benedict
 Arnold ſent by the Comiſſion^rs of the Vnited Colonies to Piſcus
 Canownacus Janemo and other Sagamores of the Narrohiggan-
 ſets and Nyantick Indians

You ſhall informe the Sachems above menconed that the Commissioners
 for all the English Colonies aſſembled & yet continuing at Boston haue for-
 merly by treaties and more lately by meſſengers vſed their beſt endeavours to
 preſerue the peace of Countrey in geſſall ; And particularly to prevent or ſtay the
 warr betwixt them and the Mohegans but hitherto their Meſſengers diſ-
 couraged and abuſed haue returned w^{thout} ſucceſſe The Narrohigganset and
 Nyantick Indians haue begun & perſecuted warr vpon Vncas, haue wounded and
 ſlayne diuers of his men, ſeized many of his Canowes, taken ſome priſoners,
 ſpoyled much of his Corne, and haue not onely reſuſed a faire treaty wherein
 all differrence and greivances might haue bene heard and wayed and due ſat-
 iſfaction ordered according to juſtice but haue reproached the English threat-
 ened to kill them, if they but ſtirr out of doores and to lay their cattell on
 heapes, all wth are heigh provocations and open willfull breaches of the former
 treaties and agreements.

Wherefore you are from M^r Winthrope Deputie Goſſnor of the Maſſa-
 chuſets and President of the Comiſſioners for the vnited Colonies to returne
 a preſent long ſince ſent, and left by meſſengers from Piſcus, but not accepted,

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August.

vnlesse the peace both wth the English and Vncas and other Indians frends to the English might bee entirely kept: but as thinges stand he may no longer keepe the present the Colonies being now forced to other Counsell and Courses.

Yet the English (euen to the Indians themselues if they shutt not their eyes) may cleare and manefest their peaceable disposi^{ti}on and just p^{re}cedings. You shall let them know that there men already wth Vncas by expresse order haue hitherto onely endeavoured his defence, wthout invad^{ing}, or attempting any thinge against the Narrohigganset Countrey, and if yet they may haue due repaira^{ti}on for what is past, and good securyty for the future, it shall app^{ea}re they are as desirous of peace and shalbe as tender of the Narrohiggansets blood as euer *Yf therefore Pisscus & Janemo wth other Sachems will (wthout farther delay) come along wth you to Boston the Comission^{rs} hereby p^{ro}mise and assure them they shall haue free liberty to come and ret^{ur}ne wthout molesta^{ti}on or any just greevance from y^e English But Deputies will not now serue, nor may the p^{re}para^{ti}ons in hand bee now stayed, or the direc^{ti}ons giuen recalled till the foremenconed Sagamores come, and some further order be taken, but if they will haue nothing but warr, the English are p^{ro}uideing and will proceede accordingly.

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BOSTONE, the xvijth of the vjth month. 1645.

post-script. Yf you cannot conveniently come to speech wth all the foremenconed Sachems You may deliuer the Contents of these Instruc^{ti}ons to such onely as you haue optunitie to speake wth at the Narrohiggansets especially Pissecus.

Their returne.

Captaine Harding and M^r Welborne returneing from the Narrohiggansets Sachems brought back the Present, and acquainted the Comission^{rs}, that they found not Benedict Arnold at Providence, and heard he durst not aduenture himself againe amongst the Narrohiggansets Indians wthout a sufficient guard They also vnderstand that M^r Williams sent for by the Narrohigganset Sachems was going thither, wherefore the^y acquainted him wth their message, shewed him their Instruc^{ti}ons, and made use of him as Interpreter. The Narrohigganset Sachems denying some of the passages which Benedict[^] vpon Oath had formerly certefyed and excuseing others declared that Janemo the Nyantick Sachem had beene Ill diuers dayes, but had now sent six men to p^{re}sent his respects to the English, and to declare his assent and submission to what y^e Narrohigganset Sachems and the English should agree vpon whether by their Messengers at the Narrohiggansets Countrey or else where, where-

vpon it was agreed That Pissecus cheif Sachem of the Narrohiggansets and Mixano Canowancus his Eldest sonn and others wth full power from the Narrohigganset & Nyantick Indians should forthwth come to Bostone to treate wth the Commissioners for the restoreing and setling of peace, and what they did conclude should bynd the rest. Captaine Harding & M^r Welborne further acquainted the Comission^rs that vpon M^r Williams request they had written to Captaine Mason certefying him of their hopes of a peace betwixt y^e Indians and English, adding in their letter (as they affirme) they did it not to stay any direc^on he had formly receiued.

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The Comission^rs thanked Captaine Harding & M^r Welborne for their paynes and expedition, but blamed them that they had in seuerall thinges gone beyond their Instruc^ons namely in bringing back the Present in vseing M^r Williams but cheefely in writing to Captaine Mason, w^{ch} could haue no other end as they supposed but to retard his pceedings and therefore p^fessed they thought them worthy of censure and punishment.

Pessecus Mixanno and Witowash three principall Sachems *of the Narrohiggansets Indians and Awasequen deputy for the Nyanticks wth a large trayne of men w^{thin} a few dayes after came to Boston. The Comission^rs first acquainted them with the Instrucons sent by Captaine Harding & M^r Welborne and enquired whether they vnderstood them and came p^pared accordingly. They p^fessed M^r Williams had not acquainted them wth two waighty passages therein, namely that they must giue satisfac^on for what is past and good securitie for future peace And that they English preparac^ons and direc^ons for inuasie warr might not be stayed or recalled till by treaty some further order were taken.

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Herevpon Captaine Harding and m^r Welborne were sent for who therevpon declared that m^r Williams had the Instruc^ons in his hand tould them hee had opened all the p^ticulers therein and by the se^uall answers he returned from the Indians they conceiued hee had so done. The Comissioners acquainting the Indian Sagamores that how euer this treaty should succeed. they in their p^sons and company should receiue noe injurie but should stay and returne in safety (according to the safe Conduct graunted them) entred a Treaty wth the said Sagamors and deputy and first remembred them of se^uall agreements made betwixt the English and them both in the Massachusets and at Hartford, by w^{ch} they were engaged not to enter vpon any warr either with Vncas or other Indians w^{thout} first acquainting the English wth y^e cause thereof: notwithstanding they had this summer at se^uall tymes invaded Vncas and had wounded and slayne diuers of his men taken some pris-

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oners and brought much damage vpon him in his estate and had forced the English according to engagement to send their men at seſſall tymes to defend him: And when first y^e geñall Court of the Massachusetts and after the Comission^rs for y^e vnited Colonies sent vnto them to stay these vyolent and hostile courses and offerred them a faire and a just hearing of all differenc^e betwixt them and Vncas: they abused our messengers refused any cessation of Armes reproached and threatened the English Colonies and p^ressed whoeuer began the warr they were resolued to continue yt and nothing but Vncas his head should satisfye them.

The Narrohigganset Sachems at first began to charg Vncas wth sondry injuries he had donn them and p^ticulerly they alleadged his takeing of a ran- some for their Sachems life but being tould the Comissioners could determine nothing concerneing these matters in Vncas his absence, & remembred that themselues had hindred his being sent for to ansvere for himself: they excused themselues concerneing the English, and were loath to acknowleg any breach of Couenant wth them: but after a long debate and some priuate *con* *conference they had wth Serjeant Callicat they acknowledged they had brooken p^rmise or couenant in the afore mençõned warrs, and offerred to make another truce wth Vncas either till next planting tyme, as they had done last yeare at Hartford or for a yeare or a yeare and a quarter; but that not satisfyng, one of the Sachems offerred a stick or a wand to the Comission^rs expressing himself, that therewth the^e put the power and disposiçõ of the warr into their hands and desired to know what the English would require of them The Comission^rs tould them that the charge trouble & disturbance wth they had brought vpon the Colonies by their vnjust proceedings was greate besides the damage Vncas had sustayned, yet to shew their moderation they would require of them but two thousand fathome of white wampam for their owne satisfacçõ, and that they should presently restore vnto Vncas all Captiues and Canowes they had taken from him wth repairacõ for his corne spoyled & destroyed in this warr since they were forbidden by the English, referring all other differenc^e vnto the next meeting of the Comission^rs. The Sagamores and Deputy would haue had an abatement in the charge demaunded for the Collonies, and p^ressed they had spoyled none of Vncas his Corne that was against the custome and course of their wars but at last craucing onely some case in the manner and tymes of payment, and that Vncas might restore such Captiues & Conowes as hee had taken from them they yeilded that part And the same eueing concluded wth the Comission^rs a ppetuall peace both wth the English and wth Vncas and all other Indians being frends or subjects to the English and to giue Hostages for the English better security, the

*56

Some offers of
peace for a
tyme

2000 fadome
of wampen^r

Perpetuall
peace con-
cluded.

Hostages to be
giuen.

day being spent in these agitations the full yssue was referred to the morning, then the Comission^rs againe ppounded to the said Sachems and deputie the former and other pticulers for setting and establishing a perpetuall peace, and after a due and serious deliberaçõn a full agreement was made and drawne up as followeth.

1645.

August.

A Treaty and agreement betwixt the Comission^rs for the vnitid Colonies of New England on the one part And Pessecus Mexanno eldest of Canownacus sonnns Jannemo (a^ts) Nenegelett and Wipetamock and others Sagamores of the Narrohiggansets and Nyantick Indians on the other pt made & concluded at Bostone in the Massachusetts the xxvijth of the sixth month 1645.

A warr being raised and psecuted by the Narrohiggansets and Nyantick Indians against Vncas Sagamore of the *Mohegans contrary to former treaties and their expresse engagements therein, The English Colonies were first put vpon charge and inconvenience in sending men for defence of Vncas, then they sent messengers to the Narrohiggansets & Nyantick Sagamores to stay their warr till the English according to former couenant and agreement had heard their greevances, but w^hout successe : And lastly were forced to prepare an offensiue warr against them. Yet they Comission^rs before the warr began sent other Messengers to the Narrohigganset^r Sagamores to offer them peace vpon due satisfacõn for what was past and other just termes for the future.

I

*57

Articles of
peace

Pessecus and Mexanno w^h other captaines & Counsellors of the Narrohiggansets and one Deputie for the Nyanticks being come to Bostone, and joyntly affirmeing they had comission to treat and conclude not onely for the Narrohigganset & but for the Nyantick Indians, and engaging themselues one for another were after a larg debate and conferrence about former greevanc^e betwixt themselues and Vncas, and a due consideraçõn of former Treaties and agreements w^h the English convinced and acknowledged that they had broken their Couenants and had thereby not onely endammaged Vncas but had brought much charge and trouble vpon all the English Colonies w^h they confest were just they should satisfy.

2

It was agreed betwixt the Comission^rs of the vnitid Colonies and the foremençõned Sagamores and Nyantick Deputie That the said Narrohigganset and Nyantick Sagamores should pay or cause to be payd at Boston to the Massachusetts Comission^rs the full su^m of two thousand fathome of good white wampom or a third part of good black wampem peage in foure payments namely fve hundred fathome w^hin twenty dayes, fve hundred fathome w^hin

3

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four months, five hundred fathome at or before next planting tyme, and five hundred wthin two yeares next after the date of these presents wth two thousand fathome the Comission^rs accept for satisfac^on of former charges expended.

4

The foresaid Sagamores and Deputie (on the behalf of the Narrohiggansets and Nyantick Indians hereby promise and couenant that they will vpon demaund and prooffe satisfy and restore vnto Vncas the Mohegan Sagamore all such Captiues whether men weomen or children and all such Canowes as they or any of their men haue taken, or as many of their owne Canowes in the roome of them full as good as they were wth full satisfac^on for all such Corne as they or any of their men haue spoyled or destroyed of his or his mens since last planting tyme And y^e English *Comission^rs hereby promise that Vncas shall do the like to them.

*58

5

Whereas there are sondry differenc^e and greevances betwixt Narrohigganset and Nyantike Indians and Vncas & his men (wth in Vncas his absence cannot now be determynd) It is hereby agreed that Narrohigganset and Nyantik Sagamores either come themselues or send their deputies to the next meeting of the Comission^rs for the Colonies either at New hauen in Septemb^r 1646 or sooner (oopen conveyent warning) if the said Comissioners do meete sooner fully instructed to declare and make due prooffe of their injuries and to submitt to the judgment of the Comission^rs for the vnited Colonies in giueing or receiueing satisfac^on, and the said Comission^rs (not doubting but Vncas will either come himself or send his deputies in like manner furnished) promise to giue a full heareing to both pties wth equall justice wthout any ptial respect according to their allegac^ons & promises.

6

The said Narrohiggansett and Nyantick Sagamores and deputies do hereby promise and couenant to keepe and mayntaine a firme & ppetuall peace both wth all the English vnited Colonies and their Successors and wth Vncas the Mohegan Sachem and his men wth Vssamequin, Pomham, Sokakonoooco, Cutchamakin, Shoanan, Passacoñaway, and all other Indian Sagamores and their companies, who are in frendship wth or subject to any of the English hereby engaging themselues that they will not at any tyme hereafter, disturbe the peace of the Countrey, by any assaults, hostile attempts, invasions or other injuries, to any of the vnited Colonies or their Successors or to the aforesaid Indians either in their psons, buildings cattell or goods directly or indirectly, nor will they confederate wth any other against them, And if they know of any Indians or others that conspire or intend hurt either against the said English or any Indian subject to or in frendship wth them, they will wthout delay acquaint & giue notice thereof to the English Comission^rs or some of them.

And if any questions or differencē shall at any tyme hereafter arise or grow betwixt them and Vncas or any Indians before menconed, they will according to former engagements (w^{ch} they hereby confirmē and ratyfy) first acquaint the English & craue their judgments and advice therein, and will not attempt or begin any warr or hostile invasion till they haue liberty and allowance from the Comission^rs of the vnited Colonies so to doe.

1645.

August.

The said Narrohigganset and Nyantick Sagamores and deputie do hereby promise that they will forthwth deliuer and restore all such Indian fugitiues or captiues w^{ch} haue at any tyme fled from any of the English, and are now liueing or abideing wth or amongst them, or giue due satisfaccōn for them to the Comission^rs for the Massachusetts, And further that they will (w^{thout} more delays) pay or cause to be payd An *yearely tribute a month before Indian haruest euey yeare after this at Boston to the English Colonies for all such Pecotts as liue amongst them according to the former treatie and agreement made at Hartford 1638 namely one fathome of white wampam for euey Peacott man, and half a fathome for eich Peacott youth, and one hand length of wampom for eich Peacott manchild And if Weekwash Cooke refuse to pay this tribute for any peacotts wth him the Narrohigganset Sagamores promise to assist the English against him. And they further couenant that y^e will resigne and yeild vp the whole Peacott Countrey and euey pt of it to the English Colonies, as due to them by conquest

7

*59

The said Narrohigganset and Nyantick Sagamores and Deputy do hereby promise and couenant, that w^{thin} fourteene dayes they will bring and deliuer to the Massachusetts Comission^rs on the behalf of all the Colonies foure of their children viz^z Pissecus his eldest sonn, the sonn of Tassaquanawitt brother to Pissecus Awashawe his sonn and Ewanghhos sonn A Nyantick to be kept (as pledges or hostages) by the English till both the foremenconed two thousand fathome of wampom be payd at the tymes aboue expressed, and the differences betwixt themselues and Vncas be heard and ordered, and till these Articles of agreement be vnderwritten at Boston by Janemo, and Wypetock. And further they hereby promise and couenant that if at any tyme hereafter any of y^e said children shall make escape or be conveyed away from the English before the premisss be fully accomplished, they will either bring back and deliuer to the Massachusett^r Comission^rs the same children, or i they be not to be found, such and so many other children to bee chosen by the Comission^rs for the vnited Colonies or their Assignes, and that w^{thin} twenty days after demaund, and in the meane tyme vntil the said foure children be deliuered as hostages the Narrohigganset and Nyantick Sagamores and deputie do freely and of their owne accord leaue wth the Massachuset

8

1645.
August.




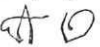




Comissioners as pledges for p^rsent securitie foure Indians namely Witowash Pomamse Jawashoe Waughwamino, who also freely consent & offer themselves to stay as pledges, till the said children be brought and deliued as abouesaid

9 The Comissioners for the vnitied Colonies do hereby p^rmise and agree, That at the charg of the vnitied Colonies the foure Indians now left as pledges shalbe p^ruided for, and that the foure children to be brought and deliued as hostages, shalbe kept and mayntained at the same charg, that they will require Vncas and his men wth all the other Indian Sagamores before named to forbear all acts of hostility against the Narrohigganset & Nyantick Indians for the future. And further all the p^rmisss being duly obserued and kept
*60 by the Narrohigganset and Nyantick *Indians and their company ; they will at thend of two yeares restore the said children deliued as hostages and re-tayne a firme peace wth the Narrohigganset & Nyantik Indians and their Successors.

10 It is fully agreed by and betwixt the said pties that if any hostile attempt be made while this treaty is in hand or before notice of this agreement (to stay former p^rparaçõns and direccõs) can be giuen, such attempts and the consequents thereof shall on neither pt be accounted a vyolaçõn of this Treaty nor a breach of the peace here made and concluded

11 The Narrohigganset and Nyantick Sagamores and Deputie hereby agree and couenant to and wth the Comissioners of the vnitied Colonies, that henceforward they will neither giue graunt, sell or in any manner alienate any part of their Countrey nor any pcell of land therein either to any of the English or others wthout consent or allowance of the said Comissioners.

12 Lastly they p^rmise that if any Peacott or other be found and discoüed amongst them who hath in tyme of peace murdered any of the English, he or they shalbe deliuered to just punishment. In witnes whereof the parties aboue named haue interchaungably subscribed these p^rsents the day and yeare aboue written.

The marke of PESSECUS		the marke of	
the mark of AUMSEQUEN the Nyantick Deputy		MEEKESANNO	
ABDAS  marke		the marke of	
the mark  of POMMUSH		WITTOWASH	
CUTCHAMEKINS  marke			

This treaty and agreement betwixt the Comission^rs of the vnitd Colonies and the Sagamores and Deputie of Narrohigganset and Nyantick Indians was made and concluded: Benedict Arnold being interpretor vpon his oath Serjeant Callicutt & an Indian his man being present & Cutchamakin & Josias two Indians acquainted wth the English language assisting therein who opened and cleared the whole treaty and euery Article to the Sagamores and Deputy then p^rsent.

1645.

August.

The Comissioners calling for the number of Males according to the Articles they were brought in from all the Colonies (except from the Massachusetts) wherevpon it was ordered, that the number of them be forthwth taken, that the charges of the p^rsent expedition against the Narrohigganset & & And the wampam to be receiued from them may be equally p^{ro}portioned wth is to be according to the differrent number of males at *present, and not as it may be when the after payments are to be made. The Comission^rs also considering the great damage that Vncas the Mohegan Sachem hath sustayned in these warrs, and that much thereof hath befallne him for want of tymely ayde from the Colonyes, they haue therefore ordered that he shall haue one hundred fathome of wampam out of the first payment to the Comission^rs from the Narrohiggansets & &

*61

100 fathom ordered to Vncas

The Comission^rs considering that the Colonies of Conneetacutt and Newhauen, haue expended more then their p^{ro}portions in the late expedition & & and that they haue beene out of purse a good value a considerable tyme before the other Colonies were at any charg^e about the same, haue therefore ordered that they shall haue the five hundred fathome of wampam due vpon the first payment deducting the hundred fathome ordered to be giuen to Vncas.

400 fathom ordered to Conneetacutt & Newhauen

Whereas the Comissioners were called to Boston vpon extraordinary occasion and the meeting continuing to this day being the first of the seaventh month, so as they cannot assemble at New Hauen at the tyme appoynted in ordinary Course It is therefore agreed and orderred That the next meeting in ordinary course shalbe at Newhauen according to y^e Articles.

September.

The Comission^rs haueing occasion to consider whether by vertue of the Articles of confederac^on they haue not power to censure all such as shall offend in any of the ymployments as messengers of what Jurisdic^on soeuer they bee, and whether all ministeriall officers be not subject to their com^{ma}unds in such service as concernes their authoritye for the gen^ll affaires of all the Colonies It was agreed that the Comission^rs of the se^uall Colonies should aduise wth the gen^ll Courts of the se^uall Jurisdic^ons that such agreements and order may be made therein, as may best conduce to the good of the whole.

Question
What power the comission^r haue to punish messengers & offic^rs offending

Here followeth the Declara^on before men^onded.

1645.

September.

A Declaracōn of form passages and pcedings betwixt the English and the Narrohiggansets, wth their confederates, wherein the grounds & justice of the ensuing warr are opened and cleared. Published by order of the Comission^rs for the vnited Colonies at Boston the xj^h of the vj^h month 1645.

*62

The most considerable pt of the English Colonies professe they came into these pts of the world wth desire to advance the Kingdome of the Lord Jesus Christ, and to enjoy his p^recious ordinances wth peace (and to his praise *they confesse) he hath not fayled their expectacōn hitherto, they haue found safety warmth and refreshing vnder his winges to the satisfacōn of their soules: but they know and haue considered that their Lord and Master is King of Rightousnes and peace y^t hee giues answerable lawes and casts his subjects into such A mould and frame that (in their weake measure) they may hold forth his vertues in their course and carriage not onely wth y^e Nations of Europe, but wth the barbarous natiues of this wildernes: and accordingly both in their Treaties and converse they haue had an awfull respect to diuine Rules endeavoureing to walk vprightly and inoffensiuely and in the midst of many injuries and insolencies to exercise much patience and long suffering towards them

Narrohiggansets & Nyanticks vyolated their couenants.

by harboring pecots. & keeping part of their countrey

conspiring to cut of all y^e English

The Pecott grew to an excesse of vyolence and outrage and proudly turned aside from all wayes of Justice & peace before the sword was drawne or any hostile attempts made against them, During these warrs and after the Pecott were subdued the English Colonies were carefull to continue and establish peace wth the rest of the Indians, both for the p^resent & for posterity as by sefall treaties wth the Narrohigganset & Mohegan Sagamores may appere, w^{ch} treaties for a while were in some good measure duly obserued by all the Indians, but of late the Narrohiggansets and especially the Nyanticks their confederates haue many wayes injuriously broken and vyolated the same by entertayneing and keepeing amongst them, not onely many of the Pecott nation, but such of them as haue had their hands in the blood & murder of the English seazing & possessing at least a part of the Pecott Countrey, w^{ch} by the right of Conquest justly apptaines to the English, by allureing harbouring and wthholding sefall Pecott captiues fled from the English, and makeing proud and insolent returnes when they were redemaunded, and more lately the English had many strong and concurrant Indian testimonies from long Iland Vnkoway Hartford Kennebeck, and other parts of Myantenomies ambitious designes traueilling through all the Plantacons of the Neighbouring Indians and by p^romises and guifts laboureing to make himself their vniūsal

Sagamore or goūnor, pswadeing and engageing them at once to cutt of the whole body of the English ⁱⁿ these parts: which treacherous plotts were confirmed by the Indians geñall preparacōns, messages, insolencies and outrages against the English and such Indians as were subjects or frends to them, so that they English Colonies to their great charge and damage were forced to arme, to keep strong watch day and night, and some of them to travell wth Convoyes from one plantaçōn to another, and when Myantenomy in his circular trauell was questioned-at Newhauen concerneing these thinges, instead of other ℓ better satisfacōn hee threatened to cutt off any Indians head that should lay such a charg on him to his face.

1645.

September.

English forced to keepe watch and ward.

*The Comission^rs by the p^rmisss obserued Myantenomies proud and treacherous disposicōn, yet thought not fitt to p^rceede against him in that respect till they had collected more legall and convinceing prooffe.

*63

But when these thinges were vnder deliberaçōn Myantenomie was brought prisoner by Vncas to Hartford ℓ the case being opened and cleared as followeth, hee craued the Comission^rs advice how to p^rceed wth him.

Myantenomy prisoner

It appeared in a Treaty made wth the English at Massachusets 1637 Myantenomy engaged himself not to fight wth any of the Indians and p^rticulerly not to invade Vncas wthout the English consent. And after in Tripartite agreement made and concluded at Hartford betwixt Myantenomy ℓ Vncas wth reference to the English Anno 1638 In w^{ch} one of the Articles was that though either of the said Indian Sagamores should receiue injurie from the other, yet neither of them shall make or begin warr vntill they had appealed to y^e English and till the greevances were first heard ℓ determynd, and if either of them should refuse, the English might assist against and compell the refuseing and obstinate p^rty.

The invade Vncas

Notwthstanding w^{ch} Myantenomy and his Confederates haue both secretly and openly plottted and practised against the life of Vncas, not at all acquainting the English or adviseing wth them, but more especially of late since the foremençōned plotts and designes were in hand.

Practise ag^t Vncas life

First a Pecott Indian one of Vncas his subjects in the spring 1643 aymeing at Vncas his life shott him wth an arrow through the arme, and p^rsently fled to the Narrohiggansets or their confederates, boasting in the Indian Plantaçōns that he had killed Vncas, but when it was knowne that Vncas (though wounded) was aliue, the Peacott taught (as was supposed) chaunged his note, affirmeing that Vncas had cutt through his owne arme wth a flint and had hired him to say that he had shott and killed him.

Vncas shot in the arme

Myantenomy being sent for by the Goūnr of the Massachusets vpon another occasion brought this Peacott wth him, ℓ would haue couered him wth

The peecot that shot him.

1645.

September.

the former but when the English out of his owne mouth found him guilty and would haue sent him to Vncas his Sagamore Myantenyony earnestly desired he might not be taken out of his hand^l promising hee would send him safe to vncas to be examined & punished. But feareing (as it seemes) his owne treachery would bee discofied in a day or two he stopped the Pe-cotts mouth, by cutting off his head. But at parting hee tould y^e Gouvernor in discontent, that hee would come no more to Boston.

Plotts agans^t
Vncas by
poysoning &
sorcery

*64

An arrow or
two shott at
Vncas in
Coneetacutt
Riuer.

After this some attempts were made (as is reported) to take away Vncas life by poyson and by sorcery, y^t fayleing some of Sequassons company (an Indian Sagamore *allyed vnto an intimate confederate with Myantenyony) shott at Vncas wth an arrow or two as he was going downe Coneetacutt Riuer, Vncas according to the foremenconed Treaty 1638 complayned and the English by mediation sought to make peace, but Sequasson expressing his dependence on Myantenyony refused, and chose warr, they fought and Vncas had the victory

Myantenyony
900 or 1000
men.
Vncas not half
so many.

Lastly Myantenyony wthout any puocation from Vncas (vnlesse the Disapoyntment of former plotts p^roaked) and sodainely wthout denounceing warr, came vpon y^e Mohegans wth nine hundred or a thousand men, when Vncas had not half so many to defend himself; Vncas before the battaile tould Myantenyony, that hee had many wayes sought his life, and for the spareing of blood offered by a single combatt betwixt themselues to end the quarrell: but Myantenyony p^rsumeing vpon the number of his men would haue nothing but a battell, the yssue fell contrary to expectacōn his men were routed, diuers of his considerable men slayne and himself taken prisoner.

Myantenyony
taken prison^r

These thinges being duely wayed the Comission^rs judged that Vncas could not be safe whilst Myantenyony liued, wherefore the thought hee might justly put such a treacherous and blood thirsty enemy to death, but aduised him to doe it in his owne iurisdicōn wthout torture or cruelty. And Vncas haucing hitherto shewed himself a friend to the English and in this and former outrages (according to the treaty) craueing their advice if the Narrohiggansets or their confederates should for his just execuōn vnjustly assault him, the Comission^rs for the Colonies promised Vncas to assist and p^rtect him.

His death.
Pretence of
Ransome

Vncas herevpon slew an enemy but not the enemy against him, the Narrohiggansets soone fell to new contriuements, they p^rtended they had payd a Ransome for their Sachems life and gaue in p^rticuler about forty pounds.

This for a while cast an imputacōn of foule & vnjust dealing vpon Vncas, but in Septemb^r 1644 the English Comission^rs meeting at Hartford sent for the Narrohigganset Sachems or their deputies desireing they might be instructed to make good their charge.

Vncas came himself, they sent their deputies, but after due examinacōn it appeared that some loose discourse had passed, that for such quantities of Wampañ and such pcells of other goods to a great value there might have beene some p̄babilitie of spareing his life, that no such pcells were brought, and the Narrohigganset Deputies did not alleadg much lesse proue that any Ransome was agreed, nor soe much as any serious treaty begun, to redeeme their imprisoned Sachem, and for y^e wampam and goods sent as they weere but smale pcells and scarce considerable for such A purpose, so they were disposed by Myantynomy himself to sondry psons for curtesies receiued during his imprisonment and vpon hope of further favour. The Narrohigganset Deputies saw their proofes fell far short of former p̄tences *and were sylent. The Comission^rs p̄mised that vpon better euedence hereafter, they should haue due satisfacōn.

1645.

September.

Not proued

*65

Further hearing

Wherevpon a Treaty was made, and both pties were engaged that all hostilitie should cease till planting tyme 1645 and after that they would giue thirty dayes warneing either at the Massachusetts or Hartford, before the treaty should cease. Yet in February last the Narrohiggansets by Messengers sent to Boston, declared that vnlesse Vncas would redeliuer one hundred and sixty fathome of Wampam or come to a new heareing wthin six weeks they would beginn the warr.

Warrs cease till planting tyme.

160 fathome of wampom demaunded.

This crossed the former agreement and the season was such that neither Comission^rs could be aduised wth, nor could vncas travell if notice had beene giuen. After wth about or before planting tyme Tantoqueson a Mohegan Captaine who tooke Myantynomy prisoner was dangerously and treacherously wounded in the night as hee slept in his Wigwam, and other hostile acts were on both pts attempted in a priuate and underhand way as they could take advantage eich against other.

Vnseasonable weather

Tantoqueson wounded in his wigwam

But since the Narrohiggansets haue at seūall tymes, openly invaded Vncas, so that Conectacut and New Hauen, were forced according to engagement to send men, from those Colonies for his p^rsent defence, but wth expresse direcōn not to begin any offensiue warr against the Narrohigganset or their confederat^l till further order. In the meane tyme Messengers were sent to the Narrohiggansets from the geñall Court in the Massachusetts signifying the Comission^rs meeting, p̄miscing their greevances, should bee full and justly heard, and requireing a cessacōn of warr in the meane tyme, but they refused. And heareing p̄bably that the English from the westernne Collonies were returned, they made a new assault vpon Vncas & haue done him much hurte.

Conneetacutt & Newhauen send forces to ayde Vncas & defend. Messengers sent to y^e Narrohigg^s

The Comission^rs being mett sent Messengers the second tyme both to the Narrohigganset & Mohegan Indians, mynding them of their form^l treaties &

Messengers sent the second tyme

1645.

September.

truce, desireing them to send their deputies instructed and furnished wth authority, to declare and open the grounds of the warr, to giue and receiue due satisfaction and to restore and settle peace.

A faire answere
at first but af-
ter retreated

At first the Narrohigganset Sachem gaue a reasonable & fayre answere that he would send guides wth them to the Mohegans, and if Vncas consented he would send his Deputies to the Comission^rs, and during eight dayes hostilitie should cease, but he soone repented of this moderaçõn, tould the English Messengers his mynd was chaunged, sent priuate instrucçõns to the Nyantick Sachem, after the deliuey of w^{ch}, there was nothing but proud and insolent passages, the Indian guides w^{ch} the English Messengers brought wth them from Pumham and Sokakanoco were by frownes and threatening speeches, discouraged and returned, no other guides could be obtayned though much pressed, (they knew (as the expressed themselues) *by the course holden at Hartford last yeare, that y^e Comissio^rs would mediate and presse for peace, but they were resolued to haue no peace wthout Vncas his head, it mattered not who begann the warr, they were resolued to continue it, the English should wthdraw their garrison from Vncas, or they would take it as a breach of former Couenants, and would p^ure as many Mowhauges, as they English should afront them wth, that they would lay the English cattell on heapes as heigh as their houses, that no English man should stir out of his doore to pisse, but he should be killed.

Guides dis-
couraged.

No guids to
be obtayned
*66

Messengers
abused

The English
threatened

Revyleing of
Vncas

They revyled Vncas charged him with cutting through his owne arme, and saing the Narrohigganset had shott him, affirmed that he would now murder the English Messengers as they went or returned (if he had optunitie) and lay it vpon the Narrohiggansets

The messen-
gers derided.

Three Indians
wth hatchets

The English messengers vpon this rude & vnciuill vsage wanting guides to p^ucede and feareing danger returned to the Narrohiggansets, acquainted Pissicus with the former passages, desired guides from him, hee (in scorne as they apprehended it) offerred them an old Peacott Squaw, but would afford no other guides: there also they conceiued themselues in danger, three Indians wth hatchetts standing behynd the Interpretor in a suspicious manner, while he was speakeing with Pessicus, and the rest frowneing and expressing much distemper in their countenance and carriage. The English Messengers not hoping for better successe at that tyme deputed, telling Pessicus that if he would returne any other answere, he should send it to the English trading house where they intended to lodg that night, In the morneing hee invited them to returne and p^uised them a guide to Vncas but would graunt no cessation of armes. When they came to Prouidence they vnderstood that in their absence a Narrohigganset Indian had beene there, and feineing himself

to be of Conecttacut spake in that dyalect, but could not put of the Narrohigganset℄ tone, hee tould Benedict Arnold℄ wyfe (who well vnderstood the Indian language) that the English Messengers should not passe to the Mohegans, he knew they should haue no guides, but should be destroyed in the woods as they trauelled toward℄ Vncas.

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Thus the English Messengers returned and the Interp^rtor vnder his hand and vpon his Oath related the former passages (with others (lesse material) more largely.

Mr Williams by the Messengers wrote to the Comission^rs assuring them that the Countrey would suddainely bee all on fire meaneing by warr, that by strong reasons ℄ arguments hee could conuince any man thereof, that was of another mynd, that the Narrohiggansets had beene wth the Plantaçõns combyned wth Prouidence and sole^mly treated and setled a Newtrallyty wth them : w^{ch} fully shewes their Counsell^s and setled resoluçõns for warr.

Mr Williams
Bere to the
Comissio^rs.

Thus while the Comission^rs in care of the publike peace sought to quench the fyre kindled amongst the Indians these children *of strife breath out threatenings p^ruocations and warr agst: the English themselues: so that vnlesse they should dishonor and p^ruoake God, by vyolateing a just engagement, ℄ expose the Colonies to contempt and danger from the Barbarians they cannot but exercise force when no other meanes will p^rvayle to reduce the Narrohiggansets and their confederats to A more just and sober temper.

*67

The eyes of other Indians vnder the p^rtection of the Massachusett℄ and not at all engaged in this quarrell are (as they haue exprest themselues to the English Messengers) fastened vpon the English wth strict obseruaçõn, in what manner and measure they p^ruide for Vncas his safety : If hee p^rish they will charge it vpon them who might haue preserued him, and no Indians will trust the English if they now broke engagements, either in the p^rsent or succeeding geⁿerations. Yf Vncas be ruined in such a cause, they foresee their heads vpon the next p^rtence shalbe deli^ued to the will of the Narrohiggansets, wth whome therefore they shalbe forced to comply, as they may for their future safety, and the English may not trust an Indian in y^e whole Countrey. The p^rmiss^s being weighed it clearely appeares That God calls the Colonies to a Warr.

The Narrohiggansets and their Confederats rest on their numbers weapons and oportunities to do mischeefe as probably as of ould Ashur Amaleck and the Philistins with others did confederate against Israell : So Sathan may stir up and combyne many of his Instruments against the Churches of Christ: but their Redeemer is the Lord of Hostes, the mighty

1645. one in battaile, all the sheilds of the earth are in his hands, hee can saue by fewe ℥ by weake meanes, aswell as by many and great **In him they trust.**

September.

Mountsear
de Aulney

The Comissioners takeing into consideraçon the matter concerneing the peace made betwixt the gouernment of the Massachussetts and montseur De Aulney referred to this meeting for confirmaçon or abrogation. And such questions and pposiçõns as haue beene deliuid vnto them, both by the Comissioners for the Massachusets Collonies as also by Mr Saltenstall and Mr Hawthorne ymployed by the geñall Court to enquire about the pceedings of Captaine Haukens and other of the English in ayde of Mounseur De Latore against Montseur De Aulney, and also some questions ppounded by one of the Elders concerneing the same matter, and haueing pused the said Articles of agreement, and all such letters ℥ other writings as concerne the said affaires, haue (vpon mature advice and deliberaçon) stated, resolued and answered the said ppositions and questions as here followeth.

Quest I *Whether Mons^r: Latore being a French man borne, accepting his land
I from the Canada Company, and of Comission of Leiftennancy of those pts
*68 from the King of France, be not concluded thereby (both in facto and de
jure) to be a subject of France and to hold all his estate in Accady of the
Crowne of France?

1 The Comissioners answere affirmatiuely.

2 Mons^r: Latore being knowne and concluded to be subject of the King
of Fraunce, and his lands to be accounted (by Custome of all States of
Europe) as belonging to that Crowne whether these confederate Colonies of
new England (being strangers to that Kingdome of Fraunce and the affaires
of that State) may judg of the validitie, of any of the pceedings against
Latore there?

Answered negatiuely.

3 If Mons^r Latore his pson, estate and cause belonging to the Jurisdicõn,
and cognizance of the Crowne of France should be apparently injured, or
oppressed by Mons^r De Aulney, whether the said Vnited Colonies, haue any
lawfull calling to giue assistance to Mons^r: Latore against Mons^r. De Aulney,
holding forth the Authority of the King of Fraunce for his warrant?

Answered negatiuely.

4 When Mons^r: Latore ariued here, in the ship of Mons^r: Moorroone, wth

Comission from the Vice-Admirall of France for bringing supply to Latoré (stiled therein Leiftennant Geñall of the King of France) and therein required all the Subjects of France and desired all others to yeild him assistance, as occasion should require, whether in this case the voluntaries, might lawfully be pmitted, to goe in ayde of Latoré, according to the request of the said Comission?

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Answerd That in referrence and respect to the State of France, it might be done, and so it appeared to haue beene allowed in France.

Whether such Volunteers (as were pmitted to goe in ayd of Latoré vpon such grounds and intimations as is expressed in the former question) invadeing Mons^r de Aulney in his owne habitation &c. do by such action lay this Goverment under guilt or p̄titipaçõn of any hostility, or injurie w^{ch} might be comitted thereby

5

Answered. That in referrence to the State of France volunteers going forth as before wthout Comission or encouragement to do any vnlawfull act the State so pmitting them, doth not fall vnder guilt, vnlesse by some after neglect of Duty.

*Whether Mons^r. De Aulney his Intimaçõn of the State of France their satisfacçõn concerneing the Voluntary ayde afforded Latoré and the Articles of peace concluded therevpon doe not barr Mons^r De Aulney from requireing any further satisfacçõn from this goũment otherwise then in a way of p̄secution in a course of ciuill justice against p̄ticuler p̄sons intressed?

6

*69

Answered That Mons^r De Aulney haueing by his letters Septemb^r 20th 1644 declared what construcçõn the Kinge of France had made of the late voluntary Ayde afforded Latoré, chargeing the fault vpon the vice Admirall of France, And ordering that peace should be kept wth the English, And De Aulney himself by his Agent Mons^r De Marie haueing concluded A peace wth the Goũment of the Massachusets, not excepting nor menconing therein etheir damage or repairacçõn: wee see not why he should now require satisfacçõn from the said Gouverment for former acts done by the said Volunteers wthout their Comission or consent.

Whether Mons^r De Aulney his seazing the Catch of Joseph Grafton going wth p̄uisions to Latores fort and refusing to giue satisfacçõn &c be a breach of the peace on his pte?

7

Answered, negatiuely.

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 {
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 8
 Grafton.

Whether the carrying hoame Latores Lady from Boston in the Shippes of Strangers riding in our Harbour, or the attempt of the said Grafton to carry pvisions to Latores fort being both donn wthout the Assistants of this Gou^{rn}ment be a breach of the peace on our pt?

Answered. That vpon considera^on of the Articles agreed vpon wth Mons^r: Marie there appeares no breach of the peace in either.

9 Whether the Mortgage or conveyance made from Mons^r Latore to Major Gibbons of his fort (& after the Comission of the King of France to Mons^r: De Aulney was made knowne to vs be of any force against the said De Alney especially now after the fort hath beene seized into the hands of the King of France by Authoritie of the said Comission?

Answered. Negatiuely. for ought appeares at p^rsent vpon what wee haue seene.

10 Whether the Comission^rs are to take cognizance of the former injuries offered to any of the Confederates (as that of Penobscott) (& seing the parties in^rressed do not now complayne?

Answered. They Comissioners conceiue they neede not expresse their thoughts herein, till the parties interested shall call for them.

11
 *70 Whereas some hostile acts appeares to haue beene committed against Mons^r. De Aulney in killing some of his men *and destroying and takeing his goods, by some of those English who went forth vnder the Co^mmand of Cap^tain^e Haukins and joynd wth Mons^r. Latore his men therein, whether this act may bee justyfyable in him and the rest of those English, or if they ought not to be called to an account for the same?

Answered. It doth not appeare to the Comission^rs that Captaine Haukins or any vnder him had any Comission from the go^urnor of the Massachusetts or any other to attempt any hostile act agnst: Mons^r. De Aulney, nor to enquire after wronges or require satisfac^on from the one to the other, nor why hee or they should joyne with Mons^r Latores men in that way of force after he had receiued Mons^r De Aulneys Letter: but Captaine Hawkins being now absent, they leave him to answere for himself.

Whereas the Comission^rs haue beene further mooued by some of the Court of the Massachusetts to consider of the said hostile act co^mitted by Captaine Haukins and the English wth him.

They answer therevnto in effect as before viz^t. They conceiue that Captaine Haukins or those w^h him haue donn seuerall thinges against Mons^r. De Aulney of weighty concernement (w^hout Comission from hence) w^h are justly questionable, but the cause depending as they hear in the Court of the Massachusetts they referr it to the due course of Justice.

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Lastly the Comission^rs vpon serious advice & considera^on doe assent (as is hereafter expressed) to the Articles of peace made betweene the Go^urnment of the Massachusetts and Mons^r De Aulney, if hee agree and ratyfy them vnder his hand. The ratyfycac^on now drawne vp as here followeth in English (but it was translated into Latine) and vnder the former agreement exemplyfyed &c.

An agreement between John Endicott Go^urnor of the Massachusetts in New England and the rest of the Majestrats there And Mons^r: Marie Commissioner for Mons^r: De Aulney Knight Go^urnor and Leiftennant of his heighnesse the King of France in Accaday A Prouince of New France made and confirmed at Boston in the Massachusetts aforesaid the eight day of the eight month 1644.

The Go^urnor and Majestrat^l do pmise to Mons^r: Marie aforesaid That they and all the English w^hin the Jurisdiction of the Massachusetts in New England shall obserue and keepe firme peace w^h Mons^r: De Aulney Go^urnor &c and all the French vnder his Go^urnment in Accady and also Mons^r: Marie pmiseth for Mons^r: de Aulney that hee and all his people shall keepe firme peace alsoe w^h the Go^urnor and majestrat^l aforesaid, and all the Inhabitants of the said Jurisdic^on of the Massachusetts *and that it shalbe lawfull for all their people aswell French as English to trade eich w^h other, so as if any occasion of offence shall happen, neither of them shall attempt any thing against the other in a hostile way except complaint & manefstac^on of the Injurie be first made and satisfac^on according to equitie bee not giuen. Prouided alwayes that y^e Go^urnor and Majestrat^l aforesaid bee not bound to restrayne their Merchant^l from tradeing w^h the ships w^h what people soeuer, whether French or others in what place soeuer inhabiting. Prouided also that the full ratyfycac^on and conclusion of this agreement be referred to the next meeteing of the Comission^rs of the vnited Colonies of New England for the continuance or abrogation thereof and in the meane [^] to remayne firme and inviolable.

The treaty of
peace w^h
Mons^r.
De Aulney

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The Comission^rs for the vnited Colonies of New England haueing pused and considered the agreement and Articles aboue written, and being desireous

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that a firme & geñall peace might be mayntayned betweene the English and all their Neighbours, that euery one might pursue the com̄on intention of subduing this wildernes for the use of man in that way for w^{ch} the earth was first giuen to the sonnes of Adam, and for bringing these barbarous people first to ciuilitie (and so by diuine assistance) to the knowledg of the true God and our Lord Jesus Christ It seemes fitt and necessary vnto them, that the agreement & Articles afore specified (comprehending therein all the said vnited Colonies) should be confirmed. But whereas there are certaine questions and injuries on both pts alledged and charged, the Comission^{rs} are willing that in due tyme and place y^e same shalbe duly heard and composed according to justice, and that peace in the meane tyme, be fully and firmly kept by the English Colonies according to the late Agreement. Prouided that Mons^r: De Aulney vnder his owne hand doe confirme and obserue the same.

These foregoing Conclusions were subscribed by the Comission^{rs} for the señall Jurisdiccōns this second of Septemb^r: 1645.

JOHN WINTHROP Pres^{nt}.
HERBERT PELHAM
THO: PRENCE.
JOHN BROWNE.

GEO: FENWICK
EDWA: HOPKINS.
THEOPH: EATON.
STEPHEN GOODYEARE.

* **At a meetinge** of the Com̄issioners for the vnitēd Colonies in New England at New hauen 9th 7^{ber}. 1646.

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THE Articles of Confederation being read, an order of the generall Corte of the Massachusets dated the sixt of the third moneth 1646. was presented & read, whereby it appeared that John Endicutt and Herbert Pelham esq^r, were chosen Comissioners for that Colony for a full & compleate yeare, & were invested wth full power & authority accordinge to the tenure of the said articles, and an order made therevpon at the meeteinge at Boston the 7. 7^{ber} 1643.

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M^r John Browne, & M^r Timothy Hatherley presented a like order of the generall Corte of Plimouth the second of the 4th moneth, 1646, at w^{ch} time they were chosen Comissioners for that Colony for one yeare, accordinge to the tenure of the aforementioned articles

A like order of the generall Courte at Hartford for the iurisdicōn of Connecticut was produced, whereby Edward Hopkins & John Heynes esq^r were chosen Comissioners accordinge to the tenure of the said Articles for one yeare, w^{ch} order was dated the 9th of the second moneth 1646.

Theophilus Eaton esq^r. & M^r Stephen Goodyeare were chosen Comissioners for the Colony of Newhaven for one yeare, accordinge to the tenure of said Articles, as by an order of that gen^lall Courte dated the 30th of the 8th moneth, 1645. appeared

Theophilus Eaton was chosen President for this meetinge of the Comissioners.

The Comissioners of Connecticute complayned of seūall insolencies & iniuries with an high hand lately comitted & maintayned by the Dutch Agent, & some of his family to the disturbance of the peace there; And a Protest lately sent by the Dutch Governoure against New haven, with the answere returned were read

The Protest was written in Latine, the contents in English was as followeth.

We William Kift generall Director, & the Senate of new Netherlands, for the high and mighty Lords the States of the Vnitēd Belgicke Provinces,

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for his Excellency the Prince of Orange, & for the *most noble Lords, the Administrators of the West India Company To thee Theophilus Eaton Governour of this place, by vs called the Red Hills in New Netherland, but by the English called, New Haven, we giue notice that some yeares past, yours (without any occasion given by vs, & without any necessity imposed vpon them, but with an vnsatiable desire of possessinge that w^{ch} is ours, against our Protestations, against the law of Nations & the auncient league betwixt the Kings Ma^y of greate Britaine, & our supiours haue indirectly entred the limit^l of New Netherland, vsurped diuerse places in them, & haue bene very injurious vnto vs, neither haue they given satisfac^on though oft required: And because you & yours haue of late determined to fasten your foote neare Mauritius River in this Province, & there not onely to disturb our trade (of noe man hitherto questioned) & to draw it to yourselves, but vtterly to destroy it, were compeld againe to Protest, & by these presents doe protest against you as against breakers of the peace, and disturbers of the publicke quiet, That if you doe not restore the places you haue vsurped, & repaire the losse we haue suffered, we shall by such meanes as God affords, manfully recouer them. Neither doe we thincke this crosseth y^e publicke peace but shall cast the cause of the ensueinge euill vpon you. Given in Amsterdam forte. August 3. 1646. New stile.

WILLIAM KIEFT.

The answere was returned in Latine to the said p^test the Contents as followeth.

To the Right Wo^r: William Kieft Gouvernour of the Dutch in New Netherland.

S^r.

By some of yours I haue receaued a Protest vnder your hand Da^t Aug: 3. 1646. wherein you pretend we haue indirectly entred the limit^l of New Netherland, vsurped diuerse places in them, & haue offred you many injuries, Thus in generall, & in reference to some yeare past, more p^ticularly that to the disturbance, nay to the vtter destruction of your trade, we haue lately set foote neare Mauritius River in that province &c

We doe truely professe we know noe such River, nor can conceiue what River you intend by that name vnlesse it be that w^{ch} the English haue longe & still doe call, Hudsons River. Nor haue we at any time *formerly or lately entred vpon any place to w^{ch} you had, or haue any knowne title, nor in any other respect benee injurious to you. It is true we haue lately vpon Pawgussett River w^{ch} falls into the sea in the midst of the English Plantations,

built a small house within our owne limits, many miles nay leagues from the Manhattoes from your tradinge house & from any porte of Hudsons River, at which we expect little trade but can compell none, the Indians beinge free to trade with you, vs, Connecticut, Mattachusetts, or with any others: nor did we build there till we had first purchased a due title from the true proprietors: what injuries & outrages in our persons & estates at the Manhattoes in Delawar River &c we haue receiued from you, our former letters & protest doe both declare & proue to all w^{ch} you haue hitherto given very vnsatisfyinge answeres: But what ever our losses & sufferinge haue beene, we conceiue we haue neither done, nor returned any thinge even vnto this day, but what doth agree with the law of God, the law of Nations, & with that ancient confederation & amity betwixt our superiours at home, soe that we shall readily refer all questions and differenc^l betwixt you & vs even from first to last to any due examination & iudgem^t, either heere or in Europe & by these presents doe refer them, beinge well assured that his Ma^{ty}. our so^laigne Lord Charles Kinge of greate Britaine & the Parliament of England now assembled will maintaine their owne right & our iust liberties against any who by vnjust encroachment shall wronge them or theirs, & that your owne Principalls vpon a due & mature consideration will alsoe see & approue the righteousnes of our proceedings.

NEW HAVEN in New England. Aug: 12th 1646.
old stile.

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The premises beinge duely considered both in reference to Hartford & New haven the Comissioners thought fitt to expresse their apprehensions in writinge to the Dutch Gov: in latine but the Contents as followeth.

To the Right wo^r: William Kieft. Governor. &c

S^r

Vpon a due consideration how peace (a choice blessinge) may be continued, we are carefull to enquire & search into those differenc^l & offences soe longe continued betwixt some of our confederates & your selues: It is now neare 3 yeares since the Governor of the Mattachusetts by consent & advice of the Counsell of that Colony, did pticularly propounde to your consideration sundry injurious & vnworthy passages done by your Agent vpon the fresh River, & some of his family vpon our brethren at Harford to all *w^{ch} you returned an Ignoramus, with an offensiue addi^ōn w^{ch} we leaue to a review & better consideration, what inquiry & order you after made & tooke to suppress such miscarriages for the future, we haue not heard, & tainly your Agent, & his

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company are now growne to a strange & vnsufferable bouldnes (we hope without Comission) An Indian captiue liable to publike punishment fled from her M^r at Harford is entertayned in your house, at Harford, & though required by the Magestrate is vnder y^e hands of your Agent there denyed, & we heare she is either marryed, or abused by one of your men: Such a seruant is parte of her Masters estate, & a more considerable part then a beast, our children will not longe be secure if this be suffered: your Agent himselve in height of disorder & contempt of authority, resists the watch at Harford, drawes & breakes his rapier vpon their weopens and by flight escapes, had he bene slaine in this proud affront, his bloud had beene vpon his owne head: Lastly to passe by other particulars, some of your horses beinge powned for damage done in the English Corne, your Agent & 4 more made an assault, and stroke him who legally sought justice, & in an hostile way tooke away his teame and laden.

