

RECORDS
OF
PLYMOUTH COLONY.
COURT ORDERS.
VOL. IV.
1661—1668.

RECORDS
OF THE
COLONY
OF
NEW PLYMOUTH
IN
NEW ENGLAND.

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COMMONWEALTH OF MASSACHUSETTS.

EDITED BY

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COURT ORDERS:

VOL. IV.

1661—1668.



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REMARKS.

THE manuscript of the fourth volume of Court Orders of the Colony of New Plymouth, from which the following pages are printed, is entirely in the well-known chirography of Mr. Nathaniel Morton, the faithful secretary of the colony. It was intended for the records of the General Court and the Court of Assistants, but, like the other volumes, likewise contains several miscellaneous entries. It embraces a period of seven years, during the whole of which time Mr. Thomas Prence was Governor of the colony.

The first entry is that of the confirmation of a grant of land on the fourth of June, 1661; but the first proceedings recorded were those of the General Court held on the first day of October next following, and the last in the volume bears date the seventh of July, 1668.

N. B. S.

DECEMBER, 1855.

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 × 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:—

@, — annum, anno.
 ā, — an, am, — curiā, curiam.
 ā, — mātrate, magistrate.
 b, — ber, — num̄b, number; Rob̄t, Robert.
 c̄, — ci, ti, — ac̄ōn, action.
 cō, — tio, — jurisdic̄ōn, jurisdiction.
 c̄, — cre, cer, — ac̄s, acres.
 d, — d̄d, delivered.
 ē, — Tr̄r̄, Treasurer.
 ē, — committ̄e, committee.
 ḡ, — ḡn̄d, general; Geor̄g, George.
 h, — chr, charter.
 i, — beḡiḡ, begin̄iḡ, beginning.
 l, — l̄re, letter.
 m̄, — mm, mn, — com̄it̄tee, committee.
 m̄, — recōm̄daçōn, recommendation.
 m̄, — mer, — for̄m̄ly, formerly.
 m̄, — month.
 n̄, — nn, — Pēn̄, Penn; ān̄o, anno.
 n̄, — D̄n̄i, Domini.
 n̄, — ner, — man̄n̄, manner.
 o, — on, — mentiō, mention.

õ, — m̄õ, month.
 p̄, — par, por, — p̄t, part; p̄tion, portion.
 p, — per, — p̄son, person.
 p, — pro, — p̄porçōn, proportion.
 p̄, — pre, — p̄sent, present.
 q, — q̄stion, question.
 q̄, — esq̄, esquire.
 r̄, — Ap̄r̄, April.
 s̄, — s̄, session; s̄d, said.
 s̄, — ser, — s̄vants, servants.
 l, — ter, — neūt, neuter.
 t̄, — cap̄t̄, captain.
 ū, — uer, — sēñal, seueral.
 ū, — aboū, aboue, above.
 v̄, — ver, — sēval, several.
 w̄, — w̄n, when.
 y^e, the; y^m, them; yⁿ, then; y^t, their; y^s, this; y^t, that.
 z, — us, — vilib̄, vilibus.
 c, — es, et, — statut̄, statutes.
 c̄, & c̄, & c̄, — et c̄tera.
 viz̄, — videlicet, namely.
 / — full point.

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PLYMOUTH COURT ORDERS.

1661—1668.

PLYMOUTH RECORDS.

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

[The fourth volume of the Court Orders of the Plymouth Colony commences here, with the record of a confirmation of a grant of land made on the fourth of June, 1661. The original manuscript volume contains the acts of the several General Courts and Courts of Assistants, together with other miscellaneous entries, from the above-mentioned date until the close of the Court held on the seventh of July, 1668. It is in the handwriting of Mr. Nathaniel Morton, secretary of the colony. The original index to this volume, being very imperfect, is, as in the case of the preceding volumes, incorporated with that specially prepared for the printed copy.]

ACTS AND PASSAGES OF COURT AND GRANTS OF LAND FROM THE YEAR 1661 UNTIL THE YEAR 1668.

PRENCE, Gou^r.

* **A**T T the Generall Court held att Plymouth, in New England, the fourth of June, 1661, the said Court graunted vnto Richard Bourne, of Sandwich, a certaine tract of land lying on the western side of Pampaspised Riuer, where Sandwich man take alewiues; the land is a longe stripp lying by the riuer side, for breadth form the riuer vnto the topp of the hill or ridge that runs alonge the length of it, from a point of rocky land by a swamp called by the name of Panetoopauksett vnto a place called by the English Muddy Hole, but by the Indians Wapoompauksett; the meddow is that which was called M^r Leuerich his meddow, as alsoe the other stippes that are aboue alonge the riuer side vnto a point bounded with two great stones or rockes; alsoe, all the meddow lying on the easterly s[ide] of the said riuer vnto Thomas Burge, Seni^r, his farme; all which traets and p̄cells of land, both vpland and meddow, with all and singulare the appurtenances belonging thervnto, is graunted [by] the Court vnto the said Richard Bourne, to him and his heires forever. Morouer, the Court haue graunted vnto the said Richard Bourne that hee shall haue yearly libertie to take twelue thousand of alewiues att the riuer where Sandwich men vsually take alewiues, him and his heires for cuer.

1661.

4 June.

[* 1.]

This order & grant is recorded more fully in the next Book of Grants, p. 1.

1661.

4 June.
PRENCE,
Gov^r.

Interlined.

Likewise, the said Court haue graunted vnto Richard Bourne a pcell of meddow lying att Mashpe, the one halfe therof to belonge to him and his heires for euer, and the other halfe to [be] made vse of and improued by the said Richard Bourne vntill the Court shall see reason otherwise to order. Morouer, the Court haue graunted vnto the said Richard Bourne a necke of meddow, ||this meddow lying betwixt two little brookes & the meddow adjoyning to the vpl[and],|| with a little vpland in it att Mannamuchcoy, called by the Ind[ians] Auntaanta, the said pmisses, with all and singulare the appurtenances belonging therunto, excepting the one halfe of the meddow x Mashpe aboue mencioned, to haue and to hold vnto the said Richard Bourne, to him and his heires for euer.

That aboue enterlined was soe done att the Court held att Plymouth the fift of March, 1661, by order and with the consent of the Court.

1 October.
[*2.]

**.Att the Generall Court holden att Plymouth the first of October, 1661.*

BEFORE Thomas Prence, Gov^r, Thomas Southworth,
 Willam Collyare, Willam Bradford, and
 John Aldin, Thomas Hineckley,
 Josias Winslow,

Assistants, &c.

THE Court haue graunted and confeirmed vnto M^r Josias Standish a tract of vpland lying on that side of Mannomett Riuer next vnto Sandwich, the bounds of which is from the lands of Esra Perr[y] vnto a little creeke alongst the riuer for the length, and for the bredth vnto the topp of the hills which lye in a ridg with twenty acres of meddow of that which was lately purchased by M^r Aldin, to bee taken together where hee will within the said meddow; the said lands, both vpland and meddow, with all and singulare the appurtenances appertaining therevnto, to belong to him, the said Josias Standish, to him and his heires and assignes for euer.

M^r John Aldin is appointed by the Court to lay out the aboue twenty acres of meddow to Josias Standish, and to bring report vnto the Court of what remaineth there vndisposed of.

In answare vnto a petition prefered to the Court by Jone, the wife of Obadiah Miller, requesting that shee may haue libertie to make sale of some

1661.

1 October.
PRENCE,
Gov^r.

of the land that her deceased husband left vndisposed of, the Court, haueing considered that her request is in the behalfe of her daughter, whoe shee saith is weake and stands in need therof, do giue libertie that one quarter pte of the said land, and of what is left by her said deceased husband, may bee sold for the releife of her said daughter; and what it shalbee sold for shalbee carfully disposed of to the vse of Bathshebah Coggen, att the deseretion of Richard W x and Walter Deane, of Taunton, and the resedue of the said lands, &c, bee reserued by them for the vse of the rest of the children of the deceased Thomas Coggen, prouided that the said Jone Miller doe put in sufficient securitie that the said estate shalbee soe disposed of.

The Court haue graunted vnto the ancient freemen of Taunton, that incase any land can bee found on the north side of Taunton bounds, towards Secounke cartway, which will not fall within any lands alreddy put in for by the children of the first comers, that they may make report therof to the Court; and a competency shalbee graunted vnto them, if the Court shall see reason.

James Walker desireth acomodation of lands vpon the west side of Taunton Riuer, att the southermost bounds, neare about Seketegansett.

Att this Court, Leiftenant Rogers was freed of his milletary office, from being leiftenant of the milletary companie of Eastham.

Att this Court, adminnestration was graunted vnto Samuell House, Junir, and Elizabeth House, the sone and daughter of Samuell House, deceased, to adminnester on the estate of the said Samuell, Senir, deceased.

*Att this Court, John Palmer, Senir, for deludeing one of the ma- [*3.]
jestrates about the publication of his sons marriage, was fined forty shil- Fine.
lings.

Zoeth Howland, for breakeing the Sabbath, fined ten shillings. Fine.

Thomas Lenard, for breaking the peace, fined 00 03^s 04^d. Fine.

The rates to bee leuied by the townshipes of this goũment for the pub-
licke charges of the countrey, as they were ordered by the Court for this
yeare, respecting the officers wages and the charge of the majestrates table, is
as followeth:—

Plymouth,	06 : 00 : 00
Duxburrow,	03 : 13 : 00
Scittuate,	09 : 16 : 08
Sandwich,	05 : 09 : 06
Taunton,	05 : 09 : 06
Barnstable,	06 : 00 : 00

1661.

1 October.
PRENCE,
Gov^r.

Yarmouth,	05 : 09 : 06
Marshfeild,	05 : 09 : 06
Rehoboth,	08 : 04 : 02
Eastham,	03 : 18 : 00
Bridgewater,	01 : 16 : 06
Sowams,	04 : 01 : 03
Cushenag,	01 : 10 : 00
The farmes against Road Iland,	01 : 00 : 00

Wheras very great spoyle hath lately bin made by woulnes vpon all sorts of cattle in sundry townshipes within this goiment, to the great detriment therof, this Court, therefore, presumcing on the Generall Court of Deputies faorable sence heerof in this exegent, doe order and declare, that it shall and may bee lawfull, vntill the next Court of Election, for the seuerall townshipes to pay vnto any Indian or Indians that shall bringe into the constable of any such townshipe any head or heads of woulnes halfe a pound of powder and two pound of shott or lead for euery head brought in as aforesaid, besides the coate by Court order in such case prouided.

Att the Generall Court held the 10th of June, 1662, the deputies did vnanimously consent vnto the abouesaid liberty, that it shall continew vntill the Court shall see reason to order otherwise.

[*4.]

*A proposition ordered to bee recorded, which was sent vnto the four townes, viz^d, Sandwich, Yarmouth, Barnstable, and Eastham, by order of the Court held att Plymouth October the first, 1661, as followeth, signed by Constant Southworth, Treasurer : —

Loucing Frinds : Wheras the Generall Court was pleased to make some propositions to you respecting the drift fish or whales ; and incase you should refuse theire proffer, they impowered mee, though vnfitt, to farme out what should belonge vnto them on that account ; and secing the time is expired, and it fales into my hands to dispose of, I doe therefore, with the advise of the Court, in answare to your remonstrance, say, that if you will duely and trewly pay to the countrey for euery whale that shall come one hogshhead of oyle att Boston, where I shall appoint, and that current and marchantable, without any charge or trouble to the countrey, — I say, for peace and quietnes sake you shall haue it for this present season, leauing you and the Election Court to settle it soe as it may bee to satisfaction on both sides ; and incase you accept not of this tender, to send it within fourteen dayes after the date

heerof; and if I heare not from you, I shall take it for graunted that you will accept of it, and shall expect the accomplishment of the same.

1661.

Yourers to vse,

1 October.
PRENCE,
Gov^r.

CONSTANT SOUTHWORTH, Treasu.

Thomas Bonny oweth our so^u lord the Kinge the } ^{ll} ^s ^d
su^me of } 20 : 00 : 00

The condition, that if the said Thomas Bonny shall and doe appeer att the Court to bee holden att Plymouth the first Tusday in March next, to answare the complaint of Christopher Wadsworth about wounding of a mare, and not depart the said Court without lycence; that then, &c. Released.

*Plymouth, x uary the 10th, 1661. Henery Saunders } ^{ll}
acknowledgeth to owe vnto our sou^r lord the King } 20 : 00 : 00
the sum of }

[*5.]

The condition, that if Anna Bessey shall and doe appeer att the Court to bee holden att Plymouth the first Tusday in March next, to answare for her vnaturall and crewell carriages towards Gorge Barlow, her father in law, and not depart the said Court without lycence; that then, &c. Released.

Dorcas Bessey oweth our so^u lord the Kinge the su^me of 10 : 00 : 00.

The condition, that if Mary Bessey shall and doe appeer att the Generall Court to bee holden att Plymouth the first Tusday in March next, to answare for her vnaturall and crewell carriages towards Gorg Barlow, her father in law, and not depart the said Court without lycence; that then, &c. Released.

Mary Bessey oweth our so^u lord the Kinge the su^me of 20 : 00 : 00

The condition, that if Dorcas Bessey shall and doe appeer att the Generall Court to bee holden att Plymouth the first Tusday in March next, to answare for her vnaturall and crewell carriages towards Gorge Barlow, her father in law, and not depart the said Court without lycence; that then, &c. Released.

An Acknowledgment appointed to bee recorded.

October the 1, 1661. Wheras I, Abraham Peirce, Juni^r, haue follishly and vnadvisedly reported to Ruth Sprague and Bethyah Tubbs, att the house of Francis Sprague, that Rebeckah Alden and Hester Delanoy were withchild, and that thervpon wee should haue young troopers within three quarters of a yeare, I doe freely and from my hart owne my fault heerin, and am hartily sorry that I haue so spooken, to thaire great reproch and wronge and the defamation of thaire relations, which I earnestly desire may bee passed by of them all; and I hope I shall for euer heerafter take heed what I doe speake and report of any att any time.

1661-2.

4 March.

PRENCE,
Gov^r.

[*6.]

**Att the Generall Court holden att Plymouth the 4th of March,
1661.*

BEFOR Thomas Prence, Gou ^r ,	Thomas Southworth,
Wilkam Collyare,	Wilkam Bradford, and
John Alden,	Thomas Hinckley,
Thō Willett,	
Assistants, &c.	

M^R THOMAS PRENCE is authorised by the Court to giue an oath to Hannah, the wife of the late deceased Nathaniell Mayo, att Eastham, for the truth of the inventory of the estate of the said Nathaniell Mayo.

The like to Captaine Thomas Willett, for the truth of the will and inventory of the widdow Martine, of Rehoboth.

Letters of adminnistration is graunted vnto Hannah, the wife of the said Nathaniell Mayo, deceased, to adminnister vpon his estate, &c.

The like was graunted vnto Faith Clarke, widdow, to adminnester on the estate of Thirston Clarke, deceased.

Major Josias Winslow, Captaine Wilkam Bradford, and Anthony Snow are deputed by the Court to settle the bounds between the lands graunted to Duxburren men, bearing date August the last, 1640, and a tract of land graunted to Scittuate men bearing date in Nouember following, and that they doe it with all convenient speed, and make report therof vnto the Court.

Concerning a controuersy betwixt James Leonard and James Bell, both of Taunton, the Court haue ordered and deputed Captaine Willett to heare and determine the same.

Likewise the said Cap^t Willett is deputed by the Court to take course with such as entrench vpon our lands att Taunton Riuer, and take the wood or timber from of the same, and for that end may employ one as a constable by warrant or otherwise to act as occasion shall require about the same.

Likewise, that incase the squa sachem should bee put of her ground by Talmud, to see that shee bee not wronged in that behalfe.

And likewise to speake to Wamsitta about his estranging land, and not selling it to our collonie.

And likewise to see justice don on Marda his seruant, for fornication the second time.

[*7.]

*Concerning a difference betwixt Quachattasett and Josias, of Nausett, Indian sachems, the Court haue orde^r M^r Aldin and M^r Hinckley to heare and determine the same.

Concerning a controversy betwixt Jone Tilson, widdow, and John Barnes, 1661-2.
 about the prise of a cow by him receiued in p̄te of the pay due for the land
 att Lakenham, the Court haue ordered, that John Barnes shall repay or dis-
 count the sūme of twelue shillings vnto the said widdow Tilson; and soe the
 matter is ended.

4 March.
 [PRENCE,
 GOVERNOR.]

Cap̄t Willett is deputed by the Court to take course that a due enquiry
 bee made concerning the violent death of Robert Allin att Rehoboth.

Att this Court, Wiltam Bassett, of Sandwich, surrendered vp his libertie,
 graunted him formerly by the Court, to draw and sell wine, stronge waters,
 and beer, and of prouiding other nessesaries for the entertaining of strangers.

Wiltam Randall, for telling of a lye, fined ten shillings.

Fine.

Wheras Robert Whetcombe and Mary Cudworth was formerly fined, for
 disorderly coming together without consent of their parents and lawful mar-
 riage, the sūme of ten pounds, and imprisoned during the pleasure of the Court,
 haueing since bine orderly married, and liueing orderly together, and follow-
 ing their callinges industriously, and attending the worship of God dilligently,
 as is testified by some of their neighbours of good report, the Court haue
 seen good to remitt fiue pounds of the said fine; in respect alsoe of their
 pouertie, the Treasurer is ordered likewise to bee slow in demanding the
 remainder.

The Court ordered, that wheras Wiltam Randall trauersed his present-
 ment about the teling of the lye for which hee was afterwards fined as aboue-
 said, the charge of the jury should bee payed by the said Randall, and that the
 Treasurer should demaund it when hee demaunds his fine.

*The agents for the towne of Yarmouth appeering att this Court, accord- [*8.]
 ing to agreement, to debate and determine a difference between them and
 others about whales, were desired by the Court to giue in thire result concern-
 ing that matter vnto the Court, as being that whervnto they would stand; who
 gaue in their answare as followeth:—

The sixt of the first month, 1662

Right Wor^{sh}: Wee intreat your worships reddily to accept these few
 lines for a positiue answare, to which wee promise to stand: that the Treas-
 urer shall haue the two barrells of oyle out of each whale, according to his
 proposition made vnto vs for the yeare past, soe as there may bee a full end
 of what troubles hath formerly past about it. Witnes our hands,

ANTHONY THACHER,
 ROBERT DENIS,
 THOMAS BOARDMAN,
 RICHARD TAYLER.

1661-2.

4 March.
PRENCE,
GOU^r.

The Court, haueing considered of thire returne, haue accepted of the same; and soe the said differenç is ended in refference to things past about the same.

An order directed to Richard Williams and Walter Deane, of Taunton, as followeth: —

Wheras, by an order of Court bearin date the first of October, 1661, libertie was graunted vnto Jone Miller to make sale of a quarter pte of the land of Thomas Goggen, deceased, and that what it should bee sold for should bee improued for the releife of Bathsheba Coggen, att yourer descrections, these are therfore to signify vnto you, that the Courts order farther is, that whatsoever shalbee improued of the said land sold for the releife of the said Bathsheba Coggen, that you take sufficient securitie of the said Jone Miller, in the behalfe of the Court, for the same before it be let goe out of your hands.

The Courts order.

p mee, NATHANIELL MORTON, Clarke.

The Court doeth order James Walker to sellebrate marriage in the towne of Taunton vntill June, 1684.

James Walker was authorised by the Court to adminnister an oth, as occasion shall require, att Taunton, as alsoe to marry psons, as occasion shall require, vntill the next June Court. This order was c x att June 9th, 1662, soe that the said James Walker is to giue oath & marry, as aboucsaid.

[*9.]

Fine.

*Anna Bessey, for her crewell and vnaturall practice towards her father in law, Gorge Barlow, in chopping of him in the backe, notwithstanding the odiousnes of her fact, the Court, considering of soñ sercomstances, viz^s, her ingeniose confession, together with her p^sent condition, being with child, and some other p^ticulares, haue sentenced her to pay a fine of ten pounds, or to bee publickly whipt att some other convenient time when her condition will admitt therof.

Dorcas Bessey and Mary Bessey, for carriages of like nature towards their said father in law, though not in soe high a degree, were both sentenced to sit in the stockes during the pleasure of the Court; which accordingly was p^formed. The younger, viz^s, Mary Bessey, was sharply reproved by the Court, as being by her disobeydience the occasioner of the euill aboucmencioned.

Gorg^e Barlow and his wife were both seuerly reproved for their most vngodly lueing in contension one with the other, and admonished to luee otherwise.

Robert Barker, for his wife and son their changing of a gun with an Indian, fined ten pounds. 1661-2.

And for another, which hee changed with an Indian, — because the Court judgeth it was done ignorantly, — it is referred vnto the Generall Court to be holden att Plymouth in June next, att which Court hee was fined the sume of forty shillings. 4 March.
PRENCE,
GOU^R.
Fine.

John Hawes, for relateing a scandalous report, for which hee hath not produced sufficient ground for it, is fined ten shillings. Fine.

Joseph Turner, for bringing a scurrilous message vnto the major, acknowledged his fault to the Court, and promised to satisfy the said major, and soe is cleared.

Richard Marshall, for many wicked and filthy speeces and actions, as alsoe for many other practices tending to the disturbance of naighbourhood, was sentenced by the Court to bee publicly whipt, which accordingly was executed; and his master, John Turner, of Taunton, was warned by the Court to take course that the said Richard Marshall, his servant, shall carry better amongst his neighbours, or otherwise to rid him out of the towne.

**Att the Court of Assistants held att Plymouth the seauenth Day of May, 1662.* 1662.

BEFORE Wilkam Collyare,
John Aldin,

Thomas Southworth, and
Wilkam Bradford,

Assistants.

7 May.
[*10.]

CONCERNING a difference betwixt Abraham Jackson and Rose, the wife of Thomas Morton, the said Abraham complaining that the said Rose, as hee came from worke, did abuse him by calling of him lying rascall and rogue, which was testified by Jonathan Prat likewise, vpon oath, the Court declared, and ordered to bee recorded, that they apprehend, that notwithstanding her soe peremptory denyall that shee called him rogue, they doe beleieue that shee soe did call him; and wheras shee owned that shee called him lying rascall, and said shee was sorry for it, and promised to bee more carfull of her words for the future, they haue for the present pased it by.

The Court haue condemned a pcell of tarr attached att the suite of James Cole, Seni^r, of Joseph Ramsdens, for a debt the said Ramsden owed him;

1662.

7 May.
PRENCE,
Gov^r.

and wheras it appeared to bee to little to satisfy the said debt, it being three barrells that should haue bine attached, and but a barrell and an halfe that could bee found, the said Cole and Ramsden haue agreed for the remainder betwixt themselues.

The Court doe allow vnto John Sprague three shillings for himselfe and his horse a day, imployed about the contrey seruice in going to Duxburrow and returning about Joshua Cockshall.

The Court condemned three barrells of tarr attached att the suite of Gyles Rickard, Junier, against Joseph Ramsden.

A paire of wheelcs belonging to the said Ramsden were released, being formerly attached att the suite of John Barnes, because none appeared for the said Barnes to cleare vp the debt which they were attached to satisfy for out of the estate of Joseph Ramsden.

[*11.] *Wee, whose names are vnder written, being impannelled on a jury to view the dead body of Thirston Clarke, Seni^r, of Duxburrow, and to enquire by what meanes hee came by his death, —

Wee find, vpon serch and enquiry, that the weather being could and snowey, hee came on that side of Joanes Riuer which is on Duxburrow side, vpon his returne from Plymouth, endeavoring to come home, and came neare home; and by his track in the snow wee find that hee had wandered to and fro and lost himselfe, and did see wilder that hee came vpon a flatt nygh the place called the Longe Point vpon the said flatt, which is now in the possession of Joseph Andrews, and that hee was found. Vpon serch being made by diuers, the first thing that was found was a baskett, with diners smale comodities, some distance from him; and after that there was found his capp, with his staffe and one mitting, sofmwhat nigher to his body; and after that his body was found, being couered with some iyce vpon him. His body was viewed by vs, and wee find the cercomstances heerof, that the iyce, with the cold and water, was the cause of his death.

Duxberry, the 8th of the 10th, (61.)

JOSEPH ANDREWES,

CHRISTOPHER WADSWORTH,

JOHN TRACYE,

JOHN SPRAGUE,

GORGE PARTRICH,

JOSEPH WADSWORTH,

JOHN ROGERS,

GORGE TURNER,

JOHN ROBBINS,

JOSEPH PRIOR,

EXPERIENCE MICHELL,

SAMUELL SEABURRY.

Soe sayeth one, and soe they say all.

This following was margined in the original before giuen into the Court, and before the subscribsion of the names: That hee was lost, as wee conceiue, in the euening, and soe hee did bewilder himselfe, the sixt of this instant December, 1661.

*The names and verdict vpon oath of the enquest impannelled by Captaine Thomas Willett, by order, for to enquire concerning the cause of the death of Robert Allin, deceased, the brother of John Allin, of Rehoboth, which said Robert Allin died the 15 day of May, 1661.

1662.

22 April.
PRENCE,
Gou^r.

[*12.]

sworne,	}	M ^r Stephen Paine, Seni ^r ,	}	sworne,	Leif ^t Peter Hunt,
		John Reed,			Wilt Sabin,
		Robert Abell,			James Browne,
		John Butterworth,			Richard Bullocke,
		Robert Wheaton,			Joseph Carpenter,
		Roger Annadowne,			Richard Whittacus.

These, haueing viewed the dead body of the said Robert Allin, and heard the relations of those that were in the house of the said John Allin, where hee, the said Robert Allin, died, att the time of his death, doe with one consent declare, that hee came by his death by laying violent hands vpon himselfe.

THOMAS WILLETT.

Dated att Rehoboth the 22nd of April, 1662.

**Att the Generall Court held att Plymouth the third Day of June, 1662.*

3 June.
[*12^b.]

BEFORE Thomas Prence, Gou ^r ,	Thomas Southworth,
Wiltam Collyare,	Wiltam Bradford, and
John Aldin,	Thomas Hinckley,
Josias Winslow,	
Assistants, &c.	

M^R THOMAS PRENCE was chosen Gou^r, and sworne.

Wiltam Collyare, John Aldin, Thomas Willett, Josias Winslow, Thomas Southworth, Wiltam Bradford, and Thomas Hinckley,	}	were chosen Assistants, and sworne.
---	---	-------------------------------------

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Major Josias Winslow and Captaine Thomas Southworth were chosen comissioners; M^r Thomas Prence was the next in nomination. Constant Southworth was chosen Treasurer, and sworne.

[*13.]

*The names of the deputies of the seuerall townes of this jurisdiction whoe serued att this Court are as followeth:—

John Dunham, Seni ^r ,	M ^r Thō Howes,
Robert Finney,	Richard Saeres,
John Morton,	Henery Cobb,
Ephraim Morton,	Nathaniell Bacon,
M ^r Constant Southworth,	Leif ^t Perrigrine White,
Wiltam Paybody,	Ensigne Marke Eames,
Leiftenant James Torrey,	Leif ^t Peter Hunt,
Cornett Robert Studson,	Henery Smith,
Thomas Burgis,	Leif ^t John Freeman,
Wiltam Bassett,	Josias Cooke,
Leif ^t James Wyatt,	Wiltam Britt.
James Walker,	

The Grand Enquest.

sworne,	{	M ^r Anthony Thacher,	}	Wiltam Clarke,
		M ^r Joseph Tildin,		Francis West,
		M ^r Allexander Standish,		Thomas Caswell,
		Anthony Snow,		Wiltam Twiney,
		Austine Bearce,		John Miller,
		Gorg ^e Macye,		Arther Hathaway,
		Wiltam Maycomber,		John Carey,
		Daniell Smith,		Gorge Lewis,
		Samuell Newman,		Jacob Burgis,
		John Otis,		Thomas Tupper.
	{	Jacob Cooke,		}

[*14.]

*The Constables of the seuerall Townes.

Plymouth,	Abraham Jackson.
Duxburrow,	Benjamin Bartlett.
Scittuate,	{ John Bryant,
	{ John Daman.

Sandwich,	Thomas Dexter.
Taunton,	Wiltam Witherell.
Yarmouth,	Edward Sturgis.
Barnstable,	Thomas Huckens.
Marshfeild,	{ Cap ^t Nathaniell Thomas, Thomas Little.
Rehoboth,	Nathaniell Paine.
Eastham,	Nicholas Snow.
Bridgwater,	John Eames.
Acushenah,	Samuell Jeney.

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Surveyors of the Highwaies.

Plymouth,	{ Joseph Warren, Thomas Lettice, Francis Combe.
Duxburrow,	{ Christopher Wadsworth, Moses Simonson.
Scittuate,	{ James Doughtey, Stephen Vinall.
Sandwich,	{ Thomas Burgis, Richard Chadwell.
Taunton,	{ Anthony Slocome, Wiltam Harvey.
Yarmouth,	{ M ^r John Joyce, Wiltam Eldred.
Barnstable,	{ Thomas Lewis, Moses Rowley.
Marshfeild,	{ John Rouse, Wiltam Foard, Juni ^r .
Rehoboth,	{ Nocholas Hyde, John Pecke.
Eastham,	{ Gyles Hopkins, Thomas Paine.