We haue also seene a Protest of yours. Da^t Aug: 3. 1646 New stile, against our confederat^l of New-haven with their Answer Da^t Aug: 12th. & deliuered to lieftenant Baxtey yo^r messenger: vpon our most serious consideration of the Contents together with their title heere held forth we conceiue their Answer fayre & just, and hope it will cleare their proceedings, and giue you full satisfaction, yet to prevent inconueniences w^{ch} may grow by any part of the premises, we haue sent this bearer, by whome we desire such a returne as may testify your concurrence with vs to embrace & pursue righteousness & peace.

Vpon information that the Dutch Governor in a lre to the Governor of the Mattachusetts chargeth M^r Whitinge, one of the Magistrates of Connecticut y^t at the Manhattoes he should say, The English were fooles to suffer the Dutch to liue there, M^r Whitinge vpon other occasions beinge now at New haven y^e Comissioners enquired of him what had passed *betwixt him & the Dutch Governoure, or him & others at the Manhattoes, & therevpon in English wrote another letter to the Dutch Governoure as followeth.

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S^r. since your former dated the fifth of this present we haue spoken with M^r Whitinge concerninge words you chardge him with in yo^r letter to the Governoure of the Mattachusetts, he professeth he neither remembreth nor knoweth any such words spoken by him, & we could wish that all such p^{ro}vokinge & threatninge language might be forborne on both pt^l, as contrary to that peace & neighbourly correspondency w^{ch} we desire sincerely to pre-serue betwixt the 2. Nations. M^r Whitinge complains of a sentence lately

passed against him in his absence at the Manatoes, when he had noe Agent there to pleade to his cause, or to giue in his evidence, & that demandinge a just debt longe since due from some of yours, he receiued neither that helpe of Justice from yo^r selfe, nor soe faire an answere as the cause required & he expected, we are assured you will both grante him a review in the form & free passage for recoveringe debt & as all the Colonies will readily doe to any of yours in our Court, yf in your answere to our former you will please to adde a word or two concerninge the pmisses, it may settle a right vnderstandinge betwixt vs, we rest, Yours, &c September. 7th 1646. old style.

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Both these letters were sent by Lieftenant Godfrey a messenger to the Dutch Governoure the same day.

The Comissioners consideringe the treacherous disposition of the Indians, how hard a thinge it is to continue any firme peace with them, how skilfull they growe in the vse of peece, powder & shott & insolent thereby, & withall how plentifully those who liue aboute & neare the French and Dutch are (though at high prices) furnished with them, the Traders of both Nations preferringe profitt to their owne & neighbours safety, thought it their duty to revieue & strengthen what former prouision hath bene made, that such disorderly & dangerous tradinge may not onely be straitened, but suppressed in all those Colonies according to their place & trust, they doe therefore confirme the order made at Hartford in Septemb: 1644 hopinge that neither any generall Courte, nor magistrate within those Colonies, will vpon any occasion or for any respect giue license or vse any Coñivance contrary to the scope and true meaninge thereof, And whereas three of the Colonies haue already made orders to regulate tradinge with others in those *prouisions for war, the Comissioners for Mattachusetts, Connecticut & New hauen & the Comissioners for Plimoth in p^ticular, where for want of such an order some traders haue lately taken too much liberty to carry & sell considerable quantities of powder & shott, or lead to & at the Manatoes w^{ch} hath beene as fewell to the fire, a meanes to continue & increase an indirect & hurtfull trade the Dutch haue with the Indians, are intreated to preserue the orders already made, & with due seriousness to propoude to the seuerall generall Court that speedily some wholesome prouision may be made vnder a weighty penalty, that none within their p^ticular & respectiue Jurisdictions sell or cause to be sould directly or indirectly any gun or guns of what name or sorte soever, any powder, shott, bullet & lead swords or any other weopons or instruments proper & vsed for war to any p^{son} or persons out of these or any of these Jurisdictions without license vnder the hands of two magistrates of the Jurisdiction, or at

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least vnder the hand of one Magistrate & two Deputies intrusted for the publicke affaires, And that all & every such license shall from time to time be kept in a booke or memoriall in writinge that all the pcells or particulars with the quantities soe licensed, the persons to whome, & the grounds for w^{ch}, vpon occasion may be considered by the generall Courte or Comissioners for the Colonies.

Mr Hopkins & Mr Heynes acquainted the Comissioners wth a murtherous plott & designe Sequasson is charged with against themselues, & Mr Whitinge, that his accuser formerly hired by Sequasson to murther an Indian petty Sachem, offers to witnes this to his face, that the wampan given with Sequassons seuerall false excuses & flight makes the euidence probable, if not certaine, & that Sequasson doth not yet come to cleare himselfe, though twice sent for by Mr Heynes; The Comissioners consideringe the premises thought fit once againe to send for him with safe Conduct vnder their hands, & accordingly gaue instructions to Jonathan Gilbert, as followeth.

*79 You are with all convenient speede to repaire to Warranok or such other place where you vnderstand Sequasson abides, & havinge obtayned oppurtunity to speake with him, you are to giue him to vnderstand that the Comissioners for all the English Colonyes, (vz) Mattachusets, Plimouth, Connecticute & New haven who are betruste *with matters of peace & war in behalfe of all the Colonies, beinge now mett at New haven haue bene enformed y^t he the said Sequasson, & some others are accused by a c^taine Indian sometimes residing with him, of a plot & conspiracy entered into by them for the killinge of Mr. Hopkins, Mr Heynes & Mr Whitinge of Hartford, & that the s^d Indian was hyred by them for the effectinge thereof, havinge rec^d part of his pay for the same in 3 girdles of wampan w^{ch} he hath brought to the English, with promises of a far greater quantity when the designe was accomplished: you are further to acquainte the said Sequasson, that the Comissioners aforesd beinge very desirous to vnderstand the truth or falshood of the premises, doe by you tender to him an open & willinge eare vpon notice hereof, if he forthwith repaire to them at the place of meetinge at New haven readily to heare & imptially to consider what [^] alleadge & euidence in his owne defence in the presence & before the face of his accuser, who tenders himselfe ready to make good his accusation.

You are for his further encouragement herein to giue the said Sequasson to know, that the Comissioners did promise that he should receiue noe disturbance or molestation in his repaire to them from any of the English or any others by their knowledge or consent, & the like free liberty & passage he shall haue

in his returne backe whatsoever the discouery of the case shalbe. But if notwithstandinge the aforesd encouragement he refuse psonally to appe before the Comissioners for the clearinge of himselfe, you may let him know, that the withdrawinge of himselfe will much increase the suspition of his guilt to all the English, & induce them to proceede in answereable courses towards him: Yf there be any other Indians at Warranok or thereabouts, whome you know to be accused of the aforesaid plott together with Sequasson, you are to require them to repaire hither alsoe in the name of the Cōmisioners to cleare them selues, if they desire to stand right in the eies of the English & havinge caused them all fully to vnderstand those instructions, you are to take their answere in writing & to returne it to us with all convenient speede.

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Jonathan Gilbert vnderstandinge where Sequasson was, went to haue spoken with him, (but as he *conceiueth) the Indians prevented him, & gaue notice to Sequason who therevpon fled & could not be mett with: But a few dayes after Nepinsoyt & Naimataigue two Sagamores with other Indians came to New haven, & informed the Comissioners that they were freinds to Sequason, & had bene with him at the Mattachuset & intimated he had presented the Governoure with Wampam, but the Governoure would not accept the present, onely would give it house roome & wished them to attend the Comissioners at this meetinge, & if Sequason cleared himselfe then he would tell them more aboutes the present, they alsoe professed respect to the English & said they had brought down Sequason to cleare himselfe, that one of them held him by one arme, & the other by the other, yet when he was neare New haven, almost at the towne fence, he brake from them & made an escape, they added alsoe that he was ashamed to come because he had brought no present. The Comissioners tould them they intended Sequason no hurt, but desired to bring him & his accuser face to face, that he should haue a iust hearinge in their presence: But as they were assured y^e Governor of the Mattachuset would returne his present, if he did not cleare himselfe, soe the Comissioners would neither accept any present if tendered, nor should the want of it preiudice his cause. The Comissioners were by some other Indians informed, that Sequason was w^hin a mile of New haven & it was considered he would gladly make his peace some other way then by a due examination & tryall. The two Sagamores said he was afrayd & durst not come, though he confessed it was iust he should come & cleare himselfe if innocent, all w^h being considered the Comissioners conceiued, that Sequason whither guilty or afrayd of the English, would be plottinge against them, and soe

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proue dangerous, wherefore they thought fitt & ordered, that all iust & prudent meanes should be vsed (his life preserued) to bringe him to tryall that the matter might some way be ishedwed.

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In the meane time they thought fitt to examine Wotchibrok a Potatuke Indian Sequasons accuser, who waited to giue euidence against him, he beinge warned by Thomas Stanton the Interpretor to speake nothing but truth, affirmed that beinge this last springe in a wigwam with Sequason at Warranot & ready to depart, Sequason perswaded him to *stay three daies, thence he drew him to the Falls aboue Mr Pincheons, when they had bene there fowre dayes, Wontibrou would haue bene gone to
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to see some freinds, Sequason tould him it was dangerous to trauell that way he would be killed, walked along with him to a springe, & there tould him that if ever he would doe him the said Sequason a kindenes now was the time, he was almost ruyned, & the English at Harford the cause of it, he should therefore go to Hartford & kill Mr Hopkins, Mr Heynes or Mr Whitinge & he would giue him a greate rewarde, & therevpon pluckt out of his bagg, three girdles of wampam & gaue them to him with a peice of a girdle to play and promised him much more. Watchibrok tould him it was dangerous to kill an English Sachem, they would finde out the murtherer and pursue him to death, what wõld then wampam doe him good. Sequason said he had store of wampam, when the thinge was done, they would fly together to the Mowhaukes, But in the way when they came to the Wampog Indians, he should giue it out that Vnkus had hired him for so much wampam & that would sett the English against Vnkas, & then he the said Sequason should rise againe, & he further tould this examin^t Naimetaigue one of the forementioned Sagomores that came on the behalfe of Soquason & his father knew & approued the said murther. Wotchibrough further saith that having taken the afore^sd wampam he remembred that himselfe had taken formerly Busshege & brought him to the English who for a murtherous attempt at Stanford, was put to death at New hauen, that if he should kill any English by such meanes, he should goe in feare of death all the dayes of his life, & that for bringe in Busshege he had a gratuity from the English, & for discovery of the plot he should finde favor & he thought the favoure of the English with security would be better to him than Sequasons wampam with feare & danger, he therefore came first to Tuncksus & the next day to Hartford & discovered Sequasons practise, he saith further that Sequason hearinge of the discovery spake to Rominot an Indian, & he sent G^d by another Indian to this examinant, desiringe him to conceale & hide as much as he could of the plot & not to lay

all open, but he in anger *bad the said six pence hold his peace, he had discovered it & would hide nothinge.

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Two petitions were presented to the Comissioners from John Griffin, Edward Elmar & others, complayninge that some Indian or Indians had wilfully & maliciously burned some quantities of Pitch & tar of theirs together with beddinge, a Cart & its furniture with heapes of Candlewood, tooles & work for greater quantities of pitch & tar in value (as they expresse it) about 100^l & pticularly they complayned of Wahannos a Waranot Indian as guilty therein as by sufficient evidence they thought they could proue, that he had since avoyded all the English plantations, and that he beinge sent for by a warrant from some of the Magistrates of Connecticut fled, but beinge overtaken & seised by one of the English he was rescued by Indians, & the English by them jeared & abused, & pticularly by Chicwallop, Sachem of Nowottok, wherevpon Jonathan Gilbert & John Griffin with others were sent with instructions from the Comissioners, as followeth.

Instructions for Jonathan Gilbert & John Griffin sent by the Comissioners of the vnitied Colonies to Chickwallop Sachem at Nawattock and Manaheuse an Indian, abidinge in those pt^{ts} the 5. Sept. 1646

You are with all convenient speed to repaire to Newattock & havinge informed the Sachem there of the meetinge of the Comissioners for all the English Colonies at New hauen; you may give him to vnderstand that the said Comissioners haue beene enformed of some late practises of Manahaues an Indian, now or lately residinge with him, in burninge the pitch & tar of some inhabitant^l of Windsore vpon Connecticut, & of some resistance made by himselfe agst some English sent by order from the Magistrates, vpon the Riuer of Connecticute to bringe the said Mahanose to a due tryall of the said charge layd against him. You are further to let him know that the said Comissioners not beinge willinge to condemne any before they heare them, doe by you tender them an impartiall hearinge of what they can alleadge in their owne defence, if they presently vpon notice hereof repaire to them at the place of their meeting in New haven, w^{ch} you are in the Comissioners *name to require of them, And for the encouragem^t of the said Sachem herevnto, you may let him know that the Comissioners doe promise he shall receaue no disturbance nor molestation in his repaire to them or returne from them from any of the English or any other with their consent or knowledge, But in case they refuse to attend the advise of the Comissioners herein, you

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shall enforme him that such refusall will much increase the suspiſion of their guilt, & induce the Comiſſioners to proceed in answerable courses towards them; when you haue caused them fully to vnderstand these instructions & that you p̄ceiue they are resolued not to make their apparance here, but to withdraw themſelues from the way of righteous proceeding therein propounded to them, Yf vpon a prudent consideraçõn of the strength you haue with you in referẽce to the number & strength of the Indians that may oppose you, you doe iudge your ſelues able with ſafety to yo^r p̄ſons to bringe away Manahanoes in a forcible manner then you may conſtraine him to come alonge with you, Provided you can do it without preiudice to his life.

At their returne they informed the Comiſſioners that they could not meete either with Chickwallop, or wth Manahanoes, they conceiued the Indians had carryed away Manahanoes, but the Sagamors & Indians at Waranoco carryed it insolently towards the English vauntinge themſelues in their armes, bowes & arrowes, hatchets, swords, ſome with their guns ready charged before & in the preſence of the English meſſengers, they primed & cocked them ready to giue fire, & tould them that if they ſhould offer to carry away any man thence, the Indians were resolued to fight, & if they ſhould ſtay but one night at the English tradinge houſe, neare all the Country would come in to reſcue any ſuch Indian ſeiſed. Yet the next morninge the Sachem with ſome others offered the English meſſengers 8 Fadome of wampam towards ſatisfacçõn & promiſed to provide more. The meſſengers not havinge any thinge to that purpoſe in their Comiſſion advised the Sachem to ſend to the Comiſſioners but he refuſed.

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*Herevpon Noynetacha one of the Sagamores of Waranaco, who as before came on Sequaſſons behalfe, was queſtioned by the Comiſſioners aboute thoſe proude affronts to the English, at firſt he denyed p^t of what he was charged, & excuſed ſome p^{te}, but one of the English meſſengers beinge preſent, & he hearinge the reſt ſhould be ſent for, fell vnder moſt of the chardge profeſſinge he intended noe harme to the English.

The Comiſſioners ſeriously conſideringe the p̄miſſel thought, that if ſuch wilfull & hostile practiſes againſt the English, together with the entertayninge, p̄tectinge or reſcuinge of offenders were ſuffered, the peace of the Colonies could not be ſecured, it was therefore concluded, that in ſuch caſes the magiſtrates of any of the iuriſdictions, might at the plantifs chardge ſend ſome convenient ſtrength of English, & accordinge to the nature & value of the offence, & damadge ſeiſe & bring away any of that plantation of Indians

that shall entertaine, p̄tect, or rescue the offender, though it should be in anothers iurisdicōn, when through distance of place, counsell, or direcōn cannot be had, after notice & due warninge given them as abettors or at least accessory vnto the Iniury and damage done to the English, onely woemen & children to be sparingly seised, vnles knowne to be some way guilty. And because it wilbe chargeable keepinge Indians in prisone, and if they should escape, they are like to proue more insolent, & dangerous after, it was thought fitt, that vpon such seasure, the delinquent or satisfaction be againe demanded, of the Sagamore or plantation of Indians guilty or accessory as before, and if it be denyed, that then the magistrates of the Jurisdicōn deliuer vp the Indians seased to the pty or pties indamaged, either to serue or to be shipped out & exchanged for Negroes as the cause will iustly beare. And though the Comissioners foresee that such severe (though iust proceedinge) may p̄voke the Indians to an vniust seasinge of some of ours, yet they could at present finde noe better meanes to p̄serue the peace of the Colonies (all the forementioned outragē & insolencies tendinge to an open war considered) onely they thought fitt, that before any such seysure be made in any plantaōn of Indians the ensueinge declaration *be published & a copy of it given to the p̄ticular Sagamo's & accordingly copies were given to Nipnesait, Namatayhue the 2 before mentioned Sachems. Dat. 7^{ber}. 15. 1646.

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The Comissioners for the Vnited Colonies consideringe how peace wth righteousnes may be pursued betwixt all the English & the seuerall plantations of the Indians, thought fitt to declare & publish, that as they will doe noe iniury to them, soe if any Indian or Indians of what plantaōn soeuer, doe any wilfull damadge to any of the English Colonies, vpon proffē they will in a peaceable way require satisfaction, accordinge to the nature of the offence & damadge, but if any Sagamor, or plantaōn of Indians after notice & due warninge entertaine, hide, p̄tect, keepe, convey away or further the escape of any such offender or offenders, the English will require satisfaccō. of such Indian Sagamore or Indian plantaōns, & if they deny it, they will right themselues as they may vpon such as soe maintaine them that doe the wronge, keepinge peace & all tearmes of amity & agreement wth all other Indians.

A letter from m^r Peeters, & another from William Morton one of the plantaōns at Pequatt were reade, wherein they complaine against Vncus for a plott &c & for some iniurious & hostile insolencies comitted by him & his brother against Notewas Cooke & his man at the English plantation to the

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disturbance of the peace &c And by advice of the Comissioners, answeres were returned that Vncus was expected, if they sent any instruccōns to chardge him they should be heard. Vncus came and stayed certaine dayes before any of the English came or sent from Pequatt, wherevpon after inquiry & a large debate with Vncus the yssue was drawne vp in the ensueing writinge and vnder the Comissioñs hands given to Vncus.

Septemb: 14. 1646.

*86 Whereas seuerall compt^{ts} haue beene made against Vncus for an assault made vpon Neckewash Cooke & his company at or neare the English Plantacōn at Pequatt, concerning w^{ch} with some other accusations not onely w^m Morton but m^r Peeters wrote lately to one of the Comissioners & by way of answeres were acquainted that Vncus within 4. or 5. dayes was expected at New hauen vppon other occasions, & then the case might be heard betwixt them, Vncus came accordingly, but none *either from Nameoke or Seabrooke, The Comissioners therefore questioned Vncus in all the p^ticulars expressed in w^m Mortons letter: he acknowledged some miscarriages in vindicatinge his owne right soe neare the English plantations, & complayned of seuerall wrongs he had receiued, namely that diuerse of the Pequat^l formerly graunted him, were drawne from him vnder colloure of submitting to the English plantation at Pequat that Neckwash Cooke vpon some countenance & encouragem^t given by the said English, hunted within his proper limit^l without his leaue. And that Neckwash Cooke (the Narragenset and Nyan- ticke Indians not havinge p^lformed their Covenant^l) should without the Comissioners knowledge be entertayned and maintayned against him as a freind to the English.

These things beinge considered, though the Comissioners would receiue nothinge against the English plantation in their absence, yet desiringe to provide for their future peace & withall to maintaine Vncus in his iust right by Thomas Stanton the interpreter expressed themselues as followeth.

I First that it was an error in Vncus to begin any quarrell with Neckwash Cooke to the disturbance of the publicke peace without consent of the English.

2 2.^d that to doe it neare the English plantation was an offensiue affront and blameworthy: and the Comissioners required him to acknowledge his fault to that plantation (as he did to the Comissioners) & by promise to secure them from any such disturbance for the future.

3 Whereas compt^l are brought against Vncus his brother for some insolent expressions or carriage, but neither the accusers or accused beinge

present the Comissioners only advised Vncus that he take due order therein.

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The Comissioners acquainted Vncus with a declaracōn w^{ch} they intend to make to the Indians, that in case of any wilfull damadge done to any of the English in these Colonies by any Indian or Indians vpon proffe they will in a peaceable way require iust satisfaction But if any Sagamore or Plantation of Indians after notice & due warninge entertaine, hide, protect, keepe, convey away, or further the escape of any such offender or offenders, the English will require satisfaction of such Indian Sagamo^rs or Indian plantations, & if they deny it, they will right themselues (as they may) vpon such as so maintaine them who doe the wronge keeping peace & all tearmes of amity & agreem^t with all other Indiyans, w^{ch} Vncus approued.

*The Comissioners assured Vncus that he p^rforminge the covenant^ℓ concerninge the Pequat^ℓ, they will neither take any of them from him, nor allow that they be withdrawne by any of the English planta^cōns, till they haue some further iust groundes, & acquainted him therewith.

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That the Comissioners haue not yet graunted any license to Neckwash Cooke or any other of the Narragensett or Neanticke Indians to hunt within his prop^r limit^ℓ, nor will they allow any English planta^cōn to countenance any such disorderly huntinge, till vpon a due hearinge the Comissioners set some order therein.

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The Comissioners thought it disorderly & vnwarrantable for any English plantation to entertaine Neckwash Cooke or any of the Narragenset or Neanticke Sagamors or their companies into a league, protection, or submission vntill they haue fully performed all their covenant^ℓ with the Colonies, and that the Comissioners haue considered & ordered some thinge therein.

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The 16. Sept: William Morton & 3 Pequat^ℓ Indians came from m^r John Winthrops planta^cōn, Vncus dismissed from the Comissioners, but not gon from Newhaven was sent for, sundry questions were propounded and Injuries chardged, but the Comissioners fownde noe cause to alter the former writinge given him, onely a plott men^cōed by m^r Peeters was by w^m Morton chardged vpon him, namely that for some p^{ce}ll of wampam, aboute 15. fadome he should hire Wampushet a Pequat powowe now present, by himselfe or some other with a hatchett to wounde another Indian & to lay it vpon Neckwash Cooke, the Indian was accordingly hurt and Neckewash Cooke at first chardged with it, but after the Pequat^ℓ Powow troubled in conscience could haue no rest till he had discovered Vncus to be the author. W^m Morton being asked what witnes he had against Vncus answerd that an

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Indian woeman had spoken as much, but whither she had heard it from Vncus, or onely from the Pequatt Powow he could not say: being further asked to whome the Pequat powowe had first chardged Vncus as guilty in the plott, he said it was to Robin an Indian who had serued M^r Winthrop, the whole euidence for ought appd, restinge vpon Waupushett. The Comissioners by Tho: Stanton required him to relate the story, w^{ch} he did but contrary to the expectation of William Morton & of the 2 Pequat^l w^{ch} came with him, he cleared Vncus & cast the plott & guilt vpon Neckwash Cooke, & Robin *M^r Winthrops Indyan, & though Thomas Stanton had repeated to him all he had sayd, & the Comissioners ppounded seuerall questions, and w^m Morton by order from the Co^mrs did the like, & though the other two Pequat^l, whereof the one was Robins brother seemed much offended, & after ^{sd} Vncus had hired him to withdrawe & alter his chardge, yet he psisted & said Neckewash Cooke & Robin had given him a payre of breeches, & promised him 25. fadome of wampam to cast the plott vpon Vncus, & that the English plantacon & Pequat^l knew it. The Comissioners abhorringe this diuillish falshoode & advisinge Vncus if he expected any fauoure & respect from the English to haue no hand in any such designes or other vniust wayes, dismissed w^m Morton & the Indyans.

Vncus now beinge gon & nothinge yet heard from the Narragenset & Nyanticke Indyans accordinge to theirre covenant^l, the Comissioners did seriously consider what course should be taken with them, they called to minde their breach of coven^t in all the articles, that when aboute 1300 fadome of Wampan was due they sent (as if they wold put a scorne vpon the) 20 fathome & a few old kettles.

That the Narragensets chardged the Nyanticks, and they the Narragensets, but both delude the Colonies. That the Nyantick^l had sent 100. fathome of Wampam as a p^sent to the Governoure of the Mattachusetts, promisinge to send what was due to the Colonies very speedily. M^r Winthrop would not accept the present, tould them they might leaue it with Cuchamakin, & when the coven^t were fully p^formed he would consider of it. But no payem^t nor any thing tendinge to satisfaction since tendered, the Comissioners were alsoe informed, that the ^{sd} Sagamo's had taken contribu^on of wampam from their men, & by good euidence it appeared, that by present^l of wampan they are practisinge with the Mohawkes, & with the Indyans in those part^l, to engage them in some designe against the English & Vncus. All w^{ch} beinge duly considered with the former passag^l mentioned in the printed declara^on the last yeare, & the chardge they putt the Colonies to before these articles of peace were concluded, the Comissioners haue a cleare way open

to right themselves accordinge to iustice by war, yet to shew how highly they prize peace with all men, & p̄ticularly to manifest their forbearance & long sufferinge to these Barbarians, it was agreede that first the forementioned present should be returned, & that after that againe before any thinge should be attempted against them a declaration *by some fitt messenger should be sent from the Mattachusett℄ vnder the hands of all the Comissioners as followeth.

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A declaration or instructions for

sent by the Comissioners of the Vnited Colonies, vꝛ^s, the Mattachusett℄, Plimouth, Connecticut & Newhaven to Pessicus Canonicus Janemo & other Sagamors of the Narragensett & Nyanticke Indyans.

First you shall enforme the Sachems aboute mençōed that the Comissioners from all the English Colonies who mett at Newhaven expected them or their Deputies accordinge to an expresse article in the coven^{ts} made at Boston the last yeare fully instructed to meete with Vncus that all differenc℄ betwixt them might be fully heard and iustly ordered and yssued. Vncus attended diverse dayes but none at all came from them, though they haue the Articles by them & though from the Mattachusett℄ they haue bene mynded of the time soe that Vncus was forced to depart vnsatisfyed.

That in noe other parte they haue obserued the Covenant℄ w^{ch} solemnly & with much deliberation they made with the English Colonies . as .

Though they left hostages at Boston to bringe 4. of their children, yet they neither brought any of their children within the time limited, nor haue yet brought the right children named & agreede.

whereas towards the greate chardge they had put the Colonies vnto in defence of Vncus against their hostile assault℄ vnjustly made, they should haue payde 500 fadome of wampam in Septem: 1645. 500 fadome in Decemb: & 500 fadome in May, they haue yet paid but 170 fadome in all.

They haue neither returned to Vncus the captiues, & Canooes vnjustly taken the last yeare, nor made him any satisfaction for his corne spoyled as by coven^t they are engaged.

They haue not restored the Indyan fugitiues & captiues fled from the English, nor giuen any satisfaction for them, nor haue they payde the tribute due for the Pequat℄, who liue amonge them, nor any parte of it.

Lastly as appeares by good euidence, by present℄ of wampam, they haue beene practisinge with the Mohawk℄ & other Indyans contrary to their Covenant℄; soe that the premises to all the Comissioners and Colonies doe

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justly render them a perfidious & treacherous people, and *accordingly in their owne season they should proceede against them, & what ever the consequenc^e proue, themselues are the authors of it.

Sept. 15th lieftenant Godfrey returned from the Manattchoes & brought 2 letters from the Dutch Governoure, the one in latine, the other in English, the latine translated hath these contents.

To the most noble & worthy Comissioners of the federated English met together at the Red Mounte, or New haven in new Netherlands, w^m Kieft Director & the Senate of new Netherland doe send many salutations.

Yours dated the 5th Septemb: old style we receaued the 21. new style by your messenger to w^{ch} we thincke sufficient to giue this shorte answer.

That the Inhabitants of Hartford haue deceiued you with false accusations as were easy to be euenced by vs if it were now seasonable to produce our allegations w^{ch} we can proue to be true by diuerse attestations as well of your owne Country men, as ours, together with other authenticke writinge, but that we may not seeme to be willing to evade you with vaine words, we shall at this time present you a few particulars, out of soe greate an heape, whereby, as by the claw you may iudge of the talants of the lyon, & therefore passage by their vsurpinge of our iurisdic^ōn, & of our proper grounde against possession solemnly taken by vs, & our ptestac^ōns formerly made, we doe say, that the bloude of our country men wrongfully shed by the inhabitant^e of Hartford, and the sellinge of our domesticke beast^e by them, doe sufficiently testify the equity of their proceedings & therefore your prejudgem^t supported by this oath Creto Cextius, as if you should say Amen, Amen, seemes wonderfull to vs, & done contrary to the modesty requisite in such an assemblie, who should allwaies keepe one eare for the other party.

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Soe far as concernes the Barbarian handmaide although it be apprehended by some that she is no slaue but a free woeman, because she was neither taken in war, nor bought with price, but was in former time placed with me by her parents for education, yet we will not suffer that she be wrongfully detayned, but whither he shall pay the damadge to her M^r. or she shalbe restored to him we will not suffer him that desires her for his wife to marry her, vntill she be lawfully babtised. *Concerning the breakinge in of our Agent vpon the watch at Hartford we truely conceiue that watches are appointed for the defence of townes against the violence of enemies, & not for the hinderinge of freinds returne to their owne houses, & therefore least

mischeifes happen, it were good to committ such a trust to skilfull men, & not to ignorant boyes who when they once finde themselues loaden with armes, thincke they may alsoe lawfull cry out, *etiam nos poma natamus*.

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Certainly when we heare the inhabitants of Hartford complayninge of vs, we seeme to heare Esops wolfe complayninge of the lamb, or the admonition of the younge man who cryed out to his mother chideinge wth her neighboures, oh mother revile her, least she first take vp that practise against you: But being taught by pcedent passages we receiued such an answeere to our Protest from the inhabitants of New haven as we expected, the Eagle allwaies despiseth the Beetle fly, yet notwithstandinge we doe vndauntedly continue in our purpose of pursueinge our owne right by just armes and righteous meanes, & doe hope without scruple to execute the expresse comands of our superiours.

To conclude we protest against all you Comissioners mett at the Red Mounte as against breakers of the comon league, & alsoe infringers of the speciall right of the Lords, the States our superiours, in that ye haue dared without expresse & speciall Comission to hould yo^r generall meetinge within the limit^l of New Netherlande, these things are spoken from the duty of our place, in other respect^l we are yours.

Amsterdam fort in
New Netherland the
22. Sept. 1646.

WILLIAM KEIFT, by the Comaunde
of the Lord Director & Senate
CORNE: TINHAVEIUS.

The other letter wrote in English was as followeth.

Worthy Gen^l.

Yo^{rs} of the 7th Septemb: I haue rec^d wherein you are pleased to mention yo^r speakinge with M^r Whitinge concerninge some words spoken by him & mentioned in my letter to my honoured freind M^r Winthrop Govern^r: of the Mattachusetts, what I haue there chardged him with I haue it vnder good testimony of his owne country men however, I shall rather ympute it to his present passion then any pmeditated resolu^on & alltogether forgett it. *Yo^r hono^{ble}: desires that all occasions of Discontentm^{ts} may be removed by the forbearinge of all threatninge & pvokinge language on both sides, & that the sun of peace may more clearly shine amonge vs, I both applaude & desire.

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Whereas likewise you mention M^r Whitinges comp^lt: concerning a sentence of Corte passed here against him in his absence & without any Attorney

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to pleade for him, I cannot but apprehend it as a greate injury to my selfe in p̄ticular, but cheifly to you, gen^t; that he should soe misinforme you, for in the first place he left M^r Dolling for his Agent, who pleaded his cause for him, & what p̄ces was then and there adwarded with the reasons & ground^ℓ inducing vs, if he had produced the Copy of the Sentence of Corte vnder our Secretaryes hand, I suppose you would haue beene very well satisfied. Yet if he can further cleare the said cause by better Euidence I shall willingly graunte a review, & doe that w^{ch} is just accordinge to that light God giues me.

Concerninge debts due to him from any here, I shall according to justice & the law of our Country doe him right

Whereas I vnderstand there is somethinge p̄tended to be due to him from our Agent M^r Dauid Provost, I suppose our s^d Agent shall giue such fayre satisfaction to m^r Hopkins, or Mr. Haynes in the said cause, that it wilbe clearly demonstrated to them, that it is more pretence then a just due. soe Gen^t. I shall take my leaue of you & rest

Yo^{rs} in all offic^ℓ of loue.

Fort Amsterdam 22th of
Sept. 1646. S. N.

W^m. KEIFT.

To these letters the Comissioners thought meete to returne this ensuing answere.

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S^r. we haue lately rec^d by our messenger, 2 letters from you, the one in English, the other in Latine, of the form^ℓ though we close not in each p̄ticular, we can in the generall make a further construc^ōn, in the latter we must professe our selues much vnsatisfied, some p̄ticulars, or the weight in them, you leaue vntouched in some you are misinformed: the Indyan mayde was taken in war & for late miscarriages of a publick nature, was subiect to the justice of the **of the place*, she flyes is receaued at your house & detayned both from her m^r, & from the magistrate, as by a writinge vnder the hands of your deputyes may appeare, & from yo^r Agent we are informed that one of yours hath abused & defiled her, such a practise we should condemne in one of ours with any vnmarrried, much more with an vnbaptised Indyan: what order you haue taken that she be returned, what satisfaction you for this wronge we heare not, We conceiue waches are in all places set to prevent inconvenienc^ℓ & mischeif^ℓ w^{ch} may be done by enemies, or disorderly persons, & in all places a sober & comely answere

expected, he that shall draw and breake his weopen vpon a watch, neither attends his duty nor safety. Yo^r Agent & 4. more came in an hostile manner assaulted, strike & take away the teame & ladinge from a man peaceably following his occasions, who had onely legally sought satisfaction for damadge, to this you returne no answere, Vpon our second thoughts we conceiue these things to be vndoubtedly true, & to be vnsufferable disorders, we thought you ouerstraine in exceptinge against that phrase (most certainly) & that without wronge to yo^rselfe you might haue spared that chardg of ymodesty, we conceiue you will hardly proue either by witnesses or writinge that our Confederats of Hartford haue deceiued vs by false comptts, for your other expressions, proverbs or allusions, we leaue them to yo^r better consideraçon you might indeed expect a faire & iust answere from our confederats of New haven w^{ch} we did & doe hope will giue you satisfaction, either here or in Europe, but we shall waite the yssue. Your conclusion though it seeme harsh to vs, agrees with your premises, & that we say no more, we haue more cause to protest against yo^r ptestation, then you haue to be offended at o^r bouldenes in meetinge at Newhaven, & for ought we know, may shew as good Comission for the one, as you for the other, But our iust liberties being pserued we rest Yours &c.

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An English plantation being lately begun by M^r John Winthrop Junior at Pequat, a question grew to w^{ch} Colony the Jurisdiction should belonge. The Comissioners for the Mattachusetts ppounded an interest by conquest the Comissioners for Connecticut, by patent, purchase & conquest. It was remembred that in a treaty betwixt them at Cambridg 1638. not perfected. A proposition was made that Pequat river in reference to the conquest, should be the bounds betwixt them, but M^r Fenuick was not then there to pleade the pattent *neither had Connecticute then any title to those lands by purchase or deed or gift from Vncus. But the plantaçon is on the west side of Pequat, and soe within the bounds at first propounded for Connecticut. The Co^m's joyntly agreed, that an English plantation there being well ordered may in sundry respect^l be of good vse to all the Colonyes, & thought fitt it should haue all encouragem^t, onely they conceiued, vnles hereafter the Mattachusetts shew better tittle, the Jurisdiction should belonge to Connecticute.

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A question beinge propounded about^l the interpretation of a passage in the Comissioners conclusions at Boston 1643. the Comissioners for Connecticute & New hauen joyntly (M^r Eaton & M^r Hopkins being present at those agitations) conceiue the sense is cleare, that all tracts or pcell of lands are

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thereby preserved to the Colony of Plimouth, except that possessed by the English or Indyans, who had then submitted to the Mattachusetts, but vpon what grounds it was done, vnles to ease Plimouth of chardg in Gortons businesse, or for that they thought the land questionable, or of smale value is not now remembred.

A question was pposed by the Comissioners for Connecticut concern- ing an imposition layd on goods passing by the Rivers mouth to sea, w^{ch} all the plantations on Connecticut River pay, cheifly to maintayne the fort for security & conveniency, onely M^r Pincham & Sprinckfield who haue in their pportion the same benefit refuse. The Comissioners thought it of waighty concernm^t to the plantations aboue, that the mouth of the River be secured: but Mr. Pincham being absent, & noe instruccons given from the generall Corte in the Mattachusetts, the yssue and determination was respited till the Comissioners next meetinge.

M^r Pelham on behalfe of Richard Woddy and M^r Pincham by letter complayned of some theft Comitted by some of the Narragensett Indyans, the like complt was alsoe made by M^r Browne in the behalfe of W^m Smith of Rehoboth but in the absence of the Indyans nothing could pceede.

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According to former orders the number of males should now haue benee brought forth from the seuerall Colonies & a true accounte should alsoe haue benee brought of all expenc^l in the seuerall expeditions for the publicke safety, but the Mattachusetts & Plimouth being defectiue in one or both, nothing could be yssued with full *satisfaction, onely it appeared that Conecticute & Newhaven Collonies haue expended more then their pporcōns, namely Conecticute. 162^l. 3^s. 1^d at least, & Newhaven 71^l. 8^s. 7^d at least, as the accompts were represented with some disadvantage to them, w^{ch} monies shoulde haue benee p^d vnto them by the other Colonies some time since, It is therefore ordered that the Mattachusetts forthwith pay to Conecticute or their assignes. 136^l. 19^s. 11^d. & to New haven or their assignes 71^l. 8. 7^d, & that Plimouth pay vnto Conecticute or their assignes. 25^l. 4. 0^d. And that against the next meetinge the accompts be better ppared & brought in. And vpon consideration of souldiers dyett & other expences in wine, hott waters, powder & shott wherein any of the Colonies may either be puident or remisse to their owne or their neighboures damadge, it was now ordered, that no Collonies for such expenc^l bring to acc^o. aboue 6^s. a man p weeke according to the number of souldiers, onely meetings of service a due consideration may be had of the expenc^l of powder & shott, & in this accompt boate hyre not to be included. And that no Colony bringe to accompt for the wages of any souldier aboue 6^s. p weeke, for officers not aboue the rate followinge vz^l, a

Corporall 8^s. p weeke, a sergeant 10^s. an Ensigne 15^s. lieftenant 20^s. £ for the Captaine not aboue 30^s p weeke.

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Vpon serious consideration of the spreading nature of Error, the dangerous growth & effects thereof in other places & p̄ticularly how the purity & power both of religion & of Ciuill order is already much complayned,* if not wholly lost in a parte of New England, by a licentious liberty graunted & settled, whereby many casting off the rule of the word, p̄fesse & practise what is good in their owne eyes : And vpon information of what petitions haue bene lately putt vp in some of the Colonies, against the good & strait waies of Christ, both in the Churches & in the Comon Wealth, the Comissioners remembring that those Colonies for themselues & their posteritie did enter into this firme & perpetuall league, as for other respects so for mutuall aduise that the truth & liberties of the gospell might be preserved, & p̄pagated, thought it their duty seriously to Comend it to the care & consideration of each generall Corte within these Vnited Colonies that as they haue layd their foundations & measured the temple of God, the worship and worshippes by that *straight Reed God hath putt into their hands, soe they would walke on & build vp (all discouragem^{ts} & difficulties notwithstandinge) with an vndaunted heart & unwearied hand, according to the same rules & patternes, That a due watch be kept & continued at the doores of Gods house, that none be admitted as members of the body of Christ, but such as hold forth effectuall callinge & thereby vnion with Christ the head, & that those whome Christ hath receaued, & enter by an expresse covenant to attend and obserue the lawes and duties of that spirituall Corporation, that Bap̄tisme, the seale of the Covenant be administred onely to such members & their ymediate seed, that Anabaptisme, familisme, Antinomianisme & generally all errors of like nature w^{ch} oppose, vndermine & slight either the scriptures, the Sabboth or other ordinance of God, & bring in & cry vp vnwarrantable Reuelations, inventions of men, or any carnall liberty, vnder a deceitfull colloure of liberty of conscience, may be seasonably & duly suppress, though they wish as much forbearance & respect may be had of tender conscienc^e seeking light as may stand with the purity of religion & peace of the Churches. (The Comissioners of Plymouth desire further consideration concerninge this aduise given to the generall Cort^e.)

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And lastly that some serious p̄vision be speedily made against oppression whither in Comodities, or wages, against excesse & disorder in apparrell, drinke & all other loose and sinfull miscarriages not fitt to be named amongst Christians, by w^{ch} the name of o^r holy God is much dishonoured, & the

[*Corrupted, Mass. Archives, vol. 2, 3.0.]

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Churches of Christ in those part℄ much reproched, as if they were strict in their formes onely, or had respect onely to one of the tables of Gods law, their fruites in reference to the other, beinge nothinge better then the wild vines or brambles in the wildernes. Yf thus we be for God he will certainly be with vs, And though the God of the world (as he is stiled) be worshipped, and by vsurpation sett vpon his throane in the maine ℄ greatest pt of America, yet this small parte ℄ portion may be vindicated as by the right hand of Jehovah, ℄ justly called Emmanuells land.

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*The foregoing conclusions were agreed vpon by the Com^{rs}. of the vnitd Colonies. 18. Sept. 1646, ℄ subscribed.

New Hauen. 24. Sept. 1646

Concerninge the Narragensett ℄ Nyanticke Indyans when first the present is returned ℄ in a fitt season after the declaration drawne by the Comissioners sent ℄ interpreted to them, yf yet they attend not the Colonies iust satisfaccōn or if by any insolent ℄ hostile carriage they giue further pvocation, It is now agreed, that in May, or any other fitt season vpon convenient warning from the Mattachusetts, with the consent of the Comissioners for Plimouth all the Comissioners for the Colonies doe meete at Plimouth to consider of some further course to secure our owne peace ℄ to bringe the Narragensetts ℄ their confederates into a better frame.

Whereas the Colonies at present affoorde some help towards the maintenance of some poore schollers in the Colledge at Cambridge in the Mattachusetts, It was propounded ℄ thought fitt that some course be taken with the parent℄ ℄ w^h such schollers themselues (as the case may require) that when they are furnished with learning, in some competent measure, they remoue not into other Countries, but improve their pt℄ ℄ abillities for the service of the Colonies, ℄ for this purpose the Comissioners for the Mattachusetts were desired to advise with the generall Courte ℄ Elders there for the orderinge such a course, ℄ how such schollars may be imployed ℄ encouraged, when they leaue the Colledge either in New plantations, or as schoole m^s. or in ships, till they be called and fitted for other service.

Whereas our good God hath from the first done great thing℄ for his people in these Colonies in sundry respect℄ worthy to be written in our heart℄ with a deepe ℄ charected impression not to be blotted out ℄ forgotten ℄ to be transmitted to posterity, that they may know the Lord, ℄ how he hath gloryfyed his grace ℄ mercy in our foundations ℄ beginnings, that they also

may trust in him, and walke with a right foote before him with out warping
 & declining, It is desired by the Comissioners, that all the Colonies (as
 they may) would collect & gather vp the many speciall puidencℓ of God
 towards them, since their arrivall & setling in these partℓ, how he hath made
 roome for them, how his hand hath bene with them in laying their founda-
 tions in church & comon wealth, how he hath cast the dread of his people
 (weake in themselues) vpon the Indians *scattered their counsell, broken
 their plotts & attempts & continued our peace (notwithstanding their insolencies
 rage and malice) made gracious pvisions for vs, & in all respectℓ hath bene a
 sun & shield to vs, and that memorialls beinge made, they may be duly comu-
 nicated & seriously considered, that no thinge be mistaken, but that history
 may be compiled according to truth with due weight by some able and fitt
 man appointed therevnto.

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HERBERT PELHAM.

JO: ENDECOTT.

STEPHEN GOODYEARE.

THEOPH: EATON president.

TIMOTHY HATHERLY.

JO: BROWNE.

JO: HEYNES, ED: HOPKINS.

* **At a meeting** of the Commissioners for the vnitd Colonies of New England held at Boston 26. July 1647

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an order of the generall Corte of the Mattachuset^l da^t 26. of the third moneth 1647 was presented, whereby it appeared, That Thomas Dudley & John Endecot esq^s were chosen Comissioners for that Jurisdiction for this present yeare, & weer invested with full power to treate & conclude of all things according to the tenure of the Articles of combination concluded at Boston. 19th of the third moneth 1643.

A like order for the Jurisdiction of New Plimouth dated the first of the 4th moneth 1647. was read investing m^r William Bradford & M^r John Browne with like power as Comissioners to treate & conclude accordinge to the tenure of the said articles.

An order of the generall Corte of Connecticute was alsoe presented & read da^t. 28th. of the 4th moneth 1647. appointing M^r Edward Hopkins & Cap^t John Mason to the foremen^onded service & investing them with full power according to the Articles of Confederation.

A like order for the generall Corte of Newhavens Jurisdiction da^t 27. October. 1646 inuesting M^r Theophilus Eaton, & Stephen Goodyeare with the like power according to the tenure of the said articles for the yeare ensueing was now alsoe read.

Thomas Dudley Esq^r. was chosen President for this meeting.

The Comissioners by experience findinge that the occasions of the Colonies some times require their meeting^l & consultations before the ordinary time appointed by y^e articles of Confederation in the 7th moneth And that at such times the ordinary meetinge in Sept: may well be spared (the generall occasions of the Colonies being dispatchid) w^h yet seemes by the Articles ought necessarily to be attended every yeare, it was agreed, that it be propounded to the seuerall generall Court^l, that it may be left to the liberty of the Comissioners for the time beinge to order the time of meetinge, as the occasions of the Colonies may require : And to forbear the ordinary time of the meetinge in Sept. as they see cause, Provided there be a meetinge once every yeare.

Consented
vnto

*And whereas the Articles of combination seemes to require the meeting together of the whole number of the Com^rs. before they can consult or conclude of any occasions w^h concerne the Colonies, w^h may be very p^rjudiciall to the publike weale, not onely the liues of men after they are on their journeyes (beinge lyable to hazzards) whereby their meeting with the rest may be p^rvented, but other occasions may alsoe intervene to hinder the same, It was agreed that it alsoe be recomended to the generall Cort^l that when any meetinge is agreed vpon, whither ordinary or extraordinary (all the Comissioners chosen by the seuerall iurisdicc^ons having had seasonable notice thereof,) yf no more then 6. come, they may meete consult, & in (case they all agree) conclude such things as concerne the sefall Colonies, as if the whole number were together.

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Not allowed

One principall cause of the Comissioners meetinge together at this time being to consider what course should be held with the Narragansett Indyans, & their confederat^l who haue not onely broken their Coven^tl, solely made at Boston in A^o. 1645. But as the Comissioners haue bene enformed credibly, haue bene plottinge & by p^rsents of wampam, ingageinge the Indyans rounde aboute to combine with them against the English Colonies in war. It was thought fitt to send Thomas Stanton, Benedick Arnold, and Seargeant Waite, as messengers to them, And that there might be better assurance of a true returne the Comissioners gaue Thomas Stanton as interpreter the oath & instructions followinge.

You shall fully & truly according to the best of your abillities & knowledge in the Indian language expresse the message now sent by you to Pessack^l & from the Com^rs of the vnited Colonies, and in like manner make returne of what answere you receaue from them or other considerable passages you meete with according to the instruc^ons here given you this 27. July. 1647.

Tho: Stanton you are hereby desired to goe with what speed you may, to Pessack^l the cheife Sachem of the Narragensetts, as alsoe to Nenegrate & Webetamuk & deliver to them in reference to themselues & all their confederat^l in the Indyan tounge (as neare as may be) the message hereafter written, in the words *wherein it is expressed, as sent vnto them from all the Comissioners of the Vnited Colonies now mett at Boston in the Mattachuset^l, And you are to bring backe to vs with all convenient specede their answere & resolu^ons with what other considerable passages you meete with either from Pessack^l or any other considerable Sachem Counsell^r, Captaine or Indyans.

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The vnited Colonies haue now neare 2 yeares waited for the pformance of the Coven^t made at Boston by the Narragensett Sachems in the seuerall part℄ concerninge the English ℄c but haue founde hitherto nothing intending to satisfaction. The last yeare they should haue mett the Comissioners at Newhaven, Vncus then attended, but they neither come nor sent. The Comissioners therefore now assembled at Boston expect them all with full satisfaction to the seuerall foremen^oed ingagem^t℄, Vncus is appointed to meete them here ℄ expected daily, For their encouragem^t the Comissioners hereby promise full safety that they shall come ℄ returne without danger from the English Colonies yf they refuse or delay, they intend to send no more, but to proceede hereafter as they shall see cause.

The 31th. July Tho: Stanton returned with Pessack℄ answe^re as followinge. Pessack℄ being charged for not meetinge the Comissioners at New haven the last yeare, his answe^re was, he had no warninge. It is true said he I haue broken my Coven^t these 2 yeares, ℄ it is ℄ hath bene y^e constant greife of my spirit. 2^{dy}. the reason why he doth not come at this time is, because he hath beene sick ℄ is now sick, had I bene but pretty well (said he) I would haue come to them. 3^{dy}. he saith he hath sent his full minde by Nenegratt ℄ what Nenegratt shall doe concerning his businesse he will stand to it: he saith alsoe, that he hath sent Powpynamett and Pomumsk℄ to goe ℄ heare ℄ testife that he hath betruste his full minde with Ninegratt. 4^{dy}. he doth say when he made his coven^t he did it in feare of the Army that he did see, and though the English kept their coven^t with him there and let him goe from them, yet the Army was to goe to Narragensett ymediatly ℄ kill him there, Therefore said the Comissioners sett to your hands to such and such thinges or els the Army shall goe forth to the Narragensetts.

Meyanno answered that at this springe he did deliver his minde to Nenegratt, ℄ what he did or doth he will stand to it.

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*alsoe he said if Nenegratt shall make any other or new Coven^t or agreem^t with the English Sachems he will stand to it.

THO: STANTON.

BENEDICT ARNOLD.

In which answe^re the Comissioners founde seuerall passag℄ of vntruth ℄ guile ℄ were vnsatisfyed.

First M^r Pelham ℄ M^r Hopkins by Benedict Arnold at the latter end of the third moneth 1646 minded Pesseck℄ ℄ his company of the meeting at New haven, ℄ the time when the time should be, ℄ they promised to come or to send their messengers thither.

Thomas Stanton vpon his best observation could not discern any sickness, or other indisposition of body to hinder his trauell.

2^{ly}

after covenants haue bene soe solemnly made & hostages given, & a small pte of the wampam payd, & all the rest due, now to pretend feare is a vaine & an offensiue excuse.