*Att this Court, M^r Wiltam Hedge was allowed and approved by the Court to bee captaine of the milletary companie of Yarmouth. [*15.]

James Leonard, of Taunton, was freed from training in the milletary companie of Taunton in reference to his calling, being a bloomer, and in respect to a former order of Court wherin hee was exempted in that respect.

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Wheras Thomas Little, of Marshfeild, hath bought a farne land in Marshfeild, which was soñitimes the land of Major Wiltam Holmes, deceased, and hath build, fenced, and otherwise bestowed labour theron, wherby it is much bettered since hee came to improue it and inherite it, the Court haue ordered, for the securitie of the said Thomas Little, hee, his heires, exequitors, and adminnestrators, that incase any one shall come in future time and lay claime to the said lands, and cleare vp a better title then the said Thomas Little hath thervnto, that then such as soe doe shall then fully satisfy vnto the said Thomas Little, or his heires or assignes, the full worth of whatsoever laboure or charge hee hath bine att on the same lands as abousaid, before they enter on the posession therof.

Vpon the complaint of Edward Perrey, of Sandwich, that the marshall had attached his meddow on the account and att the suite of Henry Saunders, it being a mistake in the marshall, the Court haue ordered, that the said Saunders shall quit his claime thervnto, and surrender it to the right owner, and lett him enjoy it quietly, and that the said Henry Saunders hath libertie to take out a new execution for what is due to him in that behalfe.

Eres of adminnestration is graunted vnto Mirriam Wormall to adminnester on the estate of Joseph Wormall, deceased.

[*16.]

*M^r Timothy Hatherley is heerby engaged and stands bound vnto the Goũ and Court of New Plymouth in the sume of an hundred pounds, to saue harmless the said Goũ and Court from any damage that may arise by the letters of adminnestration graunted by the Court vnto Meriam Wormall, widdow, to adminester on the estate of Joseph Wormall, deceased.

Att the Court held att Plymouth the fift day of October, 1664, Josias Wormall engaged to the Court for the sixt pte of the estate of Joseph Wormall, deceased; and on this the Court released M^r Hatherley of the abovesaid bonds.

Leiftenant James Wyate, together with the widdow Alice Deane, of Taunton, doe both of them joyntly and severally stand bound vnto the Goũ and Court of New Plymouth in the sume of twenty pounds, to saue harmless the Court and vndamnified by their pmitting of a legacye of ten pounds to bee payed by Thomas Troubridge, of New Hauen, vnto Isacke Dean, of Taunton, the said Isacke Dean being vnder age.

M^r Hatherley is desired and deputed by the Court to adminnester an oath to the widdow Vtley, of Scituate, for the truth of the inventory of her husbands estate, whoe is lately deceased, in regard that shee is weake and ill, and not able to make her psonall appeerance att the Court.

Eres of adminnestration is graunted vnto Mistris Alice Parker, of Taunton, to adminester on the estate of M^r Wiltam Parker, deceased.

Eres of adminnestration is graunted vnto James Leanard, of Taunton, to adminnester on the estate of Thomas Billington, of Taunton, late deceased.

Att this Court, Tatacomunah, an Indian, complained against Wamsitta

for selling away a necke of land called Saconett, which hee saith belongeth to him.

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A like abuse a squa sachem, called Namumpam, complained of against Wamsutta; and the Court engaged to doe what they could in convenient time for their reliefe in the promises.

*Concerning a cow belonging to Jane, the daughter of Anthony Bessey, of Sandwich, the Court haue ordered Gorge Barlow, in whose hands the said cow hath bine for soñ tiñi, to returne her to the ouerscers of the estate of the said Anthony Bessey, to bee disposed of by them for the vse and good of the said Jane Bessey.

[*17.]

The Court haue remited fuc pounds of a fine of ten pounds amerced on Robert Barker for his wife and sone their exchanging of a gun with an Indian.

And the said Robert Barker is fined the sume of forty shillings for exchanging another gun with an Indian before the abouemencioned, hee professing ignorance and injeniously confesing the same.

Wheras it hath bine giuen forth that diuers haue bine vnsatisfied about the sale of Kenebecke, and that an oppertunitie is lately presented vnto vs for the haueing of it againe, the deputies haueing considered therof, and finding noe way presenting itselfe by their taking of it againe for the countreyes better advantage, haue with one consent agreed, that they desire not to meddle with it againe, but doe rattify the sale therof.

Concerning a mare killed by the Indians att Mashpe, which, vpon the best euidence that can bee had, is found to belong to John Allin, of Sandwich, Paupemamecke and Keencomsett haue engaged before the Court that the Indians shall pay the sume of fourteen pounds vnto the said John Allin or his assignes betwixt this and the fifteenth day of Aprill next ensueing the date heerof, in manor and forme following, viz^s: the one halfe of it in corn and porke, and the other halfe in oysters, att prise current att the payment therof; or incase they can kill any woulues in the intrime, the Court haue engaged to make payment in their behalfe vnto the said John Allin for soe much as they shall come vnto according to the ordinary rate that they [^] or payed for killing of them; but incase they shall make payment in speeye as abouesaid, that then they shall pay as much of it as they can to Nicholas Daus, and the rest att Sandwich to the said John Allin, or his assignes in the behalfe of the said John Allin.

*In reference vnto a desire of M^r Collyare about his ^x of meddow att the North Hill, in the township of Duxburrow, the Court haue ordered Major Winslow and M^r Aldin to view and settle the bounds of the said meddow.

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See booke of
orders and pas-
sages of the
Court, 1661,
June.

Captaine Willett is appointed by the Court to purchase the lands of the Indians which is graunted vnto such that were servants and others that are ancient freemen, which the × thinks meet to add to them to haue interest in the said graunt, the tenure wherof is extant in the × of the Court.

It was further graunted by this Court, that the abouesaid servants and ancient freemen shall haue libertie, incase they can not procure Saconett Necke according to the × graunt, to looke out some other place, vndisposed of, for their accomodation.

Theire names are as followeth :—

James Cole, Senir,	Wiltam Merricke,
+John Hanmore,+	+Gor̄g Partrich,+
Nicholas Wade,	Joseph Beedle,
Thomas Williams,	John Rouse,
Richard Bishop,	Abraham Sampson,
Gorge Vicorey,	John Vobes,
Samuell Chandeler,	John Irish,
+Roger Annadowne,+	Peter Collymore,
Wiltam Sherman,	John Haward,
+Walter Woodworth,+	Thomas Pope,
John Smaley,	Richard Beare,
Wiltam Tubbs,	Wiltam Shirtliffe.

Richard × as an ancient freeman, Josias Cooke as a servant and as an × freeman, John W ×, Senir, as an ancient freeman and as a seruant.

Josias Cooke and John Was × are to bee considered with a × portion in reference to the condition abouemensioned, as being both ancient freemen and servants.

A tract or ꝑcell of land is graunted to the towne of Sandwich lying alonge the herring riuer downe to Josias Standishes land att Manomett.

In answare to a petition prefered to the Court by Bridgewater, it is graunted by the Court, that the meddow land lying northward and westwards from the center within the seauen miles, is graunted to the towne of Bridgewater.

[*19.] *In reference to a petition prefered to the Court by sundry of the freemen, and in reference vnto a graunt made to some to looke out accomodations of land, as being the first borne children of this goument, and for the

disposing of two seuerall tracts of land lately purchased, the one by Major Winslow and the other by Captaine Southworth, the Court, haueing viewed the seuerall lists of the names of those that desired to bee accomodated therein, haue settled it vpon those whose names follow : —

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M ^r Prence,	Anthony Anible, for his daughter,	× dders
M ^r Bradford,	Hannah Burman,	× to sell of
Major Winslow,	Francis Sprague,	× idg to be
M ^r Aldin,	Gor̄g Soule,	× oyed by
Wiltam Mullins,	Nathaniell Warren,	× Winslow
M ^r Brewster,	Samuell Fuller, Jun ^r , of Plymouth,	× were
M ^r Howland,	Andrew Ringe,	× ×
Francis Cooke,	Francis Billington,	× ×
Leiftenant Fuller,	Moses Simonson,	× both
Leiftenant White,	Resolued White,	× due.
Wiltam Pontus,	Wiltam Bassett,	
Steuen Dean,	Edward Bumpas,	
Phillip Delanoy,	Samuell Eedey,	
M ^r John Winslow,	Wiltam Hoskins,	
John Adams,	Gor̄g Partrich,	
Peter Browne,	Wiltam Nelson, by right of his wife.	
John Shaw,		

Edward Gray to haue a double share, to bee layed forth together.

It is ordered by the Court, that those to whom these lands were disposed shall come to a deuision therof within two monthes after the date heerof, and satisfy all disbursments for the purchase therof, both to the major, Edward Gray, or any others ; and incase they shall not come to a deuision within two monthes as abouesaid, that then Edward Gray may sett his house in any place within the said tract, and that thervnto hee shall haue a double portion layed out to him, and to haue libertie likewise to mow any × × ×

Alsoe,
× by the
× that none
× enjoy
× in two
× the
× d
× othe
× ×

*In reference vnto a former graunt to sundry ancient freemen of the towne of Taunton, to looke out lands for their accomodation, and in answare to the request of some others that are joyned with them in desiring accomodations of land, the Court haue graunted vnto them that they shalbee accomodated on the lands on the northerly bounds of Taunton, and that the major, Captaine Southworth, and Captaine Bradford are appointed by the Court to purchase the same of the Indians in the behalfe of those heerafter named, prouided that which shalbee purchased shall not bee prejudiciall to the Indians.

[*20.]

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Captaine Thomas Southworth,	Joseph Warren,
M ^r Wiltam Parker,	Leiff James Wyate,
M ^r Henery Andrews,	John Morton,
John Parker,	Ephraim Morton,
Gabriell Fallowell,	Robert Finney,
Gyles Rickard, Seni ^r ,	Ensigne Marke Eames,
Richard Wright,	Wiltam Paybody,
Anthony Snow,	Gorge Hall,
Nathaniell Morton,	John Deane,
M ^r John Gilbert,	Walter Deane,
Captaine Poole,	John Dunham, Juni ^r ,
James Walker,	John Rogers,
Richard Williams,	Gorge Bonum,
John Wood,	Jonathan Briggs,
Henery Wood,	Dauid Briggs,
Wiltam Harlow,	John Bunday.

It is ordered by the Court, that the abouesaid land shalbee purchased by the next June Court, and not to exceed such a proportion as is suitable in quantity to soe much as such a number as those haue that had a graunt with the major in those two graunts or tracts before mencioned in this booke.

[*21.]

*In reference vnto an order of Court bearing date the first of March, 1641, the Court haue graunted an inlargement and accomodation of land vnto the towne of Barnstable, according to theire desire expressed in that order.

A Deposition about Land appointed to bee recorded.

10 June.

Our towne appointed mee, with others, to purchase of Osamequin a tract of land about a place knowne to our towne by the name of Satuckett, which wee did from the center six miles, which center is the ware in the riuer aboue expressed, and wee paid him for it; the writing or deed expressed vnder Osamequins hand was seauen miles.

The oath of M^r Constant Southworth, Leiff Nash, alsoe being deposed to the same in the Court held in Plymouth the 10th of June, 1662.

Attested p me,

NATHANIELL MORTON, Clarke.

An other Testimony about Land appointed to bee recorded, as followeth.

This testifyeth, that when Captaine Standish was there to sett out the Indians land, that then Napoietan, the sagamore, told M^r Winslow and the

rest of the companie that hee gaue the one halfe of that land to Tacomacus ;
soe hee and his wife and children haue enjoyed it euer since.

1662.

HENERY COBB.

10 June.
PRENCE,
Gou^r.

[*22.]

*M^r Aldin and the major are appointed by the Court to sett out the bounds
betwixt Barnstable and Sandwich, and to end any difference that is betwixt
them and the Indians about any graunt of lands.

The Treasurer is appointed by the Court to take order and agree with a
workeman to reparaire the house bought by the countrey of Edward Gray.

The major, Cap^t Southworth, and Cap^t Bradford are appointed by the
Court to draw vp a forme of comission for milletary officers, viz^s, captaines,
leiftenants, and ensignes, which shalbee in a reddines to bee viewed by the
councell of warr att the next generall training ; and if by them, or any seauen
of them, approued, then to bee established. Aded vnto these abouemensioned
for advise and counsell, Leiftenant Torrey, Leiftenant White, Leiftenant Nash,
and Cornett Studson.

M^r Joseph Pecke is authorised by the Court to graunt a replevin to any,
the owners of cattle, that shall treaspas in the liberties of Rehoboth, and are
or shalbee impounded.

A deputie of euery towne in the gofiment was appointed to take the
account of the Treasurer, viz^s, of those that were now att the Court.

Theire names are as followeth : —

John Morton,	Nathaniell Bacon,
Wiltam Paybody,	Leiftenant Peregrine White,
Leiftenant James Torrey,	Leif Peter Hunt,
Wiltam Bassett,	Leiftenant John Freeman,
Leiftenant Wyate,	Wiltam Britt.
M ^r Thomas Howes,	

Sec the account in the Treasurers booke in anno 1662.

*The Treasurer, Wiltam Paybody, and Wiltam Britt are appointed by
the Court to see the lands of Captaine Standish about Satuckett Pond layed
forth, soe much as was graunted to him, which is about two hundred and
thirty acres, if it bee there to bee had, a quarter p^{te} of the first graunt being
taken out, and Josias Standish haueing other lands allowed to him att Man-
nomett.

[*23.]

Wheras M^r Thomas Dexter, Seni^r, complaineth of abuse and wronge
done him by Leiftenant Fuller, and sundry of his neighbours, by pulling vp

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of his fence and turning in cattle, &c, and that now at Plymouth the said Thomas Dexter speaking with the said Leiftenant Fuller about that matter, hee engaged to giue him meeting before the Court, that soe the Court might haue the hearing of the case, which hee neglected to attend, the Court therefore orders and doth heerby require, that the said Leiftenant Fuller and all others that haue damnified him, the said Thomas Dexter as aforesaid, by pulling vp his fence and the like, doe sease from soe doeing all this p̄sent summer vntill the next October Court; and that att the said Court there may bee a hearing of the case, and such determination as the Court shall see reason.

The Court haue authorised M^r Timothy Hatherly to sollemise the ordinance of marriage in the township of Scittuate as occasion shall require, and likewise to adminnester an oath to any to give euidence for the tryall of a cause, and alsoe to adminnester an oath to any that shall giue euidence to the grand enquest as occasion shall require within the township of Scittuate.

The Court doe likewise authorise the said M^r Timothy Hatherly to adminnester an oath to the widdow Vtley for the truth of the inventory of the estate of her husband, late deceased.

[*24.]