3

August. 3^d. Ninegratt with some of the Nyantick Indians & two of Pessacks men came to Boston, & desiring M^r John Winthrop that came from Pequatt plantation might be present, they were admitted. The Comission^{rs} asked Ninegratt for whome he came whither as a publick pson on the behalfe of Pessacks and the rest of the Narragensett^l confederates, or onely for himselfe as a pticular Sagamore, he at first answered, that he had spoke with Pessacks. but had no such Comission from him, he added there had not bene so good agreem^t betwixt Pessacks & himselfe as he desired, but by M^r John Winthrops testimony, by the answere Tho: Stanton & Benedict Arnold brought from Pessack^l & by the witnessse of Pessack^l two men, it appeared to the Comissioners, that what ever formality might be wanting in Pessacks expressions to Ninegratt, yet Pessack had fully ingaged himselfe to stand to whatsoever Ninegratt should conclude. The Comissioners therefore asked Ninegratt, whence it proceeded that the Narragensett confederates (of w^{ch} him selfe was one) had neither paid the wampam to the English Colonies, nor pformed any other of their Coven^tl, either with the English or with Vncus. Ninegratt first pretended ignorance as if he had not knowne what covenant^l had bene made, he was tould that one of his men, as his deputy was *present at the treaty & vnder writ the Covenant^l that Pessack^l & Canonicus sonne with the rest affirmed that what they & his agents did conclude, Ninegratt had promised to stand vnto, That they had a Copy of the Covenant^l in parchm^t, & had or might haue M^r. W^ms help at all times to interprete them, there could therefore be no truth in his answere.

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Ninegratt asked for what the Narragensett^l should pay so much wampam, he knew not that they were indebted to the English, he was answered that the Narragensett^l had greatly broken their former Covenant^l with the English, & contrary to their agreem^t & engagem^t, they had made war vpon Vncus, wounded and slain diuerse of his men, taken captiues, seased some of his Conooes, and spoiled much of his Corne, by w^{ch} hostile outrages they had constrayned the English at their great chardges to send men for Vncus defence. That the Comissoners for all the Colonies meetinge at Boston on this occasion sent messengers to the Narragensett Sachem, But instead of iust satisfaction, their messengers were slighted, & yll vsed, & Ninegrate himselfe vsed threatuinge & insolent language, he tould the mes-

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sengers that by the meetinge at Hartford they knew the Comissioners would endeavoure to compose matters, & to settle a peace betwixt them & Vncus, but they were resolved to war, nor would they enquire who began war, they would carry it on. & nothing but Vncus head should end it, & if the English did not withdraw their garrisons from the defence of Vncus, they would heape vp their Cattle as high as their wigwams, & an Englishman should not step out of the doores to pisse, but they would kill him. Ninegrate not able to deny this charge, pretended that the English messengers provoked him, but that appeared a false & weake excuse, he lastly affirmed that the some was soe great, that the Narragensetts had not wampam enough to pay it, but that satisfied not, it being well knowne to the Comissioners, that the Narragensetts are a greate people, & can raise a greater quantity of wampam vpon a shorte warninge when they please: Ninegrate herevpon asked, what wampam had beene already p^d, vpon the Covent^l & how the reckoninge stood, he was answered that Pessacks first sent 170 fathome of wampam w^{ch} was rec^d in part of payem^t, after he sent some kettles & aboute 15. fathome of wampam w^{ch} beinge *a contemptible some was refused, & that the narragensett messengers had sould the kettles to Mr Shrimton a brasier in Boston at 12^d p t, they weighinge 285^l. came to 14^l. 5^s but the Indian messenger presently rec^d 20^s in pt, the rest with the mentioned wampam amountinge to 4^l. 4^s. 6^d the left in the brasiers hand, in all amounted to 17^l. 9^s. 6^d. w^{ch} hath beene since attached by Richard Woddy for goods stollen from him by a Narragensett Indian. Ninegrate was not satisfied with the attachm^t, & affirmed that neither the kettles nor wampam did belonge to Pessacks himselve, nor to the Indian that had stollen the goods, & y^t they were left for the Comissioners in pt of payem^t & so must be reckoned, The Comissioners thought it not fitt to presse the attachm^t, but reckoned the kettles & wampam at 70 fathome & acknowledged the receipt of 240 fathome, besides a pcell of Wampam sent by Ninegrate himselve to the Governoure, whither as a present to him, or in pte of payem^t to the Colonies, he was wished to expresse, together with the quantity he sent, because the said wampam then apprehended to be a present was not accepted by the Governoure: But in trust left in the hands of Cutchamaquin who vpon a message from the Comissioners had lately brought in 2 girdles with a string of wampam all w^{ch} himselve rated at 45 fathome, affirminge he had rec^d no more except 8^s. w^{ch} he had vsed, & would repay. Ninegrate tould the Comissioners that he had sent 30 fathome of black and 45. fathome of white in value together 105 fathome, that he left it to the Governoures discretion whither he would take it as a present, or as pte of the debt: but being pressed to cleare the question

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The value of wampam.

himselfe, he answered his tounge should not belye his heart, let the debt be satisfied as it may, he intended it as a present to the Governoure, He also affirmed he sent no girdles, it was all in strung wampam white & black in different p^ortions as before. Herevpon Cutchamaquin was sent for & before Ninegrate questioned for his vnrighteousnes and falshood, he at first psisted, & added to his lyes, but was at last convinced by Ninegrate & his messengers who then brought the present, & was now heere that the wampam for the Governoure was 105. fathome, besides w^h Ninegrate had sent Cutchamaquin. 10. fathome for himselfe.

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These things being largely debated, Ninegrate was wished to consider & advise with the Narragensett^l deputy & to giue their full answere the next day *according to w^h the Comissioners would resolue & p^oceede. The next day Ninegrate with the deputies for Pessack appeared, Ninegrett told the Comissioners that before he came he doubted the burthen of the businesse would lye vpon him, Pessack^l having fayled him in what he should haue done & now he fownde what he feared yet vpon due consideration of former passages with the Coven^t made at Boston A^o. 1645. he was resolved to giue the Colonies due satisfaction in all things, adding that he would forthwith send some of his men to the Narragensett & Nyanticke Indyans to gather vp the residue of wampam yet behinde, that in 3 dayes he hoped to haue an answere what they would doe & in 10 dayes at furthest he conceiued the wampam might be here, that himselfe resolved to stay at Boston till it came, And soe he would etify the Narragensett confederates: But if the collection of wampam should falle shorte of the whole so^me due, he desired some forbearance, assuring them the residue should be shortly payd, & they should see his reallity in keepinge Coven^t & tearmes of amity with the English: where-with the Comissioners were well satisfied for the present, hopinge they should finde answerable pformance & Ninegrate sent away his messengers.

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Whereas a question propounded the last yeare at New haven concerninge an ymposition laide vpon goods passing through the mouth of Connecticute river to sea was respited to this meeting, the Comissioners for Connecticute desired the same might now be considered & yssued. And the Comissioners for the Mattachusett^l did therevpon deliuer in writinge certaine reasons from the generall Corte of that jurisdiction against the said imposition w^h were as followeth.

At the generall Corte at Boston. 4th. 9. moneth. 1646 the Corte having considered the controuersy betwixt the Jurisdiction of Hartford vpon Con-

1647. *ecticute* & the inhabitant^ℓ of Sprinckfield vpon the same River touchinge either the purchase of the Fort &c at the Rivers mouth, or the payem^t of such Customes as is or shalbe imposed vpon them towards the maintenance of the same, doth declare its judgem^t as followeth.

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First they conceiue that the Jurisdiction of Hartford hath not a legall power to force any inhabitant of another Jurisdiction to purchase any forte or other lands out of that Jurisdiction without their consent.

2^{ly} *They conceaue that it were injurious to require a custome to the
*106 maintaining of such a forte, w^{ch} is ~~not~~ vsefull to such of whome it is demanded.

3 They thincke it very vnequall for them to impose a custome vpon the freinds & confederates, who haue not more benefit of the Riuer by exporting and importing of goods, then strangers of another nation where there they liue w^{thin} Hartford Jurisdic^ōn pay none.

4 The propoundinge & standinge vpon an imposition of Custome to be paid to the Rivers mouth by such as were, or are within our Jurisdiction, hindered our confederation aboue 10 yeares, And there was never any paid to this day, now to impose it vpon any of ours after our confederation will putt vs to new thoughts.

5 It seemes to vs very hard that any of our Jurisdic^ōn should be forced to such a disadvantage as will necessarily in thrall their posterity by imposing such rates & customes as will either constraîne them either to departe their habitations, or weaken their estates, especially when as they with the first tooke possession of the River, & were at greate chardge at buildinge &c w^{ch} if they had foreseene would not there haue planted.

6. Yf Hartforde Jurisdiction shall make vse of this power ouer any of ours, we conceiue we haue the same power to imitate them in the like kinde w^{ch} we desire may be forborne on both sides.

p the Corte.

INCREASE NOWELL secr:

Vnto w^{ch} M^r Hopkins (some respite beinge given him to consider of the same) delivered in writinge the answere followinge.

A shorte answere to the reasons propounded by y^e gen^lall Corte of the Mattachusetts for Springfield not payinge of the imposition at Seabrook forte presented to the Comissioners of the Vnited Colonies.
27. July - 1647.

The first argument seemed (at least to vs) to laboure of a greate mis-

take in reference to the case in hand (to omit all other iust exceptions that *might be made against that affirmation) and doth not touch the present question, w^{ch} is, whither such an imposition be lawfull & regular, bottomed vpon a foundation of equity & righteousnes, & not to what vses [^] impuem^t, the meanes raised vpon the imposition is put, for if there be sufficient grounde & reason for the imposition, that it transgresse not a rule of righteousnes in regarde of the thinge itselfe, not exceeding a rule of moderation in regarde of the quantity it concernes not the pty that payes to inquire after, or call to acc^o. for the employem^t of the monies raised by y^e imposition therefore the further answe^r it might be absolutely denied that w^{ch} is imposed to be p^d by Springfielde as they passe, is to purchase lands or forte.

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The second, as it is a position in itselfe nakedly considered seemes at least to lay most of the govern^t of Europe vnder the guilt of injustice, yet because it hath an appearance of an equitable consideration in it, we are content the yssue of the present difference may lye there, for we affirme the forte mentioned hath beene for nigh 12 yeares past, is at present, & may be still for the future, vsefull to that plantation, & yet not j^d p^d by them towards it to this very day.

2

The third is but a presumption, & if it had any cleare foundation, yet the comparison is not equall.

3

The fowrth ever since the first readinge of it hath beene a reall trouble to our thought, labouringe of so apparant mistakes, both in the one pte of it & in the other, w^{ch} makes vs hartily wish that we may be all conscientious carefull that our publicke record & may carry such euidence of truth, that those who desire to take advantages may not haue any just occasions given them, for whereas it is said the combination was hindred about 10. yeares by the meanes ppounded, if a due consideration be had of it, it will appeare, it was not about 5. yeares from the mentioned agitation for combination, & the conclusion of this present confederation the one beinge in June. 1638. the other agreed vpon in May 1643. & whereas it is affirmed that the ppounding and standing vpon an imposition of custome at the Riuers mouth hindered the combination soe many yeares, *it shall (if need) be made appeare by the oath of those who were employed in that service, that they were soe far from stiffly standinge vpon such an imposition, y^t they did not soe much as propoude it, as it is there expressed, nor could they in reason doe it, the townes havinge no interest in, nor relation to the forte at that time.

4

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The fifth carrieth not y^t strength of reason with it as to compell our vnderstandinge to fall in therewith for what intralement such an imposition

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is or can be to the Inhabitant℄ there, as to cause them to forsake their habitations vpon that ground, our thoughts reach not, especially consideringe if that Jurisdiction grow exorbitant in their taxes, there is a remedy provided in this combination to rectify any such deviations, but if weakninge of estates be a sufficient plea to free men from payinge of taxes, we know not, who will pay, for all such payem^t℄ doe weaken mens estates. What is meant by taking *of* possession of the River (w^{ch} was possesst by the other townes a considerable time before the foundation of that plantatiō was layd) ℄ the greate charg℄ in buildings we vnderstand not, for we are wholly ignorant what expences they haue beene at in that kinde, But for their owne pticular private advantages, nor can we yeeld a ready beleife to what is affirmed, that if they had forseene the^{or} present imposition would haue been required, they would not then haue planted for the thing carryeth that euidence of equity with it that M^r Pincheon whiles he looked vpon him selfe as a member of that Jurisdiction, acknowledged the same ℄ yeelded vpon a motion made by himselfe to M^r. Fennicke (as we haue it, from his testimony deserving credit) that the trade of beaver vpon the Riuer, w^{ch} is the greatest thing now stuck at, ought in reason to contribute to the chardg of the forte: besides the encouragem^t given by M^r Pincheon vnder his owne hand, by others to the gentlemen interessed in Seabrooke forte, w^{ch} might well draw out from them an addition to the former expenc℄, there seemes to deserue some weight of Consideration in the present case.

6

To the sixt we willingly assent, ℄ in parallel cases *shall readily submit.

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W^{ch} Argum^t℄ ℄ answeres being read ℄ a further debate betwixt the Comissioners of the Mattachusetts ℄ Conecticute had ℄ M^r Pincheon then in Boston being sent for, and desired to add what further reasons he could against the imposition in question, he wholly referring to what the generall Corte had done, it appeared to the Co^m^{rs} for the other two Collonies vpon their most serious consideration, that it was of weighty concern^t to all the plantations vpon the River of Conecticute that the mouth of the Riuer ℄ the passages of goods through it to and fro (though at some chardg) be p^{ser}ued ℄ secured to them, that though the forte at Seabrooke be not of force against an enemy of any considerable strength, yet an English plantation being now settled there, it may more easily be p^{ser}ued, ℄ may in a comfortable measure secure the passage aforesd for the convenienc℄ of all the plantations, vpon that River, of w^{ch} benefite Springfield doth share with the rest, That though nothing be as yet demanded from the Dutch house within Hartfords limit℄, yet this imposition with other differenc℄, are like to be considered in a fitt

season, that whatever conference hath formerly passed about the custome or imposition at Seabrooke, there never was any settled or demanded of any of the plantations, till now of late, ℓ from the first day that any of the plantations vpon that Riuer haue paid it, hath vpon the same grounds beene demanded ℓ expected of ℓ from Springfield, That it is no impeachm^t of any liberty granted by patent to the Mattachusettℓ that Springfield seated vpon the River of Conecticut, doe beare a moderate ℓ equall pt of charges whither of scouring any parte of that River, or Rivers mouth (if there should be occasion) or in making or maintayninge such a forte as is in question to secure the passage to and fro, that the imposition in question is but the payem^t of 2^d p bushell for corne, and about j^d p ^z for beaver passing out through y^e the mouth of that River, and therefore seemeth a moderate charge in reference to the custome propounded, ℓ no matter of iust greiuan^ce or discouragem^t to the plantations themselues, ther settled

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*The pmisses being weighed ℓ considered with all due tendernes ℓ respects to the ^{Intresiens} inducem^tℓ the s^d Comissioⁿs for Plimouth ℓ New haven doe conceiue ℓ conclude

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First that Springfield doe henceforward from time to time giue in to Connecticute or the Agent or agentℓ a true note or accompt of all Corne, ℓ beaver they or any of them ship, or carry out through the mouth of that Riuer to sea, to pay or desopset into their hands after the rate of 2^d. p bushell for corne, ℓ 20^s p hogshead for beaver soe exported.

I

that the mentioned imposition be neither at any time hereafter raised, nor increased vpon any of the inhabitantℓ of Springfield, without just ℓ necessary cause to be first approued ℓ allowed by the other Colonies, nor continued longer then the forte in question is maintayned, ℓ the passage as at present thereby secured.

2

That at the next meetinge of the Comissioners any Deputy from the Mattachusetts Colony, or from Springfield plantation, shall haue liberty further to p^pound or obiect as they see cause against the present imposition, w^{ch} according to the nature ℓ prop weight of the matter alleadged, shalbe duly heard ℓ considered without any disadvantage from the conclusion now made in the premisses.

3

A petition was presented by M^r Henry Dunster p^rsident of Harvard colledg to the Comissioners wherein he desires their resolution in these ensuing querees.

Whether you be willing to submitt the youth of your Colonies that be

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or shalbe students so far to the Colledg Discipline administred by the President & fellowes & in cases arduous, by the advice of the ouerseers, that whatsoever punishm^t shalbe inflicted for the demerits, according to the lawes of the said Colledg shall no waies infringe any priuiledge or honourable exhibition from your Colonies to the Colledg, & whither you doe not giue your approbation to the said lawes.

2

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2^{ly}. whereas vpon the seasonable motion of Mr Tho: Shepheard, the selfe all Colonies agreed firmly to contribute to the furtherance of learning in the Colledg, the disposall whereof hath wholly beene *left to me hitherto, wherein I haue already fownde some cases difficult to my selfe, & w^{ch} may be dangerous in time ensueing to others, vnles by your counsells they be regulated, therefore haue I thought it necessary to propound to yo^r wisdomes these following questions.

I

whereas that way is by free contributions wherein euery Colony, Towne, & family take themselues to be at liberty to giue or withhold, yf therefore some Colonies or townes in them shall giue nothinge, yet out of the said places well deserving schollers shall come, whither then these shalbe as capable of the sd contributions, as such as come from other Colonies that doe contribute liberally and consequently, if these supplies shalbe extended to schollars coming from forraine places, as old England, Virginia and the like.

2

2^{ly}. whither in any case you giue way that any of the sd supplies be diuerted from the Society for the maintenance of schoole schollars, & if soe in what cases.

3

3^{ly}. whither we shall haue respect in the disposall of the said contributions to all the schollars in gen^lall, (as by maintenance of Comon officers or the like) or especially to such as are poore pious & learned the three vsuall qualifications looked at in such cases, and whither any scholler discontinuinge from the Colledg aboue a moneth shall haue his exhibition continued.

4

4^{ly}. whither any schollers that haue had these exhibitions, shall accounte themselues soe ingaged to stay in the Country, as that they may not goe away without offence, & if soe, then what way they may disingage themselues.

5

5^{ly}. seeing the contributions of the Colonies haue already amounted to aboue 50^l. p annū. And if the first proposition of j s. a family were attended, they would amounte to much more, whither therefore if the said exhibitions were collected by some faithfull officers, counstable or the like & p^resented to the generall Cortes, or their betrusted in the said Colonies, & thereof a fitt p^rortion as themselues shall see good, allotted to the colledge 8^l. *p Añ for a

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scholarshipp & 16.^t p aⁿ for a fellowship & the rest for the maintenance of schollars at the grammar schoole in the plantaçõns where these collections are made the said course would be more honourable & orderly to the Collonies & colledge & more satisfactory to the people, when they shall see how their gift℄ are bestowed & how themselues may reape the fruite of them both at home & abroad.

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Sixthly whither it is expected that pious dilligent and learned Graduat℄ should be elected fellowes, as emergent occasion shall require, & that then they should haue for their encouragem^t the stipend due from such schollars as are vnder their tuition, w^{ch} for the present is a considerable parte of the Presidents maintenance. therefore we humbly entreate you to state, what you thincke to be a meete allowance for the President & whence it shall arise.

6

Seavently seing from the first euill contrivall of the Colledg buildinge there now ensues yearely decayes of the rooff, walls & foundation, w^{ch} the study rent℄ will not carry forth to repaire, Therefore we present it to your wisdomes to propounde some way to carry an end to this worke.

7

Eighthly seinge the publicke library in the Colledg is yet defectiue in all manner of bookes, especially in law, phisicke, Philosophy & Mathematick℄, the furnishinge whereof would be both honourable and proffitable to the Country in generall & in speciall to the schollars, whose various inclinations to all professions might thereby be incouraged & furthered, we therefore humbly entreate you to vse such meanes as your wisdomes shall thincke meete for supply of the same.

8

Ninthly seing it wilbe of concernem^t & incouragement to the Student℄, that the degrees here taken may be so accounted in England & we are informed of the readines of some Masters of Colledges there to entertaine & p^mote such a motion, we therefore desire yo^r advise and furtherance in this matter. So prayinge for the blessing of the Lord vpon all your consultations for the welfare of the vnited Colonies I humbly take my leaue & rest

Yo^r willing servant

HENRY DUNSTER.

*The answere of the Comissioners to the former petition & queres so far as concernes the Colonies in joynct respects.

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First they conceiue that all who send any youthes to the Colledg doe, Eo facto, submit & leaue them to the Colledg discipline, as is vsuall in such cases in all plac℄ in Europe.

2^y. they apprehend it very equitable, that those Colonies & places w^{ch} doe contribute or are most enlarged therein, should be first attended, when any

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of theirs are equally capable of the reliefe afforded thereby wth others, though they would alsoe that deserving youthes from other places (recommended from such Colonies that doe contribute) *but* not neglected.

3^{ly}. they doe not thincke it fitt that any of the s^d supplies be diverted to the maintenance of Grammar schoole schollars, the seuerall plantations making pvision in those kindes within the seuerall Jurisdictions.

4^{ly}. The supplies graunted by the seuerall Collonies were first intended for the support & encouragem^t of poore pious & learned youthes, and it is desired these ends may cheefly be attended in the disposall thereof, onely if no such youthes be present, it may be imployed for the Comon advantage of the Colledge, & if any schollar shalbe absent in a disorderly way aboute a moneth at one time they iudge

5^{ly}. It is apprehended by the Comissioners that those who haue benefitt by the contributions of the Collonies should be engaged to attend the service of y^e country vpon tender of imploy^m^t & maintenance sutable to their condition & the state of the Country, but such tender being made in case they doe not acquiese in what is presented, but for greater outward advantag^e or other respect^e chuse to depart, they should be engaged in convenient time to repay what they have rec^d, from the Colonies.

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6^{ly}. The Comissioners pmise with concurrent endeavours to promote the contributions accordinge to the former ppositions, but doe not iudge it meete to put it into any other frame. The other pticulars *mentioned belonge properly to this Jurisdiction wherein the Comissioners will not intermeddle, but referre the consideration thereof to the wisdom and piety of the generall Corte for this Collony.

The question concerninge the Jurisdiction of the English plantation lately settled on the west side of Pequatt River was againe taken into consideration by the Comissioners.

Mr. John Winthrop now present exprest himselfe as more indifferent, but affirmed that some of the plantation sate downe there in reference to the government & in expectation of large priviledges from the Mattachusetts & should be much disappointed if that plantation fall and be settled vnder any other jurisdiction.

The Comissioners considering what passed at New haven last yeare & that in all the Colonies though title to land may be seuerall waies aquired, yet Jurisdiction goeth constantly with the Pattent, they tould M^r John Winthrop that they doubted not, but Conecticute would tenderly consider & afford

such priuiledges as may suite a plantation soe remote, but concluded that the Jurisdiction of that plantation doth & ought to belonge to Conecticut.

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A Petition in the name of many Pequattℓ was presented by M^r John Winthrop to the Comissioners as followeth.

The humble petition of Casmamon and Obechiquod in the name & behalfe of other Pequatts now dwelling at Namyok, humbly sheweth. That whereas our Sachems & people haue done very ill against the English formly for w^{ch} they haue justly suffered & beene rightfully conquered by the English, we yo^r humble petitioners, who had no consent nor hand in shedding the English blood, but by the advise of Necquash fled from our country, being promised by Necquash that the English should not hurt vs if we did not ioyne in war against them, doe humbly beseech the Com^{rs} to take vs vnder the subjection of the English, and appointe vs a place where we may liue peaceably vnder the goū^t. of the English. Casmamon and the Pequatts present gaue in the names of the Pequatts *ℓ Nyanticke Indians to the n^o. of 62. on whose behalfe the petition was presented, the p^ticular names are vnder written & left with M^r Hopkins.

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The Comissioners not having formly heard either from Necquash while he liued, or by any other meanes since of any such innocent Pequats who fled from their country to decline that vniust war against the English, w^{ch} the rest of their Countrymen p^{er}secuted. By enquiry from Thomas Stanton from Foxon one of Vncus his men & at last by confession of the Pequats present fownde, that some of the petitioners were in Misticke fort in fight against the English & fled away in the smoake. That others of them were in other places to fight against the Narragensetts & Moheygens then assisting the English, so that the grounde of their peti^{ti}ōn proued false & deceitfull. It apped further vpō enquiry that these Pequatts, or most of them though they might haue beene entertayned by other Indian Sachems, yet vpon the p^{er}suasion of Necquash & p^{er}mises of good vsage from Vncus, they submitted to him, & haue beene reckond amonge his men, p^{er}d him tribute, & assisted him in his war ever since, onely they complaine of sundry oppressions and outragℓ w^{ch} they haue suffered from Vncus, some concerning p^ticular p^{er}sons, others of a more generall consideration, in w^{ch} the body of the Pequats seeme interested.

Obochiquod complayned that Vncus had taken away his wife, defileth her, & keepeth her away p^{er} force. Foxon being present (as Vncus deputy) was questioned aboute this base and vnsufferable outrage, he denyed that

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Vncus either tooke, or kept away Obochiquods wife p force, & affirmed that Obochiquod withdrawinge with other Pequat from Vncus, his wife refused to goe with him, & that amonge the Indians it is vsuall when a wife soe desert her husband another may take her, Obochiquod affirmed that Vncus had defiled her before, & still kept her against his will.

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The Comissioners though not satisfied in pointe of proff wth Obochiquods relation, yet abhorringe y^t lustfull adulterous carriage of Vncus, as it is acknowledged & mitigated by Foxon & conceiuinge that he that abusinge another mans wife havinge *power in his hands, his life either by force or desert to depriue the complayninge husband of his life, ordered & concluded that Vncus restore Obochiquods wife, that Obochiquod himselfe haue his liberty to sitt downe & settle either at Nameoke vnder the English, or els where as y^e English shall appointe, p^{ro}vided that he assist Vncus in his wars, soe oft as the English shall direct.

Sanaps another of Vncus his men, but a Conecticut Indiā & no Pequat vpon the reporte of a Sachems squaw (since dead) complayned, that Vncus had abused his wife, he affirmed that after she was soe defiled, she grew froward, & he had little peace with her, he added that Vncus had since taken away his corne & beanes p force & had engaged himselfe & attempted (as he conceiues) to take away his life. but the Comissioners founde noe proff first or last of these chardges, & for the corne Foxon conceiues, Vncus seised it, because Sannap wth the Pequat in a disorderly manner withdrew himselfe from Vncus, vnder whome he had liued sefall yeares. they conceiued therefore that Sannop might either returne to Conecticut, or liue at Nyanticoct, or that some p^{ro}vision be made for his safety & peace at Mohegon, & that Vncus vpon Euidence restore what corne or beanes he hath taken from him in an vnrighteous manner.

In generall the Pequatts complayned, first of Vncus his vnjustice & tyranny, drawinge wampam from them vpon new pretenses from time to time, they say they haue given him wampam 40 times since they came vnder him, & that they haue sent wampam by him to the English 25 times, but know not whither all, or any pt of it was rightly deliuered. 2^{dy}. that in their play if a Pequat win of a Mohegen, he cannot get payem^t. if he complaines, Vncus carries it ptially to the Mohegens & threatens the Pequatts. 3^{dy}. when Vncus had a child dyed, he made an offeringe & gaue his wife a gift, & comanded the Pequatts to doe y^e like. They beinge affraid collected 100 fathome of wampam & gaue it as a present, w^{ch} pleased Vncus, & he promised thenc forward to esteeme them as Mohegens, yet a few dayes after, Vncus brother came & told them that Vn^c & his Councill, had determined

to kill some of them, wherewith being much amased they consulted, & resolved to with draw from Vncus, & to submitt & subject themselues to the English. 4^{ly}. That desiring favoure of the English they purposed to collect wampam from amonge themselues *and to present it to them & by some of their old men acquainted Vncus therewith, yet the next morninge he came with his men armed to the forte, called for those who promoted that businesse, threatninge to kill them but they escaped out of the forte, went to Conecticut & complayned. 5^{ly}. that though Vncus seemed glad that M^r John Winthrop came to settle an english plantation at Pequat, & p^sented him with wampam, yet without cause (as they conceiue) he quickly tooke offence, fell to outrages, first Vncus having a man wounded at long Iland, had occasion to goe thither & required Robin alias Casmamon with other Pequats to goe with him, Robin alledged that he had ingaged himselfe with some others to M^r Winthrop, who was his former M^r, to build him a wigwam, the rest not knowinge any cause why Vncus should take so many men with him, excused themselues, yet p^mised if any should shoote an arrowe against him vpon notice they would come over & assist him. Vncus was not satisfied, threatned to be revenged & did cut all their netts. 2^{ly}. M^r Tho: Pecters beinge ill & others in the plantation wanting provision, wished Robin to goe a huntinge, Robin p^fessed he durst not, Vncus would be angry, M^r Peters told him he should goe, as in or from an English plantation, Robin replyed we are but 20 men, we cannot driue the woods, wherevpon M^r Peters by a warrant sent for Weckwash Cooke to goe with him, & they hunted on the East side of Pequat vpon this occasion, Vncus made the assault of w^h the Comissioners heard the last yeare at New haven, & Mr. Winthrop hath now further to complaine. Foxon being present gaue answere to the aforesaid charges as followeth.

First he beleiueth the Pequat^l haue for tribute and vpon other occasions at sundry times p^d wampam to Vncus but denyeth that they in p^ticular had given him any for the English, but the Moyhegens & they had sometimes joyned together to giue in wampam w^h had beene sent as a p^sente twice into the Mattachusett^l, & sometimes to M^r Heynes at Hartford, but he thinckes the number of 25. times to be alltogether false.

2^{ly} he conceiues that the Pequat^l being an vnder people might haue some wrong from the Mohegens in play & durst not presse for their right, but denyeth that Vncus had any hand therein.

3^{ly}. he acknowledgeth that the Pequats did bring in 100 fathome of wampam at the death of Vncus child & were p^mised favoure as is expressed, but the latter was onely a trecherous plott of Vncus brother pswading

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*the Pequats to withdraw from Vncus into their owne country, & there he would come vnto them, And to pꝛoꝓoke them therevnto he tould them (though falsly) y^t vncus had determined to kill some of them. 4th. though Vncus at first apprehended noe inconvenience in such a pꝛesent to be sent by the Pequatts to the English, yet being after informed that it was a plott, or a fruite of crooked counsell given them by Tassaquanott Sassacus his brother, who had suggested vnto them, that most of the cheife Sachems were cutt off, Vncus to them but a stranger, why should they serue or giue wampam to him, they should rather send presents to the English, withdrawe from the Mohegens, & settle in their owne Country, herewith Vncus was iustly offended. 5th. he acknowledgeth that Vncus was glad at M^r. Winthrops setlinge at Pequatt & presented him with 25. fathome of Wampan, but he was after troubled when Robin & other Pequatts his men refused to goe with him to long Iland. Foxon added that he had heard some of the Mohegens tooke fish from them, but knoweth not that he cutt their netts though he cannot deny it. Lastly he confesseth that Vncus and his men were foolish & faulty in that rash assault w^{ch} they made vpon the Pequatts & Neckwash Cookes men at Nameok especially in the English plantation, to the affrightm^t of the woemen & children there; But saith, Vncus & his men were troubled, that M^r Peters should not make vse of them who would willingly haue hunted for him & the English, but they were much pꝛoꝓoked y^t Neckwash Cooke, a professed enemy to Vncus, & one who stands in tearmes of *of* possession & had broken all Covent^l with the English, should be soe entertayned & imployed by M^r Peeters, he added that Vncus had a right on the East side of Pequatt from his father, from his mother, & from his wife & had leaue to hunt there from the English w^{ch} Neckwash Cooke never had till now.

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The Comissioners considering the pꝛmisses as far as they concerne the Pequatt^l interested in the petition ordered, that Vncus be duly reprovod for any passage of tirannicall governm^t ouer them, soe far as they may be proued, & seriously enformed that the English Colonies cannot owne or protect him in any vnlawfull much lesse trecherous & outragious courses, but they are not so far satisfied in those Pequat complaint^l, as to iustify their disorderly withdrawinge, & whereas M^r John *Winthrop spake of a resignation made by Vncus of those Pequats to him, w^{ch} yet he insists not on. The Com^rs doubt, whither there were not some misinterpretation & soe misvnderstandinge therein, but however remembring the proud wars some yeares since made by the Pequatts, and the just resolutions of the English that (though after the warre they spared the liues of such as had noe hand in the bloude of the English, yet the remnant of that nation should not be suffered (if the

English could help it) either to be a distinct people, or to retayne the name of Pequatt^l, or to settle in the Pequatt country, but that they should all be devided betwixt the Narragensett ^l Mohegens Indians, ^l that vnder a tribute to the English, they concluded that neither the Narragensett Sagamo^rs nor Vncus had power to resigne them or any of them to any English plantation or Jurisdiction without the consent of the Comissioners, ^l ordered those Pequatt^l foorthwith returne a due subjection to Vncus, that he receaue them without charge or revenge for this disorderly withdrawinge, or the complaints they haue now made ^l in all respect^l to governe them with due moderation as he doth the Mohegen Indians (the tribute to the English onely excepted) yet they thought fitt that the old men who were at Namecke before M^r Winthrops cominge, should continue there, or be soe provided for as may best suite the English planta^cõn at Pequatt, but vnder subjection to Vncus, as the rest.

1647.

July.

M^r John Winthrop on the behalfe of the Nepnet Indians complayned, that Nowequa (Vncus brother) came vpon them the last yeare with 130 Mohegens ^l plunderd them, takinge from them 35 fathom of wampam, 10 copp kettles, 10 greate hempen basketts, many beare skins, deere skins ^l other things to a greate value.

Foxon being questioned affirmed, that Vncus with his cheife Counsellors ^l Cap^t^l were at New haven with the Comissioners, when his brother thus plunderd in pticular he knoweth not what wampam or other goods were taken away, but affirmeth that Nowequa at the same time robbed some of Vncus his owne men, neare adjoyninge, but Vncus neuer rec^d any of the spoile either of the one or the other.

M^r Winthrop ^l some with him complayned further, that Nowequa with 40 or 50. Mohegens lately goeing oũ to Fishers Iland, did staue a Canoo, freighted the Indian that was there with his man, that his man without some pusion against such outrages would be vnwilling to stay ^l himselfe should suffer in his occasions there. It was alsoe testified by an English man of M^r Winthrops plantation, that Nowequa returning thence hovered against the English plantation in a *suspitious manner with 40. or 50. men, many of them armed wth guns to the affrightm^t, not onely of y^e Indians on the shore (soe that some of them began to bring their goods to the English houses) but of diuerse of the English themselues.

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The Comissioners considering the sundry comp^{ts} now brought against Nowequa (Vncus brother) confirmed by Foxon his acknowledgm^t ^l testimony by enquiry of doing that the Nepnat Indians having noe Sachem of their owne are at liberty pt of them by their owne choice doe apptaine to

1647.

July.

the Narragensett Sachem, & pte to the Mohegens, soe that when the covenants betwixt the English Colonies & the Narragensett confederat^l come to be considered, satisfaction for the outrages comitted by Nowequa wilbe expected, ordered that Vncus from them be fully informed, that he must either regulate & continue his brother in a righteous & peaceable frame, for the future vndertakinge & providing that vpon due proff due restitution be made to such as haue been wronged by him, or els wholly disert & leaue him, that the Narragensett & others may require & recouer satisfaction as they can. They also thinck it fitt & just that with the Canooe split & broken by Nowequa due consideration be had of returninge the gun taken from a Mohegen by the englishman at Fishers Iland, as the case vpon examination shall require.

M^r Winthrop and his servant Robin ats Casmamon p^sented sundry compt^l against Vncus importing that though at first he seemed glad to entertaine the English plantation at Pequat, yet his carriage hath bene such since, as if he intended by alarums and affrightment^l to disturb & breake that plantation. but that which appeared to the Comissioners most cleare & weighty was an hostile assault the last yeare made vpon Neckwash Cooke & the Pequats now petitioning, neare or within the English plantation, in w^{ch} some of the Indians invaded were wounded, all of them plundered, the english disturbed & affrighted, their cattle driven away & they sustayned much losse in se^uall respect^l.

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Two petitions from sergeant Mynott & W^m Morton were read, wherein they desired satisfaction, the one for a curtaine or bead coveringe taken away (as he saith) worth 2 fathome of wampam, w^{ch} it seemes he had lent Neckwash Cooke: the other for charges of a journey he made the last yeare to complaine against Vncus at Newhaven, & the complainte of one Stibbins for come taken away or spoiled was heard, all w^{ch} being duly considered, the insolency & outrage of Vncus & his men appeared much more *heinous then the compt at Newhaven the last yeare impted. The Comissioners (havige the last yeare ordered that Vncus should acknowledg his fault to the English plantation, w^{ch} they heare he pformed in Cap^t Masons presence) thought fitt now to add that vpon the returne of the Pequats to his subjection, Vncus forthwith pay into the hands of M^r Jo. Winthrop, to be by him disposed & diuided to the English & ould Pequats & other innocent Indians towards the repaire of their losses in pportion as he shall finde cause 100. fathome of wampam.

M^r John Winthrop did further informe the Comissioners that he vnderstoode from the Mowhaset Sachem of long Iland, that after the Pequats wars

he had by Vncus sent 60. fathome of Wampam as a present to Mr. Winthrop Gove^r: of the Mattachusetts, & had alsoe then given to Vncus. 20. fathome for himselfe, but vpon enquiry he findes that Vncus did never deliuer the said present. The Comissioners thought fitt & concluded, that if vpon inquiry & examina^o it be fownd, Vncus hath receaued & vnjustly detayned this wampam, he be required forthwith to make payem^t. to him the Governoure.

1647.

July.

Mr John Winthrop maketh clayme to a greate quantity of land at Nyantcott by purchase from the Indians, gaue in to the Comissioners a petition in those words.

Whereas I had the land of Nyantcott by a deed of gift & purchase from the Sachem before the wars, I desire the Comissioners wilbe pleased to confirme it vnto me, & cleare it from any clayme of English & Indians according to the equity of the case.

Mr John Winthrop havinge no writinge from the Indian Sachem concerning these lands presented to the Com^{rs} the testimony of their Indians as followeth.

We Tromatuch Wambarsquaske Antuppo doe testify vpon our knowl-
edg before the wars were against the Pequats, Sasyous our Sachem of Nyant-
tick did call vs & all our men together, & tould that he was resolved to giue
his Country to the Governours sonne of the Mattachuset^t who liued then at
Pattaquassat alias Conecticut Rivers mouth, & all his men declared them-
selues willing therewith, Therevpon he went to him to Pattaquassett^t & when
he came backe he tould them he had granted all his Country to him the said
Governours sonne & said he was his good freind, & he hoped he would send
some English thither sometime hereafter, Moreover he told him he had re-
ceaued coates from him for it, w^{ch} they saw him bring home.

*We vnderwritten doe testify that we heard these Indians testify the
aboute written testimony concerninge the graunte of the land of the Nyant-
tyk^t. Tho: Stanton, Cary Lathome, Tho. Mymat, Wm. Burdman.

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I doe remember that Sasyous Sachem of the Nyanticot^t did giue Mr
John Winthrop his country of Nyanticut before the Pequats wars, myselve
being inter^ptor in that businesse, at the Rivers mouth.

p me. THO: STANTON

This testimony was taken vpon oath before me

JO: ENDECUTT.

1647.

July.

The Comissioners for Conecticut vpon the readinge of M^r Winthrop's petiçõn, desired to be satisfied vpon what grounde the Comissioners could take the determination of the case in question concerninge Nyanticut land℄ into their hands, vnles it be by the mutuall consent ℄ desire of both parties, w^{ch} seemed to clame interest therein, ℄ for themselues, though they could in their owne pticulars submit to their judgm^t yet they humbly conceiued it was beyond their Comission to refer any such thinge to be determined at this time, nor are they p^rpared to make a full answer to M^r Winthrop for the right he challengeth in those lands, onely they p^rsent to the Comissioners consideration, that the gift or purchase p^rtended by M^r. Winthrop beares not date, nor is lymited wthin any precise bownd℄, nor doth it yet appeare, whither the Indian mentioned to giue the s^d lands had any reall or true interest in them himselfe, And the p^rtended graunte is onely verball noe Recorde by writinge appearinge of any such thing w^{ch} intimates, that what ever it was, it was looked vpon as a transient airy passage. Besides M^r Winthrop was then employed by Gentlemen interested in Seabrooke ℄ whither the lands mentioned were not procured by him for them, ℄ by him with their meanes doth not appeare, how ever it seemes somewhat vncomely (at least) for M^r Winthrop, who was acquainted with their great ingagem^t℄ in the place to purchase land for himselfe, beinge their Agent, soe neare the cheife place of their intended Residence. But if all that is answered satisfy not, yet they humbly conceiue the land was iustly conquered before M^r Winthrop made any clayme therevnto, w^{ch} makes his dormant title (if it may be so called) altogether invalide.

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The Comissioners for the Colonies duly consideringe the p^rmisses, though they desire the English plantaçõn at Pequatt may haue all comfortable ℄ requisite *accomodations, yet they see no grounde for themselues to intermeddle or determine any thinge concerninge the clayme ℄ title in question.

Vpon occasion of the former debate some of the Comissionis acquainted M^r Winthrop wth some report℄ they had heard that he was aboute a purchas of land℄ at longe Iland, he was desired to take knowledg that longe Iland (for a considerable some of money p^d) is vnder engagem^t℄ to seifall p^rsons of Conecticut ℄ Newhaven, ℄ that any title w^{ch} may be p^rtended from M^r. Cope will be fownde weake, as himselfe a little before his death had acknowledged.

M^r Elliott on the behalffe of an Indian called Todorsway complaind that one of the Mohegens called Cogeleys belonginge to Vncus his brother, ℄ knowne by M^r Pincheon did owe him . 6. beaver skins, ℄ desired some meanes might be vsed for Recouery of the same, The Comissionis thought fitt that enquiry be made, ℄ satisfaction required if the debt be fownde just.

According to agreement & order made the last yeare at New haven the number of males wth the chardg^l pp^r. to the combination expended by the sefall Colonies were now brought in, by w^{ch} it appeared that the Mattachussetts wth M^r Dunsters bill, & a gratuity given to Maior Gibons had expended —475^l. 01^s. 6^d. Plimouth with 3^l. 10^s. for bread—101^l. 10^s. 0^d. Conecticutt as p acc^o. last yeare 296^l. Newhauen as p acc^o. 170^l. 18^s. 7^d. of w^{ch} some of 1043^l. 10^s. j^d. as the accompt was cast vp both by y^e Comissiofis. & by the auditor for the Mattachusset^l, the Mattachussetts are to pay 670^l. 03^s. 4^d. Plimouth 128^l. 13. 4^d. Conecticut 140. 2. 5. Newhauen 104^l. 11. 0^d. By w^{ch} it appeares that the Mattachussetts were to pay to Conecticute 128^l. 14. 3^d. & to Newhauen 66^l. 7. 7^d. w^{ch} is in all 195. 01. 10^d. & that Plimouth is to pay to Conecticut 27^l. 3^s. 4^d.

1647.

July.

And because the weighty concernem^t of the Colonies may sometimes call for a meetinge when yet the Comissiofis (as hath beene formerly founde) are not p^pared, to giue in the number of their males, It is now thought fitt & ordered, that it be p^pounded to each generall Corte that after the p^portion now settled in this p^sent acc^o, the Colonies shall hereafter beare their sefall pt^l of all chardge disbursed, for the publicke till some inconvenience arise or appeare by a considerable increase or decrease in some of the Jurisdictions, & that in such case any of the 4 Colonies callinge for it, the males be againe brought in, & chardges borne according to the first importe of the Articles

Not to be
alterd

The Comissioners vnderstanding that the Indians are plentifully furnished wth English guns, powder & shott (notwithstandinge sefall orders made by them *(and as they hoped confirmed by the generall Court^l in the sefall Colonies to suppress a trade of such a dangerous consequence) vpon enquiry finde that a considerable pt of this Inconvenience doth arise from warrants & dispensations graunted, either by the generall Cort^l or by some magestrat^l of the Mattachusset^l to shop-keeps, or others to sell, lend, or furnish some Indians either because they are confederates, or vnder the governm^t of that Jurisdiction, or vpon some other respect, w^{ch} cannot secure the Collonies frō danger: For the publicke safety they desire therefore y^t all such warrants formerly granted may be speedily called in, & due care taken, that no guns, swords, rapiers, or rapier blades, powder, lead, shott, or other instruem^t or furniture for war, be sould, given or lent, or by any other meanes directly or indirectly be passed over into the hands or power of any of the Indians vpon any p^tence or respect whatsoever, And they conceiue it worthy of the most serious thought & consideration of the Collonies how the like disordered trade may be suppressed at Roade Iland & their confederates,

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1647.

ℓ of all other English plantacons ℓ if possible it may be alsoe restrayned in the french ℓ dutch Jurisdiccions.

August.

The Comissioners having waited many dayes for a retorne from the Narragansetℓ Indians ℓ their confederats, the 16th of August Ninegrett ℓ Pessacks deputies acquainted thē that the messengers were now returned, but had in noe measure answerd their expectation, they had onely brought .200. fathome of wampam. The Comissioners by Tho: Stanton their Interpreter asked what the reason was, that soe much being due soe little was brought, ℓ from whome this .200. fathome came. Ninegratt ℓ the rest could giue noe satisfaction to the former question, onely Ninagrett ptended that his being from home had hindred the gathering ℓ sendinge of the wampam, for the latter he said 100. fathome came from Pessacks, ℓ 100. fathome from himselfe, he added that since they fell soe far short in the payem^t of their debt, he would order that the 105. fathome intended for a p^sent to the Governoure, should goe towards satisfaction of the Collonies, ℓ desired respite for the rest, vntill next spring, ℓ then if it were not fully paid, the English should take his head ℓ seise his country.

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The Comissioners not thinking it meete to begin a p^sent war if satisfaction (though with a little forbearance may be had otherwise) by their interpreter acquainted Ninegratt, that since he ptended the wampam had bene gathered ℓ p^d if himselfe had bene at home, they would giue him free leaue to returne, ℓ 20 dayes more from hence to collect ℓ send the residue yet behinde ℓ tho: 500 fathome of the wampam now due should fall *short in his payem^t 20. dayes hence, they would forbear it till next planting time, ℓ in the meane time accept both the 200 fathome now brought, ℓ the 105 fathō intended for a present in pt of payem^t, but if they brought not, 1000. fathome more within 20 dayes, the Comissioners would send noe more messengers, but take course to right themselues, as they see cause in their owne time. And if they be forced to seeke satisfaction by armes, he ℓ his confederatℓ must not expect to make their peace as lately they had done by a little wampam. In the meane time though for breach of Coven^tℓ they might put their hostages to death yet the Comissioners would forthwith deliver the children to Ninegratt, expecting from him the more care to see ingagem^tℓ fully satisfied. And if they find him reall in his p^formance, they will chardg all former neglectℓ vpon Pessacks, who hath not attended Covenantℓ ℓ in such case they shall expect from Ninegratt his best assistance, when he shall be required to recover the whole remainder from him. All w^{ch} Ninegrett cheerefully accepted, and p^mised to p^forme accordingly.

This 200. fathome of wampam being thus rec^d from Ninegrett, the Comissofns fownde the acc^o to stand thus

1647.

Mr Pellham rec^d allmost 2 yeares since about what was given to Vncus _____ 70. fath
 left by the Narragansettℓ in M^r shrimptons }
 hands in kettles ℓ wampam _____ } 70. fath
 In Cutchamakins hands by Ninegrett _____ 105. fath
 Rec^d of Ninegratt 16. Aug. 1647 _____ 243½. fath.

August.

The some is _____ 448½ fath.

of w^{ch} as the Comissioners ℓ Auditor for the Mattachusetts cast it there is due to y^e Mattachusets _____ 288. fath 4^d
 to Plimouth _____ 55. fa: 1^s. 6^d
 to Conecticute _____ 60. fa. 1^s. 1^d
 to New haven _____ 44. fa. 4^s. 7^d.
 w^{ch} was accordingly devided _____
 447.fath.7^s. 6^d

A writinge being p^sented by Sergeant Collicut ℓ others to the Comissioners in the nature of a petition wherein they complaine against the Dutch ℓ Sweeds for seuerall greevances ℓ in p^ticular for high Customes imposed vpon them at the Manatoes, ℓ for a disorderly trade in selling guns powder ℓ shott to the Indiyans ℓ^c The Comissioners thought fitt to write to the duch Governoure as followeth.

*Honoured S^r.

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We jointly congratulate yo^r arivall ℓ enterance to the goūm^t at Manatoes ℓ^c hoping all the English Colonies shall enioy w^{thin} yo^r limitℓ all the fruites of a neighbourly ℓ freindly correspondency in a free concourse and intercourse as yo^rs haue ℓ shall doe in all our portℓ ℓ harbors: some thingℓ p^sented to vs we shall p^sent to your consideration. first we heare of a dangerous liberty taken by many of yours in selling guns, powder, shott ℓ other instruem^tℓ of warr to the Indians not onely at yo^r forte Aurania (though we conceiue that trade there driven is very vnsafe both for yo^r selues ℓ vs but at long Island within the River of Conecticut, at the Narragansetts ℓ other places within the English Jurisdiction, And though possibly you haue good lawes to suppress soe mischeevous a trade, yet soe stronge is the temptation by an excessiue gaine arising thence that w^{thout} a constant care ℓ severe execution (as we finde by daylie experience) the inconvenience cannot be

1647.

August.

removed, but the meanes we leaue to yo^r owne wisdome & iudgm^t. Secondly we heare of an high Custome, excise or recognition demanded & taken for all goods sold within yo^r Jurisdiction, not onely of yo^r owne people, but of the English, with heavy fines, & seisures for omissions or misse entries to the hinderance of trade & the discouragem^t of our marchant^l, whereas hitherto all our harbours haue beene open & free to yours without any such burdens & hassards, We entreate from you therefore in a few lines a pfect information of what Customes &c you require with the grownds of the same both for goods imported & sould, & for beaver, Mouse, & for other comodities exported, and in what cases you impose fines & make seisures, that we may enforme our marchants, & steere our course accordingly, with our due respect to yo^rselfe & the late gouernoure Mounsier Keift we rest.

yo^r lovinge Friends the Comissioners of the
vnited Colonies.

Boston in the
Mattachusetts. the.
17th of 6. moneth. 1647.

The foregoinge conclusions were agreed & subscribed by the Comissioners the 17th of the 6. moneth. 1647.

EDWARD HOPKINS	THO: DUDLEY p ^r sident.
JOHN MASONE.	JOHN ENDECOTT
THEOPHILUS EATON	W ^m BRADFORD
STEPHEN GOODYEARE.	JOHN BROWNE

* At a meteing

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of y^e Comisio^{rs}: for y^e vnited colonyes of New England: held at New Plym: y^e 7th 7th 1648

an order of y^e Gen^rall Courte of y^e Masachusetts Dated y^e 10th of y^e 3^m 1648. was present^d. whereby it appeared y^t John Endicott: Esquire & M^r. Simon bradstreete were Chosen comiso^s for y^t: Jurisdictiō for this p^rsent yeare: & were invested wth full p^wer to treate & conclude of all things: according to the ten^r: of y^e articles of combinacī: Concluded at Bostō: y^e 19th of y^e 3^m 1643:

1648.

September.

A Licke Order from the Jurisdictiō of New Plym Dated y^e 7th 4^t. 1648: was Reed investeing M^r W^m Bradford: & M^r John Browne wth y^e Licke p^wer: as Comision^{rs}: to treate & Conclude according to y^e ten^r: of y^e saide articles

An order of y^e: Gen^r. Court of coniticott: was alsoe p^rsented & Reede Dated the 18 may 1648 appwoynteing M^r. Ed. Hopkins: & M^r. Rogger Loodloe: to y^e formencī seruice & investing them wth full power: according to y^e articles of confederatiō:

a like order from the Gen^r Courte of New hauens Judictiō. Dated y^e 3th: may 1648: Investing Theoph: Eaton Esq^r & M^r. John astwood wth the Licke power according to y^e ten^r of y^e saide articles for y^e yeare insewing was Now alsoe Reed.