Thomas Bird
was whipt the
first time att
this Court.

*Att this Court, Thomas Bird, for com̄itting of seuerall adulterouse practices and attempts, soe farr as strength of nature would pmitt, with Hannah Bumpas, as hee himselfe did acknowledge, was sentenced by the Court to bee whipt two seuerall times, viz, the first time att the p̄sent Court, and the second time betwixt this and the fifteenth day of July next.

And the said Hannah Bumpas, for yeilding to him, and not making such resistance against him as shee ought, is sentenced to bee publicly whipt, which accordingly was pformed.

M^r Timothy Hatherley was requested and authorised by the Court to see justice done on the body of Thomas Bird by publicke whiping in Scittuate, according to the aboucsaid sentence.

And likewise the aboucsaid Thomas Bird hath engaged to the Court to make payment of the full sume of ten pounds vnto the aboucsaid Hannah Bumpas or her assignes, in p̄te of satisfaction for the wronge hee hath done her as aboucsd.

The said In-
dian was whipt
att this Court.

Att this Court, a certaine Nantuckett Indian named Tetannett, allis Ned, was, for pilfering and stealing sundry thinges from John Mayo, of Eastham, centanced by the Court to bee publicly whipt, and alsoe warned, according to former order, being a stranger in our goūment, to depart to his owne place att Nantuckett; and incase hee shall reside within this goūment, and bee found therein any other then as a passenger on a journey or the like, that then hee shalbee taken and publicly whipt, and sent home againe.

Att this Court, a fine of forty shillings was remited to M^r John Vincent, of Sandwich, which was by him forfeited for none appearence att the last June Court to serue as a deputy.

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 PRENCE,
 GOV^r.

Cap^t Bradford, the Treasurer, and Cornett Studson are appointed by the Court to agree with a workman to mend Joanes Riuer bridge.

*The Names of those that are appointed by the Court in the seuerall Townes of this Gofiment to take the Invoice of what Liquors, Powder, Shott, and Led is brought into the Gofiment.

[*25.]

Plymouth,	{	John Morton, William Harlow.
Duxburrow,	{	M ^r Constant Southworth, Benjamine Bartlett.
Scittuate,	{	Edward Jenkins, John Daman.
Sandwich,	{	Nathaniell Fish, Thomas Tobey.
Taunton,	{	Gorg ^e Macye, Francis Smith.
Yarmouth,	{	M ^r Anthony Thacher, Robert Dennis.
Barnstable,	{	Nathaniell Bacon, Joseph Laythorpe.
Marshfeild,	{	Anthony Snow, Wiltam Maycomber.
Rehoboth,	{	Leif ^t Peter Hunt, Richard Bullocke.
Eastham,	{	Daniell Cole, Jonathan Sparrow.
Bridwater,	{	Wiltam Brett, John Willis.

These are to giue a trew account of all liquors, wine, powder, shott, and ledd that comes into the collonie, and comes to thire knowlidge, att the Generall Courts of the yeare, according to order. See the law of this June, 1662.

1662.

3 June.
 PRENCE,
 GOV^r.
 [*26.]

*Att the Generall Court held att Plymouth, in New England, the third Day of June, Anno Domini 1662.

Wheras, notwithstanding all former prouision made for the pfecting of the line betwixt the Massachusetts and this collonie, from Accord Pond westward, hath bine hitherto obstructed, the neglect wherof, being soe greiuous to them and vs, and soe hurtfull in sundry respects, —

This Court doth therefore order, that Major Josias Winslow, Capit Thomas Southworth, and Cornett Robert Studson bee a comittee fully impowered to acte in the pfecting of the said line, and to conclude the right therof, according to the graunt of the charter of our collonie ; whoe are to giue meeting vnto a comittee being in like manor impowered by the honored Court of the Massachusetts to acte therein in their behalfe, that soe there may bee a finall issue put to that controuersy ; and what shalbee by the said comittees acted, our said comittee are to returne to our next Generall Court.

[*27.]

*Wheras many controuersies haue bine between Phillip, the sachem of Sowams, and Quiquequanchett and Namumpam, his wife, and soñ Narragansett Indians that are with them ; and the said pties intersted haue desired vs to take notice of them, and by joynt agreement haue refered it to our determination and issue ; wee, haueing fully heard their seuerall allegations and complaints, doe find that the principall difference between them hath arisen from the abouesaid Quiquequanchett and his wife entertaining of some Narragansetts against Phillip's liking and good will after conditions broken, and haueing well minded such please as they haue made for the proprietie and royaltie to such places as they haue bine soe entertained, wee evidently see that it hath bine originally in the said Phillip's predecessors, and is acknowledged by the other to haue bine from Phillip's father conveyed to him, and that on the condition that such as should there live vnder him should alwaies obserue such orders and costomes as they had found amongst them, the non obseruance wherof hath bine a great cause of their present troubles.

Wee doe therefore giue it as our aduise, for the issue of the contestes between the pties abouenamed, that the said Quiquequanchett and his wife doe dismise such of the said Indians as are, to Phillip's offence, entertained by them, vnles by any agreement with him hee may bee made willing to their continuance there on their promise of better carriage ; and for returne of any goods by him taken from them, wee find hee hath alsoe bine trespassed and damnified by them, yett would haue him returne the canoocs complained of, or any thinge of that nature that is yett extant, and doe aduise that all vnkindnesses may bee buried between them, and that the remembrance of this

difference, arising from such small beginnings, may for future make them wise to live in peace and love.

THOMAS PRENCE, Gov^r,
JOHN ALDEN,
JOSIAS WINSLOW

1662.

8 October.
PRENCE,
Gov^r.

Plymouth, October the 8th, 1663.

*Forasmuch as there hath lately many runers gon too and frow of danger of the rising of the Indians against the English, and some suspicion of their plotting against vs to cut vs of, the councill of warr, being assembled, saw cause and reason to send vnto Phillip, sachem of Poconakett, to require his appeerance att the Court held att Plymouth the sixt of August, 1662, to make answere vnto such intergatories as should bee proposed vnto him for the clearing of the aforsaid pticulares, and to deliberate and congratulate with him about such matters as might tend to a further settlement of peace, and renewall of former couenants, as hee seemed to desire, plighted betwixt our predecessors and his ancestors; and accordingly the said sachem appeered att the Court abouesaid, and after curtesy expresed on both sides, and a large and deliberate debate of pticulares, hee absolutely dencyed that hee had any hand in any plott or conspiracy against the English, nor that hee knew of any such contrivance against them, and proffered his brother, vpon the Courts demaund, as an hostage to bee secured vntill the Court could haue more certainty of the truth of his defence. Vnto which they returned, that although they had just cause to require and accept of his hostage, yett notwithstanding they doe not desire it att the present, for such reason as they then expressed vnto him. In fine, it was concluded by the Court and him mutually, that the ancient couenant betwixt his predecessors and vs should bee continued; an abstract wherof was drawne vp and agreed on both ptes, and subscribed both by the said Phillip, the sachem, as alsoe his vnkell and sundry other of his most considerable men; the contents of which said couenant and subscription is as followeth:—

[*28.]

*Att a Court of Assistants held att Plymouth on the sixt day of August, anno Dom. 1662, Phillip, allis Metacum, sachem of Pocanokett, making his appeerance, did earnestly desire the continuance of that amitie and frindship that hath formerly bine between this goument and his deceased father and brother; and to that end the said Phillip doth, for himselfe and his successors, desire that they may for euer remaine subject to the Kinge of England, his heires and successors, and doth faithfully promise and engage that hee and

6 August.



[*29.]

1662.





6 August.
PRENCE,
Gou^r.

his will truly and exactly obserue and keep inuiolable such conditions as haue bine by his predecessors formerly made, and p̄ticularly that hee will not att any time needlesly or vnjustly prouoake or raise warr with any other of the natiues, nor att any time giue, sell, or any way dispose of any lands to him or them appertaining to any strangers, or to any without our priuity, consent, or appointment, but will in all thinges indeauor to carry peacably and inoffen- ciously towards the English.

And the said Court did then alsoe expresse their willingnes to continew with him and his the abouesaid frindship, and doe on their p̄te promise that they will afoard them such frindly assistance by aduise and otherwise as they justly may; and wee will require our English att all times to carry frindly towards them. In witnes wherof the said Phillip, the sachem, hath sett to his hand, as alsoe his vnkell, and witnessed vnto by sundry other of his cheifemen.

The marke of  PHILLIP, allis METACUM,
Sachem of Pocanakett,
The marke of  VNCUMPOWETT,
Vnkell to the abouesaid sachem.

Witnesse John Sasomon,

The marke of  Francis, the sachem of Nausett,
The marke of Nimrod , allis Pumpasa,
The marke  of Puncquaneck,
The marke  of Aquetakesh.

3 October.
[*30.]

**Att the Generall Court holden att Plymouth the third of October,
1662.*

BEFORE Thomas Prence, Gou ^r ,	Thomas Southworth,
Wiltam Collyare,	Wiltam Bradford, and
John Aldin,	Thomas Hineckley,
Josias Winslow,	
Assistants, &c.	

M^R WILEAM COLLYARE and M^r John Aldin are appointed by the Court to view and bound an addition of land graunted vnto Captaine Bradford, in some convenient place for him adjoyning to the land hee hath att Stonybrooke.

Mr John Bradford and Mr Joseph Bradford are to bee considered in an accomodation of land in that which Captaine Willitt hath purchased on the north bounds of Rehoboth or elsewhere.

Since aded therunto Henery Sampson, Edwa: Dotey, John Whiston.

1662.

3 October.
PRENCE,
Gov^r.

Whereas Mr Collyare complaineth that the records of his graunt att the north hill are lost and cannot bee found, both of the vpland and meddow, the Court hath ordered, that Mr Aldin and Major Winslow shall view the same land, and bring report of it to the next March Court, that soe it may bee recorded as neare as may bee according to the first graunt.

Att this Court, a tender was made vnto Samuuell Hickes by the Court to come to an equall deuision with others enterested in the lands of Mr Robert Hickes att Aceushena, Coaksett, and places adjacent; and the said Samuuell Hickes hath refused the same; and therefore the Court is nessesitated to appoint some to deuide it to such as are by Mr Hickes his will enterested therein in such proportion as the said land will beare; and the Court haue accordingly appointed Samuuell Jenney, James Shaw, and Arther Hatheway to doe the same.

Concerning a coult enquired after by John Sutton, att Rehoboth, it is ordered by the Court, that hee shall haue the said coult into his custody, with this prouiso, that if any other shall come heerafter, and make proffe that it is theirs, that then hee shall haue him forth coming, to bee deliuered to them.

Nicholas Norton and John Pease, of Martins Vinyards, are authorised by the towne of the said Vinyards to answare the suite of John Doged, comienced against the said towne att this Court.

Witnes Thomas Burcher,
Wiltam Weekes.

Captaine Cudworth, Mr Joseph Tildin, Leiftenant Torrey, and Cornett Studson are appointed by the Court to make deuision of some lands in p̄tenorship betwixt John Williams, Seni^r, of Scittuate, and his son, John Williams.

*Mr John Done, John Smalley, and Jonathan Sparrow to bee considered with those whoe are graunted accomodation of land on the northerly bounds of Taunton. [31.]

Experience Michill, Mr Alexander Standish, Henery Sampson, Samuuell Fuller, and Thomas Cushman, Juni^r, are nominated to bee considered in the aforsaid lands, if it bee there to bee had when those are supplied to whom the graunt is made, if it bee there to bee had; and if not there, in some other place, if it may bee found.

1662.

3 October.

PRENCE,
GOV^R.

The oath of Jonathan Briggs, of Taunton, taken before this Court, is as followeth : —

I, Jonathan Briggs, aged twenty-five yeares or therabouts, doe testify, that about six yeares agoe, as I was in the house of James Walker, of Taunton, I heard James Walker aske Wilſam Browne what hee would doe with his land if hee should not returne from England againe. Wilſam Browne answered, that if hee did not returne againe, then hee would giue all his land to his little cousen, which was Peter Walker, whoe then stood before him.

The Account of the Liquors brought into the Towne of Yarmouth since June last before the date heerof, giuen into this Court by M^r Anthony Thacher.

The 22^{cond} of the fift month, brought in by M^r Gray 18 gallons of liquors.

The 9th of the six month, brought in by M^r Hedge about fifteen gallons of liquors, ten pounds of powder, and halfe an hundred of ledd.

Wilſam Nicarson, att the same time, brought in one barrell of liquor.

The 19th of the 7th month, M^r Hedge brought in ten gallons.

The 26 of the 7th month, Elisha Hedge brought in 16 gall.

The same time, Wilſam Griffin brought in ten gallons.

Att this Court, Richard Bourne and James Skiffe were appointed by the Court to settle the bounds of Nanquatnumuks land.

Ann Allin, widdow, and M^r Timothy Hatherley, both of Scittuate, doe heerby stand bound and are engaged vnto the Goſſ and Court of Plymouth in the sume of foure hundred pounds, to saue harmles and vndamnified the said Goſſ and Court of Plymouth from any dammage that may arise to them by the letters of administration graunted by them vnto the said Ann Allin to adminnester on the estate of John Allin, deceased.

[* 32.]

*Att this Court, Captaine Willett and some other whom hee shall thinke meet, are requested by the Court to view the bounds of Taunton, wherein they desire to bee enlarged ; and if hee sees it convenient, and that it bee not preiudiciall to others, to conſeirme it to them ; and incase that Captaine Willett shall neglect soe to doe, the Court haue declared that they will take some course to answere theire desires att the next March Court.

Fines and cen-
tances.

Samuell Howland, of Duxburrow, being pſented for breach of the Sabbath in carrying a grist from the mill on the Sabbath day, is, according to the law, sentenced to pay ten shillings or be whipt.

M^r Hatherley
is fully cleared
of this bond
this third of
June, 1663.

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3 October.
PRENCE,
Gov^r.

And Willam Foard, Seni^r, is fined five shillings for suffering him to take it from the mill att such an vnseasonable time.

Kanelme Winslow, Juni^r, for ridig a journey on the Lords day, although hee pleaded some disappointment inforcing him thervnto, is fined ten shillings.

Timothy Hallowey, for prophaning the Lords day in triming his servant theron, is fined ten shillings.

Teage Jones, of Yarmouth, for being ouertaken in drinke, haueing bine formerly a transgressor in that kind, was fined fifty shillings.

Gorġ Crispe, being p̄sented for receiucing into his house some liquors or such like goods illegally taken, though hee knew it not, and suffering some disorders in his house, is fined twenty shillings.

The wife of Gorġ Crispe being p̄sented for a lye, the Court, haueing considered the matter, doe find that shee spake a falshood, but judg it not to come vnder the notion of a p̄nisious lye, but onely vnadvisedly, and soc require not the fine.