M^r. W^m Bradford Esq^r: was Chosen p^rsident of this meeteing:

It was p^rpounded for the avoydeing of ofenç: and the carefull p^rs^rvacio: of Loue & amety: betwixt the vnited Colonies and their comiso^s: that a dew order might bee settled and obserued: by their comiso^s: as in their Subscriptiōs: soe alsoe in their tacking p^rce at all publike meeteings, Dewering the time of their *Seu^rall sesions, w^h vpō dew consideracions was thus Agreed, that the Comisio^s of the masachusetts shall haue the first p^rce at all such meeteings, & accordingly the Comision^{rs} of the oth^r Colonies in such order as they are Named in the articles of confideraciō: viz: Plymth Conitacott & New hauen, Onely it is p^rvided that any Comisio^r may manifest such p^rsonall respects as in his owne discretiō hee Judges meete to any of the rest of the comis^{rs} in any of the foremeñ p^rticulers, notwthstanding this conclusiō

John dislik^g pp^rsiō for taking p^rce in publiq^u meeteings as thinkeing it contrary to Script^r rules

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1648.

September.

Mr: Wił Cottington & Captain Partridg of Roade Iland p̄sented this insewing request to the Comisio^rs in Wrighting.

O^r Request & mociō is in the behalfe of o^r Iland: that wee the Iland^rs of Roode Iland may be Rescauied into combinaciō wth all the vnited colonyes of New England in a firme & p̄ptuall League of Friendship & amity : of ofence & Defence Mutuall advice and succo^r vpō all Just occasions for o^r Mutuall safety & wellfaire, & for p̄serueing of peace amongst o^rselues: and p̄venteing as much as may bee all occasiōs of warr & Diference, and to this o^r mocion wee haue the cons^t of the maio^r pt of o^r Iland:

WILE COTTINGTŌ

ALICXSANDER PARTRIDG

To w^hich mocion: the Comis^rs returned this answer vnder all theire hands: Mr: Cottington & Captaine Parč the Comis^rs for the vnited Colonies haue Considered what youe haue p̄pounded Eith^r by speach o^r wrighting & finde yo^r p̄sent state and condiciō full of confusion and Dang^r haueing much Disturbance amongst yo^r selues and noe security from the Endians they desier therefore in seu^rall Respects to aford both advice and helpe. but vpō the p̄vsall of the antient Patent graunted to New Plymth they finde Roade Iland vpō w^h y^r p̄ntacions are setled to fall wthin their line & bounds, w^h the honourable comittie of parlement thinke not fitt to Straighten o^r infringe: nor may w^e if therefor yo^r selues and the Inhabitants o^r the most and most Considerable pt of them; vpon a dew Consid^r of Plymth Patent and Right, ackknowledg y^r selues within that Jurisdictiō wee shall consider and advize how youe may bee accepted vpon Just termes and wth tend^r *Respects to y^r Conueniencie : and shall after aford y^u the same advise, protectiō And helpe w^h other Plantations wthin the vnited Colonies Injoye, w^h we hope in sondery respects may tend to y^{o^r} Comfort and safety.

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Y^o 7th 8th 1648

Henery Bull of Newport vpō Roode Iland p̄sented a p̄ticiō to the Comision^rs informeing, that som Narragansett Indians had beaten him & oth^r wise done him Iniury: desiering the Comision^rs to send to the Sachem of the Narragansetts to send the saide Indians that Satisfactiō might bee giuen him for the wronges hee hath sustained :

To w^h the Comision^rs Returned this answer: that they much pittied his Condiciō and were viry senceable of the wrongs hee hath sustained, but forasmuch as it is a p̄cicular cace & belongs pp^{ly} to Roade Iland wheare he liues to Releaue him the Comiso^rs could not see a faire and Conuenient way to answer his desier but Referred him for further answer to the advice giuen to

the Iland in Gen^rall wherby both hee and oth^rs that are oppressed may com to Rescaue dew satisfiō and for his future security gaue him a wrighting vnder the Comisio^rs hands of the same Contents w^{ch} they gaue to houlden & Warn^r w^{ch} heraf^r Folowth.

1648.

September.

Wheareas there was p^rsented a wrighting vnto vs from the towne o^r plantaciō of Warwicke: as they call it, by their Meseng^rs M^r. Randall houlden & M^r John Warn^r substit^d By M^r John Smith assistant in the behalfe of the whole towne Dated the 4th of y^e 7th m^o 1648 wherein they comptne Amongst oth^r things of diu^rs Inguryes Insolencies and afronts offred them by the Indians that are aboute them and neere Inhabitants to them as namely: killing their Cattell about a hunderd hoggs: abusing their seruants when they take them alone: and som times making violent enterance into th^r howses and strickeing the mast^rs theareof: Stealeing and ployneing their goods And hereupon doe earnestly desire to know y^e mindes of y^e comisioners herein and to receiue aduise from them. Whearevpō the Comision^rs for their future Security gaue them this Insewing wrighting:

To all Indian Sachems whome it may Concerne: Inhabiting within the Narragansett Bay and p^{tes} adiacant:

The Comision^rs for the vnitd Colonyes of New England haueing Rescaued informa^c of seu^rall outrages comited v^p the p^{sons} and Cattells of the English in Seu^rall p^{tes} *Canot but looke vpō such p^{ct}izes as tending to the disturbance of the p^blique peace: and therefore adviz that dew care may bee tacken by the seu^rall Sachems and all oth^rs whome it consernes to p^rvent and abstaine from all such miscarages for the future and if any off them Rescaue any Iniury from the English: vpō Complainge in dew p^{lce} and order: satisf^r shall bee Indeuo^red the^rin according to Justice: as the Licke will bee Expected from them: Plymth this 10th of y^e 7: 1648

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Wheareas by order of the Comiso^rs the Last yeare it was p^rvided that the peaquats Resideing neere to the English Plantaciōs Settled at Nameach should Returne to their former Subiectiō to Vnquas: as may more fully appeare by the acts of that meeteing which was made knowne & signified to them both by the Comisiōs themselues at boston & by M^r. Hopkins allsoe Att Peaquatt: but noe Conformety hath hith^rto beene yealded Thearevnto by y^m it was Now thought fitt and concluded that M^r John Winthrape bee informed of the continued mindes And Resolucions of the Comis^rs for their returne. and desired To further the same but in case a Reedy atendance

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bee not forthwith yealded hearevnto, Vnquas shall haue order, & Li^b by Constrainte to Inforce them; & it is desiered that the Go^rment of Conitacott will pvide hee bee not therein opposed by any English Nor the Peaquats or any of them habored or shiltered in any of their howses: whiles noe Just offence is giuen them by him or any of his in their p^rp^r Consernm^ts.

Vpon the Informaciōⁿ Complainte of M^r Wilt Westerhowse a duch m^rchant (Liueing at, and a planter in New hauen) Conserneing the duch Go^rn^rs tacking away his shippe from him, whilest shee was Rideing at Ancker in New hauen Harbour) Intreateing advice of and helpe from the Comision^rs thearein: this inewing Answer was Returned:

M^r William Westerhowse:

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The Comision^rs for the vnited Colonies, haue Considered what you haue propounded, by way of advice and helpe: Conserneing y^r shippe and goods Seized by the duch Go^rūⁿ in New hauen harbour: *But they doe not yet heare, what the duch Go^rūⁿ can Chardg: Nor vpon what grounds hee made that seizure: if hee haue nothing to pretend or aledg But that New hauen is pt of or within the New Netherlands the English Colonies must and doe protest against it, and according to their deuty by all ~~deu~~ Just means aserte the English Right Both to New hauen Lands and harbours, And to all English plantacions from Cape Cood both one the maine and Ilands that are possessed by the English, at present vnder their Go^rūⁿ as anciently Grānted by the kings of England to their subiects, sence purchased by the English from the Indians, the trew propriat^rs of the Land: and for diuers yeares peaceably possessed and planted by them without any Question or demānd by the Dutch or any for them, And shall accordingly Expect to bee Righted Both for the Injury and afront In tacking a shipp out of one of their Harbours vpon such Chaleng & titles to the place vniustly claimed without Purchas posesion or any other Considerable Ground:

Vpon which occasion M^r Eaton acquainted the Comision^rs what had passed bett^w the dutch Go^rūⁿ and New hauen Colony, and sundery Lett^rs from the dutch Go^rūⁿ was Reed, and their Answers returned to Agust the 28. 1648. all w^h being dewly Considered, the Comision^rs did first inquire of M^r W^{im} Westerhowse, whoe In the dutch Go^rūⁿ's Last Letter was accuzed of a iregular trade with the Indians, what gunⁿs and powder hee had brought And how hee had disposed the same.

hee Answered with much confidence, that he had not Brought at most aboute ten Guns In all, and not aboute a thousand weight of powder, of which the dutch Go^rūⁿ had seized in the foremencioned shippe aboute fiue hundered

pound℥, hee had sould three 100 pounds to Newhauen Colony, or Plantacion, and most of the rest by pounds to Newhauen planters, and others within that Jurisdiction, but absolutly denyed that euer hee sould gun or guns or any powder to any Indians, or any dutch man or if the dutch Gou^rn or any other could proue to the Contrary hee professed himselfe willing to Submit, to the seuerest Sencure, as being fully Informed by the Gou^rn of New hauen, that all such tradeing, without express Licence from som of the magistrates was vnlawfull, and they further thought fitt by way of p^ro^racion Either to a meeteing with the duch Gou^rn or provision for their owne safety and Conueniencie to wright to the Duch Gou^rn as followeth:

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Hon^red Si^r

It is now more then a full yeare sence the Comisioners desiering to cōtinew and Confirme a Just and p^rfitable peace between the English Colonyes and the duch plantacions in these pts wrought vnto yo^w ℥ p^resented what they had heard: first Conserneing a daingerous Liberty tacken by yo^rs to sell guns powder and shott, and other Instruments of warr to the Indians Both at Orrania forte And other places within the English Jurisdictions, a trade damnable as yo^r selfe calls it, certainly vnsafe, and like to p^rue of mischeuous Consequence both to the English and Duch, Secondly Conserneing a high Cvstom of Regunicion with other burthens, and Inconuenient Impositions Layed not onely one yo^r owne people but one the English m^rchants Tradeing at or som time In their returne, but pasing by the Manatas; but to this day wee heare not of any inquiry Prohebicion or sesation of the foremencioned Trade at the Orrania forte, Nay wee heare that the Mowhakes and other Indcans Liueing neere that place, are soe furnished with guns, Powther *And shott, that they growe bould, and darcing ℥ may proue daingerous to vs all, nor doe wee finde any abolishon or modera^c in the saide Customs and grieuances Imposed at the Manatoes, Nay wee haue not rescaiued any answer, not soe much as a p^rticuler Informacion as wee Requested, of what is required and expected That wee might Informe o^r m^rchants, to p^rvent future fines ℥ Seasures

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Mr Will^t Westerhowse one of yo^r Contry men, but at p^resent a planter at New hauen, Informeth vs and Complaineth of his owne And p^rincipalls greate loss, and damage by y^r seasing his shipp, and goods within New hauen harbour, hee professed hee would haue Cleared himselfe at the Manatoes of being either Rebell or fugatiue To or from his natiue Cvntry, that hee paide Cvstoms at his Comcing forth In reference to Virginia and the English Colonyes: But not admiting him thither: It seemes yo^w Referred

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him to the Expected meeteing at Conitacott. heerevpõ wee haue prvsed and considered yo^r Claime to all the Land & Riuers Streames &: from Cape inlopen to Cape Cood, with y^r protest, and Lett^{rs} Both Dated Octob^r the 12. 1647 Noua Stilla wherein wee finde Sondery vnsatisfiing pasages: wee haue alsoe scene diuers other Letters which yo^w haue sent to the Goũñ of Newhauen with his seu'all answers To agust the 28. 1648: old Stile : by all which wee finde much Cause of meeteing to settle a Right vnderstanding betwixt the English Colonies & y^r selfe, which hath beene by yo^u propounded in sondery of y^r Lett^{rs} And was desiered and intended by the English Colonyes : though vpõ nessesary Consideracons Defered to a fitter season In the meane time Some passages in y^r Lett^r by way of p^racion had neede to bee Cleared in y^{rs} (of the 25 of June 1647) to the Gõrⁿ of the Masachusetts : yo^u desier that himselfe and som others. of the English may bee deligated, & that they will bee pleased to giue yo^w a meeteing, to agiatate past ocasiõs, to Reconcile the p^rsent and to preuent all future occasions of Contestaciõ, but y^r Closse seemes then to Importe, that all this is but to p^rpare things that y^r or o^r Lords and Masters, may more easy determine, in y^{rs} of Nouem^br the 15th 1647 to the Gõrⁿ of New hauen Mencioning the meeteing by yo^w p^rounded, yo^u p^rfesse y^r Resoluciõ to giue pregnant testimony to the world of yu^r Rediness for a fayer and Neighb^rly Composeure of diferences, but in y^r Lett^r to m^r Goodyer deputy Goⁿ at New hauen Dated the 13th December 1647 yo^w express y^r selfe more doubtfully, if yo^w meete in the spring with the Goũñ of the Masachusetts & Plymouth, yo^w hope yo^w shall Indeu^r Reconciliař, but to put any thing to them as arbitrato^rs yo^w were not then Resolued, w^{ch} in som of vs suspended all form^r thoughts of a meeteing till the mater againe was Reuiewed, by y^r seu'all Lett^{rs} to the Go^rñ of Mathatusets and plymouth & New hauen Whearein desieřg A meeting at Conitacut yo^w express y^r selfe, as not Doubting but Mutuall satisfaction wilbee giuen to one and oth^r In eu^ry respect; that past diferances and agreiueances shall bee forgott, future preuented, and a happy vnion firmly established, the p^rmises considered wee disier *To bee Informed whither yo^w haue Comision from yo^r p^rinsipalls to make a Reference to whome because som tyme yo^w mencioned the two Gouⁿrs of the Mathatusets and Plymouth and som time the Comission^{rs}, and what yo^u propose to Referr, whither title to Land or other Questions and diferances, as the Goũñ of New Hauen did som time p^round (Nouem^br the 16th 1647) If yo^w please heerein to express y^r selfe, wee shall the bett^r vnderstand o^r way and accordingly as the Case may Require further the meeteing with the first oppertunity: in the meane tyme with hart^l Inclined and Ingaged to all Councels treatyes and wayes of a wholesom and just

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peace, & wee shall ppoint vnto yo^w such Considera^{cs} as wee suppose y^r selfe will judg Equall, and till differences bee jseued or som speedy Course of settlem^t agreed, nessesary, vidz^s that the traders within any of the dutch plantacions, or vnder the dutch Gou^{rn} whither m^rchants or mariners may expect noe more Liberty within any of the harbours belonging to the English Colonyes Either in pwoynte of anchering Customs Searching fines Seizvres &c, then the English Colonyes and their M^rchants & Marriners Inioy at the Manatoes: or within y^r Jurisdicti^o, Secondly that if vpon s^{er}ch wee finde in any of y^r traders vesels, within the English Jurisdiction any quantity of guns powther shott &c fitt for that mischevous trade with the Indians and soe tending to the publike damage of both the English and dutch, wee shall make stay of them vntill further Inquiry: and satisfaction bee made and giuen. Thirdly that what Restraints, penaltyes and Confiscacions yo^u put vpon the English Colonyes and their m^rchants for tradeing with the Indians within y^r Jurisdicti^o: The same the Colonyes must put vpon y^rs within the English Limits: fourthly Referring what is past to the meeeting ppointed if hereafter youe tacke and Carry away any shipp Vessell or goods out of any harbour within the English Jurisdiction or Elce wheare seize any vesell or goods Belongeing to any Marchant or marriner either English dutch or other nacion Admitted to be planters or Inhabitants within any of the vnited Colonyes yo^w will nesesitate vs to vindicate the English Rights And to Repaire such damages, by all suitable and Just meanes. Wee shall add noe more, but to preuent mistakes, p^resed, and des^r yo^w will beleue that wee shall neither p^rect or Covntenance any vnrighteous course in any of ou^rs to your p^ruide nor Impose o^r any way inovate Either in pwoynte of Customs: or in the Liberty of o^r harbou^rs, or otherwise till wee doe or might vnderstand yo^r minde and resoluci^o in the former p^rticulers The vtmost of o^r aime being but to remoue what might hinder or slacke the peace and that neighbo^rly Corespondancie that wee disier intierly to p^rsc^r betwixt the English Colonies and the dutch plautaci^o in these p^rts, but if yo^u Refuse or delay either to retourne \bar{a} answer or to giue dew and meete Satisfaction in the p^rmisses yo^r selfe will hinder the meeeting w^{ch} wee all desier from which wee may doe and hope we expect reall and Lasting fruite and will not then blame vs if by all just means, wee seasonably p^rvide for our owne safety and Conueniency: Thus desiring yo^w will bee p^rsed with y^r first opertunity to retourne yo^r minde and answer heerein to m^r Eaton Gou^rn^r of New hauen Colony from whome that our counscells and Course bee accordi^{ng} ordered, we expect the Isew and result of these our p^rposealls wee tacke Leau^e & rest

Plymth Septemb^r 16th 1648)

Yo^r Loueing Friends

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*Septemb^r the 12th the Comissioners Rescaued a packat brought by two Indians, whearein they found Lett^s from M^r John Wintherope, from Captaine Mason and M^r Williams (with a retou^rne from Tho: Stanton) by all which together with the Informa^c formerly brought into the Colonyes by the Indians aboute them it appeareth that the Naragansetts and Nianticke Indians in Steed of paying the wampom longe dew to the Colonyes by their Covenants made at Boston in Ano 1645 they haue by wampom hired the Mouhacks the Pocontock Indians and others to cut of Vnquas and his people, and in case the English defend him, then to fight with the English, w^h Councell of theirs was soe farr Ripned And p^pared for execu^c That Tho Stanton and others sent as Mesengers from Conectacutt to inquire into (and if it might bee) to stopp such proceedings found the Indians mett at pocomquatuk as at their Randivoze: whoe acknowlegd they had rescäuēd Wampom ℥ from the Narragansets to invade Vnquas, that they were mett for that purpose: and expected both the Mohacks and other Indians to macke vpp their full numb^s: but partly by a reporte they had hearde That twoe Mowhacks Sachems were killed by the french or Easterne Indians or partly vnderstanding by Tho^m Stanton that the English were a just and warrlicke people would defend him, they would stopp the intended invasion of Vnquas for this time, And further they were Informed by Mr. John Winth^p That the Narraganset and Niantique Indians were with draweing their ould men their weomen and childeren into Swampes, hideing their Corne ℥, and soe preparing to meete the Confeiderates the Mowhaukes, and with Eight hundred men to invade Vnquas and the Mowhacks were discribed by their armes, as haueing fower hundred guns ℥ for each gunⁿ three pownde of powther, and answerable shott: with a p^pvisiō for their breasts to secure them in the fight, and that Niuegratt in pticular Had inquired whither the English would defend Vnquas expressing himselfe that if they did, they Could soone burne the houses att Conectacutt ℥, that Weaquash Cooke and the Pacatucke Indians, had retired themselues to a pwoynte of Land, and disclaimed any adheareing to the Narragansetts in the foremencioned designe, all which beeing Considered the Comissioners returned thanks to M^r John Wintherope Captaine Mason, ℥ M^r Williã desiering them if they heard any thing further Conserneing these Indians Designes, either against the English or Vnquas they would as a Case might require giue speedy noatis thereof, both to the Matathusetts and Conitacott that from thence the other Colonyes, might vnderstand the dainger, and provide for their safety, and vpon further Consideraciō of the Naragansetts and Niantiques breach of Covenants and trecherous pseedings, they thought fitt and desiered that the Comi^son^s for the

Matathusetts, with their first Conueniencie send sixe horce men with an able Intarpriter to the Narragansett & Niantique Sachems with the Instructions Foloweing; giueing the Intarpriter an oth trewly to express their minds and to make a trew Returne of the Sachems Answers: the Instructions were as Followeth,

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Instrūtions For Sent by the Comis-
sione^rs of the vnitd Colonies to Peasacus &c.

*Youe shall with y^e first Conueniency goe to Narragansett and Niantique and if it may bee p^oure a meeeting with all the Chiefe Sachems, and giue them fully to vnderstand, that the Comission^rs of the English Colonies Lately mett at Plym^o, haue dewly Considered what hath formerly passed betwixt the English and they the saide Sagamores and their people, and more p^oticulerly, what had past att boston the last yeare, that vp^o Ninecritts promis and Ingagem^ont they not onely gaue further tyme that the wampom long sence deue might bee fully brought in but gaue backe the Indian Hostages then in their hands, whom they might for breach of Covenants iustly put to death the Comission^rs therfore hoped that at length the Narragansett Sachems in Gen^orall and Ninagratt in p^oticuler, would haue Considered and p^ovided for their peace, by giueing dew Sattisfaction to the English Colonies, but they finde to the Contrary, the whole Narragansett Carrag being full of guilefull delays as if they would proclaime themselues a false Trecherous people not to bee trusted or treated with, Secondly you shall acquainte the said Sagamores or soe many of them as yo^u haue opertunity to speake with, that the English Comissioners from seuerall places and Sondery p^osons of Crediott: haue full Informacion of their latte Trecherous designes in hiring the Mowhaukes the pocantack Indians and others to asault and Cutt of Vncus and his people whereain the Comissioners canot but tacked knowledg of their direct breaking the peace settled three yeares sence at Boston, with their proude and insolent threttnings against the English, together with the mad and outrageous Carrag of waopen homein one of the Narragansetts Captains who as a fier brand is still kindleing discontents and ofences, as if hee would drawe one a warre & soe the effusion of much bloode w^oh the English would spare :

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Lastly: yo^u shall lett them know that the saide Comissioners haue sent yo^u to the saide Sagamores and their people, to vnderstand their purpose and resolucion, and if they Intend to Inioye the fruites of their agrement Made at Boston in Ano 1645 they doe without further delays bring in the rest of the wampom yet vn^opayed, that som dew Cource may bee taken with

1648. woapinhawmin, that hee disturbe not the publike peace and that dew pvision
 be made for the security of Vncus and his people, whome the English are
 bounde to defend & preserue while hee Carieth himselfe fairely or as the Cace
 September. may require mackes dew satisfaction for iniuries, and yo^w shall tacke their
 answers pticularly and fully wth such dew Consideracion that if there bee
 Cause for the Satisfaction of the Comissioners and Colonyes yo^w may returne
 it vpon oath,

The foregoeing Message beeing sent and the mesengers retū^d it is desired
 that the Comissioners of the Matathussetts giue speedy noatis to the Comis-
 sioners of the other Colonyes what returne is made thearevnto by the Narragansetts
 & Niantiques Sachems, that if noe Satisfaction bee giuen them in the
 p̄mises, but they p̄ceede in their Continued p̄vocacions, a meeteing of the
 Comision^rs may bee hastened before the ordinary time in Septemb^r (in the
 most Convenient Season) to p̄vid for the safety of the Colonyes, and vindica^t
 the hon^r of the English in p̄formance of their Covenants to Vncus whose
 Ruin hath beene soe often attempted by them, and it is Concaū the most
 Convenient p̄tce for a meeteing in the foremençed Case to bee at Boston
 and the time the 16^h day of July that all things may bee ordered in the
 fittest Season, and best maner for the atainem^t of our ends in the publike
 *136 wellfaire w^h they recomended *To the seuerall Generall Co^rts to Consider
 of and p̄vide for accordingly and because it is vnertaine what assaults may
 bee made vpon vncus and wayes tacken for his ouerthrowe, before the Comis-
 sioners Can meete it is Left to the Comisioners for Conitacutt and New hauen
 to aford such assistance to him from these twoe Colonyes as they shall judg
 the nesesety of his Cace maie require, vntill further p̄vision bee made for his
 safety by the Concurant advice of all the Comissioners at their meeting.

the Comissioners for the Matathussetts p̄sented to the Comissioners of *of*
 the other Colonyes a writing from a Comitee of their Gen^rall Co^rte desiring
 that a dew Consideraciō may bee had thereof, & answer to the Seu^rall p̄ticu-
 lers, the wrighting is as Followeth.

Bostō in Suffolke

Att a meeting of the Co^mity opwoynted by the Last Gen^rall Courte
 (viz^z) the Go^rno^r Deputy Go^rn^r M^r Belingham M^r Hibins M^r Simons, Cap-
 tin Caine, Captain Artherton Captaine Hawthorne the Sū^r Gen^rall, and M^r
 Jackson, the 19^h of the 4th M^o and adiourned to the 26^h of the 5th month,
 it was agreed and ordered that the p̄p̄sisiōs heere Folowing should be Co-
 mended to our Comissioners for the vnited Collonyes, by them to be pro-
 pounded to the rest of the Comissioners at their next meeteing,

Whereas the intencion of the Vnited Colonyes in o^r Confederaciō was to p̄serue and ppogate the truith and Libertyes of the Gospell, and to p̄vide for Meutuall safety against enemies and p̄seruacion of peace amongst o^r selues, & Comon wellfaire, as by the Second and Eight Article ſc̄, soe as the Comissioners Power should not extend to Limitt or Interupt the Siuell Go^rm^t or Church affaires within any of the Colonyes within it selfe According to the entent of the third article and the p̄viso in the sixth article, it is desiered that the Comissioners would please to make a more full and Cleare explaina^c of those articles, and of the said p̄viso, according to the p̄p̄sitions here Folowing vidz³. by safety in the second Article to bee intended onely safety from an enemye, Not from Comon p̄vidences, as Famin pestolence ſc̄, the same of Comon wellfaire,

1648.

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The scope of the Eight Article to extend onely to Causes which Conserne diuers of the Colonyes (not any one in itselſe) or som one or more of the Colonyes, and som neighbo^r Plantacions, not within the Confideraciō

and by Indians to bee ment Indian Straingers or such Neighb^r Indians as are not in Subiection to the Gou^rm^t of any of the Colonyes

In such Cases of Ciuell nature wther the Comissioners may haue power to make orders ſc̄, yett not to haue power to make Gen^rall officer of a Ciuell Nat^r to execut such orders, but the same to be executed by the Officers of such Jurisdictions as shallbe Conserved therein, and if such Jurisdiction or Colony shall not Submitt and p̄forme ſc̄, After dew admō then to be Responcall to the rest of the Colonyes for breach of League and Couenant, and to be declared what further power the Comissioners haue in such Caces or what willbee fitt to be don in case any Colony should Chang their Religion p̄fessed ec,

*Whereas in Cace sixe of the Comissioners shall not agree the Cause is to be refered to the fouer Gen^rall Courtes, and by their Joynte agre^mt^s to be determined ſc̄, to be Considered of it were not more expedient to bee determined vpō the agre^mt^s of any three of them p̄vided it bee in such Cace, whearein the Comissioners haue to dealle.

If the anuall meeteing were not beter to be trianuall, except occasions require any meeteing in the intreuall, and the Comissioners at such occasionall meeteings to haue power to put of the next Trianuall metings if they see Cause.

Whereas by y^e .6. Article each of the Colonyes is to haue two Comissioners, and the Colony of the Matathusetts beares almost fve for one in the proportiō of Charge with any one of the rest, they desier to haue one Comission^r more or otherwise they shall be content that any other of the

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Not allowed

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1648. Colonies shall haue the same priuiledg to haue three Comissioners to the
 other twoe, if such Colonies will beare the Licke pporcion of Chardg with
 the Matathusetts,

September.

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It is desired it may bee Considered if that way of y^e pporcioning the
 Chardg in the 4th Article, by Numbering of people bee Convenient (if Lawe-
 full or safe in Regaurd of the Frequence of it) or equall in regaurd of the
 diferant Condicions of som of the Colonies; o^rs being many pore labo^ro^rs and
 artificers, som of the other all men of ability well stoct &c, if it bee found soe,
 then some other more safe & equall Cource to bee agreed vpon

Whereas ther bee diuers orders made by the Comissioners (as aboute
 admission of Church members, maintainance of scolers at Cambredg, about a
 Gen^rall trade &c. as in the booke of Records of the Comissioners Acts doe
 more fully apeare, all which orders are onely by way of advice, to the
 Gen^rall Courts of the Seu^rall Colonies yet for as much as orders by way of
 aduise are in som cases introductions to orders of power where the advice is
 not Followed it is to bee p^pounded if it were not seasonable to be declared
 that in such Caces, if any of the Colonies shall not thinke fitt to Folow such
 advice, the same not to be accounted any offence or breach of any article of
 our Confederacion or to giue power or occasion to the Comisioners to p^pse
 to any act of athority in such Cace

Whereas by order of the Comisioners at their last meting at Boston
 Sprinckfield is Inioyned to contrebut towards an Imposicion for the main-
 tainance of Sea brooke forte (as the order seemes to Intend with Liberty for
 the Matathusetts &c,) to p^pounde and obiect &c, at the next meteing of the
 Comission^rs &c, as in the same order doth more fully apeare, according wher-
 vnto wee doe p^pounde, to the honored Comissioners the obiections and argu-
 ments heere following :

*138 First wee obiect that our Reasons formerly deliu^rd in to the Comissioners
 haue not Res^caiued a full answer from our breathe^r of Conectacut, nor can
 wee p^pcaue that the p^ramble to their saide order *Doe make any suply of
 such defect in our bretherens answer Or is a sufficient grounde of the saide
 order for y^e saide Contribucion &c : as wee hope to make euident by p^ticulers,

1 Reasō, o^r First reason was drawne from the defect of power in
 one Jurisdiction to contribut towards the purchas of Lands,
 tenem^ts & other hereditam^ts or Libertyes whatsoever.

Answer. The answer is that the question is mis-
 tacken which should haue bene whither the Impo-

sision be Lawfull or regular, not to what vse ℓ. ℓ
 Conclude that in such Case the pty is not to Inquire
 After the Employ^t of the means soe Contributed
 ℓ. with deniall of pwoynte of Employ^t for purchas

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To this answer wee reply, 1: the answer is not to the argum^t. but to an Reply
 other thing. 2ly. that the question (as we Conscaieue) is not mistaken for
 which we refer our selues to M^r hopkins owne Lett^r, and M^r Fenwix intrest
 in the Imposiō for if he hath sould the forte and yet haue sole (or any)
 right to the Imposition for maintainance of it, then it must needes bee for
 the purchas, and if hee bee not to Employ what he rescaieues For the main-
 tainance of the forte, then it must bee for the purchas, or for som other
 Considera^ç which will not ans^w the entent of the order, and to bee forced to
 contribute to a purchas and yet to haue noe share in the thing purchased
 seemes not just: 2ndly wee deny the argum^t to bee good: at Least not to
 ^ in o^r Case for Sprinkefeild is not in Subiectiō to the Jurisdiction at
 Conectacut soe as to rescaieue any of their Impositions w^hout Ques^t ℓ. as
 if the Comissioners vpon noatis of a foraigne enemy should raise a Thousand
 pounds to maintaine a man of warre vpon the Coast, and in steed thereof
 should raise a fort at the enterance of one of o^r harbō^rs, the Colonyes might
 Justly question this Impm^t ℓ.

2 Reasons, our first

o^r second reason is vpon that maxem which wee Cōscaieue
 to be the sole grounde of the Comission^rs order vid^z Qui
 senti Comaudvm sent tire debit et tonas ^ Converco ℓ:
 but Sprinkefield hath noe benefit ℓ therefore it ought
 not to be Chardged.

The Answer to this is i. that such oposition would reflect vpō most of Answ
 the Gou^rm^ts of evrup, secondly a reference of the Cause to be jsewed vpon
 Sprinkefields hauing benefitt or not ℓ.

Wee Reply to the first it is noe good argum^t to say most of the *Gou^rm^ts Reply
 of euroup doe thus, therefore it is Lawfull noe more then if wee should say *139
 most of the Gou^rm^ts ℓ. oppress both Subiects ℓ Straingers ergo opresion is
 Lawfull: 2ndly Let any such example be prodused (as Comonly allowed)
 wheareby a suitable benefitt is not held forth or at Least p^tended. 3dly vpon
 all Impositions vpon straingers, if they Licke not to pay them they haue
 Libertie ℓ oportunity to avoyde them, they may keepe from vnder Comānd

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whereby to be compelled, but Sprinkfild had noe such Liberty before the Imposicion Raised nor can haue any such oportunity for the avoydeing After Beeing Imprisoñd by the Scituaciō of the habitatiō, to the Second if wee might conclude of future time by what is past wee might Joyne jsew vpō this pwoynte, but when a meere p̄sibility is to bee determined by mens various sirmises it Canot bee safe to referr maters of weight to such vnsertaine jsew, but Let it be graunted, that Sprinkfeild may haue benefitt by Sea brooke fort: yet not being nessesaryly, but continge^t onely, they are noe more bound to Contribute in that respect, then New hauen & wee are bound to contribute to the maintainance of Hartfō^d Bridges or their high waies: which we haue more sertaine benefitt by for though they might Impose a toale for the maintainance of a bridg (not soe in an anciant high waie) yet men were at Liberty to pass ouer the ancient fords if they Like it not to pay their Toale and we desier noe more at Seabrooke, but to pass as allwayes wee & others haue done; but if wee com to Ancho^r for refuge vnder y^r forte or voluntarily will macke vse of y^r Chardg, wee will not refuse to pay for our benefitt as if Conectacutt wilbee at Chardg to Clence the Chanell for pasage of greate shippes: and therevpō lay a Impost vpon all of such a burthen as could not haue passed otherwise then if Sprinkefield will make vse of it for shippes of such burthen it is reason they should pay the Impost:

3 Reasō o^r Third Reason was from a grounde of equity for if som Straingers which dwell vp the Riuer be sparred the burthen will lye more heauy vpon the rest.

Answer

The Answer to this is first; that it is but a p̄sumption &c. secondly the Comp^{is} is not equall.

Reply wee Reply (if it will not bee Confessed &c.) then vpon our first paym^t wee may disier an accoumpt of what hath bene rescaued &c w^{ch} Canot bee denyed vs, secondly, we Confess the Comparison is not of things every way a Licke, but the diferance makes the more for vs for they being more strainge^r (wee less or not at all,) being Now vnited Tribut should bee demanded of them rather then of vs:

4 Reasons, our fourth Reason Consisteth of twoe branches 1 taken from the Longe time that this Confideracion was hindered by the propoundeing and standing vpon such p̄posisiō &c.

The second from our p̄roscriptiō of Imvnyty: &c.

*To which they ans^wr by discouering their greife at o^r Mistacke as they terme it, and Implisitly taxe vs with Neglect of Evident truth, in o^r publique Records: 2ndly by Laying open o^r mistacke in maner following: viz. wheareas wee say that this Combinacion was hindered for aboute x. yeares by the means p^pounded, They say it will bee founde that it was Not full fve yeares From the mencioned agitaciō for a Combinacion & the conclusion of this p^rsent Confederacion, the one being in June 1638 and the other Agreed vpon in may 1643 and wheareas it is afirmed &c, it shall if neede bee be made apeare by the oath of those whoe were Employed in that seruice, that they were soe farr from stifly standing vpon such ane Imposition as they did not soe much as propoude it as it is heere expressed, nor Could they in Reason doe it the townes haueing no intrest in, nor relacion to the forte at that tyme.

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Ans^w

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To this wee reply 1. wee must Confesse there is a mistacke in the words as for wante of one monosillable which the necesitie of the aprehendiⁿ the trew meaneing might haue helped without any greife o^r trouble, for it being knowne to them and vs, that from the first Establishing the Gou^rm^t of Conectacott to the p^rfiting of our Confideracion there Could not bee aboute seauen yeares, it must needes bee Either a expression against o^r meaneing to put in ten for foure o^r sixe, or elce it must bee a hyperbolicall speach, as is not rare, either in humane or deuine wrightings, to expresse a less Number by ten as Jacob saide to Laban thoue hast changed my wadges ten times; but wee shall not neede to vse any figur to helpe o^r expressions if the word since had beene aded according to the trew meaneing of some that had ane hand in the passing the reasons, &c. for wee can make it apeare, that the not consenting to free passage in the Riuer of Conectacotte had hindered the combinaⁿ ten yeare sence or neere theareabouts, at the time when those Reas^o were drawne vp, & howsoe^u som of the Comission^rs, then Employed at Camberidg may haue forgotten, yet it is certaine to vs (for Littera scripta manete) that y^e Article for the free passage vp and downe the Riuer was then stood vpon by vs, and they afirmeing that the riuer &c did belong to the Lords &c — (onely for soe much as belonged to themselues they were Content to graunte) wee thought not fitt to finish the agrem^t vntill they had conferred with their Co^rte aboute it, & whosoe^u shall offer to testifie otherwise, shall comitt a greater ero^r then o^r Records can justly be charged with — and therefore wee desier that either, that Chardg vpon vs may bee put out of the Comission^rs Records: or elce that this o^r difence may likewise bee recorded:

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5 Reason o^r Last reason was from the vnexpected thrauldome & o^r p^rscription by ancient possession.

Answer To this they answer, they Canot Cons^raiue how it Can bring any such thrauldome, or Inconueniencie sence the Comission^rs haue power to regulate & 2^{ndly} that they had possession before Sprinkefield. 3^d. That M^r Pinchin himself (when hee adheard to that Jurisdiction did accknowled) the Justice of such an Imposicion, and did incorag the Gent^r men of Saybrooke forte &.

Reply

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To this wee reply 1 though the p^rsent Comissiō^rs (whom wee know well *And whose wisdom and Intege^rty wee doe Not Question) haue declared their tender care of an equall cource, betwene the twoe Colonyes according to their p^rsent apprehensioⁿ, of the case in quest^r yet (for as Much as wee canot foresee what comission^rs may folow in time succedeing) it canot bee expected that wee should yealde vp any Lawefull Liberty god hath giuen vs to the will and discrecion of others, especialy such as wee canot foresee whoe or what they may bee, — 2^{ndly} the question of priority for possession as well as priority of graunt must needs bee determined for vs for the first possession of Say brooke forte, was tacken by M^r John Wintherope Nouemb^r 1635 and o^r possiō was before that, for those who went from Watertowne & Camberidg and & Roxebery and Dorchester the sumer before tooke possession in o^r name & Right and had a Comission of Gou^rm^t from vs, and some ordinance for their defence, and in this state they remayned a good space — 3^{dly} if M^r Pinchin were Now of hartford Jurisdiction as hee then supossed himselfe to bee hee might say still as hee did then & ought to bee Subject to their Impossitions & —

Haueing thus Replied to o^r breatherens answeres to o^r former Reasons against the Imposicion &. wee desier the hon^red Comission^rs for their beter satisfaction, to consider what wee haue further to propound & Obiect ags^t the saide Imposicion and the order for the Establishing thearof

First it is a Res^raiued Maxem in Lawe — * Com aLiquide arteri dater Conserdⁱ Eatiam vydetur Elud sineco redita frui non Lotest, thearfore if a man endoweth his wife of Land Lying in the midst of other Lands of his shee shall haue a way to her Land in ioyntare though noe way were graunted — Soe if a man hath fiue hundered Loads of wood sett vpon his Land, and hee sells a hundered Loade of this to a strainger ^ shall haue free egress & Regress & to fetch of this woode, though it were Not expressed in the graunte &.

* [Cum aliquid alteri datur concedi etiam videtur illud, sine quo re data frui non potest. Mass. Archives, vol. 2. 316.]

but if the owner of the Land will hier a man to watch his fower hunderd Load that it bee Not stolen ℓ̄, though thearby the straingers wood is in more safety, yett hee canot bee Compelled to contribute to y^e charge of this watchman for the other was not bounde to tacke care of the Safety of his wood — Soe in o^r Cace a maine end of the graunte was that the Land might bee Subdewed and planted w^h seing it could not bee, without the benefitt of pasage vp and downe Conectacut Riuer, it must bee intended that such Liberty of pasage was graunted with the Land though it were not expressed, and the rather because it is alsoe a resaiued Ruile that all such grauntes for Comon good shallbee enterprited in the Lardgest sence: and as may bee most for the benefitt, and advantage of the graunte ℓ̄ if Saybrooke ℓ̄ will erect a forte for their owne Safety they canot compell vs to Contrebutte towards it for they are not bounde to tacke Care of o^r safety 2nd we p^pound that if Sprinkefeld ought to Contribute to Say brooke forte because they may haue benefitt by it, why then New hauen ℓ̄ Stamford and all the townes one that side should Not contribute allsoe (and soe Sprinkefeld Cardge will bee the more easey) for it is manifest they may haue benefitt by it as well as Sprinkefeld for if ane enemy should posses the Riuers mouth hee may (by a smaule friget entersept the trade of those townes.

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to y^e chard

3dly vpon this it will follow that the Comission^rs of New hauen: Canot be judges Leaguallly equall in this Case in Regaurd of their comon interest, noe more then those of Conectacut, and this might bee a Leaguall obiection ag^t the saide order ℓ̄:

Fourthly wee obiet against this order as being made without sight of the patent at Conectacut ℓ̄. (at Least by o^r Comission^rs or by some of y^e Comission^rs whoe were ptyes to the saide order) and soe without just grounde for de Non Existentibus et non aparentibus Eiadem Rasiō, — and if the patent had beene p^duced, ther might haue beene som Clause in it w^h might haue Cleared *The Cace on o^r parte.

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Fifthly wee p^pounde whither (Admiteing it were Lawfull) it bee expediente and whither the benefite is Licke to bee Tanti as may recompence the Inconveniencies w^h may arise hearevpon, wee Looke at it as a boane Cast in by Sathan to interupt o^r happy peace ℓ̄ brotherly vnion, and to raise discord amongst vs and soe put vs vpon temptacīs to helpe o^r selues some other way, and the rather when we shall heare that som of o^r breatheren, not contenteing themselues w^h what benefitt o^r Contri^b may afford, shall triumph o^r vs as haueing gained a greate victory and enlardgeing their conquests (inovissimum vs que Diem) to the furthest of o^r Interest vpon that Riuer ℓ̄: w^h may indeede bee a jst action of greife to vs whoe earnestly desier that Not onely

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the affaires of brotherly vnion, but the senceare affection also may bee p̄serued amongst oʳ selues & deriued entire (wthout any Monument of violaciō to the sucesd Gen^racion — w^{ch} wee humbly Comend to the Consideraciō of the honered Comission^rs

Lastly to bee p̄pounded to the Comision^rs in Consideracion that oʳ Neighbo^rs the dutch, will not p̄mit any of oʳs to trade with the Indians within the Limits of theire Jurisdiction, and doe Imposse very greate Cvstoms v̄pō oʳ people and force them to Ancho^r in places very inconvenient &c. whither it be not Just & nessesary for the Colonyes, to barr the dutch from Trade with the Indians, within any of oʳ Jurisdictions Either Narroganset or Peaquod &c.

JOHN WINTHEROPE Go^rn^r THOMAS DUDLY deputy Gou^rn^r &
WILL HIBENS ROBERTE CAYNE HUMPHERY ATHERTON
JOHN JOHNSON

The Comissioners haueing p̄vsed and wth dew Respect Considered the former p̄posicions, whea^rof som conserne explicacion som ane Alteracion in the Articles of confideraciō betwixt the Colonyes: doe ioyntely and in Gen^rall conceiue that all and each of the articles from time to time as theire may bee occasion should bee soe vnderstoode, that noe such Interpretacion bee put vpon any one article as may Crosse the direct scope & Importe of the rest or any of them, that the p̄vision made to maintaine a peculier and Intier Jurisdiction in each Colony w^{hin} itsel^fe, hinder not the atainem^t of the p̄blique & weighty ends of the Combina^t Namely the dew p̄servacion of the peace of the Colonyes, ioyntely by all Just meaⁿs of a publike Concernem^t, according to the Articles, & the dew Manageing of warr in the p̄p^racions and other concern^ts of the same when the Colonyes are Nesesaryly called vnto it — This p̄mised,

first

The Comissioners conceiue that by the words (safety and wellfaire) in their Second Article Noe power is graunted to them by w^{ch} they may make orders oʳ Lawes to p̄vent or p̄vide in casses of famine, and pestolence, though yet in those and other caces of Like Consernem^t the Advice of Comission^rs Magistrats Elders, memb^rs of the Colonyes or any of them, should bee dewly & Respectiully considered: According to the Nature & weight of it.

2

The Comission^rs consēaiue that the Eight Article in the trew scope of it extends only to Causes, whearein all the Colonyes are Conserved, or at Least more then any one Considered single and wthout Reference & Influence into the safety & wellfaire of any of the rest, they consēaiue further that it is & may bee safe for any man to take an Indian Seruant, or for any plantacion to

admitt a ciuelized Indian to bee a planter, but by the third Article, (as they vnderstand it, pvision is made that noe Jurisdiction Rescaieue any plantacion or Jurisdiction, whither English, French, Duch, or Indian, without Consent of the rest, w^{ch} Consent is to be Interpreted as in the sixth Article, w^{ch} is a Cace of Geⁿall & weighty Consideration the Comission^rs beleueing that se^urall plantacions of Indians will Redly Submitt to each of the Colonyes Respectiuely if they may haue guns, powther, shott &c, sould vnto them, as the English, w^{thin} their se^urall Jurisdicti^ons but such a Cource Canot stand wth the safety of the Colonyes, the [^]desier therefor that all the Colonyes for the future will Consider how safe it may *Bee either to recaiue or to furnish any Indians wth any prouision for warr.

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3dly though the Comisson^rs Consider and order in the publique Conseruem^ts of the Colonyes within the Compasse of the trust & power contained in the articles (as in all treatyes Concerneing peace and warr, sending mesengers, opwoynteing Gen^ralls And other officers for warr when all the Colonyes are Interested opwoynteing Numbers of men ordering prouision, and Chardges Nesesary for the Seruice giueing Comissions tackeing accoumpts Sensureing offenders, and all things of Licke Nature w^{ch} are the p^rper Concomitants or Consequents of such a Confideration yet the execucion to belong to the Jurisdiction wherein the Comission^rs sitt or wheare the offender is or may bee founde, and to the Magistrates and other Inferio^r officers, but soe that if the Majestrates o^r the officers doe deny or delay execuci^on in any Cace proper to the Comission^rs Cognizen^c and whearein the other Colonyes are Interested, & may sufer such Jurisdicti^on to bee responcable for breach of Covenante, but what shall bee don in such Cace, or in cace any Colony should Change their Religion p^rfessed they Conscaieue Canot bee Now soe well Resolued, as when the Cace in the Compass and with all Sircomstances shall bee considered

In caces pp^r to the Comissio^rs wheareas by the sixth article if sixe Agree not the p^rposicions with the Reasons are to be Referred to the Fower Geⁿall Courts : the Comission^rs aproueing the Mocion made by the Comity of the Masachusets doe recomend it to the Fower Geⁿall Courts that if any of three of the saide Courts agree or conclude of any such p^rposicion it shall passe and bee accounted as the Conclusion of the vnited Colonyes as it should haue passed as ane act of the Comissio^rs if sixe of them had consented — For the 5th sixth & seuenth p^rposicions p^rsented from the Comission^rs of the Masachusets Importeing a reall Chang in the tearmes & Covenants of Confideration as noe alteracion Can bee made wthout the Consent of all and each of the Geⁿall Courts soe the Comissio^rs Feare that any of the Alteraci^on mentioned would proue daingerous & Inconven^t to all o^r som of the Colonyes, the

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tacken of the Number of males they hope need not bee frequent Nor as it hath beene Caryed by the Comission^rs inconvenient, in pt of the seuenth pposition they Conscaiue there is a mistack the Lardge trade of the Masachusets besid^l their Nvmbers afford many advantages in Reference to estates w^{ch} the other Colonies wante (but it is from the Free grace of god that all and each haue what they haue, they diser to bee thankefull.

A dew Consideration of the Articles & what is allredy expressed in the pmisses serue for answer to the pposition in all caces wheare the Fower Gen^rall Courts haue Not giuen the Comission^rs power to determine it will bee by mistake if the [^]ither make order o^r Chardge breach of Coven^t vpon any of the Colonies for des^eting, in other caces wheare they doe but advize & Recomend as the Articles giue warrante soe they doe Not yet ap^rhend, how such recomendaci^o may growe Interoductions to orders of power if they did, they should redyly Closse with the hon^red Courte of the Masachusets in pviding ags^t such ane Inconveniencie:

Lastly the Comission^rs haue seriously Considered what is ppounded from the Masachusets in reference to the dutch Imposicions and restraints by w^{ch} the english Marchants are burthened and much discouraged in their trade & haue both wrighten to the dutch Gou^rn^t & his Covnscell and doe recomend to the seu^rall Gen^rall Courts, that answerable pp^racion may bee made that either vpon his Refuseing to answer or his not giueing Meete satisf^y the Colonies may seasonably pvid for their safety & Conveniencie :

The Nynth pposition in the wrighting p^rsented from the Masachusets Conserneing Conectacut & Sprinckfield in the Cace of the Imposicion at Seabrooke, the Comission^rs for Conectacut made answer to It in wrightiⁿ as Foloweth.

*144 The Reply of Comity [^] the Gen^rall Courte of the Masachusets to what was answe^rd by the Comission^rs of Conectacut the Last yeare at Boston to the Arguments *Then p^rsented against the Imposicion at sea brooke is soe Lardge y^t for the sooner disp^ach of this meeteing & Dew consideracion, wee thought it Not ane vnreasonable mocion to p^rsent to y^e Comission^rs of the other Colonies that the question might for p^rsnt remaine as it was determined the Last yeare & Liberty giuen to the Gen^rall Courte at Conitacut to p^rpare a reioynder to the reply Now made ags^t the Next meeteing, which wee Conscaiue is noe more then hath beene graunted to y^e Masachusets, the heareing and determincing of this Cace haueing beene put of for a hole yeare vpon the bare aligacion of the Comission^rs, for that Colony that they were not p^rpared by any Instructions from the Gen^rall Courte then to speake to it, and

the disadvantage to Conitacut Seemes aparent (the Masachusets haueing had a full whole yeares Libeř for ppareing arguments to opose, & the Licke for their reply to the answer giuen in to their argumts) if a present returne to their reply be required But seeing y^e Comissioners for the Colonies iudg it meete that answer bee made wee redyly Submit and adrese o^r selues therevnto, w^h as much breuity as wee can Reserueing o^r selues for a fuller answer hereafter if acacion shall serue

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to Their first Reply wee conceiue wee neede not say more for the Clearēg of that Coast then what is expressed in o^r former answer onely wee add this w^h wee hope Canot bee denyed, that the demaunds of the Imposicion being by vs it is in o^r Liberty to state the question (and Not in those that oposite) w^h as formerly soe wee Now again do thus.

Whither for erecting and maintaineing a forte vsefull and seruiceable ^{Quest} to the *to the* whole Riuer it bee not Lawefull for the Jurisdiction of Conectacut to sett a moderate Imposicion vpon some goods exported through the Mouth of the Riuer wheare the forte is, though it reach Sprinkefeild situat vpon that Riuer under the Consideracion of Lying w^hin ane other Jurisdiction w^h yet is not soe cleared but y^t y^e Jurisdiction of Conectacut haue Liberty for their Inquiry, and conceiue they haue Cause to macke Clayme therevnto, being reedy to atend all due means for the Isewing of this business allsoe; this being the question & Cace p^pounded by vs, wee Conceiue o^r answer (to w^h wee Referre) is full, and it will bee no disadvantage to the Cace though M^r Phenwicke doe inioy what comes in from the same Imposicion, Notwithstanding what is in the second place their reply that Sprinkefield is Not to recaiue o^r Imposicion w^hout questioneing for wee still conceiue the argumts brought [^] Must bee directed against the Imposicion as by vs Claymed either in the quantaty or quality of it or they reach Not the Cause: it Consernes them Not to question as wee saide before to what vse the meanes raised by the Imposicion is put.

Their Reply to the seconde, Consisting of seu^rall pticulers, wee answer thus and graunte the first that it is Noe good argum^t to say most Gou^rm^{ts} in Europe doe thus Ergo such a p^rctice is Lawefull, but deny that any such thinge was afirmed by vs or can bee rightly Colected from what wee answered for the argum^t being that it is Iniurious to require a coostom to y^e maintainance of a forte to whome it is not vsefull; wee answered that this as a posicion in itselfe Nackedly considered *in it* seemed to lay most of the gou^rnm^{ts} of Europe vnder the guilte of Injus^t (though it touched Not the p^rsent question *is* if there were Noe Lawfull grounde of

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requiring & tacking any Imposition or Custom to any without retourning a proportionable aparent advantage & good to those of whome it is resciaued when as it is ap^rently knowne Impositions are Rescraued, and that Lawfully vpon other Considera^c wh^h is soe obvious to eury mans ap^rehencions, that wee neede Not instanc in pticulars as is desiered & therefore shall say Noe more to the Seconde

To the third pticular Conserneing the vsefullness of the foremencioned forte to Sprinkefeild wee Leaue that to Consideracion of such things as haue beene alredy p^rsented, in that respect onely shall add: that if ane Imposici^o may be tacken (wh^h seemes to bee graunted) of such wh^h onely come to trade in the Riuer: in Regaurd if they Licke Not to pay: they may avoyde it, wee con^cāū it much more Reasonable, for those whoe haue a more aparent & Constante benifit the^rby, & wee Might alsoe say there is Noe absolute Nesesity put vpon Sprinkefeild in this Imposicion if they will Cary their Corne as m^r Pinchin doth his bea^u by Land they may avoyde it: & wheareas it semes to bee intimated that all fords & pasages Must be Lefte in the same freedom Liberty wh^h Nature hath Lefte them, & others at any time haue found them in, it o^rthrowes as wee con^cāū all pticular intrests and the p^rctise of all people even of the Masachusets Gou^rnm^t as may *Bee instanced.

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Wee shall Not Much add in the third as being desierous to Contracte what may bee, & there being sofcient as wee concaue in o^r answer & the expression in the Comissio^rs determinacion to satisfie, onely wee desier it may be Considered how Neere the p^rctise of the Masachusets is heere to that they obiect agst: their argum^t seemes to bee *to bee* thus it is Not right to demand that of breatheren wh^h is Not of Strangers, but that the Masachusets, by vertew of the expressions in their patent of goeing to the South Sea Clayme ane interest to Sprinkefeild (Warro Nocoe (c)) after they were Setled vnder ane other Gou^rm^t yet they Clayme Not the Licke at forte Oramia that lyeth without any Controuersy wh^hin their Limutes vpon that ground: & wee further concaue if the Masachusets setle any plantacion vpon hudsons Riuer by vertew of their graunte their p^rsent plea for free egress & regress in & out of that Riuer would Not bee founde of a p^rvaileing power.

4

What was saide in the Fourth doth Not any way Contradict what was answered by vs: but the whole remaines vntouched, and wee could say alsoe that the adicion of the monosilable sence will Not helpe in the Cace vnless their bee ane other Monos^{bl} viz: numb^r 10: Converted into Eight, but wee are vnwilling to insist vpon all pticul^rs Least wee should p^rvoke, being content with any thing that may bee judged to bee of that Nature in o^r Last wrighting o^r this may bee expounded & wheareas it hath beene afirmed, that

though there were some Mistakes in the words, yet the strength of the argum^t is Euident, [^] doe professe wee did Not at all a^pprehend in o^r first answer wheare that strength lay : ¶ Now after this interp^ttaion made we diserne Not (phaps through o^r owne darkeness) were any apearance of p^rvaileing force of argum^t yet lyeth, all that Comes to o^r viewe is heere there was a p^rposicion made by the Masachusets in 1638 at a treaty for Combinacion that they might haue the free Liberty of Conectacut Riuer for any plantacions that were o^r might bee vnder their Gou^rm^t wthout Imposicion of Conectacut ¶ they not Consenting to that p^rposicion hinder^d the Combinacion Ergo it might seeme vnequall Now wee are combined to require any wee Need Not say any more to answer to this but that Conectacut was Not in a Capasaty then to graunte what was desiered ; Nor are they Now in the Condicion the[^] were in at that treaty : the Interest and Chardg of the forte being now theirs, w^{ch} then was in other hands :

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The very same w^{ch} is heere replyed to o^r answer, how the bondage ¶ intrauldom of Sprinkefeld (w^{ch} was obiected) is p^rvented by the Confederation may bee obiected against that article, w^{ch} was ¶ is still soe good ¶ soe wholsom ¶ vsefull for p^rserueing peace wth Righteousness thearefore shall say Noe more vnto it

5

Secondly in the first argum^t Sprinkefields posesions ¶ Chardge is alledged Now the posesion of the Masachusets by all the townes, thence Isewed is p^rdused, but Neither the one Nor the other Can as wee conceiue Cary this Cace the Comission of Go^rm^t Mencioned tacken from the Masachusets was taken Salua Jury of the enterest of the Gentlemen whoe had the patent of conectacut, that Comission takeinge rise from the desier of the *desier of the* people whoe Remoued whoe judged it in Conueniencie to goe away, wthout any frame of Gou^rm^t: not from any Clayme of the Masachusets Jurⁱdicti^o o^r them by vertew of patent :

Thirdly the reply to o^r answer Conserneing M^r Pinchins proposicion to M^r Phenwix doth not satisfie, for that arose not from power of Jurisdiction the plantacions vpon the Riuer not being then vnder the Go^rm^t of the patentees nor vnder the authority of any order amongst themselues requireing such a Contrebucion but as wee conceiue from that prencipall of equity in his owne brest — qui sentet Comodum sentere Debet et onas.

To the fresh argum^ts Now p^rduced wee breafely answer, that Maxem in Lawe hee sighted wee conceiue houlds not vniversally trew nor can bee aplyable to the p^rsent case, the instances giuen noe wayes suiteing, therewth, and wee conceiue all the Interest the patent doth or Cane in any way of reason

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The second seemes to yeild the Cause by Confessing Sprinkefield to recaiue benifit by the forte w^h was denyed, but wee add alsoe this the benifits Sprinkefeild recaiues is soe farr different from that of New hauen & the other townes mencioned &c: and this soe obvious to euery view as wee conceiue it Needs noe answer, the third wee Leauē to the Comission^rs to determi

*146 Fourthly the Cobby of the patent was seene when the Confideracion was made the thing it selfe is well knowne to many, besids wee conceiue it canot bee vnknowne to the Masachusets that this patent hath beene Lately owned by the honorable Comity of Parlam^t & equall Respect & power giuen to it by *Them w^hin the bounds therein mencioned as to the Masachusets & Plymōh within theire Seu^rall Limit & Respectiue

Fifthly wee hope and much desier that in all the p^reedings of this Confide^r truth & peace may soe kiss each oth^r that the pleadeings for truth may not p^riudice peace, but that w^h seemes Rasionall & according to god may bee p^resented w^hout offence, & wee hope the boasteing heerin Chardged vpon som of o^rs will either bee held forth in p^rticulers & Euidenced (that the guilty may com vnder dew sencure) or the Chardge recalled for as in our Judgm^t wee condemne such wayes soe it is o^r hope wee shall not bee founde to aproue in p^rctice

Wee haue breifely and sodenly retourned o^r answers to what hath beene presented from the Masachusets, & doe hope it will bee Satisfactory to those whoe imp^rsally Consider the Cace in hand, but if there shall appeare any defect in o^r answer, wee di^rer the same Liberty may bee graunted to vs [^] was formerly to them, that Nothing bee concluded against vs vntill o^r Gen^rall Courte haue had consideracion of the reply and the more full reioynder bee from them retourned, vpon further argueing the cace in hand/ the Comissio^rs for the Masachusets p^resented this ensewing wrightiⁿ .

A addicion of som consideracions & p^rposicions Concerneing the Im^rpost o^r Contrebucion required of Sprinkefeild, by the Comission^rs of conec^racut to those *whoe* wee haue tendered from the Comity of o^r Gen^rall Courte w^h wee desier may dewly be considered, wee desier that the comissio^rs of Conectacut may expressly declare w^her theiⁿ desier the saide Ympost or Contribucion to the purchas of the forte at the riuers mouth or as cvstō that soe wee may speake more distinctly to it. Secondly wee haue Cause to suppose there is noe order of the Gen^rall Courte of conec^racut that requires

any thing of Sprinckfeild by way of Cvstom o^r Impost & therfor if required at all it must be by way of contrebucion to y^e purchas as m^r Hopkins Lett^r to m^r Pinchin Seemes to Intimate and a clause in the Comision^rs order the Last yeare doth the Lieke, wheare it is sayde that from the first day that any of the plantacōns vpon the Riu^r haue payed, it hath vpon the same grounde bene demaunded and expected from Sprinckfeild w^{ch} wee by purchas as appears by M^r Hopkins his Lett^r and yet the Comissio^rs of conectacut at least in o^r vnderstanding decline the same, yea deny the demaundeing of any thing at all of Sprinckfeilde: either as Impost o^r Contrebucion, to the purchas if therfore theare bee Noe order of Co^rt for Custom or Imposicion and not required in way of contrebucion to the purchas there cane be nothing Justly dewe

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Thirdly wee disier to se^e order or orders of their Gen^l Courte for the requiring of this Impost or Contribucion of Sprinckfeild if they haue any that soe wee may haue opertunity to macke o^r obiections ags^t the same.

3

Fourthly wheareas the saide Impost or Contrebucion is pleaded to bee dew by the Comissio^rs order the last yeare, o^r answer is *is* wee concaieue the Comisso^rs haue Noe power to macke ane order to Inioyne Custom or Impost to bee payed by any perticuler towne to its owne or any other Jurisdiction or forte therein, for that being an act of Go^rm^t is p^rserued Intire, by the third and sixth article of Confideracion, to each Jurisdiction Nor can they (as wee concaieue) macke that dew in this kinde, w^{ch} was Not dew by vertew of som order befor, they onely judg & declare what is Just & dew vpon other grounds then their owne order, there being therefore Noe order of the Cou^rte of Conectacut formerly shewed, can be Now produced (as wee concaieue), mackes Sprinckfeild vniustly lyable to pay the foremen^cōned custom or Impost Nor any such order in being as wee supose nor patent produced now or formerly wee disier that the conclusions of the Comissio^rs y^e last yeare Soe farr as it concernes Sprinckfeild, in this cace may bee reuersed and that the p^rsent Comissio^rs wilbee pleased eaqually and indiferently to atend the Argum^ts of o^r Comity ags^t y^e thing in Gen^l for time to come & w^hall to tacke Noatice that there hath bene Noe p^rofe (soe farr as wee knowe) of any such forte, kept or maintained: soe as may bee for the Safety of the Riu^r but rather the indaingering of it *Being of noe force ags^t aneemie of any considerable strength, in the Comissio^rs owne judgm^t expressed in their last order touching this pticuler and why Sprinckfeild should pay to the maintainance of such a forte, wee must Needs profess wee want light to see

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Vnto w^{ch} the Comissio^rs of Conectacut returned as ffoloweth

a short answer to the Adicionall proposition p^rsented by the Comissio^rs of the Masachusets conserneing the formencioned Impost

I To the first wee answer as before that what wee demaunde from Sprinkefeld is for the erecting and maintaineing a forte w^{ch} hath beene and is vsefull to them as the other townes vpon the Riuer, and according to the best of o^r apprehencions Nesesary for their Gen^rall Safety, if others haue other & diferent ap^rhencions wee leaue them to the liberty of their owne thoughts

2 Secondly wee afirme that there is a order of the Gefiall courte of Conectacut for what wee demāde and sefall forfeitures incured by som of Sprinckfield for goods put aboard seu^rall vesells, lying in & passing through Conectacut Jurisdictiō, contrary to the saide order the execucion wheareof hath onely been deferred for loue & peace Sacke vntill a full consideracion might bee had of the Imposicion demāded by the comissio^rs & Isewed according to Righteousness:

3 To the Thirde wee answer that this being the thirde yeare that the p^rsent Question hath beene one foote, and the p^rducing of the order from Conectacut not at any time heeretofore required, wee concaieue there wilbee founde noe Just ground to alter what hath beene allredy determined for the p^rsent want of that especially considering the question & Diferance is Nakedly and clearely stated and wee concaieue it will not bee graunted that o^r order can macke the thing Just if in its owne *owne* Nature vn-righteous

The Fourthe conserneing the Comissio^rs to answer and therein wee shalbe silent onely wee canot but Cleare o^r selues heerein, that wee noe waies judg what was done by them in the order mencioned is any incrocheing vpon the power of o^r or any other Jurisdiction, Nor can concaieue how others can see looke vpon it

The cace therfore haueing beene soe fuly argued, & the Copy of o^r patent haueing beene produced, as at the makeing of the Combinacion soe Now againe to all the Comisso^rs wee disier a finall end may Now bee put to this vncomfortable diferance, w^{ch} wee hartly disier may bee according to truth & Righteousness.

Vpon p^rvseall of the wrighting p^rsented from y^e Comity of the Masachusets Gen^rall Courte the Comissio^rs for New hauen founde themselues conserned in one or twoe of the obiections, the Importe thereof seemeth to bee

that they are ptyes wth Conectacut in the Cause, and therefore Noe competent judges wth the Comissio^s both for Plymth and New Hauen would haue tacken into farther Considera^on, & in the meane time would haue respited the cause in Question betwⁿ the other twoe Colonyes, but the Comissio^s for the Masachusets concured wth the Comissio^s for the other Colonyes that there was Noe force in the obiECTION, wherevpon the other fflower comissio^s did fully pvse and according to their best light weighed the contents of the former wrighting delu^{ed} in by the Comissio^s for the Masachusets and Conectacut & doe concaue that the Imposicion in question is Not for purchas of Lands tenem^ts & c^e but for erecting & maintaineing a forte at Seabrooke the better to Secure the passage of the Riuer twoe and froe, for the benifit of the other townes soe of Sprinkefeild. 2. that the fort of Seabrooke as it was made or Raised and in former times maintained (though Not sufici^t against ane armye or powerfull enemye nor could soe smaule a Chardge layd vpon the rest of the townes vpon that Riuer: in pporcion of what is Required of Sprinkefeild either erect or maintaine a fort of such Strength yet) was Nessesary & vsefull ags^t such atempts as were then considerable & tended to the Safety & benifit both of the other townes & of Sprinkefeild

That it is just for straingers in the same Condicion & Consideracion wth Sprinkefeild to pay their parte of the same Imposicion vpon the same grounds yet pbably vpon consideracion of the duch Clayme to all the whole tracte of Lands to Cape Cood and pticularly to harteford it might Not bee convenient for *Conectacut to demãnd it of them vntill things were cleared, or at least till the Comissio^s were advized wth

Though that maxem in lawe \wedge aliquid alteri dater & c^e; bee graunted & in som Respects admitted as suiteing the case yet they concaue if a pson by purchas or graunte haue Right to a peece of land Lying vncompas^d \wedge or so bordering vpon the lands of a towneshipp that his way must be through their land & or falle into their way they and hee beeing onely interested in the way if Now the towne shipp vpon publique Respects finde just cause to expend a considerable Chardge either to secure or repaire the saide way, that pson in a dew pporcion ought to contrebut

The Copy of y^e patent of Conectacut & c^e hath formerly beene reviewed by the Comissio^s & lately owned in England but was not ether called for last yeare or not soe insisted one as to cause any demurr in the Comissio^s p^rsedings but vpon demãnd the Copy of the said patent was Now p^rduced & read by w^{ch} it clerly apeareth, that both the place & Jurisdiction is graunted to y^e lords & Gentlemen & their asosiates & assignes yett y^e Comissio^s ffor Plymth & New hauen (though ffor the p^rsent they finde Not sufi-

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cient cause to reuerce what was done y^e last yeare) Considering that the Comissio^rs for y^e Masachusets call for ℓ desier to see the order of the Gen^rall Courte of Conectacut by w^{ch} the foremencioned Imposition is required of Sprinkefield, suposeing they may thence haue further mater of consideracion ℓ argum^t conserneing the cace w^{ch} the Comissio^rs for Conectacut (though they afirme there is such ane order) canot p^rsently produce haueing noe copy of it heer not expecting it would bee called for nowe sence it was not demaūded in oth^r of the twoe former meeteings at boston or New Hauen ℓ further Considering that the Comissio^rs for conectacut haue formerly ℓ doe still lay Clayme to Sprinkefield as falling w^{hin} theire patent, and not w^{thin} the Limutes of the Masachusets they thought it Not fitt to add to what was done the Last yeare or to macke further conclusion vpon what was Nowe one either parte p^rsented or answered, but to settle (if it may bee) a right vnderstanding betwixt the other twoe Colonyes and to remove any occasion of offence or greife, y^e desier that a copy of the order from the Gen^rall Courte of Conectacut bee brought ℓ p^rsented to the Comissio^rs for furth^r Consideracion (if there bee cause the next yeare, and that in the meane time the twoe colonyes of the Masachusets ℓ Conectacut would agree vpon som equall and satisfing way of rooneing the Masachusets line that it may w^{thout} further dispute appeare into w^{ch} of the Jurisdiccions Sprinkefield falls, w^{ch} being don they suppose that either the question betwixt the twoe Colonyes will sease or there may bee a dew consideracion of what shall further bee tendered, from the order of Conectacut ℓ in the meane time what was don the last yeare to stand as then concluded

[*Cambridge, Mass. Archives, 2, 326.]

Vpon the Mocion of **M^r Dunster** President of y^e Coledg at:
 Consideracion was had vpon paym^ts made and Rescaued in peage w^{her} white or blacke, the Comisio^rs were informed that the Indians abused the english wth much false badd and vnfinished peage ℓ the English Trayders after it comes to theire hands chosse out what fitts theire markt ℓ occasions ℓ leaue theire Refuge to pass twoe and fro: in the Colonyes w^{ch} the endians w^{ch} best vnderstand the quality and defect of peage will not willingly take backe whearevpon (though they se not at p^rsent how to propound a full reformacion in all p^rticulers w^{thout} much difecalty ℓ inconueniency yett) they comend it to the seu^rall Gen^rall courtes and plantaciōs w^{hin} the vnited colonyes that noe peage neither whitte or blacke bee payed or Rescaued but what is strung, ℓ in som measure strunge sutably Not smaule ℓ great vncomly ℓ disorderly mingled as formerly it hath been ℓ they further offer it to y^e Consideracion of the saide Gen^rall Courtes w^{her} they thinke not

fitt to provide, that if hereafter any of the endians in paym^t bee founde to offer peage vnto the English made of Stone or other vnalo^w *Mater or tender dyed peage for blacke that it bee forthwth broken or som other cource taken to convnce them of the descapt and to supress it as the saide courtes shall thinke meete

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And for the more speedy & free pasage of Justice in each Jurisdictiō to all the Confiderates the Comissi's doe propoude & Recomend to the Fower Gen^rall Court℄ for the vnited colonyes that if the last will and testa^{mt} of any man bee dewly proued in & Dewly sertified from any one of the colonyes it be w^{tho}t delay exepte^d & allowed in y^e rest of y^e Colonyes except som just exeption bee made ags^t such will or the p^rveing of it w^{ch} exeption to bee forthwth dewly sertified backe againe to the Colony wheare the saide will was proued that some Just covrse may bee tacken to gather in & dispose of the estat w^{tho}t delay or damage they concaieue alsoe and desier it may bee considered, by y^e Gen^rall Courts for the vnited colonyes that if any knowne planter or settled inhabitante dy intestat that Administra^{cion} bee graunted by y^e Colonye to w^{ch} the diseased belonged though he dyed in an other colonye and the Adminestracion being dewly sertified to bee of force for gathering in y^e estate in y^e rest of the Colonyes, as in the Cace of wills proued where Noe Just exeption is returned, but if any p^rson posest of ane estate whoe is Neither planter nor settled inhabitante in any of the Colonyes dy entestate the Adminestracion (if just cause bee found to giue Adminestracion) bee graunted by y^t Colony wheare the p^rson shall dye and departe this life at least that a care bee taken by y^e Go^rm^t to gather in & secure the Estate vntill it bee demāded and may bee deliue^d According to Rules of justice.

The Comissio^rs being informed and dewly considering M^r Eliotts Godly zeal & great Care & contineued paynes, in teaching the endians what may concerne theire Spirituall and Euerlasting good & hoping that the god of Spirits & of all grace hath & will open & prepare some of theire harts to Imbrace the truth in Loue and Sencerity vpon his mocion (notwthstanding all former Advice the strict obseruance whereof they still recomend to the Colonyes) they consent that twoe guns wth all suitable prouisions Not exēding twoe pounds of powther & sixe pound℄ of shott for each gune p^r aⁿnum (each gune being first by his direction soe marked that he may knowe it from all others bee by him disposed either by gifte or leaue to such Indians as hee shall chose by y^m to bee vsed as hee shall opwoynte but not to be alianated for any

John Bro^w
Aproues
not of this
allowaⁿ but
thinks it
inconuenient

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Not allowed The Comissio^rs tacking into their Consideracion that by y^e intervening of extreordinary Occasions, their meeetings haue beene somewhat deuerted from their course at first settled and concluded by y^e articles doe concaine fitt for the reduceing of the saide meeetings into order againe: that the Next meeeting bee at Boston the second at Harteford, the third at New hauen, the Fourth at Plym^h: then Boston ℥ the other colonyes successiue, as in the Articles, The Foregoing conclusions were agreed and subscribed by y^e Comission^rs the 19th of y^e seunth mō 1648.

EDW. HOPKINS
RO: LUDLOW
THEOP^h EATON
JOHN ASTWOOD

WILLIAM BRADFORD
 Presidente
JOHN ENDICOTE
SIMON BRADSTREETE
JOHN BROWNE

* **At a meeting** extraordinary of The Comissioners for
the vnited Colonies holden at Boston the 23th of the fift Month Called July
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The articles of Confederation being Read

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An Order of the Generall Court of the Massachusetts dated the 2^{cond} of the third Month i649 was p^rsented and Read wherby it apeered y^t Tho: Dudley Esq^r and M^r Symon Bradstreete were Chosen Comissioners for y^t Colinie for a full & Compleate yeare & were Invested with full power & authority according to the tenor of the said articles Concluded at Boston i9th of the 3^d Month i643

A like Order of the generall Court of New Plymouth dated the 6th of 4th month i649 was p^rsented and Read wherby it apeered y^t Wiltam Bradford Esq^r & M^r John Browne were Chosen Comissioners for y^t Colenie for a full yeare & Invested with full power & authority according to the afor^sd articles

A like order of the Generall Court of Connecticut dated 17th of May i649 was p^rduced & Read wherby it apeered y^t Edward Hopkins Esq^r & M^r Tho: Wells were Chosen Comissioners for y^t Colony & Invested with full power & authority for one whole & Compleat yeare according to the afor^said articles of Confederation

A like order of the Generall Court of New hauen dated 30th of May i649 was p^rsented & Read wherby it apeered y^t Theophilus Eaton Esq^r & M^r John Astwood were Chosen Comissioners for y^t Colonie for a full & Compleat yeare & were Invested with full power & authority according to the tenor of the articles of Confederation afor^said

Tho: Dudley Esq^r was Chosen President for this meeting of the Comissioners

*Wheras it is found by experience y^t the occations of the Colonies doe somtimes Require the meeting & Consultations of their Comissioners before the ordinary time appointed by the articles of Confederation in the 7th month

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ℓ so y^t meeting may Conueniently bee spared w^h thing was taken into Consideration by the Comissioners at their meeting at Boston 26th of July. 47. and an order theruppon made to p^pound it to the seuerall generall Courts y^t it may bee left to the libberty of the Comissioners (for the time being) to order the time of their meetings as the occasion of the Colonies may Require ℓ so to forbear the ordinary meetings in September as they shall see Cause, prouided there bee one meeting euery yeare

To w^h propositions all the generall Courts (except the Massachusetts) haue Returned their assent: it is therefore desired y^t the said Court of the Massachusetts would declare their mind heerin by their Comissioners at their next meeting. And it is p^pounded as an addition to the former proposition y^t if there bee no occasionall meeting in the Summer before September y^t then the yearly meeting to bee held as in the articles of Confederation

The Comissioners of the Massachusetts acquainted the Rest of the Comissioners with a late order of their Generall Court for the p^ucuring a further supply of powder ℓ bullets ℓ match ouer and aboue y^t w^h they already haue or by order ought to haue desiring the same may bee Comended to the seuerall generall Courts ℓ y^t a due p^portion bee observed ℓ like provisions made of the forementioned p^ticulars it being of so Generall a Concernment to all the Colonies

The sum of the said order is to this purpose first y^t two hundred pounds worth of powder shalbee forthwith bought ℓ to bee and Remayne as an addition to their publicke stocke. 2^{condly} y^t a barrell of powder i50 pound of muskett bullets ℓ a quarter of a hundred of match bee prouided for every fifty souldiers ℓ this to bee done by the seuerall Townes before the 24th of June next vnder the penalty of five pound for every default. w^h said powder bullets ℓ match are to bee as their Townes stocke

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The Rest of the Comissioners approving what the Court of the Massachusetts haue done heerin did Redily assent to comend the premises *to their seuerall generall Courts p^romising at the next meeting of the Comissioners to acquaint them with the issue ℓ effect therof

From Newhauen generall Court it was p^pounded to the Comissioners what Course might be taken for the speedy planting of Delaware bay The title som Marchants at Newhauen haue by purchase from the Indians to Con-

considerable tracts of land on both sides of the River was opened; & the Commissioners did Read & Consider what had passed at a former meeting of theirs in Ann^o 1643.

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A writing delivered into New haven Court by M^r Leech Concerning the healthfulness of the place the goodness of the land Conveniency of the lesser Rivers with the advantage of a well ordered Trade there was also pused; The Commissioners with the premisses Considering the p^rsent state of the Colonies, the English in most plantations already wanting hands to carry on their necessary occasions thought fitt not to send forth men to possess & plant Delaware nor by any publick acte or Consent to Incurrage or allow the planting therof; And if any shall voluntarily goe from any of the Colonies to Delaware & shall without leaue & Consent from the Marchants at Newhaven sitt down vpon any part or parts of their land there or in any other Respects shalbee Iniurius to them in their title & Enterest there, the Colonies will nether protect nor owne them therein; The Newhaven Marchants being notwithstanding lefte to their Just libbertie to dispose Improve or plant the land they haue purchased in those parts or any part therof as they shall see Cause

What was done
about y^e motion
for de-
la-warr bay.

The Commissioners for Newhaven Informed the Rest of the Commissioners y^t in or about october last John Whitmore one of the Deputies of Stanford a peaceable Inoffensive man not apt to quarrell or pvocke any of the Indians going forth to seeke his Cattell Returned not according to Expectation nor Could bee found by the English y^t sought for him; but quickly after the sonne of a Sagamore who liues neere Stanford Came into the Towne & tould the English y^t John Whitmore was murdered by one Toquattoes an Indian & to proue it tould them y^t Toquattoes had som of his Clothes & p^ticularly his shirt made of Cotten linnin heeruppon the English & som Indians went into the woods to seeke the murdered body for buriall but though they bestowed much time & labore Could not find it; diuers of the English at Stanford suspected the Sagamores sonne to bee *either the auther or the accessory to this murder but had not then satisfying grounds to seize & Chardg him; about two or three months after Vncas Coming to Stanford Calling the Indians thether & Inquiring after the murdered body the formensioned sagamores sonne & one Rehoron another suspected Indian ledd som of the English & som of Vncas his men drectly to the place wher the murdered body or the Relicts of it lay The Carkase was brought to stanford the Sagamores sonn & Rehoron fell on trembling and therby Confermed the suspition of the English

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ℓ wrought suspition in som of the Mohegin Indians so y^t thay said those twoe Indians were nought meaning thay were guilty, but thay both tooke an oportunity ℓ fled away as for their lives notwithstanding which the Indians in those parts whether for feare or favor to the sagamore in Reference to his sonn or vpon som other Respects Charge Toquattoes alone with the murther excusing the sagamores sonne; but to this day neither Toquattoes Can bee apprehended nor is the sagamores sonne brought to a due examination

John Whitmores Widdow both by messengers ℓ hres presses for Justice ℓ other Indians grow more Insolent ℓ sensure the English for want of due psecution in such a Case, it being either Conceved by the English or by som Indians Intimated y^t if the sagamores sonne should be seized ℓ kept in durance the Indians will forthwith size some English ℓ keepe them till hee bee freed; The Comissioners for the vnited Colonies Considering the premisses thought it Just ℓ nessesary y^t the murtherer or murtherers in this ℓ other Cases Concerning the Confederated English bee duly pursued ℓ prosecuted ℓ pticularly advised y^t either Tho: Stanton or som other able Interpreter bee sent to the Indians naighboring vppon Stanford Requiring them according to Justice ℓ their Couenants ℓ Ingagements to the English to make knowne ℓ deliver vp the murtherers to Examination ℓ tryall w^b if thay Refuse to doe or doe not duely attend ℓ y^t Toquattoes (accused by them Cannot bee found out ℓ apprehended y^t then the sagamore bee Required to bring and deliver vp his sonn to examination; if y^t bee denied or delayed y^t then himselfe or his sonn bee seized ℓ kept in durance till the murtherers be brought forth ℓ Justice haue its due Course according to euidence.

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The Comissioners being minded that Asquash a murtherer of an Englishman som yeares since in or neare the bounds of Fairefeild lives yet (according to a general Report) among Indians neare to som of the English plantations in those parts, ℓ y^t the non psuite of so notorius a malefactor is like to proue *preiudiciall to the English by giveing Incurragment to the Indians in other malicius and murtherus attempts. It is therfore thought fitt y^t the two Western Colonies vse the best meanes thay Can to take him ℓ then pceed with him according to Righteousnes. An Information being also given of som Indians at long Iland that (by the accusation of a native y^t suffered lately at hartford for a murther) are guilty of the death of som English who suffered boatwracke some yeares past in a vessell belonging to one Cope at or neare long Iland. It was desired ℓ thought expedient y^t all oppertunities p^rsenting bee Improved for making Inquiry ℓ searching after the truth ℓ (if euidence appeere) the murtherers be prosecuted to Justice.

The Comissioners taking into Consideration the great danger y^t is like to befall the Colonies by y^e mischievous Trad that is yet Carried on by selling amunition to the Indians. Wherin as som English are Conceved to bee deeply guilty who are deservedly Liable to seveere sensure if at any time thay may bee discovered, so vppon more then probable grounds it is apprehended y^t many of the Dutch haue been long acquainted with the secretts of y^t Trad; and in p^ticulare thay were Informed y^t Govert Lockman (of whose Iregular proceedings in y^t kind the Dutch Governor formerly Informed the English) was Represented to the Governor of Conecticot as deeply Enterested therein & had vppon his being Called Into question for the same at hartford Entered into a bond of two hundred pounds with sureties for his appeerance att the Court to answare; but fayled therein The seuerall Euidences also both of English & Indians from long Iland of his guilt were Read & the Judgments of the Comissioners desired therein. Which being duely weighed both in the great Iniurie to all the Colonies by y^t dangerus & vnlawfull Trad & the many Testimonies against him The Comissioners Conceive y^t if the Court of Conecticot have evidence y^t hee was not hindered by the hand of God for attending the said Court according to his bond but y^t it Cam to pase through want of due Care or p^rvidence of his owne y^t then the said Court may lawfully take all or so much of his bond as thay shall Judge meete: Espetially Conidering hee the said Govert when hee came to Conecticot Refused to attend a Court the Governor would haue Called on purpose for his triall vnles hee might haue it at his owne time

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A Declaration being p^rsented to the Comissioners by M^r Hopkins vnder the hands of M^r John Gosmer & Tho: holsey of Southhamtom touching the danger thay were in & difficulties Exposed vnto vppon the late murther in y^t towne wherby thay were nessesitated to arme themselves & stand vppon their defence for many dayes. The Indians being gathered together in an hostile posture & therefore desired the Charge thereof might bee borne by the whole Combynation w^h being Conidered * & former proceedings in Anno 1644 att Fairfeild & Stanford Reviewed it was Conceved & Concluded y^t as no such Charge was then allowed so it doth not fall within the articles to bee attended

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The Comissioners were minded of the Continewed Complaint of Vncas against the Narragansett & Nianticke Indians y^t notwithstanding all former Ingagments thay are still vnderminding his peace and seeking his Ruine & in p^ticular y^t their late Endeavor to bring in the Mowhaukes vppon him & when

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y^t fayled by witchcraft to take away his life; A Narragansett Indian in an English vessell in Mohegen Riuer Rann a Sword into his brest wherby hee Received to all apearance a mortall wound w^h murtherus acte the assalent then Confessed hee was for a Concciderable sum of wampam by the Narragansett & Niantike Sachems hired to attempt

The Comissioners then vnderstood y^t Nenagrett of his owne accord was Com to boston to Cleare himselfe, hee was Called to attend & in the p^rsence of M^r John Winthorpe by Tho: Stanton as Interpreter vpon oath hee was minded of his breach of former Covenants made at Boston in Anno 1645 Subscribed by the Narragansett Sachems & his deputie & Confermed by himselfe in Anno 1647 y^t hee with the Rest of his Confederates haue fayled in all the branches therof. the hostages were not duely sent the wampam agreed vpon was not payed nor p^t of the tribute dew for pequots Satisfyed Indian fugitives belonging to the English were not Returned nor Captives & Canowes taken from Vncas Restored but above all hee was put in mind of the disturbance made by him & his Confederats in the publicke peace by hyering the Mowhakes to Com vpon Vncas the last yeare and the aforementioned attempt to take away his life by Cuttaquin a Narrahigansett Indian Ninagrett vtterly denied the Last afferming y^t Cuttaquin who accused himselfe & the other Sachems was drawn therevnto by torture from the Moheges and Indeavoured to clear himselfe of the former. but he was tould y^t the assalent before hee Cam into the hands of the Moheges p^rsently after the fact was Comited Layed the Charg vpon him with the Rest w^h hee Confermed the day folowing to Captaine Mason in the p^rsence of the English y^t were in the barkque with him & often Reitterated it at hartford though sence hee hath denied it; y^t hee was p^rsented to Vncas vnder the notion of one appertaining to Vssamequin wherby hee was acknowledged as his frend & no provocation giuen him; vnto all the Rest was added y^t Cuttaquin affermed hee was nessesetated to attempt y^t murtherus *acte by the desparateness of his owne condition through his great Ingagment to the said Sachems haueing Receued a Concciderable quantity of wampam w^h hee had spent who otherwise would haue taken away his life. by all w^h the guilt Charged vpon them apered very probable to all the Comissioners; there Indeavours to disturbe the peace by there Confederasy with the Mowhawkes was so cuedent by M^r John Winthorpe & M^r Williams Relation the last yeare together with the Confession of the Mowhawks themselves to Tho: Stanton who now again Confermed the same in the p^rsence of the Comissioners

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Ninegrett & a western Indian brought by Ninegrett to wittnes for him & tendered if Convenient time might bee allowed him to bring the pocomtuke

Sachems face to face to Euedence the same y^t in the Judgment of all p^rsent it was beyond all Rationall Deniall

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The account of wampam Received vpon agreement being also taken into Concideration, Ninegrett affermed y^t ther was litle more then 2 hundred fathom vnpayed. But the Auditors account of the Massachusetts being Called for & examened it apeered y^t no more then 1529½ fathom hath been brought to the account of the Colonies nor Could Ninegrett by any euedenc make any more to apeer ; only hee alledged y^t about 600 fathom was payed by measure w^h hee accounted by tale wherin ther was a Concidrable difference The Comissioners not willing to adhear to any strict tearmes in y^t pticular (& though by agreement it was to bee payed by measure & not by tale) were willing to allow 62 fathom & halfe in y^t Respect so y^t there Remaynes due 408 fathom But Ninegrett psisting in his former affermation & not Endeavored to giue any Reasonable satisfaction to the Comissioners in the premisses, a smale Inconcidrable pcell of beaver being all y^t was tendered to them though thay vnderstood hee was better pvided. The Comissioners Expressed themselves as altogether vnsatisfyed in the whole frame of his pceedings & haveing tendered vnto him as formerly was appointed at the meeting att Newhaven (w^h was neglected by him) an Imptiall hearing & determination of all his Complaints against Vncas att their next session if thay found in him a Compliance with their p^rsent Reasonable expectations & not Receauing a Returne from him Answerable to their desires thay left him to his owne wayes & p^rfessed thay must pvide for the peace of the Cuntrey & preservation of Vncas according to their Covenants by such meanes as in their owne Judgments may best Conduce therunto & therefore doe Refer it to the serious Concideration of all the Colonies to bee in such Constant Redines either for deffence or offence as the state of occasions may Call for & Require w^h is like to bee turbulent & difficult w^h thay the Rather p^rsent to Concideration from an Information thay Received sence *their siting; of a marriage shortly Intended betwixt Ninegrets Daughter & a brother or brothers soone of Sassaquas the malignant furius Pequot wherby pbably their aimes are to gather together & Reunite the scattered Conquered Pequates into one body & sett them vpp againe as a distinct nation w^h hath alwayes been wittnesed against by the English & may hassard the peace of the Colonies.

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M^r John Winthorpe being p^rsent with som of the Indians y^t lately Resided near Nameok. The busines was taken into Concideration both in Reference to the English & Indians And the Comissiones leaveing the things pp to Conectacot to bee desided by that Government according to Justice Could not but dislicke & p^rtest against the Pequots Resolute withdrawing

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from their subiection to Vncas & if they persisted therein p^ressed their Continued Resolution of haueing them Compeled by force But these present p^ressing a Redy willingness to herken to the Comissioners advise it was Concluded y^t som fit place by the Conccent of Conectacot no wayes Preiudiciall to the Towne allredy begune at Nameoke may bee found out wher they may haue libbertie for the p^rsent to settle & plant they owneing Vncas as their Sachem & in all things Carring themselves as his other subiects, & the Comissioners Required foxon who wayted all this meeting on the behalfe of Vncas to Inform Vncas y^t it is the mind of the English y^t hee Carry himself towards them in a loveing way & doe not Tiranise over them hee was also Informed y^t Cuttaquin who wounded Vncas shallbee deliuered vpp to him to p^rceed with him according to Justice & vppon the Pequots due Subiection the things taken from them last winter are to bee Restored

Mr. Wiltam Westerhowse Marchant and now A Planter at Newhauen as formerly at Plymouth did now againe deliuer in a petition to the Comissioners Informing & Complaining against the dutch Goue^r of the Monhatowes y^t Contrary to the tenor & Import of his owne Comission sent to the said Westerhowse at New hauen & vppon pretence y^t Newhauen is within the Pattent & Jurisdiction of the Dutch hee did Iniuriusly seize within Newhauen harbore a shipe & goods belonging to him the said Wiltam Westerhouse to the vallew of 2000^l as it Cost in holland & though for Satisfaction hee hath made seuerall addresses vnto the said Duch Gover^r yet hetherto hee Can obtaine nothing from him ; hee therefore desired healpe & Releife from the Vnited English Colonies & as att Newhauen hee had formery moued y^t som duch Vessels then within the harbore might bee attached or arested to bring his Cause to a further & due triall the w^h the Gove^r of Newhauen thought not fitt to graunt till hee had first aduised with the rest of the Comissioners so now hee ppounded & desired *that hee might haue Comission from the Vnited Colonies to Recover his lose and damage as hee should find opertunity by way of Reprissall

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All w^h bing duely weighed & Conclidered the Comissioners as formerly so still found Just Cause to wittnes against the vnjust seisure to the great lose & dammag of M^r Westerhouse & Iniurius to the English Colonies the shipe beinge taken out of New haven harbor vppon pretence of the Dutch title & Enterest to & in all the lands, harbors Riuers & c^o from Cape henlopen to Cape Cod or point Judeth yet they thought it not Conuenient to graunt M^r Westerhouse (A Stranger & no planter in Newhauen when the shipe was seised) a Comission of Mart or Reprissall and though they haue not denied Justice to strangers by way of atachment or arrest to bring the Cause to hear-

ing & Just tryall yet they thought fitt first to signify the offence to the Duch Gove^r & accordingly to bring seuerall other questians and differences depending; They wrot to him as foloweth

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Honered Ser

from Plymouth September 1648 wee wrot vnto you largely & in sundry pticulars what might Trouble or settle a Comfortable & safe peace betwixt vs; your answere wee Receued long sence from Newhauen but found it in sundry Respects deffective and vnsatisfying you are alltogether sylent Concerning the dangerous Trad of *of* guns Powlther shot & driuen with the Indians at Aurania fort w^h is also by som of youers (to our great Preiuduce Carried on & Continewed within the English Jurisdictions Gouert Lockor-man hath giuen much offence therein presuming posably y^t no Indian Testimony how full soeuer will pase & bee taken against him; how fare our marchants are freed from Customs Recognitions & Inward & outward & whether those burthens bee vtterly abolished or onely suspended for the p^rsent you Informe not; what Restraints are Continewed vppon Trad & in what Casses our marchants Lyable to Confiscation of goods you are not pleased to answere; though it bee just & nessesary our marchants should know both their duty & danger; & the Gove^r of Newhauen did latly desire it from you; Wee aquainted you with M^r Wilłam Westerhouse his grevance & Complaint with his offer to Cleare himselfe from being either Rebell or fugetive too or from his native Cuntry; in your answere you Refer him to the Justice of holland. Time doth not yet abate his sence *of y^t lose. hee now againe attends & petitions the Comissioners for som way of satisfaction & Redrese & desires libertie to atach or arrest such vessell or vessels of youers as Com into any of the harbors belonging vnto the Vnited Colonies y^t hee may bring his Cawse to a fayre & Just hearing & Tryall in these pticulars wher hee is a planter and where his Occasions lye; wee denye not Justice to Strangers of any nation yet wee thought it sutttable to the amytye & Corespondenc weedesier to hould with your selfe & the Jurisdiction not to graunt it tell wee had acquainted you with his request & the equitie therof. Wee Cannot but assert the English Title & Just Right both to Newhauen Lands & harbor & to all the English plantations & their apurtenanses from Cape Cod to or point Judeth both on the mayne & the Ilands w^h are possessed by the English at p^rsent vnder their Gouverment as anciently graunted by the Kings of England to their Subiects & sence duly Purchased from the Indians & peacably planted & Employed by the Inhabitants of the Vnited Colonies Respectively: & accordingly Cannot but wittnes against the Iniurius & hostile seisure of a shipe

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made by you in Newhauen harbor vppon an vniust pretence of title & Entrest in the place; Wee haue pused the tres you sent both to the honered Gover^r of the Massachusetts & of Plymouth with what by way of answare you wrote to the Gover^r of Newhauen Concerning Delaware bay wee haue formerly heard & Conclidered the Right & title our Confederats of Newhauen haue to sundry tracts or peells of land within Delaware bay by you Called the south Riuer with the Iniuries thay Receued from your predesseser Monsier Kift in anno i643 M^r Winthorpe Gouer^r of the Massachusetts & Pesedent of the Comissioners wrot the aprehension & sence the Comissioners had of his pceedings & Receved his answare but without satisfaction; our frinds of Newhauen will neither Encroch vppon your Limmits nor any way disturbe your peace but they may not let fale the English Right and Entrest there.

These with other differences might haue been Conclidered and ether issewed or prepared for Europe had you been pleased to haue giuen vs a meeting att Boston as was ppounded & desired but y^t not suting your Conueniency wee shalbee constreynd to puid for our owne safty & first finding the Trad of guns powlder & shot with the Indians soe mischeueous to vs all & yet so hard to bee descouered & proued wee must nessesarily & speedely wright after your Coppy & forthwith forbid all Trad direct or indirect with any of the Indians within the *limits of any of the vnitd Colonies vnder the penalty of Confiscation of vessels & goods if thay bee there found so Trading or after proued to haue Transgresed & offended therein, to all psons but such as are Inhabitants within the said English Jurisdictions & subiect to there lawes & Gouerment; Wee shall ad no more at p^rsent. But againe desire your answare may bee Returned to the Gouer^r of Newhauen y^t from him the Rest of the Comissioners may vnderstand your mind in the premisses so wee Take leaue & Rest your Loueing frinds

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Boston August the sixt i649 Stilo anglia

The Comissioners Taking into Conclideration the dangerus & vnlawfull Course of Trading guns poulther shot & to the Indians by the French Duch & other foraine nations Residing in these parts of america tending greatly to the preidise of the English heere; and to the strengthening & animating the Indians against them as by dayly Experience they find As also y^t the said French Duch & doe prohibitt all Trad with Indians within there Jurisdictions vnder penalty of Confiscation of goods and vessel. & y^t wampam being kept amongst the English (it being generally made within there Limits may bee of good benefitt & advantage to them many wayes vppon the Concliderations

aforsaid the Comissioners thought meete in this case of soe generall Concernment to Comend it to the seuerall generall Courts to Restraine all p^rsons of or vnder the aforsaid forraine nations for Trading with the Indians within any of their Jurisdictions vnder the like penalty they Impose vpon others & to the end y^t in Case this p^osition bee accepted there may bee one & the same Law in this p^oticulare in the seuerall Jurisdictions ; The Comissioners thought meet to propound this Insuing Draught

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Wheras the French Duch & other forraine nations doe ordenarily Trad guns p^owlther shot & with the Indians to our great preidise & strengthening & animating the Indians against vs as by dayly experience wee find & wheras the aforsaid French Duch & doe p^ohibbite all Trad with Indians within their Respective Jurisdictions vnder penalty of Confiscations & It is Therefore Ordered y^t after due Publication heerof it shall not bee lawfull for any French man Duch man or any p^rson *of an other forraine nation whatsoever or any English liueing amongst them or vnder the gouerment of them or any of them to Trade with any Indian or Indians within the limits of our Jurisdiction either directly or Indirectly by themselues or others ; vnder penalty of Confescation of all such goods & vessels as shalbee found so Trading or the deue vallew therof vpon Just proufe of any goods or vessels so Trading or Traded ; & it shalbee lawfull for any p^rson or persons Inhabiting within this Jurisdiction to make seisure of any such goods or vessels Trading with the Indians as by this lawe p^ohibbited ; one halfe wherof shalbee to the p^opper vse & benefit of the p^otie seising and the other halfe to the publick

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Wheras att the last meeting of the Comissioners att Plym there were seueuerall p^ositions Comended to the Concideration of the generall Courts of the vnited Colonies videlect: the Conclusiue power of their generall Courts in Case of non agreement of six Comissioners Concerning the Regulateing of peag Concerning the Duch Impossition Concerning the probation of wills Concerning adminestrations

Now vpon Examination wee find by the Returne of the C^ommissioners y^t all the said generall Courts haue assented onely to the last videlect y^t Concering wills & adminestrations which thay haue agreed to in the words of the p^osposition ; and wheras att the said meeting at Plym there was a p^osition made for the giueing or lending of two guns to the Indians by M^r Elliott the meaning of the Comissioners was & is y^t two guns should bee given or lent at this time onely & not yearly

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A letter being presented to the Commissioners from the Towne of Warwecke the Enseuing answare was Returned by the same Messenger.

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Wee Receued a letter from you on the twenty sixt of this present wherin you p̄pound seuerall Iniuries offered to you by the Indians & desire to bee Informed whether wee haue not receued an Iniunction from the Parlemt in England to acte in your deffence. To w^h wee breiffly answare y^t no such thing hath hetherto bene Comended thence to the Comissioners of the Colonies on your behalfe nor by you Can Rationally bee Expected from vs in the state wherin you now stand ; but wee shalbee Redy to attend their *late direction as any oportunitie is presented to find vnder what Colonie your Plantation doth fall & then in all future p̄ceedings both with the English & Indians endeavor to acte according to Rules of truth & Righteousnes

Boston July 3i 1649

To the Comissioners declaration or aduise at Plym in the difference wherin Springfeild is Concerned ; The Generall Court for the Massachusets answered y^t in the booke of the actes of the Comissioners folio 20 it appeereth y^t M^r Fenweke was to Joyne with vs in Runing the south linne to deside the question about Warranoco &c But M^r Fenweke fayled to send in any to Joyne with vs wheruppon wee did it [^] our owne Charg ; & Warranoco was theruppon ordered by the Comissioners to the Massachusets But wee shalbee Redy to Joyne with our bretheren of Conectticott in another Soruey so as they wilbee at the whole Charge in this as wee were in the other ; & withall p̄duce their pattent as wee haue done ;

Vppon Reading of w^h answare from the Massachusits the Comissioners for Conecttacott expressed themselves altogether vnsatisfied the foundation therof being a great mistake And what is presented not Conducing in their apprehensions to the desired End ; for wheras it is affermed y^t vppon som former agreement Mr. Fenweke fayling to send any to Joyne with the Massachusits in Runing the westeren linne they did it at their owne Charg & therefore Conclude y^t what is further to bee attended therein ought to bee at the Sole Charg of Conecttacott ; it was offered to Consideration & an vndeniable truth y^t what ever promise Mr. Fenweke might make of Endeavoring to Clear Sprinkfeild from being within the Massachusets pattent (wherin yet hee differed from what the order of the Massachusets holdeth forth w^h Could not bind him without his Consent) yet nothing is expressed in the order; of any agreement for Runing the linne nor did the Massachusits after the making of y^t order Run the linne mensioned or vppon any agreement with M^r Fenweke as is Implied in their Answare But what was done in that kind was effected

att least the yeare before y^t agitation betwixt the Massachusets & M^r Fenwike and therefore it is p^resented by the Comissioners of Conecttacott as the most Redy way to issew the difference according to truth and Right *that the most Southwardly Extent of the Massachusets pattent bee first agreed vppon & Settled & then at a mutuall Charg the line bee Run by som skilfull man Chosen by eich Colonie; wherunto they p^resse themselves for love & peace sake willing to Submite Though they doe Conceve the Massachusits ought in Reason both to Cleare their Entereest by pattent to Sprinkfeild and to beare the whole Charg therein the towne of Sprinkfeild being by vollentary agreement settled in Combination with the Gouverment of Conecttacott at that time when Challenged by the Massachusets; & therefore y^t Colony ought not to bee deprived of their Just Possession vppon a bare Challeng without proufe if the southeren Extent of the pattent cannot to mutuall Satisfaction bee isseued; the Comissioners for Conecttacott desiring to promote all wayes of loveing accord p^round to the Massachusets y^t they willbee willing to attend the determination formerly made betwixt themselves & the Colonie of Plymouth in the like Case if it bee p^resently accepted though it is like to bee to their disadvantage, but if the Massachusits thinke it not fit to Joyne with vs heerin wee Referr the Consideration of what wee p^resent to the other Comissioners & shall Submite to what in their better Judgments shalbee p^rounded But if they thinke it not fitt out of Experimentall or other Considerations to Enterpose or y^t the Massachusets Rest not in their determination wee shall desist from further prosecuting this matter at p^resent and attend such other wayes of providence as may bee p^resented for Isseuing the difference according to god

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A Reply to the answere of the Comissioners of
Conecttacott by the Comissioners of the Mas-
sachusits

Wheras the Comissioners for Conecttacott are p^ressed to say the foundation of the order of our generall Court Concerning the Runing of our southerly linne is vppon a great mistake & therefore Rest wholly vnsatisfied therein wee Reply the sum of the answere of our Court Consists of two pticulars, first y^t wee haue run the said linne allredy at our owne Charg^{condly} it is Implied in the order y^t Conecttacott hath not p^roduced any pattent or authentical Coppy therof to make good their Challeng to sprinkfeild or the land aiacent & in all this there is no mistake; It is therefore desired by our Court y^t the pattent of Conecttacott may bee p^roduced before wee bee put vppon the Runing of our linne againe & y^t wee suppose will seeme but Reasonable

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to Rationall men; besides the want of their pattent *was objected the last yeare at Plymouth in Sprinkfeilds Case & therefore in Reason ought to haue been produssed now; But to this part of our Courts Order the Comissioners of Conectacott in their answare are silent; if ther be any mistake in the said order in any surcomstance of time or the ocation alleged of Runing our linne in Reference to M^r Fenwekes promise of Joyning with vs therin wee shall not owne the same but for the p^rsent Can nether afferme nor deny tell wee haue made further Inquiry, however it little or nothing weakens the answare of our Court much les makes the foundation therof to bee vppon a great mistake as before is expressed for y^t wee Ran it att our owne Charg is Certaine but y^t w^h Cheefly obstructs the Issew of the difference is the want of the aforsaid pattent, wee have done sufficient allredy for the determining our bounds to our owne Satisfaction and the w^h should bee to the Satisfaction of all others y^t Can make no legall & due Claime to the lands aiacent w^h Canetacott Cannot without a pattent; And wheras it is alledged y^t the Towne of Sprinkfeild was formerly in Combination with Conectacott & therefore y^t Colony ought not to bee dispossessed therof vppon a bare Challeng; wee answare y^t to the Combination wee can say little but leaue Sprinkfeild to answare for themselves which wee doubt not but they are suffisiently able to doe not knowing for what time or vppon what tearmes it was made or how or by whom broken nor doe wee well Remember (it being long sence) whether there were euer any or no; but this is Certaine without question y^t both M^r Pinchon & those y^t went from hence to Inhabite at Sprinkfeild were of this Jurisdiction & went hence with a promise so to Continew as did the rest of the Townes vpon the River 2^{condly} they tooke a Comission for Government from the Jurisdiction of the Massachusets thirdly at the meeting at Cambridge about tenn or twelve yeares sence M^r Pinchon in the behalfe of Sprinkfeild declared his desire to bee & Remyne vnder our Government & so haue Continued ever sence without question or word speaking against it y^t wee Remember tell somthing was moved to that purpose the last yeare at Plymouth, wee proffes ourselues vnfaynedly desirus of a Just & Righteous *end to bee put & y^t with all Conuenient speed to this or any other difference with our bretheren of Conectacott or any other of the Jurisdictions; and in order therunto & as y^t in our apprehenssions conduseth much to promote the same; wee desire the Rest of the Comissioners would bee pleased to Reuerse the order or orders y^t aiudges sprinkfeild to pay Custom or Contribution to the Erecting or mayntaineing a fort at the Rivers mouth & for y^t end seriously to attend these Inseuing Reasons amongst many others y^t hath been formerly alleged

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first there hath bene no pattent or exemplification yet pdused by Conectacott to prove Sprinkfeild within their Jurisdiction nor order of their Court for Imposing Custom vpon them but only a part of an order to y^t purpose now pdused w^h is very darke and ambigius to vs so fare as concernes Sprinkfeild; our desire therein & the Comissioners theravpon at Plym being in no sort (as wee Conceave obserued as by Comparing our ppositions & the Comissioners order with what is now pdused together will appeer the whole order not being brought but y^t left out which wee suppose would make most for our advantage in the Case

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secondly there hath bene no Evidence (so fare as wee know) of any fort at all in being worthy the name of a fort and therefore according to a clause in the Comissioners order page the 3^d no Custom or Imposition is to bee payed; the words are these; pvided y^t the said Imposition bee continued no longer then the fort in question is mayntained & the passage therby secured as at p^rsent; which in Rationall Construction supposeth y^t the said fort was then mayntained & the passage therby secured or at least y^t the Comissioners Conceued it so to bee but the contrary is now apparent.