Willam Randall, being p̄sented for diuers lyes and slaunders in defamation of John Bryant, for his lyes was fined twenty shillings.

And in reference to his p̄sentment about Thomas Ouldums cooper stuffe, hee is fined for a lye about it ten shillings.

John Palmer, Juni^r, of Scittuate, for that without cause, out of prejudice, hee did forge a slaunder against Joseph Silvester, wherin is sundry p̄nisious lyes, is fined five pounds; and Samuell Palmer, being in the same default, and now absent, is left to further consideration.

John Tompson, warned to attend this Court to serue on a jury, did absent himselfe, and soc lyable to fine, vnlese hee can satisfy the Court by his defence.

*The rates for the publicke charge of the countrey for this yeare, according as they were proportioned on the seuerall townshipes, are as followeth:—

[*33.]

Plymouth, rate to 120 ^l ,	11 : 02 : 00
Duxburrow,	06 : 14 : 06
Scittuate,	18 : 03 : 00
Sandwich,	10 : 02 : 00
Taunton,	10 : 02 : 00
Yarmouth,	10 : 02 : 00
Barnstable,	11 : 02 : 00
Marshfeild,	10 : 02 : 00
Rehoboth,	15 : 03 : 00
Eastham,	08 : 02 : 00

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3 October.
PRENCE,
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Bridgewater,	04 : 10 : 00
Sowamsett,	05 : 10 : 00
Cushenah and Coaksett,	03 : 10 : 00
The farmes against Road Iland,	01 : 10 : 00

 125 : 14 : 06

The officers wages being taken out of the abovesaid sume, the remainder to bee paid, the one halfe therof in wheat and barly, att 4^s 8^d p bushell, and the other halfe therof, one third of it to bee paid in wheat and barly att the prise aforsaid, and the other two thirds in Indian corne att three shillings p bushell.

The 2nd of December, 1662, the sume of twenty-four shillings in money was received by the Treasurer from the clark, which was the money which was taken from a boy which ran away, whose name is Christopher Fowler, five shillings and threpenne wherof was payed by the Treasurer for the defraying of the charge of the marshall, &c, about the said boy ; and the Treasurer is ordered by the Court to returne the remainder to the right owner.

1662-3. **Att the Generall Court held att Plymouth the third Day of March,*
1662.

3 March.

[*34.]

BEFORE Thomas Prence, Gou ^r ,	Josias Winslow,
William Collyare,	Thomas Southworth,
John Aldin,	William Bradford, and
Thomas Willett,	Thomas Hinckley,
Assistants, &c.	

IN answere vnto a request made by M^r Hatherley vnto the Court, that a jury might bee impannelled to make deuison of the lands in ptenorship betwixt John Williams, Seni^r, and Ensigne John Williams, his son, the Court did approue and appoint those whose names are vnderwritten to repaire vnto the house of M^r Anthony Eames, att the North Riuer, and there to giue meeting vnto Major Winslow ; and that a jury out of them bee impannelled to make deuison of the lands aforsaid, viz^t: Leiff James Torrey, Cornett Robert Studson, M^r Joseph Tildin, Walter Briggs, Isacke Chettenden, John Daman, Edwth Jenkins, John Hollett, Jeremiah Hatch, John Ottis, John

Turner, Junr, Mathew Gannett, Thomas Hiland, William Tickner, and Walter Woodward.

1662-3.

3 March.
PRENCE,
Gov^r.

M^r Hinckley is appointed by the Court to adminnester an oath to such as are to take their oaths to the will and inventory of the estate of M^r Robert Linnell, deceased; and that Joseph Laythorp and Nathaniell Bacon be aded to the widdow Linnell to bee healfull to her in seeing the debts payed either out of the whole or p^te of the estate.

Letters of adminnistration are graunted vnto Jonathan Hatch and Lydia, the wife of Henry Taylor, to adminester vpon the estate of Thomas Hatch, deceased, to pay all lawfull debts owing from the said estate, and to bee reddey to giue account therof vnto the Court.

Memorand: that att the next June Court some course bee taken to settle the bounds betwixt Taunton and Scumcke, to preuent damage that might arise to the Indians by the neglect therof; and Captaine Willett is desired to take course to prevent the English in depasturing their cattle neare the Indians corn to their prejudice.

Att this Court, Leiftenant Torrey, Cornett Studson, and M^r Joseph Tildin were appointed by the Court to lay out the tract of land graunted to M^r Hatherley aboue Scittuate, according to the graunt, viz: to begine att the southernmost end of Accord Pond, and to goe noe farther northerly least it entrench vpon the Bay line.

This to bee done betwixt this date and the 15 of Aprill next.

*Att this Court, Josias Hallott and Thomas Starr, for goring into the house of John Done, Junr, att Eastham, there being no body att home, and behauing themselues vnciuilly therein, ransacking the house for liquors and drinking therof, and for writing and seting vp a libelouse and scandalouse paper of verses in the said house, and leauing of it there, are sentenced by the Court to find surties for their good behaiour vntill the next Generall Court, to bee holden att Plymouth the first Tusday in June next, and longer time if the Court shall see cause, and to pay for a fine, each of them, the summe of fifty shillings.

[*35.]

Elisha Hedge and Samuell Sturgis, for being guilty in the said p^ticulars, though not soe deeply as the former, as is conceiued, are sentenced to find surties for their good behaiour vntill the next Generall Court abouesaid, to bee holden att Plymouth the first Tusday in June next, and longer time if the Court shall see cause, and to pay, each of them, a fine of thirty shillings.

Josias Hallott acknowledgeth to owe vnto our so ^u lord	}	20 : 00 : 00
the Kinge the summe of		
Trustrum Hull the summe of		10 : 00 : 00

The condition, that if the said Josias Hallott bee of good behaiour Released.

1662-3.

towards our soū lord the Kinge and all his leich people, and appeer att the Generall Court to bee holden for this goūment att Plymouth the first Tusday in June next, and not depart the said Court without lycence; that then, &c.

3 March.
PRENCE,
Gov^r.

Thomas Starr acknowledgeth to owe vnto our soū lord }
the Kinge the sūmē of } 20 : 00 : 00
Ralph Smith the sūmē of } 10 : 00 : 00

Released, pay-
ing his fees.

The condition, that if the said Thomas Starr bee of good behavior towards our soū lord the Kinge and all his leich people, and appeer att the Generall Court to bee holden for this goūment att Plymouth the first Tusday in June next, and not depart the said Court without lycence; that then, &c.

Elisha Hedge acknowledgeth to owe vnto our soū lord }
the Kinge the sūmē of } 20 : 00 : 00
Robert Denis the sūmē of } 10 : 00 : 00

These bonds
are forfeited,
but since ten
pound fine ac-
cepted.

The condition, that if the said Elisha Hedge bee of good behavior towards our soū lord the Kinge and all his leich people, and appeer att the Generall Court to bee holden for this goūment att Plymouth on the first Tusday in June next, and not depart the said Court without lycence; that then, &c.

[*36.]

*Samuell Sturgis acknowledgeth to owe vnto our soū }
lord the Kinge the sūmē of } 20 : 00 : 00
John Miller the sūmē of } 10 : 00 : 00

Cleared of
these bonds,
paying his fees.

The condition, that if the said Samuell Sturgis bee of good behavior towards our soū lord the Kinge and all his leich people, and appeer att the Generall Court to bee holden for this goūment att Plymouth the first Tusday in June next, and not depart the said Court without lycence; that then, &c.

Att this Court, Ephraim Done, Thomas Ridman, John Knowles, and John Wilson, for trading of liquors with the Indians att Cape Codd, are fined, each of them, twenty five shillings.

Ephraim Done and Thomas Ridman, for pmiting the Indians to haue liquors in their boate, it appeering that one of the Indians was drunke therby, are fined, each of them, fifty shillings.

Concerning a rundelett of liquor found with one Peter, an Indian, none of the abouesaid owneing that they had helped the Indian to it, it is found to bee forfeited to the countrey; and for soe much of the liquor as is spent, that the said Indian bee required to make it good.

Ephraim Done acknowledgeth to owe vnto our soū }
lord the Kinge the sūmē of } 40 : 00 : 00
John Knowles the sūmē of } 20 : 00 : 00

Ephraim Done
was freed of
these bonds
October 10th,
1663.

The condition, that if the said Ephraim Done doe appeer att the Court to bee holden att Plymouth the first Tusday in June next, to make further

answar vnto such thinges as shalbee enquired of him consarning the death of Josias, the Indian sachem, att Eastham, and not depart the said Court without lycence ; that then, &c.

1662-3.

3 March.
PRENCE,
Gou^r.

John Knowles acknowledgeth to owe vnto our soũ lord the Kinge the sũme of } 40 : 00 : 00

Ephraim Done the sũme of } 20 : 00 : 00

The condition, that if the said John Knowles doe appeer att the Court to bee holden att Plymouth the first Tusday in June next, to make further answare vnto such p̄ticulares as shalbee enquired of him concerning the death of Josias, the Indian sachem, att Eastham, and not depart the said Court without lycence ; that then, &c.

Abraham Sampson, for being drunke, fined ten shillings.

Thomas Lucas, for being drunke, it being the third time hee hath ben convicted and sentanced in the Court for being drunke, was sentanced by the Court to bee publickely whipt, according to the law, onely the execution therof is respited vntill hee shalbee taken drunke the next time, and then hee is to bee forthwith taken and whipt, without further p̄senting to the Court.

*Thomas Ridman acknowldige to owe vnto our soũ lord the Kinge the sũme of } 40 : 00 : 00

[*37.]

John Wilson the sũme of } 20 : 00 : 00

The condition, that if the said Thomas Ridman doe appeer att the Generall Court to bee holden att Plymouth the first Tusday in June next, to make answare vnto such p̄ticulares as shalbee further enquired of them consarning the death of Josias, the Indian sachem, att Eastham, and not depart the said Court without lycence ; that then, &c.

John Wilson acknowldiget to owe vnto our soũ lord the Kinge the sũme of } 40 : 00 : 00

Thomas Ridman the sũme of } 20 : 00 : 00

The condition, that if the said John Wilson doe appeer att the Court to bee holden att Plymouth the first Tusday in June next, to make answare vnto what further shalbee enquired of them consarning the death of Josias, the Indian sachem, att Eastham, and not depart the said Court without lycence ; that then, &c.

Att this Court, Moses Crooker and Richard Man were p̄sented before the Court for entering into the house of Edward Williams, of Scittuate, and ployning of his money and goods, and laying of gunpowder about his hearth soe as it fiered, to the endangering of the life of the said Williams, with other p̄nisious practices which proued injurious to the said Williams, for which they

1662-3.

3 Mareh.
PRENCE,
GOU^r.

Memorand.:
that the said
Thom:
Hinckley hath
paide five
pounds vnto
Edward Wil-
liams as of
satisfaction for
the wrong don
him by the
boyes.

were sentenced by the Court to bee both seuerly whipt, which accordingly was inflicted; and wheras the money and goods they tooke from the said Williams could not bee made good by them, nor satisfaction giuen for other injuries, the Court ordered them to bee put forth to seruice vntill each of them should attaine the age of twenty and one yeares from the date heerof, viz^d, the said Moses Crooker to liue with, continew and abide with John Williams, Senir, of Scittuate, the full tearme of eight yeares, hee being att the writing heerof of the age of thirteen yeares; hee, the said John Williams, paying vnto the said Edward Williams the sume of five pounds; and incase the said John Williams shall decease before the said time bee expired, that then hee shalbe att the dispose of the said John Williams for the remainder of his time, with the consent and approbation of the Court; and likewise the Court doth dispose of the said Richard Man to bee with and abide with M^r Thomas Hinckley, of Barnstable, or his assignes, with the approbation of y^e Court, after the mannor of an apprentice, the tearme of ten yeares from the date heerof, hee being att the writing heerof of the age of eleuen yeares; and incase the said Thomas Hinckley shall decease before the said time bee expired, that then the said Richard Man shalbee att the dispose of him, the said Thomas Hinckley, for the remainder of his time, with the consent and approbation of the Court.

[*38.]

The tearmes of
the p^rsentment
was for striking
and reuling by
oprobriouse
speeches, and
thrusting ouer
a boat thought
Will^m Walker.

*Att this Court, Ralph Smith, of Eastham, for breaking the peace in striking of Wil^m Walker, is fined 00 : 03 : 04.

And for other p^rticulares in the p^rsentment att October Court, 1662, considering hee hath agreed with the said Walker, and in p^rte made satisfaction, the Court doth heer pas it by.

And as conserning his former p^rsentment, conserning teling of a lye and other injuries done by him to the towne of Eastham about a whale, the Court haueing onely fined him for the lye, haue respected the sensuring of him for the remainder vntill they haue further notice of his future walking.

Samuell Smith, for saying hee could find in his hart to thrust a pen into the said Wil^m Walker, was fined 00 : 03 : 04.

Nathaniel Church and Elizabeth Soule, for comitting fornication with each other, were fined, according to the law, each of them, 05 : 00 : 00.

Att this Court, this following order was directed to the towne of Taunton:—

Vpon the complaint of some of the inhabitants of Taunton, that some there haue gone about to alter the ancient way of distribution of lands in that towne formerly settled and long practised, wherby, besides many other incon-

veniencies that doe arise therby, some Indians that by the leaue of the towne had libertie to plant corne in the remote ptes of the townshipe are disturbed in the improuement of the said lands, to their great impoverishing, by such psons their taking vp such great quantities of land, which is ill resented by vs; wee doe therefore require them to desist from any such practice as that which wee feare may create much trouble and inconueniencye, vntill wee haue further inquired into the same.

The Courts order.

p me, NATHANIELL MORTON, Clark.

16623.

3 March.
PRENCE,
Gou^r.

**Att the Court of Assistants holden att Plymouth the fift Day of
May, 1663.*

1663.

5 May.

[*39.]

BEFORE Thomas Prence, Gou^r,
Wiltam Collyare,
John Aldin,
Josias Winslow,

Thomas Southworth,
Wiltam Bradford, and
Thomas Hinckly,

Assistants, &c.

IN answare vnto the desire of Stephen Bryant and Ephraim Tinkham, that some course might bee taken about some differences amongst their neighbourhood about the bounds of their lands, the Court haue ordered, that Wiltam Crow bee aded to those whoe the towne of Plymouth haue appointed to measure and settle the bounds of lands, that hee with them may endeauor to settle the said controuersy amongst them.

In answare vnto a petition prefered to the Court by Judith, the wife of Wiltam Peakes, of Scittuate, in reference vnto her son Josias Leichfeild, the adopted son of John Allin, deceased, the Court haue ordered and doe heerby giue libertie vnto the said Josias Leichfeild to choose two guardians, and to p^rsent them vnto the next Generall Court.