Thirdly suppose the fort in question were or heerafter might bee of vse to secure that passage yet wee propound it to Consideration whether ever it hath been known or any Instance Can bee given of any Goue^rment in the world y^t hath Compelled the people of an other Jurisdiction to Contribute to the Erecting of a fort or place of strength by w^h they may Rule ouer them & order them at pleasure as well as bee a protexion to them; (if y^t were the case) vnles it were in way of Terany & oppression; our Request therefore is as before y^t the said orders may be Reuersed and sprinkfeild left in point of paying Custome or Contribution in statue coprius till it bee made apeer y^t by pattent or other Just Right it fales within the Jurisdiction of Conectacott; Our motion heerin being attended & graunted wee shalbee *shalbee Redly willing to Imbrace & dillegently to comend to our Court any equall & Just motion y^t shalbee made or aduise y^t shalbee given by the Rest of the Comissioners for the finall ending of this difference betwixt vs in Refference to the bounds of our pattent & y^t w^h depends theruppon

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The Comissioners of Conectacott doe Conceave it is esily apparent to all who duly Consider the foregoing Reply of the Comissioners of the Massachusits how short it fales of Clearing the Order of their generall Court or taking of what is Justly & treuly obiected by our selues & therefore shalnot need to say much in way of Returne onely desire it may bee attended with due Respect to truth in Simplissity; That the foremenssioned order saith y^t

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M^r Fenwike agreed to Run the linne with them which is one mistake secondly it sayth M^r Fenwike fayled therin; and y^t is a 2^{cond} of the same nature: and thirdly the order affermes y^t heeruppon the Massachusits Ran the linne at their owne Charg which also is a great Error & was tendered to bee proved so vppon oath by the Comissioners of Conectacott if it were desired. And if this bee not a fundamentall Mistake & not sercomstanciall only as is pretended (it beeing almost all y^t is said if the words bee attended in their due conection) Wee must confesse our selues to bee in a great mistake and shall so owne it when its made to appeere; But for the p^rsent wee must take leaue to Judge wher premisses are not treue The conchlussion or Inference Cannot bee strong In our answare wee touched not vppon their Calling for a sight of our pattent because wee desired according to the propposition of the Comissioners att Plym: to propound y^t w^h wee conceue might tend to a present Isseu of the difference if it might bee accepted and the standing vppon a sight of the pattent shuts vpp the way it being well known to them as to our selues y^t the pattent is in England And though the last yeare att Plym: it was stood vppon yet it was verily apprehended by vs the Returne then made by the tendering of a true Cobby therof to veiw and the equall Respect given vnto y^t pattent as to the pattent of the Massachusits & Plymouth by the Right honorable Comitty of Parlement knowne well to our honered frinds of the Massachusets had satisfied y^t particular

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That sprinkfeild was in Combination with Conectacott & so owned by the Gouverment of the Massachusets is more Cleare then to bee left vnder any doubt; proppositions being sent in Anno *1637 by the honered Goue^r latly desseased to all the plantations vppon that River Concerning a Combination with the Massachusits & M^r Pinchon in procecutiō therof Chosen & sent as Comissioner from that Colonie to acte in the treaty for them in Anno 1638, att which time & not before hee declared his apprehenssions y^t sprinkfeild would fall within the Massachusets linne; and was so accepted without any proufe of what was alledged, & that motion by M^r Pinchon arose (as is verily Conceved) from a present pange of discontent vppon a sensure hee then lay vnder by the Gou^rment of Conectacott

Wee shall not Insist for breuity sake vppon a p^ticular answare to all y^t p^rsents in Refference to the Impossition vppon sprinkfeild, most if not all of y^t which is alledged haveing Com vnder Concideration in former agitations about this business; The order of the generall Court of Conectacott so fare as Concerns and may bee satisfactory in the p^rsent Case is brought & p^rsented. A fort vsefull to the whole Riuer hath been maintained at Seabrooke at a

great Charge nye 14 yeares past; the p^rsent decayes therin are Indeavored to bee Relieved by the building of a new worke of stone wherby the Entrance into the Riuer may bee secured & wee doubt not when Instance is given of a place for Scittuation parralele to sprinckfeild vnder a distinct Goue^rment from other Townes aiacent but it wilbee found in Comon Concernment it hath been Liable to bear a part in the Comon Charge

To Conclude wee desire it may bee Considered y^t both the Court of the Massachusits & their Comissioners fall not in with the desire of the other Comissioners for a speedy Issewing of p^rsent differences but Retard the same by Requiring y^t which they know att p^rsent cannot bee attained.

Secondly That their Comissioners mannifest an Eresoluednes and vnwillingnes to Refer differences of this nature to the determination and Judgment of the Comissioners of the other Collonies which wee had Rather our much honered brethern of the Massachusits would duely Consider how agreeable it is to the fundamentall articles of the Confederation wherunto wee all ought to haue a Consiencius Regard then to make any Coment ourselues:

Among the orders or Wrightings from the generall Court of the Massachusits a Lawe Imposing a Custom or Imposition vppon the other three Confederate Collonies was by the Comissioners Read *Red & considered the Tenure wherof is as followeth:

Wheras the Comissioners for the Vnited Collonies haue thought it but Just & equall y^t sprinckfeild a member of this Jurisdiction should pay Custom or Contribution to the Erecting & mayntaining of Seabrooke fort being of no force against an Enemy of any conciderable strength (before it was burnt) In the Comissioners owne Judgment expressed in their owne order page 109 which determination against sprinckfeild they haue also continued by an order att the last meeting att Plym: (though the said fort was then demolished by fyer & the passage not secured) Contrary to a Clause in their Order pvided on springfeilds behalfe page 111 and forasmuch as this Jurisdiction hath Expended many Thousand Pounds in Erecting & mayntaining seuerall forts which others as well as ourselues haue receued the benefit of And haue att p^rsent one prinsipall fort or Castel of good force against an Enemy of Con- siderable strength & well Garisoned & otherwise furnished with suffisient amunition, besids several other forts & batteries wherby vessells & goods of all sorts are secured

It is Therefore Ordered by this Court and the Authority therof That all goods belonging or any way appertaining to any Inhabitants of the Jurisdic-

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 Castle or exported from any part of the Bay shall pay such Custom as heer-
 after is expressed:
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Videlecet all skins of beaver Otter Moose ℥ baare twopence a skine
 And all other goods packed vpp in hogsheads or otherwayes tenn shillings
 a tunn; meal ℥ Corn of all sorts 2 pence a bushell, bisket six pence
 per hundred; And It is further Ordered y^t all such skins ℥ other goods
 as shalbee Imported or Exported as aforsaid shabee duly Entered with
 the Auditor Generall ℥ the Custom therof payed or deposited before any
 part of the said goods bee either sould shipte landed or otherwise dis-
 posed of; vnder the penalty of forfeiting the said goods not so Entered
 or the due vallew therof; And if any Inhabitant of this Jurisdiction or
 stranger shall buy any of the aformensioned goods belonging or any wayes
 appertaining to any of the Inhabitants of Plymouth Conectacott, or New
 hauen aforsaid Imported to any other part of our Jurisdiction or shall sell
 or deliver to any Inhabitant any other goods in any part of the Bay
 without the Castle hee shall Enter the said goods with the Auditor Gen-
 erall and *And pay or deposett for the same after the same mannor ℥
 pportion and vnder the same penalty as is provided for the goods ℥ brought
 within the Castell; This Order to take place the first day of the next month
 And the Auditor Generall is heerby appointed ℥ authorised to take Care for
 the execution of this Order in all the p^ticulars heerof either by himselfe or
 by his Deputie or Deputies

per The Generall Court

ENCREASE NOWELL Secretary

The Cobby of a Wrighting or Order produssed by the Comissioners for
 Conectacott Concerning the Imposition layed vpon Sprinkfeild

Att a Generall Court held att hartford for the Jurisdiction of Conectacott
 Sxto Junii 1649

Conecticott

Vppon Reading the acts of the Comissioners for the vnited Collonies att
 the meeting held att Plym: the last seaventh month; It was observed y^t in
 the agitation of the difference betwixt the Massachusits Colonie ℥ this in
 Reference to the Imposition Required from sprinkfeild vppon som goods pass-
 ing out at the mouth of this Riuer towards the Charge expended att Sebroke
 tending to the good ℥ benifit of all the plantations vppon the River; It was

questioned by the Comissioners of The Massachusits whether there were any Order of this Court extant for the payment of any Imposition by goods appertaining to the Inhabitants of Sprinkfeild brought from them and passing downe this River

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This Court doth declare That by Exprese Order of the fift of Febreuary 1645 all Corn laden on board of any Vessell vpon this Riuer & passing out to Sea att the Riuers mouth was to pay 2^d per bushell in the forementioned Respects; and beauer twenty shilling per hogshead, wherin as sprinkfeild was Intentionally Included soe this Court had due respect therunto as then Considered vnder the Massachusits Gouerment; That no greater burthen might fall vpon those Inhabitants then according to Cleare grounds of equity & Righteussnes in theire best apprehensions they ought Redily to submit vnto, and was equal for them to beare & no more then they should haue Expected to bee Imposed vpon themselues in the like Case *Case which order hath been sence confermed & a penalty of Confiscation of such goods anexed in Case of non payment; the Execution wherof in Refference to our brethern of sprinkfeild hath onely been defered vntell the Judgment of the Comissioners of the other Collonies might bee vnderstood in the premisses according to the articles of Conffederation wherin provission is made for desiding of any differences y^t might fall in betwixt any of the Collonies wherunto they Reffered themselues in this Case although they are yet altogether vnsatisfied y^t sprinkfeild doth pperly fall in within the true limmits of the Massachusets pattent which they much desire may with all Convenient speed bee Cleared & Issewed in a way of loue & peace according to truth

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JOHN CULLIK Secretary

The former passages betwixt the Massachusets Generall Court & theire Comissioners on the one part & the Comissioners for Conectacott on the other part Concerning sprinkfeild together with the Order or lawe Imposing Customs vpon the three Collonies being duly Considered six of the Comissioners did declare & Remonstrate to the generall Court for the Massachusits as followeth

A Difference betwixt the Massachusits & Conectacott Concerning an Imposition att sebrook Required of sprinkfeild haueing long depended; The Comissioners hoped (according to advise at Plymouth might at this meeting haue been satisfyingly Issewed; But vpon pussall of som late Orders made by the Generall Court for the Massachusets they find y^t the linne on the south side of the Massachusits Jurisdiction is neither Run nor the place from whence it should be Run agreed; That the originall pattent for Conectacott

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or an authentick Exemplication therof (though M^r Hopkins hath offered vpon Oath to assert the truth of the Coppy by him p^rsented) is now Required; And that a burthensom Custom is by the Massachusits latly Imposed not onely vpon Conectacott Intressed in the Imposition at Sebrooke but vpon Plym: & New hauen Collonies whose Comissioners as arbitrators according to an article in the Confederation haue been onely exercised in the question & y^t vpon the Request of the Massachusits, and have Imparsially (acording to their best light) declared their apprehensions therein which Custom & burthen (grevius in it selfe) seemes the more vnsatisfiing, and y^t because diuers of the Massachusits deputyes (who had a hand in making *making the said lawe acknowledg & the preface Imports it y^t it is a Returne or Retalliation vpon the three Collonies for sebrook & the law Requires it of no other English nor of any stranger of what nation soever; how fare the premisses agree with the lawe of love & with the tenure & Import of the articles of Confederation The Comissioners tender & Recomend to the serius Consideration of the Generall Court of the Massachusits & In the mean time desire to bee spared in all further agitations Concerning sprinckfeild

A question being propounded whether notwithstanding the p^rsent meeting of the Comissioners begun in July & not ended till august there should not bee another meeting in September; The Comissioners Considering y^t in anno i645 and in Anno i647 when extreordinary meetings were Called either by the Generall Court or by the Gou^r of the Massachusitts they did serue & satisfy for the ordinary yearly meetings & y^t in i647 The Comissioners did propound it to the fower Generall Courts y^t in Case of an extreordinary meeting in any yeare no other meeting without an apparent Cause should bee expected; And three of the generall Courts did Concenter therunto; and the Massachusets generall Court haue not in the least declared any dissent; their Comissioners possibly not advising with them therein; And lastly the ocations of the Collonies being Considered & debated according vnto what hath been now p^rsented the Comissioners see no Cause to meet againe a month hence They agreed therefore y^t no other meeting bee expected or attended this yeare vnles som vrgent ocations of the Colonies Call for new Concederations & Counsels

Vpon a question betwixt the two Collonies of the Massachusits and Plymouth formerly propounded and now againe Renewed by the Comissioners of the Massachusits concerning a Tract of land now or latly belonging to

Pamham and Soconoco two Indian Sagamores who had submitted themselves & their people to the Massachusetts Government upon part of which land some English (besides the said Indians) in Anno 1643 were planted & settled; The Commissioners for Connecticut & New haven Remembring & duly Considering what had passed in Anno 1643 and in anno 1646 did & doe still Conceave y^t the Commissioners for Plymouth did Consent & agree y^t the aforesaid Tract of land though it fall within Plymouth bounds should bee And from thence forward acknowledged as a part & vnder the Massachusetts Jurisdiction; nor doth it yet appeere y^t Plymouth when those Conclusions of the Commissioners Anno 1643 were Red in the generall Court did protest or doth declare against it That the **the* Massachusetts might haue Considered their way before they expended so much Charge in Samuell Gortons bussines; But what direction Counsell and Order Plymouth Commissioners had from their generall Court so to doe, wee vnderstand not; and what power any of the Commissioners haue to Resigne or pase over any Tracte of lande within their p^tent to another Jurisdiction without Consent & expresse lycence from the Generall Court Intressed & Concerned therein is of waighty Consideration to all the Collonies; They therefore advise & desire y^t by a Naighborly & frindly Treaty a due Consideration may bee had & a Course settled both about the Charges Expended and how Pomham and Sokanoco with their people may bee Governed and protected

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M^r Dudley one of the Commissioners for the Massachusetts and President for this meeting being latly fallen sicke & vnable to attend the present ocation in hand; the other Commissioner for the Massachusetts declared himselfe vnsatisfied with this Returne of the Commissioners of Connecticut & New haven as seeming to detract from the Conclusions of the Commissioners in this case in Anno 1643 & in Anno 1646 where the Lands in question seem to bee graunted & aiudged to the Government of the Massachusetts & the way propounded not lickly to Issew the p^rsent difference there haueing beene Tryall formerly made therof but without any effecte; The like vnsatisfiednes hee expressed in the last answare or Reply of the Commissioners for Connecticut but for the Reason before mensioned & p^rsent straights of time deffers Replying to som other opertunity

The Commissioners for Connecticut & New haven who were p^rsent in the former agitations Concene they haue Retracted nothing in any Respect from what they did in Anno 1643 & in Anno 1646 And therein Refer to an Indifferent & due Consideration of those passages & what is now declared But they

1649. proffes they never thought themselues Interested in the question betwixt the
 Massachusits & Plymouth vnles as Wittnesses **Wittnesses* in both those yeares
 they being neither Concerned in Samuell Gortons busines or in the Tract of
 land in question But concured in what was Just & warrantable y^t a due peace
 might be setteled for the Comfort of all the Colonies ;

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These foregoing conclusions were Subscribed by the Comissioners
 The 8th of august i649

The Presedent being sicke as
 aforsaid Could not Subscribe

EDWARD HOPKINS
 THO: WELLES

SIMON RRADSTREET
 WILLEAM BRADFORD
 JOHN BROWNE
 THEOPH: EATON
 JOHN ASTWOOD

* **At a meeting** of the Commissioners for the United Colonies in New England at hartford the 5th of September 1650

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The Articles of Confederation being Read an order of the generall Court of the Massachusetts dated the 22^{cond} of May 1650 was p^resented and Read Wherby It appeared that M^r Symon Bradstreete and Captaine Wiltam Hawthorne were Chosen Comissioners for one full and Compleat yeare being invested with full power and authoritie according to the tennor of the said Articles

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M^r Tho: Prence and M^r John Browne were Chosen Comissioners for the Colonie of New Plym: as appeared by an order of their generall Court dated the 4th of June 1650 which was p^resented and Read

M^r Edward Hopkins and John Haynes Esq^r were Chosen and appointed Comissioners for the Colonie of Conectacot as appeared by an order of their generall Court dated at hartford the 16th of May 1650

Theophilus Eaton Esq^r and M^r Stephen Goodyear were likewise Chosen Comissioners for the Jurisdiction of Newhauen for this p^resent yeare to treat and Conclude of all things according to the tenor of the articles of Confederation as appeared by an order of their generall Court dated at Newhauen the 30th of May 1650

M^r Edward Hopkins was chosen President for this meeting

The Comissioners for the Massachusetts p^resented a letter from M^r Steele President of the Corporation in England directed to the Comissioners for the United Colonies ; and withall Informed that M^r Winslow hath for som yeares past spent and Improved most of his time about the busines of the Indians settling the Corporation in England and procuring other priuileges of Comon Concernment to all the Colonies as well as That of the Massachusetts and therefore moved the Comissioners to Conider that som honorable and equall *Recompence may bee allowed him for his past paines and Charges either out of the Collections for the Indians or out of the three Jurisdictions of

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Plym: Conecticot and Newhauen That of the Massachusets haueing disbursed allreddy vpon that acount betwixt three and foure hundred pounds ; and allso to Consider whether the Comissioners Judge it meet to Continew the said M^r Winslow still in England to atend vpon the aforsaid Implayment ; and if soe what may bee a meet allowance for time to Com ; Informing likewise that their Court had giuen order the last yeare for his Returne M^r Steels letter being Read and Considered the Comissioners Joyntly Returned answare as by the Cobby will appeere But to the pposition Concerning M^r Winslow the Comissioners for the three Colonies expressed their owne thoughts and apprehensions that had the Massachusetts at first or at any meeting sence pounded any publick service wherin the other Colonies might haue been Concerned they would haue found a Reddy Concurrance both in sending an agent and in Contributing to a meet allowance ; But M^r Winslow was sent forth anno 1646 vpon pticular ocasions and Concernments of the Massachusets and though the Comissioners for the Colonies haue mett seuerall times sence ; yet they neuer were aduised with either about his goeing stay Returne or how to Improue him there ; soe that they know not vpon what grounds or by what arguments to pbound or perswade their Respective Courts to Contribute to the Charg past ; though they hope their seuerall Colonies will thankfully acknowledg his loue in any Concernments of theirs ; But being Informed by M^r Steele That his p^sence hath a speciall Influence in that great worke in Raising meanes in England for the publishing of the Gospell among the Indians, a seruice they judg very acceptable to God and of great Import to the natives they are afrayde to hazzard or hinder it by his over hasty Returne but rather thought fitt to Comend it to the p^sedent and assistants of that Corporation *That 100^l may bee paied to M^r Winslow out of those Collections towards his expence and Incurragement with p^mise that if they shall soe advise the Colonies in their seuerall p^portions shall heere Returne the same without lose to the worke Intended.

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The tenor of the foremencioned letter from the Presedend of the Corporation is as followeth

Worthy Gentlemen

This day the Corporation appointed by act of Parlemt for Carriing on and p^moteing the Gospell of Christ in New England being Informed by M^r Edw: Winslow (youer agent and one of the assistants nominated in the said acte) of his letter to you sent (wherin he desireth for Reasons to himselfe best knowne that you would bee pleased to send ouer som other in his place

which allthoug it be Contrary to the mind and Judgment of the said Corporation to part with soe worthy a member yet wee Cannot p̄vayle with him to Revocke his said letter ; And wheras in all ages it hath been the designe of vngodly men to hinder and oppose the spreding and ppagating of the Gospell of the lord Jesus of which wee are truly sensable ; In Refference to those discouragements we haue mett withall sence wee had soe great trust vpon vs yet through the blessing of god the busines of the said Corporation is in a good forwardnes and the Integritie abilities and dilligence of the said M^r Winslow being well knowne both to you and vs as allso his great Enterest and acquaintance with the members of Parlement and other Gentlemen of qualitie in the respectiue Counties of this Commonwealth ; Wee Cannot but Conceau his p̄sence and Residence heere to bee of absolute nessesitie for the Carrying on the work for wee Cannot Conceau you Can send ouer any that hath the like Influence and interest in the affections of such as may bee most healpfull heerin ; Wee Confes and must acknowlidg it is vncomfortable to him to bee soe long from his famyly and p̄sonall occasions ; But as *To that you and wee must see hee bee no sufferer but if hee leaue vs the work in all likelihood willbee hazzarded (if not fall) which is at p̄sent in an hopefull way notwithstanding all the oppositions wee haue mett withall ; Wee therefore thought good to Informe you of the nessesitie of his Contineuance with vs, haueing found him very instrumentall in the Carrying on this work ; And therefore wee once more Intreat your Concurrence with our desires That soe with Cheerfullnes wee may Carry on the work wee haue begun which wee hope will Center in the Glory of god the good of many and our mutuall Comfort which is our earnest desire and prayer

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London these 24th
of March 1649

Signed in the name
and att the desire
of the said Corporation

WILLAM STEELE

President

The Answare Returned by the Comissioners to the forgoeing letter was as followeth

Hono^rble Sir

youers of March 24th 1649 wee have Receaued and in the name of these Vnited Colonies wee doe thankfully acknowlidge your great labore of loue to Raise and settle due meanes and Incurragement that the Gospell of peace

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may bee further published to these miserable Indians which haue long layne in grose darknes and haue worshiped the prince of darknes not Considering that theire way and euery stepp of it tends to death and euerlasting destruction Wee are sory that a work soe acceptable to God and of such Concernment to these poore men should meet with opposition ; But the Almighty whom you serve heerin Can easily Remoue Impediments and make euery mountaine becom a playne, and wee are assured your eye is towards *him whoe obserues to the kindleing of a fier vpon his aulter and a Cuppe of water giuen with sperittuall aymes all the loue and labour of his people and in no seruice will suffer the Intervening difficulties and exersices to pas without a waight of Recompence ; Vpon a serivs Consideration of a state of affayers Comitted vnto the Care and Trust of M^r Winslow and with tender Respect to his family and occasions in these parts his Returne was expected this last Spring (yet if the Comfort of his Relations may be pvided for wee Concent to his p^sent stay That the worke in hand be neither hazzarded nor hindered ; What money is allreddy Collected vpon that accountt wee Cannot Coniecture but if your selfe and those worthy Gentlemen your assistants Concure wee desire that one hundred pounds may bee thence allowed and payed towards his expence and Incuragement And if vpon any Respectes you haue other thoughts vpon a word of aduise wee shall Reddly heer supply the same without lose to the work entended. M^r Elliott hath allreddy spent much time and labore in fitting himselfe and preaching to the Indians M^r Mahew hath made a good entrance into the same way and work ; if you please for theire Incurragement and som nessesary heelpes for the Indians to pay the assignes of M^r Elliott the som of one hundred pounds more wee hope it will proue a Reall furtherance to the seruice ; Lastly Wee humbly desire that one thousand pounds or any lesser sum according to the stock in hand may bee payed to Harbert Pelham Esq^r and the said M^r Winslow whose Care and paynes wee shall intreate to send it hither in such Comodities as may suit the end ppounded ; Thus in our *our measure and according to our oppertunities wee desire to put our hands to this pius work leauing the whole successe to him whose the harvest is and who by weak meanes and instruments can work wonders, even of such stones Raise vp Children vnto Abraham And with our due Respects wee comend you and the waighty occasions vnder your hand to the guidance and blessing of our good God Resting

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It was also Thought fitt that letters should bee directed one to M^r Winslow and another to M^r Pelham and M^r Winslow Joyntly ; The teno^r wherof was as followeth

Honored Sir By a letter from Mr Steele the Honorable President of your Corporation wee are satisfyingly Informed of your Care and paynes for the propagation of the Gospell among the Indians in these parts (a work of high Concernment as wee Conceaue for the Glory of God and for the spirituall good of these poore Creatures Wee are sory but Cannot think it strange that you should meet with difficultes in such a way the prince of darknes whose throne hath been long highly advanced in the harts of these barbarus heathen will certainly by himselfe and his Instruments oppose the Kingdom of our Lord to the vtmost till hee find himselfe Rebuked by him whose power hee hath felt and trembleth att; Wee heare that the Massachusetts both with Respect to their owne occasions and the Comfort of your Relations expected your Returne this last spring; But vpon the aduise Receaved wee all Concure and Consent to your p^rsent stay Wee hope the foundations are well layed and the busines allreddy *in a good forwardnes that a little more time may settle and establish it as a work the Lord ownes and prospers Wee hope that some that are yet bakward may yet see their error and that others willbee free and Cheerfull in so pious a seruice how larg a sume or to what vallew you haue allreddy Collected wee Cannot forsee but desire our aduise may bee Considered with due Respect to the stock in hand Wee haue written to the Honorable President that if the Treasury will afford it they would out of the Collection pay an hundred pounds to your selfe towards your expence and Incurragement yet with promise that if himselfe and the worthy assistants Concure not in that way vpon the least word of aduise or Information It shalbee heer Repayed and Employed to the best aduantage of the seruice Intended Mr Elliott hath spent much time and paynes and continews zealous in the seruice of Christ and loue to the soules of the Indians Mr Mahew hath made allso good entrance into the same worke and goeth on to fitt himselfe to open and display to these poore Natiues in their owne language the vnconceaueable exeleney of that Prince of peace if therefore one hundred pounds may bee payed to Mr Elliotts assignes partly for their Incurragement and partly to provid som Conveniencies for the Indians wee hope it may much further the worke in hand; Lastly wee p^pound and desire that a Thousand pounds or any lesse sume accordinge to the p^pgresse you haue made in these Collections may bee made to our honored frind Harbert Pelham esq^r and your selfe which wee desire may bee Employed and sent ouer in Comodities according to the Inclosed note; Wee are assured of your Care and faithfullnes and the great Master whom wee serue will Certainly and abundantly Recompence your labor of loue into your bosoms.

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*The formencioned note was as followeth

In shoos plain and strong of all sorts _____	100
In stockings that are strong and most Irish _____	100
In good strong Canvas for shifts summer Clothing and beds	200
In light axes broad and narrow howes sawes &c _____	100
In nayles, hookes hinges and spades _____	150
In strong Carsies of a low prise _____	200
In blankets for beds _____	100
In haberdasheey ware especially thred _____	50

The Joynt letter to Mr Pelham and Mr Winslow Was as followeth

Honord Syrs

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Wee haue Receaued Informacion of the acte that passed the Parlement of England for the pmoting and ppagating the Gospell amonge the poore natiues which though wee look vpon as a gracious effect of their loue and zeale to the name of the lord Jesus yet wee Cannot without Incurring a iust Imputation of to much Ingratitude but owne and acknowldige your selues or in an especiall manor instrumentall to the furtherance of the work which wee humbly and hartily desire may throug the Rich blessing of God answare all the holy ends of such as pmote the same ; wee find ourselues by the Acte put in som trust for the Carrying on this great busines and desire to Improue our vtmost Care and dilligence therin that no time may bee let slippe but the meanes advanced for the worke may bee Employed in it to the *first and best advantage which hath drawne from vs a letter to the much Honorrd President of your Corporation that about 1200^l may be payed vnto your selues if so much bee Com in vpon that Collection Wee presume of your willing Reddy-nes to Improve your selues in bringing the work to a greater perfection and are abundantly Confident of your abillty and faithfullnes in laying out what Coms to your hands in the best and most sutable way which Induceth vs to leaue the Care and trust with you though it may seem to great addition to the waight of your other Important affayres ; Wee haue in our pticular letter to Mr Winslow giuen more especiall directions about disposing the moneys you may Receaue from the Treasury ; and because there may such advise Com out of England by shippes not yet Com in as may Call for more Consideration and direction about the pmisses then Can Conveniently in such seasons and straights of time as may fall in bee attended by the Comissioners at the distance they wilbee in after the desolution of the psent meeting ; Wee

desire you would bee pleased to obserue such aduise as you may Receaue by the last shipping this present yeare from the much honered Gov^r of the Massachusetts and the Comissioners of that Colonie whom wee haue entreated and Intrusted in the former Respects to acte according to the Emergency of occasions Wee shall add no more &·/

1650.

September.

The Comissioners for the Colonies in further psecution of the trust Comitted to them in Regard som things may entervene and fall in nessesarily to bee attended before the next sitting within the ordinary Course ^ will not bee vntell the next Returne of this month doe think fitt and desire that for this present yeare the Honord Gour of the Massachusits and the Comissioners for that Colonie bee pleased to take such things into due consideration and to acte therin as in their Wisdoms may best pmote the work in hand ; And in ptticular that in Case Intellegence bee giuen from England that any Considerable sume more then is allreddy wrote for bee there in Reddynes and that **That* order is expected from hence for the disposall therof they giue aduise and direction for the sending ouer of soe much as they Judge meet in such Comodities as may best Conduce to the furtherance of the worke ; and to Receaue such goods as are sent ; make pvision for their pservacion from damage ; and if need bee dispose of the vallue of one hundred pounds to or for such Indians as are Inclineable to attend waies of Civellity and the things of the Gospell ; But it is pvided notwithstanding and desired that as opportunities are psented aduise may bee giuen to the Comissioners of the other Colonies of such occurments as happen with the present state of these occasions that wherin a joynt Consideration & Concurrance may bee had without preiudice to the worke it may not bee Neglected.

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Vncus Sachem of the Mohegins Informed the Comissioners and complained that the Mohansick Sachem in long Iland had killed som of the said Vncus his men, bewitched diuers others and himselfe allso and desired the Comissioners that hee might be Righted therin But because the said Sachem of long Iland was not present to answare for himselfe It was thought meet and accordingly advised that Comission bee graunted by the Gouverment of Canecatoc to Captaine John Mason M^r Howell M^r Gosmer and Tho^s Benedict of Southhold or any three of them to examine the matters Charged by Vncus and if pro^{ve} bee Cleare to labor to Convince y^{em} therof Require satisfaction and in Case of reasonable Compliance to endeauor a Composure therof ; but if no satisfaction willbee giuen for Iniuries p^{ved} then to lett y^{em} to know they give the English Just Cause of offence and will bring trouble vpon themselues

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*The Comissioners taking into Consideration the seuerall offensiuē practises of the Narragansetts wherby they haue broken their Couenants and endeavored to disturbe the peace between the English and themselues; And how yet they delay to pay the Wampam which hath been soe long due notwithstanding the many demaunds that hath been made both formerly and Renewed at the last meeting att Boston sence which time they haue sent onely 100 fathome; It was therfore thought meet and agreed to keepe the Colonies from falling into Contempt amongst the Indians and to preuent their Improueing the said Wampam to hire other Indians to Joyne with themselues against vs or Vncus, as formerly they haue done that 20 men well armed bee sent out of the Jurisdiction of the Massachusetts to Pessicus to demaund the said Wampam which is 308 fathom and vpon Refusall or Delay to take the same or the vallue therof in the best and most suitable goods they Can finde: Together with so much as will satisfy for their Charges following in all p̄ticulars the Comission and Instructions following; and if opposition bee made by the Indians to the taking away the life or rescuing the said Wampam or other goods taken in lue therof; That then a meeting of the Comissioners to bee held att Boston; forthwith Sumoned by the Goue^r or Comissioners of the Massachusetts, if they see Cause and in the meane time that such p̄parations and p̄visions for warr bee made by all the Jurisdiccions as the Case shall Require

A draught for the heads or Substance of a Comission or Instructions to bee given by the Gouverment of the Massachusetts to such Comanders and Souldiers as they shall think meet to send to the Narragansett Sachems

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*Comission and Instructions for sent
from the Massachusetts in the name of the Comissioner for the v̄nited English Colonies to Pessacus and Ninnigret two of the Narragansett Sachems

You shall with all convenient speed and with as little Noyse as may bee Repayer to the Narragancetts and acquaint Pessacus That the Comissioners desirus by all due meanes to preserve peace between the English and them have both delivered bake their hostages and for seuerall yeares have with much patience waited for a due observation and p̄formance of Couenants; But have found nothing but offensiuē excuses and delayes; besides the breach of seuerall other engagements 308 fathom of Wampam is yet behind which should have been payed in long sence; The Comissioners are therfore nessesitated to send men to fetch the said Wampam or the full vallew; which if vpon a peacable demaund they forthwith pay together with Just allowance

for the present service It shall yet satisfy And the Comissioners will hope the Rest of the Covenants may speedily bee atended But if vpon what ptence soeuer they deny or delay payments you are to seize and bring backe with you soe much wampam, beauer or other suitable Comodities as may answare both the debt and the aformencioned Charges or if other meanes bee wanting you are to seize ^ (with as little hurt as may bee) bring away either Pessacus or his Children or such other Considerable Sachem or psons as they prize and may probably bow them to Reason ; But if you meet with any hostile opposition to the hazard of youer lives you are in a prudent way to secure youer selues and make an honorable Retreate you are also to obserue their speaches actions and whatsoeuer else may giue light to our future pceedings that if Called therunto you may giue account vpon youer oathes This done som of you are to repayer to Ninigret And *acquaint him That the Comissioners are Informed that hee had giuen his daughter in marriage to Sasecos his brother who gathers Pequats vnder him as if either hee would become their Sachem or againe Possese the Pequat country both which are expressly Contrary to former engagements and by no means may bee suffered ; You shall therefore Inquire where Sasacus brother Resides what number of men Pequates or others are with him, whence hee hath them ; and what his purpose and aime may bee and require Ninegrets answare and Resolution about him that some further Course may bee taken as the Case may Require ; You shall acquaint Ninnegret that Weekwash Cooke Complaines of sundry wronges ; that the Comissioners as they would deale Righteously with all men soe they with the Indians would not disturbe the publicke peace by oppressing one another (they are also Informed that Ninnegret ptends some graunt or libirtie to hunt within the Pequat country the Right and title to the place and also the Royalties therunto appertaining they must assert as due onely vnto the English and onely at their dispose ; nor may Ninnigret as things stand betwixt the English and him Challeng or vse any such libertie there) lastly you shall Informe him that about 12 yeares sence a Mare belonging to Elty Pomary of Winsor in Conectacott was killed willfully by Poquiam a Niantick Indian brother to Ninnegrett which Mare Cost 29^t for which satisfaction hath been often Required by the English and promised by the Indians but not yet pformed ; The Comissioners therefore without further delay expect due payment that there bee no further Cause of Complaint or proceeding

1650.

September.

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Wheras the Mohauks haue by the pocomptuck Sachem as we are Informed made their Request to the Gouerment of Conectacott that Sequacon might haue libertie without offence to Returne to his former habitation

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alleging how Reddy and willing they have been to gratify the English in what they have Requested, *It is therefore thought meet that an answer be Returned to this purpose, That the English neither formerly haue nor yet doe p^rhibite his Returne soe that hee Carry himselfe inoffenciely for the future hee may Come at his pleasure and that they are now the more free for it being Requested by them:

The Comissioners for the Massachusetts Informed the Comissioners for Canecticut and Newhaven how fare they had p^rceeded according to advise giuen at their last meeting at Boston to issue the difference betwixt themselves & Plym: Concerning a tract of land lately belonging to Pomham and Socononoco two Indian Sachems; That the generall Court for the Massachusetts had by their Comissioners first offered to Resigne their Interest in the aforesaid lands & appurtenances to Plym: if they would engage to p^rtect and to adminester Justice equally both to Indians and English within those limmits; But that Plym: Collonie had Rather Chosen to pase over their Right by p^rattent and had Resigned the said tract of Land &c And left them for euer to bee vnder the Gouverment of the Massachusetts

They Informed also with what tendernes and forbearance they had sence dealt with Samuell Gorton and his Companie though sundry and great Complaints had been made and Renued against them not onely by the Indians but by the Naighboring English vnder the Massachusetts Gouverment; They shewed also a letter from M^r Easton President of Road Iland Wherin in the name of the Counsell there hee declareth that Road Iland and Warwicke (where the said Gorton liveth) are Combined and bound mutually to support one another They desired therefore advise from the Rest of the Comissioners how they might further p^rceed sence vpon tryall they find that without at least a leagall force they Can neither Redresse Iniuries nor bring the Inhabitants of Warwicke to acknowlidg and Submite to their Gouverment

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The Comissioners Remembring what advise had been given by the Hon^{ble} Comitte of Parlemt in this and like Cases that the bounds of P^rattents should bee first sett out by a Jury of vninterested p^rsons and That *That all Inhabiting within the limmits so set forth should fall vnder the Gouverment established by p^rattent and vnderstanding that the formensioned Resignation made by Plym: was not with full Consent and satisfaction to all the Freemen of that Jurisdiction and without any agreement or Consent of the Inhabitants of Warwick who pretend an enterest in M^r Williams his p^rattent but will by no peacable means bee brought vnder the Massachusetts

Gouernment; and being desirus as much as may bee to prevent Inconuenience and by all due meanes to preserue and settle peace within and betwixt the Collonies and with all Naighbors according to Rules of Righteousnesse and Prudence; Thought fitt to Recomend it both to the Massachusetts and Plym: as their Most serius advise; that the Massachusetts vpon the afformensioned Respects) doe aquite and for ever Relinquish the Right and title they have to the lands of Pomham and Socononoco aforsaid and the Jurisdiction therunto belonging and that Plym: doe forthwith Reassume the Right they formerly had by pattent to the place; That they Ingage and promise a due p̄tection and equall administration of Justice to all the Inhabatants English and Indians according to the Massachusetts engagement; And that all faire meanes bee with the first Conueniency vsed to reduce Warwick ℔ to a due Submission to the Gouernment of Plym: that Justice may have a free Course and all greivances betwixt them and their Naighbors may bee satisfied and Remoued; But If they Refuse that then the Just and wholsom aduise of the honorable Comittee of Parlement Conserving a Jury & ^ bee forthwith duly attended that the Inhabytants of Warwick may know where they fall and to what Gouernment they ought to Submit; But if Plym: accept not this aduise or if the said Inhabitants proue obstinate and will neither Submit to Gouernment nor by other meanes make due Satisfaction for trespasses or wronges done to Neighbors Justice must haue its Course The Massachusetts **Massachusetts* or Plym: whom it may Conserne Cannot but p̄tect and p̄uide for the Conueniences of those within their Jurisdiction; in such Case wee thinke it nessesary and aduise that Reall Damages Duely proved bee leuied by leagall force though with as much moderation and tendernesse as the Case will pmitt

1650.

September.

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The 13th p̄sent the Duch Goue^r being arived two daies before vpon a desire (as hee expressed to treat with the Comissioners, p̄sented the following writinge

Hone^d Sirs

Six Considerations Conserving the publick wellfare haue moued to vndertake (this to mee) troublesom Journey to meeete your Wor^{sh}ps heere and allsoe two p̄ticulares the one Conserving my selfe the other one of the Inhabitants, which I haue thought convenient to p̄pose in Writing that all Inconueniencies by verball speaking either out of hastinesse or otherwise may bee p̄vented; but principally that I may giue account to my Sou^raignes the high and Mighty States generall of the vnited Belgick Provinces and the Hon^{ble} Lords Bewinhibbers of the West India Companie

1650.

September.

I

The first is the wrong and Iniury done to the H. M. and the Right Hon^{ble} West Indian Companie by certaine of your Nation by their vnjust vsurpacon and possessing the land lying vpon the River Commonly Called Conecticott or the fresh River, being the lands of the said Companie bought and paid for to the then Right ppriators the Natiue americans before any other Nation either bought or p'tended Right therunto for the which wee desire a full Surrender and Satisfaction according to the qualitie of the Cause.

2^{cond}

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Wee Cannot but Conceau your Wors^{ps} Cannot but bee sensible of the advansing and Incroaching of som of your Cuntrymen *vpon the p'tended lymits betwixt vs and your Nacion in these parts and the pretended Rights of H. M. and the Right honorable Westindia Companie Wheras in our native Countryes a long and happy peace hath been observed and faire naighborly Comerse and Correspondency before and sence my arrivall and Gouerment which haue occaconed Certaine Contestations and troubles the which for our parts I should very gladly see Removed and taken away and for the Remocon therof I Conceau either a generall or p'visionall lymett may bee settled betwixt vs for the accomplishment wherof I Conceau it will Conduce much therunto if wee shall either by a Joynt writing to our Superiors at hom or sending our agents request it may be by them decided

3

The detaining of certaine fugitiues by the Right Worthy Goue^r and Maiestraits of New hauen vpon my first arrivall gaue to my great greife cause of some Discontent on either side for the p'vention wherof for the future I desire that som Course may bee Resolved vpon that all ocasions of Distast that way may bee p'vented

4

Whereas by lers from the Right Wor^{sh} Governor Eaton by order of the Honor^{ed} Comissioners and likewise by Comon fame wee vnderstand the honored Comissioners the last yeare passed an act of p'hebiton of trade for our Nacion with the Natiue americans in these ptes vpon Confiscacon of Shipp and Goods I Cannot but for the wellfare and p'perity of our Nacion in these ptes but desire the said act may bee Repealled or that the honorrede Comissioners willbee pleased to give mee vnder their hands their Reasons and grounds for the forbiding the said trade within the pretended lymitts H. M. and West India Companie

5

*192

And for that likewise by Relacion of divers Credable psons of your Nacion and ours one M^r Pinchon vseing trade and Comerce with the Native americans hath soe fare advanced vpon the trade of that the trade and Comerce in these ptes of these ioynt Nacions is much damnified and vndervallued *not onely to the Inriching the said Native barbarians but the overthrow of the

trade having likewise by particular Testimony from two persons of quality understood that the said M^r Pinchon gave eleven gilders to the said Natives for a beaver skin the detriment y^t may thereby arise I shall Refere to the wise Consideration of the honored Commissioners that some Course as they in their wisdoms shall best Conceive may best be agreed upon that the said Inconveniencies may be Removed

1650.

September.

Whereas likewise there was a certaine shipp detained and the goods unladen by them of Road Island the said shipp being taken from the Spaniard sometimes our enemies but now our friends by vertue of a Commission from us the which said shipp being by them of Road Island detained sold and disposed of to severall Seamen upon pretences of shares due unto them Contrary to the mind and will of the owners having the greatest interest therein; the said owners making many Complaints unto mee for Satisfaction either by way of arrestment of any of their Barques or Reprisall the which I was unwilling to graunt till I had acquainted the honored Commissioners therewith that the said honored Commissioners will please either to Cause them of Road Island to make Restitution according to equity or els that it may not be in any measure offensive to the honored and Neighbor Colonies to seek our Right by way of Reprisall

6

The two particulars the one is that I may receive Right for the scandall Raised upon mee by Tho: Stanton the which I suppose is knowne to some of you by what my Ensigne did speake and desire at New haven from the Govern^r there: *ad calumnias tacendum non est non aut Contra dicendo Nos vllis camus sed ne mendatio in offensum pgressum pmetamus.*

*The second is that Govert Lockman making Complaint to mee of wrong Received by him from the Govern^r and Court of Hartford about a sume of Money paid by him of the which in my letter to your honored Commissioners of the last yeare I made Complaint and desired satisfaction in that point being still by him urged with the unRighteousnesse of the proceeding; I can doe no lesse in Relation of my Duty but Request the honored Commissioners will take a Review of the proceedings that in Case you shall find a Mistake in the sentence Restitution may be made to the plaintife or els so much light shewen that the plaintife may be Convinced

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PETER STUYVESANT

New Netherland

September the 23rd stⁱ Nouo 1650.

This Writing being Received and Read the Commissioners Returned in writing the answere following

1650.

September.

Hon^d Sir

Your selfe hath often p^pounded a Meeting to Compose differences and the Comissioners haue euer Reddyly imbraced it by your agents wee haue now vnder your hand Received som p^positions and might Returne severall waighty greivences wherin wee Cannot but expect Just Satisfaction but your selfe have now Cast a barr in your way of your treaty expected your p^positions written this day in Hartford bear date in New Netherland September 23 Stila Novo what Comission you have for it your selfe best knowes but certainly wee shall encurre blame from our Superiors to admit such p^ptence of title to this place vnlesse therefore you bee pleased to explaine or Retract wee may not p^pseed

Hartford in New England
the 13th of September
i650 St Angliæ.

EDW : HOPKINS Presi[^]
in the name of the Comissioners
of the English vnitd Collonies

*194

*The Duch Governor Returned in Writting as followeth

Honered Sirs,

It was love of peace and Naighborly Compliance that brought me hether and am Redy to attend all occasions that may therunto Conduce and 23^d this Instant new stile I sent my p^positions to that end but as I vnderstand by your Missive I put a barr in the way by dating my p^positions as in New Netherland I thought my first p^position would have Removed that barr but to shew I would not willingly put any obstruct to the treaty expected the honered Comissioners may please to know the substance of what was p^posed was agreed vpon by my selfe and Counsell at the Monhatoes and there dated and Subscribed but the papers being left aboard for the gaining of time I Caused them to bee Coppied out and translated soe nigh as I Could Remember from the originall; And therefore Conceaued it most p^pper to stile it New Netherland but for the preuention of any misapprehension for the future if the honered Comissioners shall please to forbear the Calling of this place Hartford in New England I shall forbear the stiling of it New Neatherland but if you shall Conceauue it most expedient to stile it soe I conceave it is but Reason I should haue the same liberty to date my writting as in Conectacut in New Netherland the which may not bee any obstruction to the treaty soe I Rest

Yours in loue

Conecticott September 24
new stile i650

PETER STUijUESANT

To the foregoing that which followeth was Returned by the Commissioners

1650.

*Hon^d Sir

September.

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Wee haue perused youers of the 24th wherin you leave out what was offensive and date onely from Conecticott which for the present doth soe fare satisfy that the treaty if you please may goe on though the English title by Purchase pattent and possession wee are assured wilbee found good & firme both in Europe and america your Commission wee shall expect to see when your vessel Comes vp but to Redeeme time wee shall Consider your ppositions and shall allsoe with ouer first Conveniencies acquaint you with our greivances but if you accept it wee Rather desire to treat by a frindly conference then by writting which will draw out the businesse to a greater length thē pbably will suite either your or our Conveniency soe wee Rest

Youers in all wayes

of love and Righteousnesse

EDW: HOPKINS

President

Hartford the 14th
of September 1650
Stil Angl:

The answare to the ppositions formerly expressed was as followeth

Hone^d Sir Wee have Received your ppositions and breifly Returne the answare following

first the Right the English haue to Conecticott River with the plantations and lands vpon or about the same hath been often asserted and as wee Conceauie is either fully knowne or Sufficiently Cleared to the English Duch and Indians in these p^{ts} wee have not heard yet any thing of waight objected against it but how much land the Duch heere Claime where it lyeth from whom Purchased wee have onely heard allegcions without prooffe which Cannot Satisfy

*It needs both explycacion and euidence where and which of ours haue made any encroachments vpon the ptended Rights of the states of the vnitd Provinces Wee hope to prove our Right to what wee enioy by pattent Purchase and possession; and that if the happy peace soe long Continewd betwixt our Superiors in Europe haue mett with any disturbance it is by seuerall Iniuries wee haue Receved by your p^{decessors} and your selfe in these p^{ts} of which wee haue Complained heere and should willingly Refer the examinacion and Issue to Europe if wee might see any Commission or Instructions from thence directing and warranting you therein.

2^{condly}

*196

Wee are assured New hauen Maiestraits were free for all offices both of

3^{ly}

1650.

September.

Justice and amity but your selfe Cast in Impediments by Claiming both the place and Jurisdiction and som of you vsed offensive and threatening language ill arguments as the state of affaires then stood ; But if in other particulars this treaty may bee brought to a Comfortable Issue a due Consideration may bee had of fugitives and how to settle a Right vnderstanding and Neighborly Correspondency betwixt vs

4^{ly}

The Comissioners never Intended to direct or Regulate the duch trad within their owne proper lymits ; they onely desired that the mischeivous trade of powder &c which soe directly tends to the damage and hurt of both nations might bee Restrained at Aurania ffort, the p̄hebiton vnder the penaltie you mention extended onely to the English proper bounds as by the Comissioners letters from Boston the last yeare may appeere

5^{ly}

*197

*by what Rules the Traders whether at Aurania ffort or Springfeild walke the Comissioners enquire not ; Trad is free and Marchants attend their owne Conveniencies and will hardly Continew a Trad driven to lose but lawes to lymite if not well Considered will soone bee Repealled

6^{ly}

The Comissioners vnderstand not how or vpon what ground the Inhabitants of Road Iland have proseeded about the shipp mençōned nor where the Right is though they bee not Combined with the other Collonies yet as neighbors and as our Cuntrymen wee Cannot but desire their welfare soe farr as wee may advise they should doe you Right and you them no wrong but wee Can neither examine nor Judge in the Case

To the two last particulars wee answere as followeth

I

Tho: Staunton as wee are Informed hath ever p̄fessed that what hee spake was both truth as hee Related it and to discharge his engagement by oath to the Jurisdiction hee delivered it but as an Indian Report it was no otherwise entertained ; som of the longe Iland Indians haue sence attested the same before the Maiestraits of Conecticott and som other Indians vpon the mayne concure with them ; which may thus fare satisfy that Tho: Stanton Raised not the Report nor Intended any hurt to your selfe but the Indians are subtile and might have their owne ends in Reference to which wee then did and shall doe Suspend beleife

2^{condly}

The Report of Govert Lockmans large but mischeivous Trade with the Indians filled these p̄tes as wee are Informed was brought to the Monhatoes the evidence against him to the Court of Conecticot was as Clear and full as may bee expected in such a Case hee might once and againe haue had his Case tried but hee Rather Chose to issue in a Composition ; But sence as

wee heard hee hath expressed a Resolution to p̄ceed in the same Trad; wherein hee will giue new offence and bring himselfe into further Trouble.

1650.

September.

EDWARD HOPKINS,

President

Hartford vpon Conectticutt

the 14th September i650

*To the foregoing answare there was Receued from the Duch governor that which followeth

*198

Honered Sirs

Your paper of the 14th September Stil: vet I received in answare to my p̄positions

Your answare to my first p̄position is as I expected for wher there is an affermetive of Right due the negative must needs follow from them that detaine that Right from the true p̄prietors; and although happily I Can p̄duce Testimony by Duch English and Indians to a Certaine quantity of land Purchased paid for and in p̄^t possessed by vs, and other p̄^t vsurped by them of Hartford yet I shall forbear the further p̄secucion our said title wher my p̄^{ties} are both President Judge and p̄^{ties} in the cause

My first explained the second and for the euidence in time Convenient may bee produced and wheras you are pleased to Charge my p̄decessors and selfe with severall generall Iniuries you haue Receued by vs; for what my predessesor hath done as I am ignorant soe I Can not be Responsable but for my selfe I Can not but take speciall notice you are pleased to Condemne mee of Iniuries done to you before it bee duely proved and my answare heard which giues mee Cause to suspect the Cause is likly to bee vnequally ballenced allthouge as yet I neuer had question with the honered Collonies of Massachusets and Boston

your assurance that the Maiestrates of New haven were free for all Naighborly offices and so forth; but that my selfe Cast in Impediments in the way (and that som of our people vsed offensive and threatening language vpon a due examinacon I suppose it wilbe found otherwise; and for offensive and threatening language vsed by any of ours there it was Contrary to my mind and order; and when I know the p̄ties accusation and profe against them (if vnder our Gouverment) wee shall take Course that Reparacion shallbee made

*To my fourth you give no positive answare for my p̄position was not Conserving the directing or Regulating the Trad but the p̄hibition of the Trad in these parts with the native americans to all that are vnder our Gouverment of New Netherland my desirs then being and still are that you will either Repeall the said acte or give mee a Cattagoricall answare the grounds of

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1650.

September.

your act being for the prevention of the sale of guns powder &c to the Indians I know no Reason that the Innocent should suffer for the guilty in case any of ours shall be found to Trade in that nature it is but Reason hee should be punished for our parts as we have an order for the prohibition of the said Trade soe we put it in execution upon due proofe

Concerning my proposition about Mr Pincheon I onely proposed it as what I Conceived might be to the detriment of the publick Trade in these parts Referring it to the wisdom of the Commissioners to Consider of it but for my owne part shall hereafter be silent

for them of Road Island I proposed for advise and the taking away of offence that might be given to my Neighbor Colonies

for that of Tho: Stanton I am vnsatisfied as being a Publike person vntill such time as I may face to face answere to my accusers

for what may be duely proved by good Testimony against Govert Lockman in his Trading with the Indians in these parts for guns powder &c if fairly proved I shall very well approve of the proceedings of the Court at hartford therein; but vntill it be made euident to mee by good Testimony of any Transgression by him Comitted against the publick lawes of this Cuntry I Can not but require satisfaction in that behalfe;

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for the furthering the treaty the Right honorable Commissioners haue often appointed a verbal Conference with them in their Court; for my part I Cannot see any Conueniency in it being the Causers of any difference are both Judge and parties; but to shew to my principalls and to all others whom it may Conserne that I am free and Inclined to peace *and to neighborly Correspondency and to give and Receue due satisfaction sence my arrivall by equall parties as wee Call it a Chamber of my party; If it shall please the Right Worshipfull Commissioners to deligate two Indifferent persons out of the Colonies of Boston and Plym: with full power I am willingly redy to depute two others with the like power and Referring to each others their Rights and titles and soe refer the Issue of Iniuries Received and given to their award; otherwise if the parties aggrieved will please to bury all former passages betwixt vs I shall be free and willing therunto and to Joyne and fall upon Considerations of what may be thought may Conduce to the publick good of both nations in these parts; if neither of these be not granted, I cannot see any light to proceed further on in this Treaty but with all thankfullnes to acknowldge the Respective Intertainment I haue Reseued from you sence my arrivall among you and shall Rest yours in all offices of loue

Conecticott the 26^t of September

PETER STUJVESANT.

1650 Stila Nov:

The Comissioners Replyed

1650.

September.

Honered Sir

To youers of the 26^t Present newly Receved wee shall breifly make Reply onely wee shall first mind you that you Came to treat with the Comissioners have directed your writtings to them and therefore Could expect noe answare but from them.

The English Colonies when they first entered this vnion and Confederation Inquired and by all due meanes serched into the Claime the then Duch Gover^r made to som part of Conecticott; they pused the letters Mons^r Kieft had written Considered his allegacons and proofes and Compared them with the Defence the English at Conecticott made for themselves and Cause which they thought a Cleare and satisfactory way to find out where the Right lay; and vpon a full & Serivs Consideration *The Comissioners together with the generall Court of the Massachusetts tell further light were by the Duch pduced thought Conecticotts title and prosseedings faire and Just; and accordingly sertified theire apprehensions to the then Duch Governor; But if yet wee may vnderstand what and vpon what Grounds you Challenge wee shall Indifferently Consider and advise; but hetherto youer Claime hath been various and vnertaine somtimes to all the lands vpon that Riuer somtimes to a part somtimes vpon one ground and otherwhiles vpon an other which leaves vs in the dark and vnsatisfyed

I

*201

Wee vnderstand not how the first of youer ppositions explains the 2^{cond} wee Conceued them as two of youer destinct greivances which Caused our answare to Run in that frame wee hope wee shall see and bee satisfyed with youer Comission though you exprese nothing of youer mind therin; youer selfe Charge Iniury Wrong Ineroachment vsurpacon &c vpon som of the Collonies before any shaddow of prooffe; and yet take it ill that you find any such expressions in our papers wherin yet wee determine nothing but sertify how things yet stand in our apprehensions tell further light and prooffe bee held forth

2^{condly}

The Comissioners for Newhaven are free and willing that the Case of the fugitives and all that depends theron bee duly Considered and Judged by Indifferent men.

3^{ly}

Wee Conceauue our former answare was full and satisfying yet at youer desire wee shall add that as both ffrench and Duch phibite Trad with the Indians in thire seuerall Respective Jurisdictions; Soe the Comissioners Conseaue the English Collonies may doe within their pper lymits, yet if this

4^{ly}

1650. treaty in other Respects issue to Content and Satisfaction that acte may bee further Considered and pably Repealed

September.

5^{ly}

Wee rest in what you are pleased to Conclude Conserving orderinge or lymiting Trade.

6^{ly}

*202

Wee Cannot but take well what you ppounded Conserving *Roade Iland wee Can advise no further but are satisfied with your aymes and desires that peace and Righteousnesse may *may* duly bee pserved betwixt you

7^{ly}

Tho: Stanton is expected heere to day or tomorrow but pably hee will thinke himselfe discharged by bringing the Sachem and other Indians to Justify what hee Reported as from them, however wee shall neither in him nor any other Countenance any thing which may appeare Iniurivs to any much lesse to your selfe.

8^{ly}

Conserving Gouert Lockman you wholly waue the substance of our answare; himselfe being Consius of his guilt in that mischeuivs Trad as was Conceaved by the Maiestraits of Conecticott) Chose Rather to issue all by a Composition then to Run the hazard of a legall tryall. and you well know in such Cases; volenti non fit iniuria.

To the Conclusion in your last paper wee haue and still doe pffesse that in all passages of the treaty ppounded wee look not at ourselues as a Court or Judges or that any thing should be carried by vote; but ppounded a free Conference betwixt p^{ty} and p^{ty} that a Right vnderstanding may bee gained and differences by mutuall Consent Composed; your desire of peace and naighborly Corespondency wee fully approve; and shall not differ with you in the way of arbetracon mencioned onely wee desire to see your Comission and what you will Refer and what not that wee may the better see and Consider our way; not doubting but if our meeting issue without fruite wee shall Cleare our Intencions by our Carriage and offers to all Indifferent Judges wether heere or in Europe.

In another paper these ensuing greiuances and Complaints were at the same time psented to the Duch Governer
Honored Sir,

*203

Our Joynt ayme (wee hope is) that this meeting may be Improved as an Audit seriously to Consider and duly to issue all accounts betwixt vs; your ppositions or pcells *Wee haue pused and answered wee shall now acquaint you with severall pticulars which stand Charged in the English bookes which wee desire you wilbee pleased duely soe to weigh that all Reconings may bee Justly Cleared and a naighborly Corespondency settled:

The English at Canecticott haue formerly Complained of many

vnworthy passages and Iniuries Receued from som of those who have been Employed by the Duch as agents from them there to which noe satisfying answare was euer yet Returned as the entertainement of English fugitives and helping them to file of their Irons pswadeing servants to Run away from their Masters Retaining and buying stolen Goods and refusing to Returne them vpon equall satisfaction vpon demaund marrying som English Couples Refused at the plantations with seuerall other of a like Nature.

1650.

September.

Som of them allso further Complaine for the non payment of debts due for goods taken vp by their pubt Agents who haue left the Place without giueing due Satisfaction and payment denyed by their Successors as not appertaining to them

lasty The Maiestraits for Conecticott Complaine of an Insufferable Iniury latly Comitted by the Neger belonging to the Duch house ; that wheras a notorius delingquent vpon a Capitall offence was heere Imprisoned the said Neger did assist him to breake prison and to make escape for which they have not yet Called him to account

The Comissioners for Canecticott and New haven doe Joyntly Complayne that wheras Captaine how and som other English purchased of the Indians the true ppriators all that tract of land from the easteren part of the Oyster bay to the westeren part of a bay by them now Called How or Holmes bay to the middle of the great playne being halfe the breadth of long Iland to the Norward ; Mons^r Kieft the then Duch Governer Caused the English to bee seized Carried thence by force and imprisoned them

*the Comissioners for New haven Inform and Complayne first that wheras by their agents they had duly purchased of the Indians Sachems and their Companies seuerall tracts or pcells of land on both sids of Delaware bay or River to which neither the Duch nor Swedes had any Just title yet without any leagall ptest or warning Monseire Keift the then Duch Governer sent armed men i642. and by force in a hostile way burnt their trading house seized and for som time detained the goods in it not suffering their seruants soe much as to take a Just Inventory of them ; hee there allsoe seized their boate and for a while kept their men prisoners for which to this day they Can get no satisfaction

I
*204

That the said Duch Governer i642 Compeled M^r Lambertson their agent by force or threatenings to give in at the Monhattoes an account of what beaues hee had Traded within Newhauen lymits at Delaware and to pay Recognicon for the same

2^{condly}

John Johnson the Duch agent with the Swedes Governer at Delaware Charged M^r Lambertson as if hee had plotted with the Indians to

3^{ly}

1650. ^{September.} Cutt them of a Capitall Crime for which they Imprisoned and tryed him but Could bring no prooffe to satisfy themselves who both accused and satt Judges yet they sett a fine vpon him for Trading within Newhauen lymits there

4^{ly} your selfe soone after your entrance vpon the trust and Charge at the Monhattoes Came and seized a shipp with the goods in her by force in their harbor pretending title to the place; and after you Complaine of a purpose and Resolucion in them to vindicate their owne Right in a lawfull way; you Required them to send their Duch Marchants and their goods with Recognition to the Monhattoes and if directions were not attended you threatened hostilitye to Newhauen pretending to keepe peace with the other Collonies

5^{ly}
*205 In your letter dated october 12th 1647 you Required *certaine fugitives in an offenciu manor as if the place and Jurisdiction had been vnquestionably yours though by ancient pattent from the Kings of England all this part of america called New England in breadth from 40 to 48 Degrees of Northerly latitude is graunted to the English; And the Inhabitants of New haven had Right therby to Improve a smale portion therof and accordingly purchased land of the Indians and have built fenced and settled themselves there; and in many yeares after not hearing soe much as any the least p'tence of title the Duch did or Could make to any of the lands or appurtenances

6^{ly} In behalfe of Wiltam Westerhouse a Duch Marchant but an Inhabytant and planter in Newhauen they desire and expect Restitucion and satisfaction for the aforsaid shippe and goods seized and Carried out of their harbor to the great damage of the said Westerhouse and his principalls for which hee still Calles both vpon the Comissioners and the Maiestats of Newhauen for Justice and expects that by an arrest vpon your vessells the Cause may bee brought to a due tryall within the English Collonies where the shippe was seized

The p'meses being duly Considered and Issued whether by Conferance or arbytracion as your selfe ppound if yet there Remayne any question about title or lymits of lands or about Jurisdiction which Can not bee heere Cleared and ended to mutuall satisfaction wee shall Reddily agree that such difference may bee by Consent truly stated and soe Referred into Europe for finall determination and that in the meane time such bounds and lymits bee agreed betwixt the English of the vnited Collonies and the Duch Jurisdiction that eich may know what to expect and Inioy without disturbance till a Resolucion and determination may be procured and settled

Hartford on Conecticott

September 16th

1650

EDWARD HOPKINS

President ☞

*The next Writting Received from the
Duch Governor was as followeth

1650.

September.

*206

Honored Sirs

In your Reply of the 26th proof is Required haply the pretendant Collonies Hartford and New hauen seeing noe sufficient authoritie in their anticipacon of vs from the enioyment of our p'tended Rights; had Recourse to the Indesputable pattents of the Massachusets and Plym: to shrowd themselves vnder their winges and therefore pduced such evidence and letters as might serue their owne ends but that all our allegacions and prooffe were duly and truly weighed and Considered in a right way & manor before Indifferent Judges in the p'sence of the pties defendant; I Conceave Can never bee prooued for the verity of my Claime as it is true I haue layed Claime to all the lands betwixt Cape henlopen westward and Cape Cableyou eastward for matter of title; and to this about hartford as the pper demeane of the West India Companie as being purchased paid for and Surrendred by the then Right ppriators the Natiues vnto vs

My Comission you may please to see when you shall desire it allwaies p'vided on the other side I may see the Comission of my pties; I Could doe no lesse then Charge Iniury and vserpation upon some of you vpon our lands and still must vntell the question bee lawfully decided

To the third I fully agree with the Comissioners of New hauen.

I question not the power of the Comissioners for making any orders in their pper lymits but desire those vnder our Gouverment and Jurisdiction may enioy the freedom of trade with the Indians in our p'tended lymits according to what they had formerly allwaies enioyed

for the fift and sixt I am fully Satisfyed withe the answare of the Comissioners

for Tho: Stanton I freely pase it by being well satisfied with the good opinnion of the Comissioners in that point

In the Case of Gouert Lockman being I am Informed it was his owne volentary acte I am satisfyed I shall *onely desire a Coppy of the agreement from the Secretary of the Court at hartford; And for that I vnderstand the said Lockman vsed some threatening words after his agreement I onely Require the Testimony of what they were and I hope the Comissioner shall Receaue satisfaction.

*207

In my former paper I expressed what I would putt to an agitation and am Reddy to performe it when I shall know your deligates; I hope my desire and Indeavor will Cleare mee before any Indifferent Judges of my Reddynes to bringe matters to a Comfortable Issue betwixt vs and that there rest noe blame on mee if otherwise it fall out

1650.

September.

The points to bee agreed vpon by the deputies I Conceau may bee
Comprehended vnder these 4 heades

- 1 the Composing of differences
- 2 a prouicionall lymite of land betwixt vs
- 3 a Course to bee agreed vpon concerning fugitives
- 4 A neighborly vnion betwixt vs so nigh as may bee agreed

Conecticott the 27th

youers in all offices of loue

September 1650 Sti no:

PETER STUIJVESANT.

The Returne from the Comissioners to the present Writting ensueth

Honored Sir

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Though wee desire to put the most favorablest Interpretation vpon all
yo^r expressions whether by word of mouth or writting yett wee Conceau
you still Cast new Impediments in the way of any faire accord when you
would mittigate the greivance att Newhauen for seizing a shippe in theire
harbore vpon a Claime to the place you plead a mistake Comitted by youer
Secretary *leaving out a word which you say was in the originall copy;
it should haue Run pretended Claime or title wherin wee see you put a dif-
ference betwixt a Reall and a pretended title yet in youer last Writting bearing
date this p^rsent day you Call Conecticott and Newhauen p^rtendant Collonies
Imply against them an Iniuryous anticipacon of som Right you p^rtend to that
they shroud themselues vnder the wings of pattents not Including them;
that the Duch euedence was not fairly produced to giue light to youer
Claime; all which if not Retracted Cannot but offend; you againe proffese a
Claime from Cape henlopen to Cape Cod; Somtimes you say but to Cape
Judith somtimes you doe but p^rtend a title but hitherto you haue not been
pleassed to shew either pattent or purchase to Justify any pretence of youers
to what is in question; soe that if you Charg Iniury and vserpacion vpon any
of the Collonies without better grounds you Cannot but expect a Just defence
and Returne.

The p^rmises being satisfyingly cleared wee Can freely treat p^r deligates
according to youer desires to Compose all differences agree vpon provitionall
lymites where there is any question about title or bounds to Returne fugitives
and settle a Naighborly Correspondency betwixt vs

youers in all seruice of loue

Hartford vpon Conecticott

EDWARD HOPKINS

September the 17th 1658

President &c

Sti: Angl.

Upon the Receipt of this a writting of the following Contents was sent by the Duch Gouverner to the Comissioners

1650.

September.

Honored Sirs,

your last paper being Received I answere It was loue of peace as I formerly write vnto you brought mee hither and not to make alteration by writting; I thank you for your fauorable Interpretacion; I would not willingly Cast any Impediment in the way of the treaty if my thoughts had been soe I might better haue stayed at home and not trouble my selfe or others; I suppose you all know I Cannot deliuer my selfe so prompt in your language as mine owne and as I would willingly and therefore Conceauoe noe advantage should bee taken against mee for the two Mayne things now objected for the hinderance the treaty. I shall explyne my selfe that my words being the pretendant Collonies of hartford and Newhauen: I look vpon them as my pties in Case any dispute should arise for matter of Right and title of lands

To the 2^{cond} the difference betwixt a ptended Right and a Reall Right I shall state the Cause as I apprehend a man may ptend a Right to that which hee doth not possesse and yet haue a Reall Right and a man may ptend and possesse where hee hath noe Right vnto but to take of disputes that way if the Comissioners please wee will leaue it to our Superiors to Judge where the Reall or ptended Right is; and in the Interim for the furtherance the treaty to our Common wellfare I am free and willing to treat with you all as with the vnited English Collonies expecting your Wor^{ships} speedy answere I rest

*209

yourers in all loue

Conecticott 27th September

PETER STUJVESANT

1650.

The Returne of the Comissioners was as followeth

Honored Sire

In your last writtinge you giue noe answere nor doe soe much as mention som things Justly offenciue in your former paper yet accepting your explycation soe fare as it goeth; your pffession not to Inroach vpon our Rights; and freenes to treat with vs as the vnited English Collonies wee shall pase by som vnsatisfying expressions hoping wee shall find the Reallity of your Intencions of peace in a Reddy yeilding to satisfy Just greiuances in the treaty wee haue therefore according to your desire Intreated or deligated two Comissioners out of the Massachusetts and Plym: Collonies to

1650. whom wee giue full power for the Composing of all differences in Case of
 Iniury and damage to set provitionall bounds in all places where there is dif-
 ference betwixt vs Concerning title and lymites to Consider what may bee
 done in the Case of fugitiues and to settle a Just Corespondency and desire
 you wilbee pleased forthwith to name youer two deligates and to Invest them
 with like power that the treaty may begine and proceede without further
 vnnessesarie lose of time; Wee haue Chosen and Intrusted our worthy
 frinds M^r Symon Bradstreet and M^r Tho: Prence to the service wee Rest

September.

youers in the truth and for
 peace according to it

EDWARD HOPKINS Presedent ꝛ.

Hartford on Conecticott
 the $\frac{1}{2}$ ⁸th September i650.

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*The next writting from Mon^r Stuijvesant ensueth

Honored Sirs youers of the $\frac{1}{2}$ ⁸ i650 being Receued in answare to mine
 of the $\frac{1}{2}$ ⁷ this Instant month giues mee great hopes that matters wilbee Com-
 fortably issued betwixt vs and in each Respect Comply with you in that way
 of deligacon and doe make Choise of my worthy frinds M^r Tho: Willett and
 Ensigne Gorge Baxter to whom I shall and doe giue as much power in each
 Respect as you haue or shall to youer worthy deligates and Rest

youers in loue of Peace

Conecticott $\frac{1}{2}$ ⁸ i650

PETER STUIJVESANT

The Reference being agreed vpon the Duch Gouverner gaue Power to
 his delegates by a Writting Containing as followeth

Bee it Knowne vnto all men whom these p^rsents may any way Conserne
 That We Peter Stuijvesent Gou^r generall of the New Netherland Curasoe
 Aruba ꝛ. by vertue of a Comission from the high and Mighty Lords the
 States Generall of the Vnited Belgick Prouences directed vnto vs for the
 Generall Rule and Gouverment of the Prouence called New Netherland ; and
 likewise for the entering into a Couenant of peace legue and amitie with any
 prince people or state as by the said Comission more at large doth and may
 appeere and being desirus that the said loueing Vnion and Correspondence
 betwixt the two Nations in these Northeren parts of america may bee observed
 preserued and mayntained as in our Natiue Cuntries of the vnited Belgick
 Prouences and England ; Doe by vertue heerof Confiding in the Wisdom

integrety and Sufficiency of Captaine Tho: Willett and Ensigne Gorge Baxter depute the said Captaine Tho: Willett and Ensigne Gorge Baxter to treat and agitate with the Comissioners of the vnited english Collonies giueing and graunting and by vertue of these p^rsents I doe giue and graunte full power and authoritie vnto my said deputies to Joyne with other two deputed *by the Comissioners of the vnited English Collonies and with them to treat agitate examine all or any difference betwixt the two nations in these parts and absolutely by the Joynt Concurrence of the other two deputies to end and determine them according as they in their Wisdoms and entegryty shall think Just and Right; with power likewise to my said Deputies to enter into such tearmes of accord for provisionall lymits and league of loue and vnion betwixt the two nations in these parts as to them shall seeme expedient Ratifying and Conferming and by vertue of these p^rsents will stand bound to Ratify and Conferme whatsoever my said Deputies shall agree vnto on my behalfe according to such directions and Instructions for the Comon good as wee haue giuen them; In Wittnes and Confermacon wherof I haue heervnto sett my hand and Seale this 28th September 1650 Stil; Nō

1650.

September.

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PETER STUIJVESANT

The House the Hope on Conec-
ticott Comonly Called the fresh Riuer

A like Comission with full power was graunted to M^r Symon Bradstreete and M^r Tho: Prence in the following words

Know all whom it may Conserne the Wee the Comissioners for the Vnited English Collonies by vertue of the letters pattents graunted by the Kings of great Brittainne vnder the great Seale of England for all New England lying in that part of america from the Northeren latitude of forty to forty eight and according to the Confederacon formerly made and a full power this yeare giuen by the fower Generall Courts of the Massachusitts Plymouth Conecticott and New hauen to the p^rsent Comissioners by which they are enabled to treat and Conclude in matters of publick Consernment that former and late greivances betwixt the honored Gouvernors or agents for the high and mighty States of the vnited Belgick Prouences in such parts of america as are possessed *or Justly belonging to the said H^e M^e C^e and the English Collonies may bee duly Composed and a Just and naighborly Correspondency settled; Confiding in the entegryty and sufficiency of our worthy frinds M^r Symon Bradstreet and M^r Tho: Prence haue and heerby doe intreat and deligate them to agitate treat and Conclude with the deputies appointed and authorised by Peter Stuijesant Esq^r the p^rsent honored Gou^r

*212

1650.

September.

of the Prouence of New Netherland to Consider and Compose all differences to agree and Conclude prouisional lymits in all places wher there is question of title or bounds a Course for ordering or Returning fugitiues and settling a Just Correspondency Ratifying and by these p^rsents Confeirring what our said deputies according to directions and Instructions giuen shall agree and Conclude in the p^rmises or any part therof in Wittnes Wherof the President for the Comissioners hath heerunto sett his hand and seale

EDWARD HOPKINS

Dated in Hartford vpon

President

Conecticott $\frac{1}{2}$ ⁸th of

September i650

Vpon a serius examinacon and Consideracon of the p^ticulars Comitted to Reference the Arbetrators delivered in the following award

Articles of agreement made and Concluded at Hartford vpon Conecticott September 19th 1650 betwixt the deligates of the honered Comissioners of the Vnited English Collonies and the Deligates of Peeter Stuijvesant Governor Generall of New Netherland

I Vpon serivs Consideracon of the differences and greivances ppounded by the two English Collonies of Conecticot and New haven and the answare made by the honered Duch **Duch* Governor Peeter Stuijvesant Esq^r according to the trust and power Comitted vnto vs as Arbetrators or Deligatts betwixt the said pties; Wee find that most of the offences or greivances were things done in the time and by the order and Comaund of Mons^r Wilłam Keift the former Governor and that the p^rsent honered Goue^r is not duly ppared to make answare to them; Wee therfore think meete to Respet the full Consideration and Judgment Conserving them tell the p^rsent Gouvernor may aquaint the H. M. States and Westindia Companie with the p^ticulars that soe due Reparacon may accordingly bee made

2 The Comissioners for New haven Complained of seuerall high and hostile Iniuries which they and others of that Jurisdicon haue Receued from and by order of the aforsaid Mons^r Keift in Delaware bay and River and in their Returne thence as by their former ppositions and Complaints may more fully appeere; and besids the English Right Claimed by pattent p^rsented and shewed seuerall Purchases they have made on both sids the River and bay of Delaware of seuerall large tracts of land vnto and somewhat aboute the Duch house or ffort there with the Consideracon given to the said Sachems and their Companies for the same acknowledged and Cleared by the

hands of the Indians whom they affeirme were the true ppiators testified by many Wittnesses ; they also affeirmed that according to their apprehensions they have sustained 1000^l damage p^{ty} by the Swedish Gouverner but Cheiffly by order from Mons^r Keift and therefore Required due satisfaction and a peacable possession of the aforesaid lands to Inioy and Improve according to their Just Right ; The Duch Gover^r by way of answere affeirmed and asserted the Right and title to Delaware or the south River as they Call it and to the lands there as belonging to the H. M. States Westindia Companie and p^ossessed hee must p^otest against any other Claime ; but is not p^ovided to make any such profer as in such a treaty might bee expected ; nor had hee Comission to treat or Conclude any thing therein vpon consideracon wherof *Wee the said Arbitrators or Deligates wanting sufficient light to Issue and determine any thing in the p^omisses are nessesitated to leave both parties in State quo privs to plead and Improve their Just enterests at Delaware for planting or Trading as they shall see Cause ; onely wee desire that all p^oceedings there as in other places may bee Carried on in love and peace till the Right may bee further Considered and Justly Issued either in Europe or heere by the two States of England and Holland.

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Concerning the seyzing of Mr Westerhouse shipp and goods about 3 yeares sence in New haven harbor vpon a Claime to the place ; the honored Gou^r Peeter Stuijvesant Esq^r p^ofessing that which pased in Writing that way was through the error of his Secretary his Intent not beeing to lay any Claime to the place and withall affeirming that hee had order to seize any Duch shipp or vessell in any of the English Collonies or harbors which should trade there without expresse lycence or Comission ; Wee therefore thinke it meet that the Comissioners of Newhaven accept and acquiesse in this answere

3

Concerning the bounds and lymitts betwixt the English vnited Collonies and the Duch provence of New Netherland Wee agree and determine as followeth

That vpon long Iland a lyne Runne from the Westernmost part of the oyster bay soe and in a straight and directe lyne to the Sea shalbee the bounds betwixt the English and Duch there, the Easterly p^t to belong to the English the Westernmost pt to the Duch

I

The bounds vpon the mayne to begine at the West side of Greenwidge bay being about 4 miles from Stanförd and soe to Runne a Northerley lyne twenty miles vp into the Cuntry and after as it shalbee agreed by the two gouernments of the Duch and of Newhaven p^ovided the said lyne Com not within 10 miles of hudsons River.

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And it is agreed that the Duch shall not at any time heerafter build any house or habitacon within six miles of the said lyne *The Inhabitants of Greenwidge to remayne till further Consideracon therof bee had vnder the Gouverment of the Duch

3

That the Duch shall hold and enioy all the lands in Hartford that they are actually possessed of knowne or sett out by sertayne marks & bounds and all the Remynder of the said land on both sids Conecticott River to bee and Remyne to the English there

And it is agreed that the aforsaid bounds and lymites both vpon the Iland and mayne shalbee observed and kept Inviolate both by the English of the vnited Collonies and all the Nacion without any Ineroachment or molestacon vntill a full and finall determinacon bee agreed vpon in Europe by the mutuall Consent of the two states of England and holland.

Concerning fugitives

It is agreed that the same way and Course shalbee observed betwixt the English of the vnited Collonies and the Duch within the prouence of New Netherlands as according to the 8th article of Confederacon betwixt the English Collonies is in that Case pvided

Concerning the pposition of a nearer vnion of frendshipp and amity betwixt the English and Duch Nacon in these parts especially against a Common enimie Wee Judg worthy of due and serius Consideracon by the seuerall Jurisdictions of the vnited Collonies and accordingly desire it may bee Comended to them that soe a Resolucon may bee had therin at the next yearly Meeting of the Comissioners

And in Testimony of our Joynt Consent to the seuerall forgoeing Conclusions wee haue heervnto sett our hands this 19th Day of September Anno Domi. i650

SYMON BRADSTREET

THO: PRENCE

THO: WILLET

GORG BAXTER/

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*The Comissoners for the Massachusetts ppounded that a Course might bee taken for the Recovering of such tribute as is due from the Indians to the Collonies; and it was Concluded that Captaine Mason bee desired at his goeing to long Iland to Require payment there. and to Indeavor to settle it in such a way that it may bee punctually heerafter discharged according to Couenants; And for the pequats that are with the Narriganssets Nianticks Mohe-

gens or any others ; Tho: Stanton is desired and appointed to demaund and Receue the same and to giue an account at the meeting of the Comisioners what hee hath Recouered and who they are that Refuse and vpon what grounds hee is also to attend the Constant yearly meetings of the Comissioners or any other extreordinary meeting vpon Convenient notice to interpret and pforme such other service as may [^] in Reference to the Indians for which the Collonies promise to allow him thirty pounds p Annum

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Wheras an order forbiding trade with the Indians within the lymits of the vnited Collonies to all foraine Nacions vpon the waighty Consideracion therin expressed the lyberty for seizing such vessells as transgresse is lymited to the members of that Jurisdiction wher the offence is Comited It is thought fitt that it bee Recomendēd to the seuerall Generall Courts that for the more effectuall execucion of the said order it may bee lawfull for any pson or psons Inhabiting within any of the vnited Collonies to make Seazure of any goods or vessells trading with the Indians within any of the Jurisdicions Contrary to the tenure of that order.

The Jurisdiction of Canecticott hath lyberty to take East hamton vpon long Iland vnder there Gouverment if they submite

The Comissioners of the Massachusets ppounded that for the pventing of all future differences betwix the *Collonies of the Massachusets and Conecticut ther might bee som speedy Course agreed vpon to settle the bounds and lymits betwixt them, but the Comissioners for Conecticott not having at p'sent any other Cobby of there pattent then what was formerly p'sented and the Comissioners for the Massachusets standing vpon the original Pattent or a Cobby vnder seale or sufficiently Wittnessed to there satisfaction, there Could bee noe agreement for the p'sent.

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The foregoing Conclusions
were agreed and Subscribed
by the Comissioners for the vnited english
Collonies at Hartford this
23^d of September 1650.

JOHN HAYNES
THEOPH: EATON.
STEPHEN GOODYEARE

EDWARD HOPKINS President
SIMON BRADSTREET
WILLAM HATHORNE
THO: PRENCE
JOHN BROWNE

* **At a meeting** of the Comissioners for the vnitid
Collonies in New England att New haven the 4th of September 1651

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The articles of Confederation being read; an order of the generall Court of the Massachusetts dated the 7th of May 1651 was p^rsented and Read wherby it appeered that M^r Simon Bradstreet and Captaine Wiltam Hathorne were chosen Comissioners for one full and compleat yeare and envested with full power & Authoritie according to the tennure of the said articles;

M^r John Browne and M^r Timothy Hatherley were Chosen Comissioners for the Collonie of New Plymouth as appeered by an order of the generall Court dated the 4th of June 1651 which was p^rsented and Read

M^r Edward Hopkins and M^r Roger Ludley Esq^r wer chosen and appointed Comissioners for the Collonie of Coniccticott as appeered by an order of theirer Generall court dated at Hartford the 15th of May 1651

Theophilus Eaton Esq^r and M^r Steven Goodyeer were likewise chosen Comissioners for the Jurisdiction of Newhauen for this p^rsent yeare to treat and conclude of all things according to the tennure of the articles of Confederation as appeered by an order of theirre generall court dated at Newhauen the 29 of May 1651

Theophilus Eaton Esq^r was chosen p^rsident for this meeting

Letters from M^r Wiltam Steele President of the corporation for propagating the Gospell in New England and from M^r Winslow dated aprell 17 1651 were Receued and Read the tennure wherof is as followeth

Gentlemen

*222 by a letter to M^r Wiltam Steele our Presedent *dated at hartford 28th of September 1650 and another to M^r Winslow wee p^rceaued ours came to your hands and withall wee are glad to take notice of y^e Redines that is in you to put your shoulders to the worke in the management of yt; therby contributing what is meet to bee done and giueing a due p^rportion of encouragement to every deserueing p^rson as well English as shalbee Employed in it as Indian that is or shalbee wrought vpon; for truely Gentlemen as y^e care of

providing lyeth vpon vs y^e corportion heer soe the care of Distribution and Improuement will Rest vpon youer selues the Comissioners for y^e vnited Colonies there of whose faithfullnesse wee haue not the lest cause to doubt ;

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September.

Wee are sorry soe much time hath been lost and yet wee hope wee haue gained by our stay in som Respects for many minnesters in London haue promoted the act that were Resolued against yt and wee beleene the like in the Countrey because they are constreined either by light within them or example without them beyond their late Resolucions but wee conclude it is of God and trust wee shall find a blessing vpon our joynt endeavors

Tis strang to see what & how many obiections arise against the work som from the ill management of former Gifts bestowed on y^e Countrey of New England of which no account hath been given to y^e doners and som psonally Reflecting vpon M^r Wells and M^r Peters som vpon our selues the corporation as if wee had so much p pound of what is collected or might feast our selues liberally therewith wheras through mercy wee never yet eat or drank of the fruit or charge of yt ; and neither haue had or expect a penney or pennyworth for all the paines wee shall take therein but contrary wise account it a mercy ; God giuing vs an oppertunity to bee exercised in a work wherin his Glory and the saluacion of soe many is soe ^{*so} neerly Conserved as for M^r Peters and M^r Wells they haue sufficiently satisfied vs with what hath been formerly answered as by the Cobby of M^r Wells letters heere enclosed yet wee could desire y^e Gouerment of y^e Massachusets or their speciall Comissioners would give vs from thence a word or two what account hath been giuen by M^r Wells and what satisfaction their court Receued by his account thither sent ; and send it in such tearmes as wee may publish it to the world if wee see cause this will Conduce much to the furtherance of y^e work but wee leaue it to your descreion

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Wee are glad to see youer Care in giueing direction in M^r Winslows letter for such things as you see Nessesarie to be sent ouer this p^rsent yeare, and howeuer we are not in a capacitie to send soe much at p^rsent haueing newly begunne the Collection and very little moneys Com in as yet ; wee haue sent you for the p^rsent som few hoes and Iron tooles to carry on the work of y^e summer and hope that by the next shipp wee shalbee able to send you som woolen shoes and stockens according to youer direction or at least according to our abillitie for wee find the proceeds of the Collection goes slowly on both in Citty and Cuntry and that it wilbee long worke

And because wee must Receue our Instructions from youer selues wee Intreat you to confer with M^r Eliot & M^r Mayhew by your selues or som such as you shall depute what willbee nessesarie for the next yeare what public meeting houses and what other buildings will be Nessesary what Mayn-

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tenance to Minesters and Scoolmasters and Mistrises shalbee Employed in teaching of Children and wee pray you consider whether it will not bee Nes-sesarie to treine vp English and Indian together for the better obtaining each others language what the charge of all this will amount vnto att first and what to maintaine p annum from time to time that **That* soe wee may heere Improve what the lord shall send in to the best advantage; that if money com in together which wee much feare wee may bee enabled to purchase som lands to raise som yearly profits to Carry on the same

As for your desire that one hundred pounds may bee paid to Mr Winslow either out of the Treasury heer or to bee Charged vpon you there to bee by you made good in the Country to the service of the work wee haue not as yet any monyes in stock to doe it but incline to the latter and in due time you shall heare further of vs in that kind for howeuer hee now actes as freely as our selues yet wee know hee could not but bee much out of purse in psuing things to pfection and those other services of your cuntrye before hee accepted the publick service of the state and therefore had Rather it should be done by your selues then by vs; And wheras you desire the monneys to bee layed out should bee put into the hands of Mr Pellam and Mr Winslow and they to make the provision; Mr Pellam hee is seldom in towne and Mr Winslow will by no means be pswaded to meddle with the Receipts of Money But wee shall put it into such a way as wee trust shalbee satisfactory to all; and to that end wee entreat you as wee shall now and heerafter send you any Invoyce of what wee send; and so doe you Returne a pticulare account of all you Receue from vs that soe one account may answare the other and the mouthes of all adversaries may bee stoped; And that it may bee soe wee suppose as wee onely haue a Clark and Messenger in pay soe you will haue some Steward there whom you will betrust with the accoumpts of the whole and once a yeare at least transmitt a Cobby over to vs that may bee extant and in Reddines to giue satisfacon to euery Doner that shall Require it then which nothing willbee more Satisfactory

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It shalbee our greatest care and vtmost endeavor to Carry on the work with all convenient speed in all parts at once or as fast as wee can; that soe **soe* the Prinsipall bee not eat vp as it comes but som Money bee layed out to purchase a standing Revenew but it is the lord must Crowne our endeavors with his blessing to which end that our joynt Requests may meet at the throne of grace is the earnest desire of

Gentlemen

your loueing frinds and

fellow laborers of the

Corporation and signed by

WILLIAM STEELL P^rsident

Postscript

1651.

Gentlemen

September.

Wee haue sent you heer enclosed an account of such provisions as wee haue shipped which goods wee haue Consigned to Mr John Cotten and Mr John Willson who are onely to take vp y^e said goods and lodge them vntill they can send to the Comissioners you may vnderstand by the bill what pticulars are in euery Cask as allsoe the Number and Mark vpon the same

To the aforsaid letter the following answare was returned by the Comissioners

Hono^rable S^r

By a second letter of youers lately Receued wee take notice of youer continewed love and unwearied paines in this service of the Gospell that the countenance and Authoritie of Parliament and the Christian liberallitie of well affected p^{er}sons may bee duly Improved for the honor of Christ in the sperittuall good of the Indians ; wee are sorry that any obiections or Impediments should lye in youer way and would gladly answare **answare* and Remoue them but those ancient Gifts and summs of Money Raised for New England were most (as wee conceiue) expended in foundation worke not onely before the Collonies did Combine but before two of them had any being ; and though the Gentlemen Intrusted might in those times haue giuen a satisfying answare to soe Just a demaund yet som of them being sence dead and others Removed wee feare it wilbee now difficult if not Imposible onely wee shall the more seriously consider and endeavor that y^e money which by the favor of y^e state and the pious care of y^e corporacon shalbee collected and sent ouer may bee not onely duly Improved but that a Just account bee kept (and as occasion may Require bee duly Rendered and for that purpose wee haue thought on Mr Edward Rawson a man well approved in the Massachusets who lives at Boston as a Steward or agent to Receive what shalbee sent over and to disperse and distribute as the Comissioners for the Collonies shall see cause to order What Moneys Mr Wells and Mr Peters haue Receiued and how Employed wee haue desired and hope you will Receiue satisfaction from the Massachusets though wee found no letter of his enclosed according to youer Intimation ; The hoes and other Iron ware now sent over Mr Cotten & Mr Wilson or som by their appointment haue lately Receiued which wee shall order for the healp and Incurragement of the Indians in their buildings and plantings and with the like care and to the like ends wee shall Employ and distribute the linnin woolen shooes and Stockens when they come

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to hand; And our frinds and bretheren M^r Bradstreet and Captain hathorne Comissioners for the Massachusets vpon Conference with M^r Elliot will forthwith sertifye what may bee most Convenient for the next yeare; And heerafter as wee shall see more of the Counsell of God in carrying on this great worke wee shall Impart our apprehensions concerning Minesters Scool Masters for the education of y^e Indian Children M^r Elliot and M^r Mayhew continew their Pius labours in sowing sperituall seed amongst them and M^r Leueridge M^r Blinman M^r Person ℥ are Studying the language that they may the better treat with them Concerning the thinges of their peace And for our selves as oppertunity serueth wee shall account it an honer to bee Intrusted and Employed in the consernments of our Master with assurance that hee that is lord of y^e harvest will accept and prosper our endeavors; with our due and humble Respects we rest

Sir

y^{ou}er servants

Newhaven the 10 September 1651

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*Contents of the letter from M^r Winslow

Were to this purpose

Gent:

Receving a letter from you; notwithstanding the large letter sent by the Corporacon to y^{ou}er selves, I can doe no less then give you thanks for y^{ou}er Respect therin vnto my selfe and care of mee least I might sinck vnder the p^rsure of following publick busines at my private charge the time is not yet come for mee to expect any Releife there being very little of y^e Collections come into the Treasury more then what hath been expended in printing ℥ and paying Mr. Gennors librarye which I desire may bee looked after according to the Catalogue sent over for his Nessesities pressed vs to a p^rsent disbursment of 30th and to Recover it againe would bee an hard matter yee to hard for vs hee liveing in Norfolke but a word is sufficient and it is better to lose som then all, I shall speedily write to M^r Weld and acquaint him alsoe with the Reddines that is in the Corporacion to pay the 34th to him alsoe (haueing order soe to doe) for his library left with M^r Elliot soe that I trust that Gapp wilbee soone stopped

The Collection is hopfully begun in London and I beleiue will Rise to a considerable summe but you would wonder to heare the severall sorts of obiections that are made against it by men that after all are ashamed to neglect it; as what haue wee to doe to Raise great sums to promote y^e Gospell amongst naked people the Gospell is goeing away from vs and wee

healp it forward wee had more need to support learning at home then abroad ;
 And then our leuelers they will haue nothing to doe to promote humaine
 learning there is to much of it allreddy and yet notwithstanding it goes
 hopfully on &c

1651.

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Yesterday as I was informed M^r Cottington had something done for him
 at the Counsell of State which I beleive was his pattent Confeirmed for the
 truth is sence I pceive by letters from Plymouth that after another yeares
 warning nothing is like to bee done in Reference to the old order of lords
 and Commons sent ouer in 47 (as I take it) I looked vpon it as a vayne thing
 to *to striue against the streame when as ended that was the mayne matteriall
 obiection aboue a twelvemonth sence which I could not answare That wee
 had such an order but did not looke after the pformance therof nor made any
 Returne vpon it and if I could not then answare it how much lesse now after
 another yeare if not 18 months expiracion but the will of the lord must bee
 done in it however I suffer in my Reputation heere ; to make soe great a
 bustle and forced to let all fall at last ; had I not had pticulare Instructions
 from Plymouth therin I had never stired in it but I shalbee more warye
 heerafter how I engage in busines of that nature yet when I have said It I
 shall not dare to neglect the least service wherin any or all of the vnited
 Collonies are Conserved

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Heere is a great murmuring at the great provisions of powder and shott
 the seuerall shippes get licence for yeare after yeare 40 barrell of powder and
 50 is an ordinary pportion to a shippe nay somtimes an 100 ; and lead and
 Armes pportionable tis layed to our charge that being Custome free wee
 enrich ourselues by furnishing Barbathoes Verginnia though enimies &c
 with that and other comodities and there hath been vpon that very account a
 serivs debate about Revoking our free Custome and excise I haue labored in
 it and satisfied many of the Parliament and Counsel of State shewed your
 Care not to suffer any powder more then ships store to bee Transported away
 that wee are faine to land all wee bringe hether for feare of fiering the ships
 in the Riuer and must get lycence for that allsoe vpon Returne that the Mas-
 ter is forced to get lycence for more then hee bringes that soe hee may beare
 out his passengers pticular stores I haue shewed them how many shippes and
 their lading wee had lost by the kings ptie tould them what profitts they had
 by the Returnes of New England for whether they went for Spaine Streites
 Barbathoes &c they all paid Custome and excise home ; that wee onely had
 suffered with and for them and for their sakes were hated of all the English
 abroad ; This hath made a p'sent stopp But I assure you it conserne the
 Cuntry to take *take notice of it and bee carfull that our Marchants and such

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as trade thither abuse not the freedome wee enioy nor know I better to whome to Impart it then to you the Comissioners that are the Rep^rsenttatiues of the vnited Collonies I pray God to direct you heerin amongst other the waighty affayers of the Countrey, ℥c ℥c ℥c

Gen^l

Your most humble
servant E. W

London Aprill i7. 5i

The answare to the foregoing Letter followeth

Hono^rd S^r

Wee haue Receiued youers of the 17 Aprill past and therein take notice of youer continewed Respects to this Cuntrey and ensesent endeavors for the promoting the wellfar of the poore Natiues wee haue alsoe seen the envoyce of y^e goods sent which as wee vnderstand are taken vp at Boston according to the tennure of the bills of lading and secured by those to whose care you comitted them; it is some disadvantage that the prises of y^e seueralls are not mencioned which for future you may please to Rectify wee shall endeavore throug y^e grace of Christ that what comes to our hands may bee Improued to the best advantage of the worke as it comes vnder our view and that such accounts bee kept of the desposalls therof and returned to you as may (if not fully answare the expectation of all who are conserved; yet evidence our faithfulness in the trust comited to vs; In order wherunto wee haue deputed Mr Edward Rawson of Boston as our Steward or agent to Receiue what is sent despose and keepe accounts of y^e same according to such order as hee Receiueth from vs and notice shalbee taken according to youer desire what difference there is in the proffe of y^e tooles now sent; Wee shall enquire after the Catalogue of Mr. Genners librerye and endeavore that neither youer nor our ends therein may bee frusterated It is apprehended by som that according to the entent of y^e Act of Parliament an eye may bee had in the
**The* destrebutions to the enlargment of the Colledge at Cambridge wherof there is great need and furtherance of learning not soe Imediately Respecting the Indian Designe though wee fully Concuere not yet desire to know what the apprehensions of the honered Corporacion are heerin; If the one might Reseave som encurragement without p^rjudice to the other wee hope the kingdome of our Lord Jesus the Generally proffessed end of all enteresed in y^e work may bee advanced therby It hath been and is the great care of the Gouverments in the severall Collonies that the Imunities graunted vs by the hono^rable Parliament may not bee abused by any of ours and therein haue had a speciall Respect to the Trad of powder which wee can not but feare

hath been to exorbitantly managed by somm though the wellfare of the Collonies in many Respects is deeply conserved and hazarded wee shall add what strength wee may to the sensers allreddy made That if no other consideracions will p̄vaile selfe consernments may deterre Though wee have not vnderstood that any from vs hath been transported to Barbadoes or Virginia the great enconuenience wee lye vnder is from that mischevius trad of Guns powder and shott & Carried on by ffrench Duch and Sweads with Indians and Temtations arising to som of ours therby which hath occasioned many to vrge to a setting open that trade amongst our selues Conseiuing that as the case stands the best way to put a Checke to y^e Currant it now Runs soe strongly in but wee haue been slow heerin nor dare wee yet set open such a dore yet could bee willing to vnderstand from you what Interpretacion you conceiue would bee made by y^e State there if Restreints vpon the aformencioned Considerations should for a time bee taken of

1651.

September.

Wee vnderstand M^r Eaton hath at larg written vnto you about their just title to Considerable parts of land on both sides Delaware bay and Riuier how they were formerly disturbed in their trade and planting by force and other vnlawfull practises both of Duch and Sweads youer selfe may Remember *and hee hath acquainted you with a late vnneighborly and iniurius Carriage of the Duch Gou^r when at least 50 of Newhauen Jurisdiction were on their way to plant there but were stayed Imprisoned and forced to Returne with great lose to those entersed in that designe; and hath desired your healpe in procureing a pattent; These things by a petition from those conserved in y^e late lose and disapointment haue been Recomendend to our Consideracon Wee are Justly sensible of the dishoner put vpon the English Nation by this vniust afront of our duty to p^rserue y^e English title to soe Considerable place as Delaware and that a Just Repaire and satisfaction bee made to those soe wronged both in their psons and estates and from you desire enformacon what esteeme the old Pattents for that place haue with the Parliament or Counsell of State where there hath been no Improvement hetherto made by the Pattentees whether the Parliament hath graunted any late Pattents or whether in graunting they Reserue not libertie and encurragement for such as haue or shall plant vpon their formerly duly Purchased lands as allsoe how any engagement by the Collonies against the Duch vpon the formentioned occasion willbee Resented by the Parliament of which wee desire enformacion by the first

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Vpon occasion of som former letters written by M^r Winthorpe somtimes Gov^r of the Massachusets and som other Majestrates of that Jurisdiction

1651.

September.