In answare vnto a p^rticulare in a letter directed to the Court from M^r Hatherley, wherein hee desired the Court would take other securitie for the estate of John Allin, there being noe other appeering to giue in securitie, doe heerby signify that they looke att him as standing bound and engaged vnto them in that behalfe, and are not willing to a release vntill some other doe appeer to bee engaged, and therefore doe aduise him to take the best course hee can to secure himselfe.

1663.

5 May.
PRENCE,
Gou^r.

Concerning the complaint of Thomas Butler in the behalfe of his son, Daniell Butler, against Wiltam Browne, for that the said Browne did neglect to deliuer two barrells of tarr to M^r John Barnes, of Plymouth, or. his assignes, which said tarr the said Browne receiued of the said Daniell Butler for that end and purpose, the Court haue awarded the said Wiltam Browne to pay vnto the said Daniell Butler two barrells of marchantable tarr with all convenient speed, and eight shillings for charges the said Butler hath bine att about the said suite.

Memorand : that Samuell Hineckley bee su^moned to appeer att the next Court, to giue oath to the will of M^r Samuell Hineckley, deceased.

Conserning the land graunted to Edward Gray att Namassakett, the Courts order about it is to bee vnderstood, that the said Edward Gray is to haue a double share of the said lands, both vpland and meddow, to bee layed out together ; that is to say, a double share of the said lands, to take it where hee would in the said tract, soe as hee tooke it together.

1 June.
[*40.]

**Att the Generall Court of Election held att the Towne of Plymouth, for the Jurisdiction of New Plymouth, the first Day of June, 1663.*

BEFORE Thomas Prence, Gou ^r ,	Josias Winslow,
Wiltam Collyare,	Thomas Southworth,
John Aldin,	Wiltam Bradford, and
Thomas Willett,	Thomas Hineckley,
	Assistants, &c.

M^r THOMAS PRENCE was chosen Gou^r, and sworne.

Wiltam Collyare,	} were chosen Assistants, and sworne.
John Aldin,	
Thomas Willett,	
Josias Winslow,	
Thomas Southworth,	
Wiltam Bradford, and Thomas Hineckley,	

M^r Thomas Prence and Major Josias Winslow were chosen comissioners for the following yeare.

And Cap^t Thomas Southworth is the next in nomination.
 M^r Constant Southworth was chosen Treasurer, and sworn.
 It was ordered by the Court that a ^ ^

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 [*41.]

*The Names of the Deputies that served at this Court.

M ^r John Howland,	Leiftenant James Wyate,
Robert Finney,	M ^r Anthony Thacher,
Ephraim Morton,	M ^r Yelverton Crow,
Nathaniell Warren,	Nathaniell Bacon,
M ^r Constant Southworth,	John Chipman,
William Paybody,	Ensigne Marke Eames,
Leiftenant James Torrey,	Leiftenant Peter Hunt,
Isacke Bucke,	Leiftenant John Freeman,
Thomas Tupper, Seni ^r ,	Josias Cooke,
James Skiffe,	William Britt.

One deputy from Taunton was returned backe, and one deputy from Marshfeild was returned backe againe. M^r Stephen Paine, one of the deputies chosen for Rehoboth, could not appeer by reason of weaknes.

The Grand Enquest.

John Morton,	John Russell,
Leiftenant Joseph Rogers,	Henry Sampson,
M ^r James Browne,	Robert Wheaten, absent,
John Willis, absent,	John Turner, Seni ^r ,
John Dingley,	William Bassett, Juni ^r ,
Edmond Freeman,	Peter Pitts,
Ensigne John Williams,	Thomas Howes, Juni ^r ,
James Mathewes,	Thomas Tildin,
Thomas Laythorpe,	John Bryant,
Abraham Blush,	Benajah Pratt.
John Rogers,	

The Constables of the severall Townes of this Jurisdiction.

Plym̄,	Stephen Bryant.
Duxb̄,	John Sprague.
Scittū,	John Sutton.
Sandw̄,	Gor̄g Barlow.
Taunton,	Hezekiah Hoare.
Yarmoū,	Samuell Ryder.

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Barnst̄,	Tristram Hull.
Marshfeill,	{ Wilłam Holmes, Justice Eames.
Rehoboth,	Wilłam Carpenter.
Eastham,	. . . . .	Edward Banges.
Bridḡw̄,	. . . . .	Samuell Edson.
Acushenah,	. . . . .	Wilłam Spooner.

[*42.]

*The Surveyors of the Highwaies.

Plym̄,	. . . . .	{ James Cole, Seni ^r , Joseph Warren, Samuell Sturtivant.
Duxbū,	. . . . .	{ M ^r Samuell Sabery, Samuell Hunt.
Scit̄,	. . . . .	{ John Cushen, Wilłam Brookes.
Sand̄,	. . . . .	{ Thomas Burge, Seni ^r , Thomas Launder.
Taunton,	. . . . .	{ James Leanord, Samuell Smith.
Yarmoū,	. . . . .	{ John Joyce, Wilłam Eldred.
Marshfeild,	. . . . .	{ Thomas Doged, Anthony Snow.
Rehoboth,	. . . . .	{ John Peram, Seni ^r , Gilbert Brookes.
Bridgwater,	. . . . .	{ John Willis, Juni ^r , Samuell Allin.

Freemen admitted this Court, and sworne.

Jeremiah Howes,	Wilłam Carpenter,
John Miller,	Jonathan Sparrow,
John Reed,	Samuell Eaton.
Samuell Newman,	

Att this Court, Cornett Studson was appointed by the Court to accompany the Treasurer in demanding and receiuing the moneyes due to the countrey from the purchasers of Kenebecke.

For diuers reasons and considerations, the Court haue suspended the

generall training for this yeare, and that the next yeare it bee observed att Yarmouth att the ordinary time of the yeare.

Leiftenant Wyate, Nathaniell Bacon, and Robert Finney were appointed by the Court to view the lands on the north side of Secunke, and make report thereof vnto the Court.

Ensigne Dexter is ordered by the Court to exersice the mililitary company of Sandwich in armes vntill the Court shall see reason otherwise to order.

*The Court haue ordered, concerning the disposing of the estate of Faith Clarke, widdow, deceased, that her daughter, Faith Dotey, widdow, shall haue a quarter p̄te, or one p̄te of foure, of the goods and chattles of the said Faith Clarke, her debts being discharged; and the remainder three p̄tes of four, or three quarters thereof, shalbee equally deuided betwixt her two sonnes, Henery and Thurston Clarke; and that Captaine Bradford and Joseph Andrewes shall make the said deuision, together with another whom the said Faith Dotey shall make choise of; and that the said Cap̄ Bradford and Joseph Andrewes shall take course that the debts due from the said estate bee de-frayed out of the same.

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[*43.]

Att this Court, Josias Leichfeild made choise of Leiftenant Torrey and Cornett Studson to bee his gaurdians, whoe were allowed and approued soe to bee by the Court.

Wheras John Allin, of Scittuate, and Anna, his wife, longe since tooke Josias Leichfeild as their adopted child, with purpose to bringe him vp, and to doe for him as their child, and soe faithfully pformed during the said Allin his life, and not long before his death was mindfull of him; yett being suddenly taken away, left not his mind soe full and p̄ticulare concerning him as hee intended and might haue bine desired; yett soe much appeered to the Court vpon oath as in their apprehensions carryed the true intent and force of a will. The said Josias haucing chosen Leiftenant James Torrey and Cornett Robert Studson his gaurdians, it was att this Court agreed between Anna, the relict of the said Allin, and the boyes abouenamed guardians, with the Courts approbation and likeing, that the said Josias should haue twenty pounds sterling payed into the hands of his said gaurdians about Michilmus next, by them to bee improued for him, and soon after that time to bee freed & to bee put forth to a trad, and conveniently fited out with suitable apparrell and nessesaries; and when hee shall come to the age of twenty one yeares, to bee possessed of the farme and appurtenances giuen him by the said John Allin, deceased.

Of this see
more, June
Court, 1665.

Of this will
heer expressed
see where wills
and invento-
ryes are re-
corded.

*The Court doe order, that M^r Collyares meddow bee recorded lying

[*44.]

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about North Hill, haucing bin lately viewed by M^r Aldin and the Major Winslow, and bounded by a pine tree anciently marked standing on the north side of the brooke, and from theñ by a range of stakes a crosse the meddow to a marked three on the west or southwest side of the said meddow, all the meddowes lying on the southerly side of that range, and alsoe a little nooke of meddow lying downe the said brooke towards North Hill, containing about two acres.

The Court doe acknowledgē Gilbert Winslow, deceased, whoe was one of the first comers, to haue a right to land, and doe allow his heires to looke out and propose to the Court some pcell of land that the Court may thinke meet to accomodate them in.

Liberty is graunted to M^r Edmond Freeman, Seni^r, to looke out a tract of land to accomodate both himselfe and the children of M^r Wilłam Paddy, deceased, viz^t, Samuell and Thomas Paddy, and to make report of it to the Court, that a competency may bee confermed vnto them, if it may bee, about a cedar swamp, by him named, soe as it bee found not to intrench vpon other mens right; if soe, hee may looke out elsewhere where it may bee found.

Liberty is graunted vnto Wilłam Crow, of Plymouth, in respect vnto his vnkell, M^r John Adwood, of Plymouth, deceased, to looke out for accomodation of land, and to make report therof to the Court, that soe a competency may bee allowed him.

M^r Hinekley, M^r Dexter, Seni^r, and M^r Constant Southworth are appointed by the Court to settle the bounds between the townships of Sandwich and Plymouth as soon as conveniently they can.

It is ordered by the Court, that a rate of forty pounds bee leued on the seuerall townes of this jurisdiction for the defraying of nessesary charges of the collonie, that they are nessesitated to expend att the p^rsent; which said rate euery one is to pay his proportion which hee shalbee rated thervnto in money, or wheat att 4^s p bushell, to bee payed by the last of August next; of which rate the naighbourhood of Sowamsett is to pay thirty shillings, the naighbourhood att Acushena 10^s, and Bridgwater thirty shillings, in the speey aboue expressed.

Thomas Huckens is approued, and his former libertie renewed to keep an ordinary att Barnstable.

[*45.]

*Wheras there was a graunt by the Court of an adition of land vnto M^r Wilłam Bradford, Seni^r, as appeers vpon record, which was not layed out nor bounded in his life time; and wheras Captaine Wilłam Bradford, the son of the said M^r Wilłam Bradford, Seni^r, did make request vnto the Court that the

same might bee pformed ; the Court held att Plymouth on the third of October, 1662, did appoint M^r Wilłam Collyare and M^r John Alden, Assistants, to view and bound an addition adjoyning vnto the lands which the said Wilłam Bradford posseseth. Now, wee, the aboue named Assistants, haue, this twentyeth of May, 1663, viewed and bounded as followeth: on the north east from a smale rundelett that ruñeth downe to a place cōmonly called the Tus-sukes, and soe to range alonge northerley by Plymouth bounds next to the bounds of Duxburrow, and soe to the brooke that ruñes into black waters, to the place where the old path went to the bay, so rainging downe the brooke a mile in length.

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Gov^r.

WILŁAM COLLYARE,
JOHN ALDIN.

It is ordered by the Court, that those that are sett downe att Sowamsett be accounted to belonge to the towne of Rehoboth, and those that are sett downe att Saconeesett to belonge to Barnstable, and those that are sett downe att Namassakett to belonge to the towne of Plymouth vntill the Court shall see reason otherwise to order.

The major, the Treasurer, and Cornett Studson are appointed to agree with a workeman or workemen to reparaire the bridge att Joanses Riuer, or to erect a new one, as ocaation shall require.

The major and the Treasurer are appointed by the Court to agree with Wilłam Berstow to reparaire the bridge att the North Riuer ; and the charge therof is to bee leuied by rate on the seuerall townshipes of this goũment ; and for the quantity and specey therof, it is to bee as they, the said p̄ties, shall agree with workmen, and to bee made knowne that it may bee leuied by rate in October next after the date heerof.

Anthony Annable and Wilłam Crocker are appointed by the Court to bee adminestrators on the estate of Thomas Burman, and that they are to giue in securitie to the Court to saue the Court from all damage that may come to them by the said p̄ties theire administration.

Liberty is graunted vnto John Gorum to looke out some land for accomōdation, and to make report therof to the Court, that soe a competency may bee graunted to him.

Ensigne Merricke is allowed and approued of by the Court to bee in the office of a leiftenant in the milletary companie of Eastham.

*Elisha Hedge acknowledgeth to owe vnto our soũ lord	} 20 : 00 : 00	[*46.]
the Kinge the suũe of		
Edward Sturgis, Seni ^r , the suũe of	10 : 00 : 00	

1663.

1 June.
PRENCE,
Gov^r.

Freed, paying
his fees.

Sensures.

The condition, that if the said Elisha Hedge bee of good behavior towards our soū lord the Kinge and all his leich people, and appeer att the Court to bee holden for this goūment att Plymouth the first Tusday in October next, and not depart the said Court without lycence; that then, &c.

The Court being enformed that Joseph Rogers, of Namassakesett, hath frequently and from time kept companie with Mercye, the wife of Wiltam Tubbs, in a way and after such manor as hath giuen cause att least to suspect that there hath bine laciuiouse actes comitted by them, the Court sees cause and haue required the said Joseph Rogers to remoue his dwelling from Namassakesett aforsaid by the twentieth day of this instant June, and haue alsoe declared vnto him that if att any time hee shall bee taken att the house of the said Tubbs, or in the companie of the said Mercye Tubbs alone in any place, that then hee shall forth with bee taken and seuerly whipt; and the said Wiltam Tubbs was by the Court strictly charged not to tollerate him to come to his house or where hee hath to doe att any time, as hee will answare the same att his pill.

The abonesaid Joseph Rogers, for his contentious departing from the Court held att Plymouth the last March without licence, being bound to appeer and attend the said Court to answare for matter of fact, is fined five pounds to the collonies vse.

Fines.

Christopher Winter, for neglecting to frequent the publicke worship of God on the Lords day, is fined ten shillings.

Timothy Hallowey, for being drunke, fined five shillings.

John Shilley, for playing att cards on the Lords day, fined 20^s.

Nathaniell Fitsrandall, for comiting fornication, fined ten pounds; hee hath liberty vntill the next October Court to pay the fine, or suffer corporall punishment.

Edward Sturgis, for bringing in liquors into the towne of Yarmouth, and not giueing seasonable notice therof to the men appointed to take the inuoyce therof, is fined the sume of six pounds, wherof foure pound to the collonies vse and forty shillings to the said inuoycers.

[*47.]

*The lands that M^r Constant Southworth and Wiltam Paybody layed out in consideration of the graunt of lands to Captaine Myles Standish att Satuckett Pond lyeth on the north side of the mouth of Winnatucksett Riuer, the said riuer being the bounds on the south side buting vpon Satuckett Riuer, being the bounds on the west end, ruūing in length from Satuckett Riuer into the woods 160 rodds east and by north, ruūing in breadth north and by west from the abonesaid Winatucksett Riuer to a great white oake tree burnt att the bottome, and a ridd oake tree marked standing close by it; alsoe, a smale

tract of meddow land lying att the head of Satuckett Pond, containg about four acres more or lesse, in pte of the graunt of competency to such a tract of vpland.

In answare vnto a petiōn pfered to the Court by M^r Thomas Cushman, Thomas Clarke, and Thomas Pope, the ourseers of the estate of Mistris Sarah Jeney, deceased, in reference vnto a mare disposed of by the Treasurer in the behalfe of the countrey, the Court haue allowed them, in reference vnto the children of the said Mistris Jeney, the first horse beast, bee it horse or mare, that shalbee found to belonge vnto the countrey.

And in answare vnto a petition prefered to the Court by M^r Thomas Bourne, of Marshfeild, concerning a horse hee layed claime vnto, the Court haue left the case relateing to that controuersy as they found it, and see noe light to acte further in it.

M^r Timothy Hatherley is appointed and deputed by the Court to adminester marriage within the township of Scittuate for the following yeare, as alsoe to adminester an oath to any witnesses to giue testimony to the grand enquest as occation shall require, as alsoe to any witnesses to giue euidence to the Court for the triall of any cause, and likewise in his ma^{ties} name to issue forth warrants and summons to warne any pson of the towne of Scittuate psonally to appeer att the Court att Plymouth to answare any suite as occation shall require this following yeare.

M^r John Done is appointed by the Court to adminester marriage within the township of Eastham for this following yeare, and to adminester an oath to any witnesses to giue euidence to the grand enquest, and alsoe to any witnesses to giue euidence to the Court for the tryall of a cause to any within the towne of Eastham for this following yeare.

*Gorġ Vaughan, of Marshfeild, vpon his p^sentment for not attending the publicke worship on the Lords day, fined, according to order, ten shillinges.

[*48.]

Fines and sentences.

Willam Paule, of Taunton, fined for drunkenes, it being the 2^{cond} time, ten shillinges.

The same Paule, for breach of the peace, three shillinges and four pence, and for prophane swearing that hee bee sett in the stockes as the constable shall haue order, and for his not appeering to his summones hee is fined twenty shillinges.

John Hathewey, for his breach of the peace, fined three shillinges and four pence.

John Doged, of Rehoboth, being by Captaine Willett convicted of two lyes, is fined twenty shillinges.

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1 June.
PRENCE,
Gou^r.

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1 June.
PRENCE,
Gou^r.

It is ordered by the Court, that Edward Perrey bee called to account in convenient time for a rayling letter which hee wrote to the Court.

It is agreed and ordered by the Court, that in due and convenient time Wiltam Nicarson bee required to make satisfaction for his breach of the law prohibiting any to buy or hier any lands of the Indians without lycence and by order of the Court.

It is ordered by the Court, that a letter shalbee drawne vp as from the Court, and sent to Road Iland, in answare to theires, and likewise the Court haue declared themselues that they see noe cause to admitt of a treaty with them concerning our lands claimed and pretended by them to bee purchased, it being but to make a dispute in matters that are cleare and out of controuersy.

[*49.]

*It is ordered by the Court, that a convenient, hansome rome bee aded to the Gou^rners house, and that the charg^e of the building therof bee defrayed out of the pay for Kenebecke, if that kind of pay will doe it; and if not, then a p^orte of those goods, and the rest to bee raised by rate; and that the major, the Treasurer, and Cornett Studson are impowered to take course for the procuring of the thinge done, on such conditions as they can.

The sum^e of thirty pounds is allowed to the Gou^r for his extreordinary charges this yeare, in the best pay that wee can make it.

It is ordered, that the Treasurer bee requested to provide for the majestates table, as formerly.

4 August.
[*50.]

**.At the Court of Assistants held at Plymouth the fourth Day of August, 1663.*

BEFORE Thomas Prence, Gou^r,
Wiltam Collyare,
John Aldin,

Josias Winslow,
Thomas Southworth, and
Wiltam Bradford,

Assistants, &c.

V PON the motion of Mr Hatherley and Mr Tildin, in the behalfe of the widow, Mistris Lydia Garrett, of Scittuate, to haue libertie to sell stronge liquors, in regard that sundry in that towne are oft times in nessesitie therof, this Court doth giue libertie vnto the said Lydia Garrett to sell liquors, alwaies provided that the orders of Court concerning selling of liquors bee obserued, and that shee sell none but to house keepers, and not lesse than a gallon att a time.

Libertie is graunted vnto Thomas Leanard, of Taunton, Seni^r, to sell stronge liquors and wine in the said towne betwixt this date and the Court to bee holden att Plymouth in June next, and that hee obserue the orders of Court as are extant about selling of liquors and wine, and that hee keep good order in his house with them to whom hee sels any.

Joseph Andrews fined fiue shillings for refusing to serue on a jury for the laying out of highwaies att Duxburrow, being summoned thervnto.

Memorand: that John Sutton bee summoned vnto the next Generall Court, to giue an account of the deuision and disposall of the estate of Samuell House, deceased, incase M^r Tildin and hee doe not end it in the interem; and that notwithstanding hee bee summoned to giue in securitie for the said estate and the disposall therof vnto the Court.

Richard Bourne and Myles Blacke were appointed by the Court to purchase the land of the Indians that M^r Freeman hath graunted vnto him and the children of M^r Paddy by the Court, and likewise to sett apart such a portion of the ceader swampe that is therein as shalbee behoofefull and by them thought competent for the neighbourhood residing att Mannomett.

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4 August.
PRENCE,
GOV^r.

**Att the Generall Court held att Plymouth the fift of October, 1663.*

5 October.

[*51.]

BEFORE Thomas Prence, Gou ^r ,	Thomas Southworth,
Wiltam Colyare,	Wiltam Bradford, and
John Aldin,	Thomas Hineckley,
Josias Winslow,	

Assistants, &c.

THE inhabitants of the towne of Taunton haueing seuerall times, for diuers yeares, complained of the straightnes of the bounds of their towne, and haueing petitioned the Court for some enlargment, the Court, haueing desired some to take a view of what they haue desired, and finding that it is not likely to bee prejudiciall to any, they graunt as followeth, viz^s: that the path which goeth from Namassakett to Assonett Riuer bee their bounds on the southeast, and soe by a line from thence to Baiting Brooke, and from Baiting Brooke a north line till it meet with their opposite line called the Longe Square, prouided that it come not within two miles of Tetacutt; alsoe, it is graunted that the inhabitants of Taunton that haue interest in the

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GOU^R.

iron workes there shall haue free libertie to cutt wood on those lands for the vse of their iron workes, but not any foraigner excepting Richard Church, of Hingham.

Letters of adminnstration is graunted vnto Lydia Rawlins, widdow, to adminnester on the estate of Nathaniell Rawlins, deceased.

Captaine Willett is requested to adminnester an oath to the widdow Abell, of Rehoboth, for the truth of the inventory of the estate of Robert Abell, deceased.

Memorand: that the Court doe consider of the condition of Naomy Siluester, widdow, her deceased husband haueing by his last will and testament left, in an absolute way, but a smale, inconsiderable pte of his estate vnto her; that the Court take some prudent course that shee bee considered with that w^h may bee thought convenient in that respect, shee haueing approued herselfe, as appeers by the testimony of some of her naighbours, to bee a frugall and laborious woman in the proeuring of the said estate.

In answare to a complaint made by Gorge Allin, of Sandwich, about the straightnes of a way from his house to the comon, the Court haue ordered Benjamin Nye, Edmond Freeman, Jun^r, and Thomas Tobey to lay out the said way, which is to bee thirty foot wide, and with as little pjudice as can bee vnto any.

The Court doth allow vnto three Indians that came to the Court to answare the complaint of Ephraim Done, the said Done not appeering att the last Court to prosecute his complaint, to each of them five shillings.

[*52.]

*Leiftenant Torrey, John Bryant, and Wiltam Barstow are appointed by the Court to lay out a certaine tract of land, formerly graunted to M^r Hatherley, aboue Seittuate bounds, next Accord Pond, which said land is to bee layed out according to an order of Court bearing date March, 1662.

The Court certified to the towne of Seittuate, that they require them to appoint two men whoc they shall thinke meet to be aded to Leiftenant Torrey, John Bryant, and Wiltam Barstow, to run the line of Seittuate betwixt Indian Head Riuer Pond and Accord Pond; and in case the towne shall neglect to choose two men, then the Court appoints the said Leiftenant Torrey, John Bryant, and Wiltam Barstow to run the said line, and this to bee done by the 26 of this instant October.

Marcye Tubbs acknowledgeth to owe vnto our soñ lord	}	20 : 00 : 00
the Kinge the sume of		
Wiltam Tubbs the sume of		10 : 00 : 00

Cleared.

The condition, that if the said Marcye Tubbs bee of good behavior towards our soñ lord the Kinge and all his leich people, and appeer att the

Court to bee holden att Plymouth the first Tusday in March next, and not depart the said Court without lycence ; that then, &c.

1663.

Joseph Rogers acknowledgeth to owe vnto our soū }
 lord the Kinge the sume of } 20 : 00 : 00
 Wiltam Randall the sume of } 10 : 00 : 00

5 October.
 PRESENCE,
 GOU^{rn}.
 Released.

The condition, that if the said Joseph Rogers bee of good behavior towards our soū lord the Kinge and all his leich people, and appeer att the Court to bee holden att Plymouth the first Tusday in March next, and not depart the said Court without lycence ; that then, &c.

The abouesaid Mareye Tubbs and Joseph Rogers, for their absean and laciuous behavior each with other, cleared against them by the trauers of a p̄sentment against them, were centanced by the Court to find sureties for their good behavior as abouesaid, and fined each fifty shillings for the vse of the collonie.

Wiltam Norkett, for com̄itting fornication with his now wife, fined five pounds.

Nehemiah Bessey, for drinking tobacco, att the meeting house att Sandwich, in the time of exerceyse on the Lords day, was fined five shillings.

Thomas Ingham, vpon his p̄sentment for detaining yerne from sundrey psons whoe brought it to him to bee wove, is fined ten shillings.

Ralph Earle, for drawing his wife in an vnciuell manor on the snow, is fined twenty shillings.

Richard Berry, and Wiltam Griffin and his wife, and Richard Michell and his wife, for playing att cards, fined each of them forty shillings, according to the law, to the vse of the collonie.

These fines are since remited by the Court held in March, 1663.

Abraham Peirce, Jun^r, to bee sūmōned to appeer before the major and M^r Aldin to answare for his abusie speeches vsed to his father, and if they shall see cause, to bind him ouer to answare it att the Court.

*The Rates that were leuied on the seuerall Townshipes of this Jurisdiction for the Charge of the Majestrates Table and of the Com̄issioners and other nessesary Charges of the Collonie, viz^s, the Officers Wages, &c.

[*53.]

Plymouth,	10 : 03 : 06
Duxborrow,	05 : 15 : 00
Scitteatt,	16 : 12 : 09
Sandwich,	09 : 06 : 02
Taunton,	09 : 06 : 02
Yarmouth,	09 : 06 : 02
Barnstable,	10 : 03 : 06

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PRENCE,
Gou^r.

Marshfeild,	09 : 06 : 02
Rehoboth,	13 : 17 : 09
Eastham,	07 : 08 : 06
Bridgwater,	04 : 02 : 06
Sowamsett,	06 : 17 : 00
Coaksett and Cushenett,	02 : 10 : 00

The abouesaid p̄ticulars were ordered by the Court to bee payed in wheat att 4^s 6^d p bushell, or in mault att 4^s 6^d p bushell, soe much therof as respects the charge of the majestrates table, with other nessesary charges of the collo- nie, excepting the officers wages, which is to payed in Indian corne at three shillings p bushell.

1 December. **Att the Court of Assistants held att Plymouth the first Day of*
[*54.] *December, 1663.*

BEFORE Thomas Prence, Gou ^r ,	Thomas Southworth,
Wiltam Collyare,	Wiltam Bradford, and
John Aldin,	Thomas Hinckley,
Josias Winslow,	
Assistants, &c.	

IN answare to Richard Chadwell his complaint of wronge done vnto him by the laying out of a way through his ground, through a wronge enfor- mation giuen vnto the Court by Gorge Allin, of Sandwich, the Court haue ordered, that the way formerly layed out by M^r Vincent, M^r Freeman, and Richard Bourne shall stand as formerly, onely that the place att the turning, where it was so straight, shalbee made wider; and those men abouenamed shall further order matters about that way as occation shall require.

Vpon the complaint of Samuell Chandeler, that the range of the land is not sett betwixt Moses Simons & himselfe, the Court haue ordered Wiltam Paybody, Phillip Delanoy, and Leiftenant Nash to run the range of the said land, according to theire best intelligence and with the best care they can.

Att this Court, Thomas Pope and Gyles Rickard, Seni^r, for breaking the Kinges peace by striking each other, were fined each three shillings and foure pence; and concerning the said Pope his takeing away a certaine p̄cell of wood from the said Rickards dore, which was the occation of the abouesaid

breach of peace, the Court haue ordered, that the said Pope shall returne the said wood againe; and for the said Thomas Pope his striking of the said Rickards wife, and for other turbulent carriages in word and deed, the Court haue centanced him to find surties for his good behaiour vntill the Generall Court to bee holden for this goũment the first Tusday in March, and for longer time if the Court shall see reason.

1663.
 1 December.
 PRENCE,
 GOV^r.

Thomas Pope acknowledgeth to owe vnto our soũ lord }ⁱⁱ
 the Kinge the sũme of } 20 : 00 : 00
 Samuell Dunham the sũme of ten pounds.

The condition, that if the said Thomas Pope bee of good behavior towards our soũ lord the Kinge and all his leich people, and doe appeer att the Generall Court to bee holden for this goũment att Plymouth the first Tusday in March next, and not depart the said Court without lycence; that then, &c. Freed of these bonds.

Att this Court, Wiltam Nicarson, Seni^r, being summoned, appeered to answare for his purchasing of land of the Indians att Mannamoiett, contrary to order of Court, and owned the same, but sayed that hee had done the same of ignorance, &c, and intreated the mercye of the Court in that behalfe.

**Att the Generall Court holden att Plymouth the first Day of March, Anno Doñi 1663.*

1663-4.
 1 March.
 [*55.]

BEFORE Thomas Prence, Goũ,	Thomas Southworth,
John Aldin,	Wiltam Bradford, and
Thomas Willett,	Thomas Hinckley,
Josias Winslow,	
Assistants, &c.	