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to procure and settle free trade between the English and French in these parts of America Monsieur Dalliboust Goun^r of New France sent M^r Gabriell Derwellets as his agent about october i650 to treat with the Massachusetts and Plym: Collonies about a league offensive and deffensive but being enformed that the 4 English Collonies are confederate and that all treaties and leagues concerning warr or peace with others naighboring Nations or Collonies are now **now* Referred to the Consideracon and conclusion of y^e Comissioners who meet yearely in September and the next yeare in course in New haven, hee then Returned but himselfe & Mons^r Godfrey were after sent to Boston with Comissions from y^e said Governer and Counsell of New France and with letters from them to y^e Comissioners of the vnitd Collonies, dated June 20. i65i wherein they complayne of y^e Iniurius Treacherus dealing of y^e Mohaukes in making hostile assaults vpon them and their Naighbor Indians without cause and contrary to agreement and leagues of peace ; from Boston M^r Derwelletes as Agent both from the French Collonie and from the French and Kenebeck Indians ; of which som of them are (as hee afeirmeth) baptised Christians and other Chatechumeni or learners in that way wrote to the Comissioners of Conecticot and Newhaven desiring that the Comissioners would meet at Boston (but that was Inconvenient) hee alsoe gaue severall arguments to pswade the English Collonies to joyne with them in a warr against the Mohaukes as that y^e warr is just they breaking solomme leagues made for peace ; and managing their warrs with much Crueltye It is a holy warr for defence of converted Indians and encurragement of Chatechuminis who are psecuted and Cruelly handled when taken by the Mohaukes as proffessors and frinds to the Christian Religion It is of common Consernment the Inroades of the Mohaukes tending to the destruction at least to the great disturbance of the Trade wherein both French and som of the English both of Massachusetts and Plym: are Intersed and that themselves haue no Convenient Passage to carry on a warre against y^e Mohaukes the way being long and full of difficulties by land and no passage by water not soe much as for a loaden Cannooe Wherfore in the name both of the French Governer & Counsell of the Indians aforsaid hee desireth the Collonies to joyne in warr and in their names promiseth a due Consideracon and allowance for charge ; or that the French may have libertie to take vp Volenteers in the English Jurisdiction ; and bee furnished with victailes for that service at least that they may pase through the **the* Collonies by water and land as occation may require To these letters such answare was Returned by all the Collonies as might haue stopt all further proceedings but It seems by their Comissions or Instructions they were juioynd to treat with the

Comissioners and from them Joyntly to Receive their answere soe that they came along with the Massachusetts Comissioners to Newhaven and p^resented three Comissions one from the French Governour a 2^ond from the Counsell of New France and a 3^d by which M^r Gabriell Drwellets was sent to publish the doctrine of y^e Christian faith amongst the Indians; hee againe allsoe opened the case betwixt the French & the Mohaukes and Improved his abillities to the vtmost to pswade the Comissioners that the English Colonies might Joyne in the warr against the Mohaukes; at least that they would p^rmitt volenteers and afford passage through their Jurisdiccions or take the Converted Indians and Chatachumini vnder their protection which being graunted hee offered Treatye about settleing a free trad betwixt the English and French in these parts of america; The matters ppounded being of weighty Consernment were seriously considered and answere was Returned to the French agents by word of mouth and to the Governour and Counsell of New France in writting according to the tennure of the ensueing letter and Conclusions enclosed being Translated into Latine

1651.

September.

Most Illustrious Sir
and much Hono^red Gentlemen

Wee have received your seuerall letters p^resented by your honored agents and seriously Considered what hath been by them either in writing or by Conference propounded Conserning those Iniurius and hostele attempts made by som of the Mohaukes vpon som of your Naighboring easteren Indians of which (as wee are enformed) som are Converted to the Christian faith and others are willing to bee taught and may in time prove Desiples to our saving lord and Master as such wee pittey them but see not how wee can protect or afford the healp desired without exposing the *The smaler English plantations and our owne Naighboring Indians of which some allsoe professe Christianitie) to danger Wee giue due Credite to your Deputies and can conceive you may have Just grounds for a warr but wee haue yet noe cause of Just quarrell with the Mohaukes nor is it safe for vs to engage in a controversy which wee neither doe nor haue means satisfyingly to vnderstand, the Mohaukes neither being in subiection to nor in any Confeaderacon with vs; Wee are free to hold a naighborly corespondency with you and would have settled a free Commerce betwixt y^e English and French Collonies but your agents thought it either vnseasonable tell mater were Composed betwixt the Mohaukes and your Indians or els propounded such Restrictions as would haue taken away all conveniency and freedom from the trade what hath hindered our p^resent Closure (the

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enclosed writing will shew, but if a fitter oppertunitie bee offered wee shall not bee wanting to contribute to a more satisfying Issue, in the meane time wee Rest

September 6 165i

New hauen Sti: Angli:

An answare to the ppositions p^rsented by the honered French agents to the President and Comissioners for the English vnited Collonies

- 1 Vpon due consideraçon and Respecte to what the honered Deputies from the Illustrivs Gou^r of New France haue enformed and vpon experience our selves haue had of the Insolency and treachery of som of the Barbarians wee can conseaue and graunt that the French and those Easteren Indians may have Just grounds to their owne satisfaction for a warr against the Mohaukes
- 2 The English looke vpon all such Indians as Receive the yoake of Christ with another eye then vpon others that Worship the Diuell
- 3 The English desire by all Just meanes to keep peace If it may bee) with all men even with these Barbarians
- 4 *The Mohaukes liveing att a distance from the Sea haue littel entercourse
1655 in these parts ; but in the warr the English had with the Indians 14 or 16 yeares sence the Mohauke shewed a reall Respecte and have not sence donn any knowne hostele actes against them
- 5 The English engage not in any warr before they have full and satisfiing euedence that in all Respects and consideracons it is Just and before peace vpon Just termes hath ben offered and Refused
- 6 The Mohaukes are neither in Subiection nor in league with the English soe that wee can neither Require any accoumpt of their warrs or other proceedings nor haue wee meanes to enforme our selves what they can say for themselves if all other considerations were cleared
- 7 To make warr with the Mohaukes may endanger our Naighbor Indians of which diuers professe christianitie and the Rest doe rather expect Just protection from vs then that wee should expose them by our vountary Inroading the Mohaukes
- 8 Though the English in these Jurisdictions are free to pforme all Naighbourly offices of Righteousnes and peace towards the French Collonie, yet they foresee they can neither pmitt volenteers or Avxiliarye forces to bee taken vp against the Mohaukes nor that the French or Easteren Indians to pase through the English Jurisdictons to envade them ; but they shall expose both the Christian and other Indians and some of the smaler English plantations to danger.
- 9 The English are much vnsatisfied with that mischeuivs trade the French and Duch haue had and still continew selling guns powder and shott to all

the Indians of which wee have daily complaints and by which the Indians are animated and apte to grow ensolent not onely against Indian Converts and Chatechumini but against the Christians of Europe

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September.

If the English Collonies were assured of the Justice of this warre and engaged with the French to prosecute against the Mohaukes yett wee haue noe such short and convenient passage either by water or land to approach them as may bee had by hudsons Riuier to and beyand Ourania fort which is in the Duch Jurisdiction

IO

*They hope the Ancient peace and amity betwixt England and France wilbee continued and confiermed which they both desire and as fare as lyes in them shall by all due meanes Reddilye promote

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They conceiue that the honered Deputies haue power and authoritie at p^rsent to agree and settle a free Commerce betwixt the English and French Collonie in these parts, But if the said Deputies vpon Reasons knowne to themselves see cause to limitt the English Collonies to such Restrictions or Rather prohibitions as the vnpriuilidged French are vnder that they may not trad till they haue first procured a pticulare lycence from the Gov^r and Counsell of New France at least till they haue Issued the p^rsent diferences and settled peace with the Mohaukes; A fitter Season for these Treaties must bee attended which the Comissioners shall Reddilye Improue when it is p^rsent

12

The English Collonies as in the 2^{cond} Article are Reddy vpon a fitt opportunitie to shew due Respect to all true Converted and Christian Indians and much more then to others; but while they live at such a distance from the English Jurisdictions they neither may promise nor can afford them any protection to Secure them from Danger;

A Petition and Letter from M^r Eliot dated September 3^d 1651 was Read and the contents considered and the ensuing answare Returned

Reverent Sir,

latter

Wee haue Read and considered both your petition and a letter dated the 3^d p^rsent by which wee Conceiue your hope continueth that the Indians doe Really Imbrace the Gospell a work (if true) worthy of due encouragement but the honer of Christ and of the Collonies in the 2^{cond} place Requireth that all Christian prudence bee vsed to Judge aright of the Indians Scope and aime in their profession least they should onely follow Christ for loaves and outward aduantage Remaining enimies to the yoak and gouernment and sensuring our *our slightnes and aptnes to bee deceiued nor is this caution altogether

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September.

needles; wee feare that som of those very Indians who haue drunk in (through your continued labour) somthing of the knowldig of Christ coming into these ptes shew little of the sauor of it in their carriage sorting themselves with the Indians and as it is feared complying to much to their way of Sabbath breaking &c yet by what wee haue heard from your selfe & others wee haue better hopes of som of them for whom wee blesse god and shall not neglect their due encouragment as wee haue oppertunitie Wee wrote to the corporaçon the last yeare (of which possibly you haue not heard) that Mr Winslow might for his encouragment Receiue out of what was giuen an 100^l supposing they might haue Concorded with vs; that hee or other Instruments Employed in that work might eate of y^e fruit of it, but adding that if they thought otherwise; It might bee charged and should bee paid by the Collonies which latter they more Incline vnto; and as wee conceiue will furnish him as mony comes in and charge it vpon vs; but money yet comes in slowly by those collections soe that yet wee haue onely Received a pcell of Toolles which wee desire may bee Improued to the sole end propounded in the Collection; that such as either haue approued themselves in a Christian Course or vpon due consideraçon hold a disposition to learne may by a free gift of howes and axes or such like Instruments bee duely encouraged but if any after Receipt fall of; A marke would bee sett vpon all such that they deceiue not soe eazily the 2^{com} time but betwixt giueing and lending howes &c as lending may bee ordered there wilbee little diference and Indian Trades are or may bee driuen by others wee doe not yet conceiue it any part of our worke Wee haue entreated our Worthy frinds Mr Bradstreet and Captaine Hathorne to Confer with your selfe and your brother to Consider his Employment in Reference to the worke and to allow such encouragment as they Judge meet; who will also consider with a speciall Respect such Indians as soe Improue their oppertunities to learne as that they may bee fit to teach others; you ar pleased to mention 20^l p annum you haue Received for 4 yeares near past; and of 10^l *10^l from Mr Andrews ordered for som yeares though you know not how many; Wee heare of som other Gifts and ptcularly of an 100^l or more sent from exeter or som of those Westernen pts pt for your selfe and pt for Mr Maihew and pt for y^e Indians but in what proportion wee vnderstand not; Wee take notice from you that Mr Leueridg and Mr Blinman are fitting themselves for the worke It wilbee great mercy if the Lord please to p^rsent more Instruments and fitt mater for them to worke vpon Mr Higgenon hath spent som time formerly about the Indian language and Mr Peirson hath done the like and continueth with much seriusnes therin Wee shall thinke them all worthy of due (though diferent) encouragment; wee desired the corporaçon

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the last yeare to pay there for the bookes and other nessesaries; and p^ticularly enclued the i^o^t wee conceiue you now againe mention To brother Parke of Roxberry it seemes it was not payed; and money may still com in more slowly then is expected; wherfore wee haue desired M^r Bradstreet and Cap^taine Hathorne to see him Justly satisfied out of the goods sent; Wee shall add noe more but Rest

1651.

September.

your Loucing Frinds

September i² i65iThe following Letter was directed to M^r MaihewS^r

Wee haue heard of the blessing God hath bestowed on your labour in the Gospell amongst the poore Indians and desire with thankfulness to take notice of the same and from the appearence of these first fruits to bee stired vp to seeke vnto and waite vpon the great lord of the haruest that hee would send forth more labourers into his vinyard and soe bedew their labours with the former and latter showers of his spiret that good corn may abundantly Spring vp and this barran Wildernes become a fruitfull feild yee the garden of God; and that wee might not bee wanting in the trust comitted to vs for the furtherance and encoragement of this work wee thought good to let you vnderstand there is paid by the corporacion in london 30th for part of M^r Gennors librarye and as they enforme vs a Catalogue of the bookes sent ouer (which is for your encoragement) Wee hope you haue Receiued or els desire you would looke after **after* them from M^r Eliott or any other that may haue them or if ther bee any error wee desire to heare it; there are som howes and hatchetts sent ouer for the Indians encoragement of which your Indians may haue p^t if you think meet and bee pleased to giue them a note to M^r Rawson of Boston of what shalbee needfull for their vse especially those that bee most willing to labour Wee are allsoe enformed there is an 100th giuen by some of exeter toward this work of which som p^t to your selfe but know not the quantitie Wee would bee glad to heare how the work of God goes on amongst them with you that soe wee might enforme the corporacion in England and haue our harts the more enlarged to God for them soe with our best Respects wee Rest

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your very Frinds

Newhauen Sept: i² i65i

For the better ordering and Carrying on the affayres of the Iudians in Respect of the gifts procured for them by the corporacōn in England the Comissioners have made choise of M^r Edward Rawson as a Steward to Receive and dispose of the same; and haue entreated the Comissioners of the Massa-

1651.

September.

chusets to treat with him about his Employment & salary and if hee accept thereof to deliuer him the ensuing Commission if hee Refuse the said Commissioners are desired to appoint and agree with som fitt pson for that work for this yeare next ensuing

Wheras you Edward Rawson gent: are Chosen and appointed by the Commissioners of the vnitd Collonies as a Steward or agent for the Receiueing and disposing of such goods and comodities as shalbee sent heither by the corporaçon in England for the propagating the Gospell amongst the Indians in New England which you are Carfully to observe and pforme according to the trust comitted to you in the ensuing directcions.

first you are to take notice of all such goods or Comodities as shalbee sent from the corporaçon aforesaid them safely keep and make entry therof in a book for **for* that purpose

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2^{condly}

you shall deliuer and dispose of ^ according to the directions of the Commissioners or some two of them by a note vnder their hands and not otherwise

3^{ly}

you shall yearly give or send a true account of what you haue Receiued and disposed of, to the aforesaid Commissioners at their ordinary meeting and at any other time being therunto by them Required

Thomas Stenton being ordered by the Commissioners the last yeare to gett an account of the number and names of the seuerall Pequots liueing amongst the Narragansetts Neantick or Mohiggen Indians &c. Wherby an agreement made after the Pequot warr are Justly Tributaries to the English Collonies and to Receiue the Tribute due for this last yeare; did according to appointment attend the Commissioners this meeting as Interpreter in the Indians occations. With him came Vncas the Moheggen Sagamore with seuerall of his men Wequash Cooke came allsoe and som of Ninnecrafts men Robert a Pequot Indian somtimes a servant to M^r Winthorp and some with him and some Pequots liueing on long Iland Tho: Stenton Presented som Papers with the names of som Pequots as they are at p^rsent settled vnder seueral other Sagamores but these papers being short and defectiue the account could not now bee pfected but Tho: Stenton and the Indians Respectiue brought in these following summes of Wampam toward the forementioned Tribute viz

Ninnecrafts Men brought in	_____	9i ffaddome
Wequash Cooke	_____	54 ffadd

in pt of y^e rest being about 30 Fadd (as hee said) hee promised to pay to Tho: Stenton within a month

1651.

Robert and his Companie _____	56 ff
for long Iland Pequots _____	32 ff
Vncas in pt the rest hee is to pay to Tho Stenton within three monthes _____	79 ff
In the whole but all vntold _____	312 ff

September.

This Wampam being layed downe Vncas and others for the Pequots demaunded why this Tribute was Required; how long it should continew and whether the Children to bee born heerafter were to pay it; All which being considered the Comissioners by Tho: Stenton answered that the Tribute by *by agreement hath been due yearly from the Pequots sence anno i638 for sundry murthers without provocacōn committed by them vpon seuerall of the English at seuerall times as they found oppertunity Refusing either to deliuer vp the Murtherers or to doe Justice vpon them and soe drawing on a warr vpon themselues to the great charg and Inconvenience of the English; which warr through the good hand of ^{Or} God issued first in a conquest ouer that Treacherus and bloody people; and after by agreement (to spare as much as might bee) euen such guilty blood; in a smale Tribute to bee paied in different proportions by and for their males according to their different ages yearly but hath not hitherto been satisfied though demaunded Wherefore the Comissioners might haue Required both an account and paiment (as of a Just debt) for the time past but are contented (if it bee thankfully accepted to Remitt what is past accounting onely from i650 when Tho: Stentons Imployment and Sallary begun

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2^{dly} though 12 years Tribute were due before this last yeare and though the agreement was for a yearly Tribute to bee paid by them and theirs soe longe as they continue in this pt of y^e Cuntry yet the Comissioners somthing to ease their spirits in Reference to this Just burthen and to engage them to an inoffenciu and peacable Carriage not onely towards the English Collonies but to the Indians amongst whom they live thought fitt and declared that the paiment of this Tribute shalbee limitted to ten yeares of which this last yeare to bee Reconed the first; after which time vnlesse they draw trouble vpon themselves they shalbee free

Thirdly though by agreement the said Tribute extended to men growne to youthes and to all male children yet the Comissioners are further Content and doe heerby declare and conclude that the Rest Submitting and duly pay- ing the said Tribute all male Pequot Children which shalbee borne heerafter this time are and shalbee free and noe tribute to bee Required for them

1651.

September.

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Eltweed Pomery of Windsor in Conecticot Jurisdiction having often petitioned the Comissioners about a mare of his wilfully killed by a Pequot Indian called Poquoiam soone after the foremencioned warre when all sorts of horses were att an high prise ; conserning which **which* M^r Israell Stoughton Generall for the Massachusetts made an agreement with Myantinomo one of the prinsipalle Narraganssett Sachems with or vnder whom the said Poquoiam lived on behalfe of the offender ; as by the Testimonyes of Tho: Stenton and Ser^eant Jefferies hath been proued by which the said Myantonimo engaged to pay or satisfy for the said mare the summe of fourty pounds of which there hath been yet noe pt satisfied though often demaunded And Myantonimo haveing been dead now about eight yeares the said Eltweed Pomery hath by himselfe and his agents often made his addresse to the Comissioners att their meetings for aduise and assistance therin ; And the last yeare vpon the Request of the Comissioners the souldiers sent from the Massachusetts to Ninecraft to Require satisfaction for other Just debts had alsoe order in p^ticulare to demaund this for the mare of Ninnecrafts and of the Narraganssett Sagamore the mare being killed by his brother in law and hee Inheriting a considerable p^te of Myantonimoes estate namly his p^te of the Pequots of w^h Poquoiam is one and hath liued with Ninnecraft which was donn but without fruite ; Vpon considera^on of the p^rmisses the Comissioners thought fitt that the said money bee againe demaunded of Ninnecraft or that the said Poquoiam bee deliuered in their hands but vpon Refusale or delay that some fitt man bee sent duely accompanied by order and direction from the Gouverment of Conecticott to Require it with allowance of the p^rsent charges and if it bee not forthwith paid to make seizure of the vallue of fourty pounds with the charges and to bring it away with them And heerof the Narraganssett Indians now present were willed to enforme Ninnecraft onely if after such payment or sezure Vncas or Wequash cooke shall by entertaining counselling or protecting Poquoiam hinder Ninnecraft from Recovering the same of him in such case the said fourty pound shalbee accounted due and bee Required from them or either of them

A letter from M^r Williams directed to the much honered Gouvernor of the Massachusetts and dated July 25. 1651 conteing sundry complaints made by the Narraganssett Sachems against vncas being Received the Comissioners Read the p^ticulars to Vncas who was Reddy to make answare in his owne defence ; The Comissioners enquired who were sent on behalfe of the Narraganssett Sachems to cleare and proue the said charge and to consider *and enforme conserning Vncas his answares Tho: Stenton acquainted the Comissioners that Ninecrafts had once Resolued to send som men to prosecute the

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said complaints but after pretended feare and danger from Vncas Tho: Stenton endeavored to Remoue his feare and offered to accomanie or secure himselfe or messengers but all would not serue ; none were sent soe that there could bee noe prosseedings therin

1651.

September.

Vncas Complained that Saquasson som yeares sence as is well knowne began hostile actes vpon him to the desturbance of the publicke peace wherupon hee was ocationed to fight him and in the Issue ouercame him and Conquered his Countrey which though hee gaue to the English and did not oppose the favore they were pleased to shew him in sparing his life yet hee cannot but looke vpon himselfe as wronged in that Saquasson, as hee is enformed is set vp and endeavored to bee made a great Sachem notwithstanding hee hath Refused to pay an acknowledgment of Wampam to him according to engagments

The Comissioners disclaimed any endeavors of theirs to make Saquassen great and are Ignorant of what hee affirme conserning the other yet Recomend it to the Gouverment of Conecticot to examine the case and to provide that vpon due prooffe Vncas may bee owned in what may be Just and equall and M^r Ludlow was entreated to promote the same

Captaine Tapping and Jonas Wood in their owne name and in the behalfe of M^r Fardom and John Ogden and others of South hamton by petition &c enformed the Comissioners that their peace is much endangered by that large Trade the Indians haue with the Duch in guns powder and shot by which meanes they are at least as plentifully furnished as themselues as apte to giue valleyes of shot in their entertainements and complements and by exercise are become good markes men ; but withall growne ensolent and Iniurius against the English som of them as the petitioners haue ben enformed haue **haue* lately driuen som of the English Cattle into the Water and soe drowned them to the great damage of the owners ; They further complaine of Iniuries susteined from the Duch sence they remoued from their Jurisdiction to one of the English Collonies thogh They first gaue notice to the Duch Gou^r therof and vnderstood not that it was any way offensiue yet since som considerable p^{ts} of their estates are attached ; or by authoritie as they heare stayed and kept from them ; and that Imprisonment is threatened if they com in pson to Improue or Remoue their estates ; All which being duely considered the Comissioners expresse the deep sence they haue of the mischeviys Trad of selling &c and soe Armeing and animateing the Indians both against themselues and vs and that they would gladly vse all due meanes to suppress it ; They further told them that if they could proue the Indians wilfully drowned their Cattle They would consider som Just course for their Satisfaction but themselues acknowlidg they want due prooffe ; lastly

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1651. in Reference to such estates as they haue within the Duch Jurisdiction
 The Comissioners wrot to the Duch Gouverner as followeth

September.

To the Duch Govern^r

Much Honrd Sir

Severall of Southhamton haue p^rsented their Greiuances to vs sence Wee mett at New haven which wee are slow to Receiue vpon the onely complaint of the p^ties Interest M^r ffardom Captaine Tapping John Ogden and Jonas Wood haue (as wee heare) som considerable p^ts of their estates yet within the limits of your Jurisdiction whether they may freely Remoue them to the plantation where they dwell or whether all or any p^te bee sequestered attached or vpon any offence or other Respect detained ; is to vs (whatever Reports are brought) yet doubtfull ; they **they* haue been exersiseed whom they might Employ to Receiue speedy and satisfying enforma^on but wee conceiue much time wilbee spent and lost in treating by attornies or deputies And beleiveing the Justice of New England and New Netherland is Squared by one Rule wee pswade them to mannage their owne ocations in your Jurisdictions desireing for them and hoping wee may promise that for this single Journey Captaine Tapping and Jonas Wood who are most enclined to waite vpon you at y^e Monhatoes shall haue the fruite of a safe conduct that their p^{rs}ons may com and goe at libertie what euer debts or offences may bee alledged or proued against them as any of yours in a like case and vpon a like motion of yours shall haue with vs and that in all prosses and proceedings for or against them whether vpon private or publike questians the issue may hold forth Justice with moderacon ; and that if there shalbee occation a satisfiing Reason may bee giuen in *an* a neighborly way as was donn in Govert Locormans and shalbee in any like case which may well bee done without p^riuduce to any Jurisdiction whether yours or ours ; wee Rest

your in all due

Newhaven

Respects

September 11: 1651

To the Honord Comissioners for the vnited Collonies now assembled at
 Newhauen

The humble petition of Jasper Graine Willam Tuttill and many other the
 Inhabitants of Newhauen and Totokett

Humbly Sheweth That wheras divers yeares sence seuerall Marchants and others of Newhauen with much hazard, charge and lose did purchase of the Indian Sagamores and their companies the true propriators seuerall large

Tracts and peels of land on both sides of Delaware Bay and Riuer and did p^rsently begine to build and *and to set vp factories for Trad and prepared to set vp plantations within their owne limmits wherby the Gospell alsoe might haue been carried & Spred amongst the Indians in that Most Southerley pt of New England And the vnited English Collonies might before this time been enlarged with conueniency both for themselues and posteritie had not the whole work by hostile and Iniurivs opposition made both by the Duch and Sweeds been then hindered

And wheras your petitioners streitened in the Respective plantations; and finding this pte of the Countrey full or affording little encoragement to beginne any considerable new plantations for their owne Comfort and conueniency of posteritie; did vpon a serius considera^on of the premises and vpon encoragement of the Treatye betweene the honered Comissioners and the Duch Gouverner the last yeare at Conecticott by agreement and with Consent of the said Marchants and others Resolue vpon a more difficult Remoue to Delaware; hoping that our aimes and eudeauors would be acceptable both to God and to his people in these Collonies being assured our title to the place was Just; and Resolueing (through the healp of God) in all our carriages and proceedings to hold and mainteine a Naighborly corespondence both with the Duch and Sweeds; as was assured them both by the tennor of the Comissions and by letters from the honered Gou^r of this Jurisdiction; To those ends and with these purposes p^rparations were made in the winter a vessell was hired and at least fifty of vs sett forward in the Springe and expecting the fruite of that wholsom advise giuen at Hartford the last yeare in the case by the arbetrators Joyntly, Those chosen by the Duch Gou^r concurring in it; wee went to the Monhatoes which wee might haue avoyded; and from our Honered Gou^r p^rsented a letter to the Duch Gou^r vpon pusall wherof (without further provocation) hee arrested the two Messengers and Comitted them to a private house close prisoners vnder a guard; that donn he sent for the M^{ter} of the vessell to com on shore as to speak with him and comitted him alsoe after which two more of the companie coming on shore and desireing to speak with their naighbours vnder Restreint *Restreint hee comitted them as the rest then desireing to see our Comissions and Coppie them out promising to Returne them the next day though the Coppes were taken and the Comissions demaunded hee Refused to deliuer them and kept them and the men Imprisoned till they were forced to engage vnder their hands not then to proceed on their voyage towards Delaware but with lose of time and charg to Returne to Newhauen; Threatening that if hee should after find any of them in Delaware hee would seize their goods and send their psons prisoners into Hol-

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land and accordingly they Returned though their damage thereby as they conceive doth amount to about 300^l All which your petitioners Referre to your wise and serious consideration and being assured you will have due Respect to the honor of the English nation which now suffers by this Injurious affront taken notice of by all the Neighboring Indians ; They humbly desire that some Course may be agreed and ordered for the due Repaire of their losses satisfaction for their unjust Imprisonment with libertie and encouragement to Improve their Just Rights in Delaware for the future to which purpose they further humbly offer to Consideration

first That Delaware in the Judgment of those that have often and seriously viewed the land and considered the Climate is a place fitt for the enlargement of the English Colonies at present and hopfull for posteritie that wee and they may enjoy the ordinances of Christ both in Spirituall and Ciuell Respects

secondly they feare that if the English Right be not seasonably vindicated and a way opened for the speedy planting of Delaware ; the Dutch who have layed already an Injurious hand both upon our persons and Rights they having (as is Reported) lately begun a new fortification and plantation upon our duly purchased lands ; will dayly strengthen themselves and by large offers draw many of the English to settle and plant vnder them ; in soe hopfull a Place which will not onely be dishonorable to the English Nation but inconvenient to the Colonies and of mischeivous Consequences to the persons who shall soe settle in Reference to that licentious libertie they suffered and practised

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*Thirdly as the Petitioners have not in their Eye any other considerable place within the limitts of New England either for the enlargement of the Colonies at present or for the comfort and conveniency of posteritie soe if the Dutch may thus openly oppose vs in our persons and Rights if they may plant and fortifye upon the land which themselves the English Swedes and Indians know to be ours ; It may encourage them to encroach and make further hostile attempts upon some or other of the smaler English plantations to bring them vnder their Government and may animate the Indians (with whom the Dutch engratiate themselves by a large Constant mischeivous Trade in guns powder and shott to despise and make assaults upon vs ; Wherefore they againe humbly entreat your advise with seasonable and suitable assistance ; according to the weight and Import of the Case ; That all your Consultations and labours may tend and Issue in the honor of Christ and welfare of the Colonies

The forgoeing Petition being p^resented and Read The Comissioners tooke into Serius considera^on the contents therof and what was to bee donn therin

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They considered the English Right to Delaware by pattent The Right of the Marchants and other Inhabitants of Newhauen to certaine tracts and pcells of land there by purchase The Iniury donn them by the Duch both formerly and this last Summer in their hostile and forceable proceeding against them as the petitioners Relate and the great affronts therby giuen to the English Nation the ensolency of the Duch and the Contempt it is like to bring the English into among the Indians if som speedy course bee not taken to prevent it by Righting the oppressed

As alsoe the Comodiusnes of the place for plantations and how preiudiciall it may bee to the English in these ptes if it should bee planted by enimies or people of another nation not being vnmindfull of the stright accomodacions of many in seuerall places and the benifite of Trade with the Indians in Delaware if prudently managed

They likewise considered what had pased betwixt the Duch Gou^r and the Comissioners the last yeare at hartford and that advise giuen by the Delegates of them both for the quiet and peacable Improuement of their seuerall Rightes in Delaware tell the aforsaid difERENCE shalbee determined in Europe

*The Comissioners Vpon these and seuerall other consideracions thought meet to Write to the Duch Gou^r to protest against his jniurius proceedings to assert the English Right and to Require satisfaction for the Damage donn to our frinds and confederats of Newhauen; And to declare vnto the petitioners in way of answare to their petition that howeuer wee think it not meete to enter into a present Ingagement against the Duch Chusing Rather to suffer Iniuries and affronts (at least for a time) then in any Respects to seem to bee to quicke; yet if they shall see cause againe to endeavore the planting of their formencioned purchased lands in Delaware at any time within these 12 monthes and for that end shall at their owne charge Transport together 150 or at least an 100 able men well armed with a meet vessell or vessels and Amunition fitt for such an Enterprise all to bee allowed and approved by the Maiestrates of Newhauen Jurisdiction or the greatest pte of them that then in case they meet with any hostile opposition from the Duch or Sweeds whiles they carry themselues peacable and Inoffenciuely that may call for further Aide and assistance The Comissioners doe agree and conclude that they shalbee supplied by the seuerall Jurisdiccions with such a number of souldiers as the afforsaid Comissioners shall Judge meet they the said plaintifes bearing the charges therof; for the true paiment wherof the vnpur-

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chased lands and Trade there with the Natiues shalbee engaged tell it bee satisfied provided alsoe and it is agreed that such psons as shall Transport themselues to the aforesaid lands in Delaware either out of Newhauen Colonies or any of the other three shalbee and Remayne vnder the Gouverment and Jurisdiction of Newhauen tell the Comissioners of the vnited Collonies shall otherwise order the same

To the Duch Gouverner

Much Honored Sir

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Before wee parted last yeare at Hartford you gaue vs hopes of a comfortable meeting at Newhauen this yeare what derections you had from Europe to mayntaine peace and Neighborly Respects with the English in america you then shewed and best know what other Comissions you haue sence Receiued ; But all the Collonies take notice that now you walke in contrarye pathes you told vs of a protest you must make against such as should plant or Improue (though but their just Rightes in Delaware ; Wee saw noe cause for that but know that both your predecessor and your selfe had without cause formerly protested against som of the Collonies ; But in yours dated aprell the 11th 1651 Stil: nouo sent to the Gou^r of Newhauen wee obserue you threaten force of armes and **and* Martiall opposition euen to bloodsheed against such as shall goe about to Improue what they haue proued to bee Justly theirs in Delaware ; and yet shew noe more of any Just title you haue therevnto then you did at Hartford which left all the Delegates both for the English and the Duch therein vnsatisfied ; in the said protest you alsoe affeirme that the planting of Delaware by the English enterest is contrary to the provisionall agreement made betwixt youerselue and the Comissioners for the English Collonies which wee marvell at ; those Records clearly expressing the contrary Wee hoped alsoe that according to your promise (at Hartford Wherin Mr Willet and Mr Baxter engaged Greenwidge before this should haue been settled as a Member of Newhauen Jurisdiction but instead of that wherof wee yet heare nothing) the complaints of diuers of our Confeederates of Newhauen Collonie are Renewed wee can not but expresse our like sence of y^t eniurius carriage of yours towards them who neither attempted nor entended any thing against the Duch or Duch Right in any portion or priuillage they may Justly claime there ; as the generall court of the Massachusetts did in their letters May 14th 1651 But wee are further enformed that you haue sence begun som fortification or plantation vpon som pt or pts of the English land which giues vs cause to feare that you more Respect private advantages then publicke Righteousnes and peace wee must therefore as for-

merly soe againe assert the English Right especially to their purchased lands and protest against your eniurious hostile carriage in Imprisoning some of their persons detaining their Comissions and engaging them to their great damage to returne before they could inioy their Just libertie without shewing either Right to the land in question or any Just cause of such proceeding, vnlesse a pretence of a title should satisfy which the English vpon as good grounds can make to the Monhatoes, And wee heerby further professe and protest that by these vnneighborly and vniust courses you are the sole auther and cause of all such inconveniencies and mischeifes as may follow therupon the Comissioner and Collonies haueing Just cause and ground to vindicate and Improve the English Rightes and to Repaire their confederats who haue been soe wronged and damaged; Wee heare alsoe that you haue againe Imposed that offensive Custome of Recogniçõn at the Monhatoes which vpon our former complaint was for a time taken of; which fayrely tends to disturbe if not to cutt of all Trade betwixt vs in these pts; These things wee Rather thought nessesarie to write and leaue to your consideraçõn because wee yet heare of noe Returne you haue made to the generall Court of the Massachusets; if to that or this you please to send answare to the Gouverner of Newhauen wee shall from him receiue Informaçõn and the better vnderstand our way soe wee rest

your loueing ffrinds

Newhauen

Septem: 15

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*The copy of a letter sent from the Comissioners

To Mr Cottington

Sir,

Wee are enformed that it hath pleased the Parliament or Counsell of State to Comitt the publick Trust of Government in the Iland vnto your hands wherin wee can not but desire that truth and Righteousnes may soe flourish and that the Gospell professed by the English in this wildernes may not bee brought vnder any Just Reproch It is p'sented to vs that som notorius Delinkquents who are lyable to hiest sensures making escape out of seuerall of the Collonies; Repaire to your Iland as to a Citty of Refuge hoping therby to avoid the stroake of Justice and wee may well expect offenders in like and other kind wilbee easily apprehensiuie of their advantages and Improve them for the future if such a dore bee open which occasioneth vs to direct these few lynes to your selfe; and desire to Receive enformacion from you and from your Counsell what wee may expect in the formencioned cases

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or when any fugitiues out of any of the English vnitd Collonies shall heer-after seeke shelter there; Whether vpon Surtificate from som of y^e Maies- trates of the seuerall Jurisdiccions where the offences comitted may bee best vnderstood and Receiue its due sensure you will deliuer vp & retorne such delinkquents and fugetiues to bee proceeded with in their pper place accord- ing to their demeritts as the collonies vpon due consideraçon for the pro- moteing of Justice and Righteousnes find cause to doe amongst themselues Or whether you entend to Receive and keep such vnder your protection vtell they bee pursued and Impleaded in your courts and the Respectiue cases there Issued as wee heare hath been somtimes pretended which wee Judge very obstructiue to the waies of Justice We shall add noe more but o^r due Respects to yourselfe and soe Rest

your very loveing
frinds

Newhaven the i3th of
September 1651

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*Vpon a letter Received from M^r Dunster President And the ffellows of Harvard Colledge the following answare was Returned

Much Respected frinds

By yours of august 27th wee vnderstand that the former colledge build- ings are in a decaying condition and will Require a considerable charge ere long for a due Repaire and that through the encrease of Scollers many of them are forced to lodge in the Towne: which proves many waies inconven- ient and will nessesarily Require an enlargment of your buildings; for which you ppond and wee haue seriously considered whether any healp may bee had from the collections for the ppagateing the Gospell amongst the Indians but can not find by the Acte of Parliament (now pused) that any such lib- ertie is graunted and by a letter lately Received from that corporaçon wee pceive that an hundred pounds appointed by the Comissioners to pay M^r Winslow as a gratificaçon of his paines in the said Collections is like to be charged backe and borne by the Collonies without any allowance thervnto from the collections; yet wee now desire M^r Winslow to enquire the mind of the corporaçon therein our selues conseiveing that the advancement of learn- ing heere may alsoe advance the worke of christ amongst the Indians and accordingly out of that Stock (as it coms in) should gladly contribute might wee doe it without offence; but if an other enterpretacion by made in Eng- land The Comissioners will propound to and Improue their seuerall enter- ests in the Collonies that by pecks halfbushels and bushels of Wheat accord- ing as men are free and able the Colledge may have some Considerable yearly

healp towards theire occations; and heerin if the Massachusetts please to give a leading example the Rest may probably the more Reddyly follow;

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This following letter was p^resented from the Inhabitants of Warwicke

May It please this honored Comittee to take knowlidg that wee the Inhabitants of Sowamett *allias Warwicke haueing vndergone diuers oppressions and wronges amounting to great damage sence wee first possessed this place being forced therby to seeke to that honorable State of old England for Releife which did eneuitably draw great charge vpon vs to the further Impairing of our estates and finding favor for Redresse wee were willing to wave for that time (in regard of the great troubles and Imployment that then lay on that State) all other losses & wrongs wee then vnderwent soe that wee might bee Replanted in and vpon that our Purchased Possession and enjoy it peacably for time to come without disturbance or molestation by those from whom wee had formerly suffered; but sence our gratius graunt from the honorable Parliament in Replanting of vs in this place wee haue ben and dayly are pressed with Intollerable greiuiances to the eating vp of our labours and wasting of our estates makeing our lives together with our wiuies and Children bitter and vncomfortable; Insomuch that groneing vnder our burthens wee are Constrained to make our addresses to that honorable Parliament and state once againe to make our Just complaint against our causlesse molesters who by themselves and theire agents are the onely cause of this our Reuttering of our distressed condiçon; May it please therefore this honored Assembly to take notice of this our solleme entelligence (given vnto you (as the most Publicke authorized society appertaining vnto and Instituted in the vnited Collonies whom our complaints doe conserne that wee are now p^rparing ourselves with all convenient speed for old England to make our greivances knowne againe to that State which fale vpon vs by Reason that the order of Parliament of England conserning vs hath not ben obserued, nor the Injoyment of our graunted priuiledges p^rmitted to vs; That wee are as it were bought and sold from one pattent and Jurisdiction to another

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In that wee have ben prohibited and charged to acquite this place since the order of Parliament given out and knowne to the contrary

In that wee have had Warrants sent vs to Summon vs to the Massachusetts court; And officers imployed amongst vs to that purpose *purpose;

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In that these Barbarius Indians about vs with euill minded English Mixed amongst vs vnder pretence of some former psonall Subiection to y^e Gouverment of the Massachusetts Countenancing of them Cease not to kill our Cattle offer violence to our families, villifye Authoritie of Parliament

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vochsafed to vs Justifying their practises with many Menaces and threatenings as being vnder the protection of the Massachusetts

In that Wee are Restrained and have been this 7 or 8 yeares past of common comerce in the Countrey and that onely for matters of Consience

In that our States formerly taken from vs Remyne yet vnrestored with these additions therunto

These and the like are the grounds of our complaints with our serious desires that you be pleased to take notice of them as our sollonne Intelligence given heerof that as your selues shall thinke meet you may giue further sesonable Intelligence to your severall Collonies whom it may Conserne soe that their agent or agents may haue seasonable Instructions to make answere and wee heerby shall aquite our selues that wee offer not to proceed in these our complaints without giving due and seasonable notice therof

By mee JOHN GREEN juni

Warwicke the first
of September 1651

Clark in the behalfe of
the Towne of Warwicke

Vppon occasion of the foregoeing letter and som descourse about this busines the Comissioners for the Massachusetts p^rsented this ensueing Declaracōn

*255 That in Anno 1643 seuerall complaints were made to the Comissioners of the vnited Collonies then mett at Boston against Samuell Gorton and his companie and som of them of weightye and great Consernment to all the Jurisdictions; Informacōn was alsoe given that the said Gorton and his companie had been sent to once & againe by the generall Court of the Massachusetts *with a safe conduct both for their coming and Returne that they might give answere and satisfaction wherin they had donn wronge; It then came into consideraōn vnder what Gouverment or Jurisdiction the said Gorton and his companie lived; the Comissioners take notice that the Indian Sachems proprietors of the place had vollentarily Submitted their psons and lands somtimes before to the Government of the Massachusetts; The Comissioners of Plym: claimed enterest therein by pattent but vpon such consideracions as was then p^rsented Resigned the same to the Massachusetts with the consent and approbacon of the Rest of the Comissioners

The Gouverment of the Massachusetts haveing now both English and Indian Right and title to the aforsaid place where Gorton and his companie lived derived to them; the Comissioners did Joyntly thinke It fit and accordingly advised the Maicstrates of the Massachusetts to proceed against them according to what they should find Just engaging the Rest of the Juris-

dictions to approve of and concur in the same as if their Commissioners had been present; At the aforesaid conclusion upon the aforesaid grounds the generall court of the Massachusetts brought the said Gorton and severall of his companie to their tryall and Just sensure according to the Joint advise giuen them by the Commissioners which hath neuer sence been disowned by any of the Jurisdictions but allowed of by their silent approbation; though parte of their sensure upon other grounds hath hitherto been suspended and the said Gorton and his companie permitted peaceably to Reside on the aforesaid lands notwithstanding the manifold complaints both of the English and Indians vnder the government of the Massachusetts of great and Insufferable Injuries done by the said Gorton and his companie *done* to them both to their persons and estates which occasioned severall addresses from the Massachusetts both by Message and Writing to Gorton and his companie for Reparation but in vaine; To the Commissioners for counsell and advise being unwilling to engage further (as at first) without a Joynt concurrence and approbation *of the other Jurisdictions but in the meane time were continually burthened with complaints from the English and Indians there vnder our Government and charged with breach of promise in not Righting their wronges and doing them Justice according to Couenant

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The Inhabitants of Warwicke neuer exhibited any complaints to the Jurisdiction of the Massachusetts of any wronges or Injuries done them by English and Indians there which had they done they should haue Received equall Justice with any other

And when there arose a difference betwixt the Massachusetts and Plymouth concerning the Jurisdiction of the aforesaid place; The Government of Plymouth not allowing of what their Commissioners had done therein; though for a long time they had been silent The Commissioners of the Massachusetts Referred the Determination of that difference to the rest of the Commissioners at Boston in Anno 1649 who advised to issue the same by hearing a Neighbourly Treaty betwixt the two Jurisdictions of the Massachusetts and Plymouth Whereupon the generall court of the Massachusetts sent two Deputies to the generall court of Plym: with Commissioners and Instructions to Resigne and Submit the aforesaid lands and persons Residing therein to the Government of Plym: they onely promising to doe equall Justice both to English and Indians there according to our engagements but the Government of Plym: Chose Rather to Ratifye and confirme the aforesaid Resignation of their Commissioners which accordingly was done by an authentique Writing signed by the Gour &c

The court of Massachusetts againe demanded satisfaction of Gorton his

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companie but are slighted and neglected by their Commissioners they desire advise of the Rest of the Commissioners at Hartford in anno 1650 and are solemnly advised againe to Resigne the aforesaid place and persons to Plym: *and that Government to Receive them Judging that way in severall Respects most expedient for all the Jurisdictions the Government of the Massachusetts observe the advise given and make a 2nd Tender as aforesaid but were Refused by the Government of Plym: by all that hath been said it may appear to the honored Commissioners of the severall Jurisdictions and any other that may take Notice thereof that the Government of the Massachusetts have from first to last been always Reddy to hearken to the advise and counsell of the rest of the Commissioners and to acte accordingly in the case aforesaid; And have out of their owne Treasury allowed a large quantitie of corn to the Indians vnder their Government there to keep them alive The Cattell of Gortons Company having destroyed Most of theirs Rather then by force to comple them till all other meanes and waies of prudence for Issuing these and the like differences were vsed which wee have done to the utmost of our power with much Patience and forbearance but complaints are daily Renewed and subjects oppressed our Government and Jurisdiction over them slighted and contemned and our promise and covenant both to English and Indians there for their Just protection charged by them to bee Infringed and broken to the great dishonor of god our Religion and of our profession amongst the hethen Wee therefore desire and entreate to know of the Rest of the Commissioners that in case wee meete with opposition from the aforesaid people of Warwicke in following the advise of the Commissioners giuen at their last meeting at hartford what aide and assistance each Jurisdiction will afford vs for the Righting of our Iniuried and oppressed people And bringing Delinquents to Condigne Punishment.

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To which Declaracion the Commissioners for Conecticott and Newhauen ptly by way of Concession and ptly by way of exposition answered that at a meeting of the Commissioners in 1643 diuers complaints of weighty consideration were presented from the Massachusetts collonie against Samuell Gorton and his companie concerning which noe Satisfaction by any fayre meanes could bee obtained, wherupon the Commissioners Joyntly thought fitt that the maistrates of the Massachusetts If the said companie persist in their Stubburnes should proceed against them according to what they shall find Just promising the concurrence *of the collonies in what should warrantably bee donn; but the Commissioners have neither Received enformacion from the Massachusetts nor complaint from Samuell Gorton and his companie Concerning these proceedings; soe that they have had neither call nor meanes

to owne nor disowne them ; Att the aforsaid meeting Anno i643 a question alsoe grew betwixt the Comissioners for the Massachusetts and Plym: to which of their Pattents that Tract of land on which Samuell Gorton and his companie were settled did apperteine ; each Collonie claimed it as pte of their Jurisdiction but in the Issue the Comissioners for Plym: consented that it should belong to the Massachusetts from which the other Comissioners (being neither concerned nor vnderstanding where the Right lay) saw noe cause to desent but sence sundery complaints at seuerall meetings haue been brought from the Massachusetts of Iniuries donn by Samuell Gorton and his companie Inhabitants of Warwicke to som English and Indians subiect to the Massachusetts Jurisdiction and the question was againe Reviueed betwixt the Massachusetts and Plym: to which Jurisdiction that Tract of land belongeth the Comissioners from time to time gaue counsels of peace according to their best p^rsent light Anno i649 they advised that the Right of place with other things in difference might bee Issued in a Naighbourly Treaty betwixt those two Collonies and that all offensiue carriages might bee suppressed ; in Anno i650 vpon like complaints they aduised that the Massachusetts aqvite and Relinquish their claime to the foremencioned Tract of land and that Plym: Reassume it That Warwicke might bee placed vnder their Jurisdiction to which it belongs that a comfortable Issue might bee put to y^e former Difference and Justice haue a free Passage, But if then the Inhabitants of Warwicke should Refuse to Submitte to that Gouverment they aduised that the wholesome directions giuen by the honora^{ble} Committee of Parliament in that case be forthwith duely attended ; That the Inhabitants of Warwicke might bee conuenced and accordingly Submitt ; and the Comissioners for Conecticott and Newhauen then wrote to the Goue^r of Plym: advising therunto wee were sence Informed that the Goue^rment of the Massachusetts herkened therunto and offered to settle Warwicke and the land in question vnder Plym: but that Plymouth hath and still Refuseth to except them soe that offences are like to continew and encrease ; The Comissioners therefore fearing inconvenience would provide Remedie but know not what to add to the aduise given in Anno i650 concerning Trespasses but that which is proved bee Recouered if noe other meanes will serue by legale force ; but with as much moderacion as may bee ; least *from a course of continued offences further quarrells and actes of hostilitie should Springe and grow betwixt the Inhabitants of Warwick and their formentioned neighbors

The Comissioners for Plym: taking knowlidge of the long Declaration of the Massachusetts Comissioners Collected out of peeces of passages of many yeares and being vnsatisfied therwith thought meet to declare them-

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selues that what was done by M^r Winslow and M^r Collyare then Comissioners of Plym: in Anno 1643 Conserving the Resignaçon vp of any lands which Plym: had interest in was not at all in their power to Resigne vp any pte of Plymouths Jurisdiction to the Massachusets Neither could the Massachusets Receiue any such Resignaçon without being Iniurius to the third and sixt articles of Confeaderaçon (if any had been made) And M^r Winslow and M^r Collyare haue seuerall times publickely denied that they either did or entended to Resigne any pte of the Jurisdiction of Plym: to the Massachusets And by what Right of authority the generall court of the Massachusets had to send for Samuell Gorton or any companie inhabiting soe fare out of their Jurisdiction wee vnderstand not, and how Just their sensure was wee know not; or what pte of sensure they haue Suspended and vpon what grounds wee apprehend not; and conserving any Reference put to the determinaçon of the Rest of the Comissioners att Boston in Anno 1649 the Comissioners for Plymouth Referred none and what authenticke Writing the Gour of Plym: signed the Massachusets Comissioners doe not shew but if they meane a writting signed by the Gouverner of Plym: and som pticulare psons Joyning with him bearing date the 7th of June 1650 Wee the Comissioners of Plym: for our pticulare psons can not owne it haueing protested against it in the Court of Plym: as being directly contrary to the order of the honorable committice of the parliament of England **England* and Contrary to the articles of confederación With the Rest of the Collonies

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And wheras wee are enformed that the court of the Massachusets haue lately sent out seuerall Summons or Warrants to seuerall psons Inhabiting Warwick alias Showamett and Patuxet and haue made seizure vpon som of their estates Wee doe heerby protest against such proceedings if any such bee;

The foregoing Conclusions were signed by the Comissioners at Newhauen the 16th of September 1651.

	THEOPH: EATON Pres ^{dt}
EDWARD HOPKINES	SIMON BRADSTREETE
ROGER LUDLOE	WILLAM HATHORNE
STEUEN GOODYEERE	TIMOTHY HATHERLEY

John Browne in the busines Conserving Delaware doth dessent from the other Comissioners

Inspexi — Anno — 1716 —

[The following petition of Humphrey Johnson, and answer of the Court thereto, more properly belong with the Records of the General Court.]

*The humble petition of Humphrey Johnson of Hingham to y^e Honord Court assembled in plymouth this third of June 1684 sheweth that whereas y^e honord Court in answe^re to my adress 1683 doe declare it is not proper to this Court to determine title of land, y^e Honord Court may please to remember my adress was to request y^e Honord Court to answe^re their ingagem^{en}t to my adress 1676. when they could come to a full vnderstanding y^e ca^se to aford me releife according to law & equitie & you^r petitioner doth humbly conceaue y^e Court in 83 had a full vnderstanding & y^e case & y^e relieffe, I request for is that those deuiti^{es} of lands in Sittuate granted by order of Court 1671: & signed by three of y^e Honord maiestrates may be laid out which grants will appear if y^e Honord Court please to giue your petitioner opertunity, I shall produce a Copy of y^e Committies Determination signed by gouerno^r Winslow & your law saith all grants of lands remaine for euer to y^e grantee he his heires & assigns also y^e Honord Gour^t, Hinckley may please to remember that in y^e yeer 1677 himsel^fe declared those perticuler grants made by y^e Comittie in Sittuate 1671 were yet binding

And you^r petitioner doth humbly conceiue that it is proper to this Court to make good such grants of proprietie granted either by themselues or theire predecessors: further you^r petitioner doth humbly request y^e Honord Court to order I may have my execution serued forthwith that was countermanded July 1683 for now y^e then plaintiffe if here namely Jerimiah Hatch of Sittuate, you^r petitioner doth humbly request this Honord Court to condescend to giue me their answe^re & I shall acknowledg it to be a vnderserued faou^r & if y^e Honord Court shall giue such an Answe^re that may put an end to y^e long Controuersie betwixt sittuate men & my selfe that so y^e Court may haue no more trouble conserning that matter & you^r petitioners family may be settled in their iust rights: & you^r petitioner shall euer pray

HUMPHRY JOHNSON

Hingham third June 1684.

*The Generall Courts answe^re to the said petition of Humphry Johnson ffolloweth viz: said Court doe not find any act or order of Court that doth hinder or preuent y^e petiti^o or any other person from y^e recouery of his iust right in due course of law, And that if y^e petitioner hath a good title to any land within y^e Township of Sittuate that is by that Towne or any

person therein detained from s^d petitioner that if he see cause to bring his action against y^e party detaining to any of y^e Courts of triall that may haue proper Cognissance thereof, & proue his title to y^e land demanded he may recouer it with his dāmages.

And concerning y^e execution mentioned in the petition y^e Court are fully informed by y^e petitioner himselfe that since y^e date of his petition he hath receiued full satisfaction concerning that matter.

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p^r NATHANIELL MORTON

Secretary

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