ATT this Court, a bill of inditment was prefered against Samuell Howland, of the towne of Duxburrow, in the jurisdiction of Plymouth, in New England, in America, for that by discharging of a fowling peece on the body of Wiltam Howse, late of Sandwich, in the jurisdiction aforesaid, on the twenty fift of October, anno Doñi 1663, att a place coũmonly called the High Pyne, on the Salt House Beach, in the said jurisdiction, wherby the said House was wounded, languised, and ymediately died.

And the said Howland, being demaunded by whom hee would bee tryed, answered, by God and the countrey.

The names of the jury that went on this tryall are as followeth:—

1663-4.

1 March.
PRENCE,
Gov^r.

sworne,

{ Mr Josias Winslow, Seni^r,
Edward Jenkins,
M^r Nicholas Pecke,
Isacke Chettenden,
Thomas Burge, Seni^r,
James Walker,

sworne,

{ John Tisdall,
Samuell Fuller,
Joseph Bedle,
Wiltam Swift,
Myles Blacke,
Wiltam Barstow.

The verdict of the said jury is as followeth, verbatim : —

Not guilty of wilfull murder ; yett wee find that the said House receiued his deadly wound by Samuell Howlands gun going of as it lay on his shoulder.

Vpon the receiuing the said verdict, the said Samuell Howland was openly cleared and sett att liberty, hee discharging all nessesary charges of his imprisonment.

[*56.] *John Briggs, Seni^r, of Taunton, for breakeing the Sabbath, fined ten shillings, according to order.

Timothy Hallowey, of Taunton, for misdemenor in frequent kising the wife of John Hathewey, and for being att the house of the said Hathewey att vnseasonable time, and for neglecting to appeer att Court according to sumons, fined twenty shillings.

Ensigne Wiltams and John Bayley, for breakeing the peace by striking one another, fined each 00 : 03 : 04.

Richard Willis and Joseph Sauory, for breaking the peace by striking one another, fined each 00 : 03 : 04.

These two weemen were entanced either to sit in the stocks during the pleasure of the Court or to pay the fines heer mencioned, and they chose to pay the fine.

Ann, the wife of Wiltam Hoskins, for speaking most laciuiouse and filthy language to Hester Rickard, fined twenty shillings.

Hester, the wife of John Rickard, for most abcean and filthy speeces, fined twenty shillings.

Richard Willis and Francis Baddow, for breach of the Sabbath, fined each ten shillings.

Robert Ransome, for breach of the Sabbath, fined ten shillings ; the said Ransom, for his turbulent and clamorvs carriage in the Court, was comitted to ward during the pleasure of the Court.

Henery Green, of Taunton, for breach of the peace by striking Phillip Leanard, fined 03 : 04.

In referrence to Anthony Annables p^sentment the Court orders, that it bee signified to him that they looke att it as a rash acte of him, worthy of blame, yett soe as judging that it was not any wilfull intension of his to

remoue any land markes, properly soe called, and therefore passe it by, yett withall conceiue the grand enquest might see cause, by reason of theire oath, to p̄sent it.

Att this Court, fīue Indians, for abusing Robert Shelley, of Barnstable, by coming one euening into his house and affrighting his family, and other abuses att that time by them offered, were all sentenced to sit in the stockes on some publicke day of meeting, att the discretion of M^r Hinckley; and likewise they are to pay vnto the said Robert Shelley, each of them, fīue shillings in worke or otherwise.

*Concerning Robert Harper, for his intollorable insolent disturbance both of the congregation of Barnstable and Sandwich, and for his abusiue and causles railing vpon M^r Walley and M^r Wiswell, the Court haue sentenced him to bee now publickly whipt, which accordingly was inflicted.

Richard Willis, for rebaldry speeches by him spoken, was sentenced to site in the stockes, which accordingly was p̄formed.

Abraham Hedge, for pound breach, fined fifty shillings.

An Indian was complained on, att this Court, for abusing of Humphery Tiffeny; this was refered to Cap^t Willett to heare and determine.

Att this Court, Thomas Lucas was publickly whipt for being drunke the third time. Hee was sentenced formerly for being drunke the third time; neuertheles the execution therof was respected vntill hee should bee found drunke againe, which accordingly was witnessed against him, and soe the said punishment was inflicted on him as aforesaid.

Att this Court, Isacke Gurney, for pilfering and other disorderly liueing, was sentenced by the Court to bee whipt, which according was inflicted.

An Order of Court directed to the Townsmen of Scittuate concerning the said Gurney.

To the Townsmen of Scittuate.

These may certify, that Isacke Gurney, whoe was complained against by some of youers for pilfering and other disorderly liueing, hath for the same receiued such punishment as wee judged hee was capeable of beareing; and not finding that hee doth soe properly belonge to any other place as to your towne, wee can doe noe lesse then send him backe vnto you, with order that hee bee prouided for according to his condition, and that such as you shall place him with doe soe order and goũn him as that soe farr as hee is able hee may bee made to worke for his liueing; and that wheras some extraordinary charge hath arisen by his imprisonment, that it bee by you repayed.

1663-4.

1 March.
PRENCE,
Gov^r.

[*57.]

1663-4. And accordingly the said Gurney was by warrant returned from constable to constable backe to Scittuate.

1 March.
PRENCE,
GOU*.

Att this Court, Wilham Maaz, of Taunton, for swearing profanely, sentenced to sitt in the stockes att Taunton on some publicke meeting day; an order to bee sent vp about it.

[*58.] *A Note of the pticulares of the Liquors that haue bin brought into the Towne of Yarmouth since May, 1663, and enuoyced.

Item, Edward Sturgis, Seni^r, & M^r Hedge, one anker.

Item, Edward Sturgis, one anker in June, (63.)

Item, Edward Sturgis, 10 gallons of sacke & 12^{ll} of lead.

Item, M^r Hedge, a quarter caske of liquors, and one barrell of powder, and 100^{ll} of shott, and 50^{ll} of ledd.

December, (63.)

Item, Samucll Sturgis, 10 gallons.

Item, Edw^o Sturgis, Seni^r, 10 gallons.

Item, Edw^o Sturgis, Juni^r, 10 gallons.

Item, Elisha Hedge, 10 gallons.

Item, M^r Hedge, 10 gallons & fise cases.

Item, Samucll Sturgis, 86^{ll} of shott, & 14^{ll} of powder & an halfe.

Item, Elisha Hedge, 8 pound of powder.

Item, M^r Hedge, 20^{ll} of powder, & 100^{ll} of shott, & 40 or 50^{ll} more.

Item, Robert Eldred, 8 pound of shott.

Item, M^r Thacher, 3 cases.

January, (63.)

M^r Hedge, Edw^o Sturgis, Seni^r, & Samucll Sturgis, 17 gall.

Nathaniell Couell, 10 gallons.

Teage Jones, 10 gall^t enuoyced, and one case forfeite to the country.

Richard Michell, 10 gall.

ANTHONY THACHER,
ROBERT DENIS

The Account of the Wine, Liquors, Powder, and Shott that hath bine giuen in to mee, that hath bin brought into Barnstable.

The first of Aprill, (63.)

Thomas Huckens, for himselfe, 4 or 5 and 30 gall^t of wine and 9 gallons of brandy.

1663-4.
1 March.
PRENCE,
Gov^r.

For Joseph Laythorp, 10 gallons of rum ; and another time, for Nicholas Daus & his man, 4 gallons of liquors ; the next time hee brought a case of liquors and halfe a hundred of shott.

Trustrum Hull, the 4th of June, (63,) 100 gallons of liquors ; and in Nouember, (63,) six cases of liquors, and a barrell of powder, & 200 waight of shott, for M^r Thomas Clarke ; hee brought about 20 gal^t of rum.

February 29, (63.) p me, JOSEPH LAYTHORP.

*In reference to the longe and troublesome controversye between John Jacob and John Sutton, now att length comeing before vs in a way of chancery, wee, haueing seriously considered the case both as formerly att large possessed of it and as now it stands, see cause to remitt of the bonds forfeited the some of twenty three pounds ; and doe adjudge that John Sutton doe pay, or cause to bee payed, vnto John Jacob, between this and the 29th day of the next September, in current pay, att a current prise, att the house of Gorge Russell, of Scittuate, the sume of twenty seauen pounds, which incase hee doe not, that then the said Jacob shall haue an execution to bee forthwith leuied on his estate for the abouesaid sume of twenty seauen pounds ; and that the said John Sutton is to giue the said John Jacob sufficient notice of the time of the deliuey of the said sume att the place abouenamed.

[*59.]

In reference vnto the complaint of Richard Tayler, of the Rocke, against Thomas Starr, that hee had taken a peece of timber a way from him, the Court haue ordered the said Thō Starr to returne vnto the said Rich Tayler another peece of timber as good as that hee tooke away by the 22^{cond} of this instant March, and to pay all damages the said Tayler hath bine att about the recouery of the said peece of timber ; which if hee shall neglect to doe, hee shall pay vnto the said Rich Tayler three pounds, out of which sume hee is to take his said charges.

ii s d

The charge comes in all vnto 01 : 09 : 06

Forasmuch as great wronge hath bin don by diuers of the inhabitants of the towne of Plymouth, for want of bounds of the first lotts towards Plain Dealing, the Court doth order, that the want of measure in the breadth of the lotts on the south side of the lotts of M^r John Winslow shall haue their measure on the south side vpon the comon about the acres, and that Sarjeant Morton and Gorge Bonum lay them forth att the first oppertunity, and giue in to the clarke what bounds they make, to prevent trouble for the future.

*Concerning the complaint of John Allin, of Sandwich, against Keencomsett, that hee hath not satisfied an agreement, bearing date June 3, 1663, about the killing of a mare, the Court hath ordered, that wheras the said

[*60.]

1663-4. Keencomsett, by his agents, hath left three barrells of oysters with Nicholas Davis, by the said Allins former order, that hee shall accept of them as pte of pay for the said mare, att prise current.

1 March.
PRESENCE,
Gov^r.

This Court, takeing notice of such euidence as hath bin produced for the clearing of a controuersy between John Tompson, plaintiffe, and Richard Wright, in reference to a pcell of land att Namassakett, doe allow an agreement between the said pties, which was ordered heer to bee entered, as followeth, viz: that the said pties shall haue equall share of the land allotted to Francis Cooke att Namaskett aforesaid, prouided that they bee equall in bearing the charge about the said land.

In regard of much abuse of liquors in the towne of Yarmouth, this Court doth call in any lycence formerly giuen to Edward Sturgis, Seni^r, and doe require that hee forbear to draw wine or liquors for the future without further order from the Court.

And likewise, vnderstanding that James Leanard, of Taunton, haueing buried his wife, and in that respect not being soe capeable of keeping a publicke house, there being alsoe another ordinary in the towne, doe call in the said Leanard his lycence.

Richard Bullocke, of Rehoboth, is allowed by the Court to keep the ferrey there, soe that hee make a horse boate to ferrey ouer horses, and is alsoe lycenced to sell liquors to strangers and passengers, but not to towne dwellers.

Concerning the complaint of the sachem, Phillip, that some of the English of Rehoboth haue felled some quantity of timber in a swamp belonging to him, the Court haue refered the hearing and determining of the said case to Cap^t Willett.

In reference to the complaint of Thomas Greenfeild against Henry Saunders, for killing of the said Greenfeilds cow, the Court doth order him to returne as good a cow, or the vallue therof.

‡In reference vnto the complaint of Humphrey Tiffency, of Rehoboth, that an Indian there hath offered him some abuse, this ^ refered to Capitaine Willett to heare and determine.‡

[*61.] *Cap^t Willett is appointed by the Court to take securitie of Mistris Newman, in the behalfe of the Court, for adminnestration on the estate of M^r Samuell Newman, decesed.

Eres of adminnestration graunted vnto the said Mistris Newman, together with her son, M^r Samuell Newman, Juni^r, to adminnester on the said estate.

Eres of adminnestration graunted vnto the widdow, Joannah Abell, to adminnester on the estate of Robert Abell, decesed.

Cap^t Willett is likewise ordered by the Court to take securite of her, in the Courts behalfe, for her true and faithfull administration on the said estate.

1663-4.

Eres of administration graunted to M^r Nicholas Pecke and Samuell Pecke to adminnester on the estate of M^r Joseph Pecke, deceased.

1 March.
PRENCE,
Gou^r.

Eres of administration graunted to John Ensigne to adminnester on the estate of Thomas Ensigne, deceased.

Att this Court, Thomas Rogers, of Eastham, was pmitted and authorised by the Court to adminnester vpon the estate of Joseph Rogers, Jun^r, deceased, as his heire.

M^r Thomas Walley, Jun^r, and M^r Wright, are allowed by the Court to retaile stronge liquors att Barnstable, soe that they sell not lesse then a gallon to any, and that they giue in an account therof, and the psons to whom sold.

M^r Hinckley is appointed by the Court to adminnester an oath to the widdow Lewis for the truth of the inventory of the estate of Gorge Lewis, deceased, and to take securitie in the Courts behalfe for her true and faithfull administration on the said estate.

And likewise M^r Hinckley is authorised by the Court to adminnester an oath to the witnesses of the last will and testament of Mistris Jone Swift, deceased.

The 30th of March, 1664. Thomas Lucas acknowledg- } 20 : 00 : 00
eth to owe vnto our so^u lord the Kinge the sume of }

1664.

Stephen Bryant the sume of 05 : 00 : 00

30 March.

And Gorge Bonum the sume of 05 : 00 : 00

The condition, that if the said Thomas Lucas bee of good behavior towards our so^u lord the Kinge and all his leich people, and appeer att the Generall Court to bee holden for this gou^rment att Plymouth the first Tusday in June, 1664, and there bee red^dy to answare for his abusing of his wife to her danger and hazard, as alsoe for his railing and reuiling others, to the disturbance of the Kings peace, and not depart the said Court without lycence ; that then, &c.

Released June
11th, 1664.

*Aprill 7th, 1664. Willam Witherell acknowledgeth to }¹¹
owe vnto our so^u lord the Kinge the sume of } 20 : 00

[* 62.]
7 April.

Hezekiah Hore the sume of 10 : 00

The condition of the aboucsaid obligation is, that if Willam Witherell bee of good behavior towards our so^u lord the Kinge and all his leich people, and especially to keep from libelling, and appeer att the Generall Court to bee holden att Plymouth the first Tusday in June next, and not depart the same without lycence ; that then, &c.

Released.

Gyles Gilbert acknowledgeth to owe vnto our so^u lord the }¹¹
Kinge the sume of } 20 : 00

Gorg^e Watson the sume of 10 : 00

Samuell Linkorn acknowledgeth to owe vnto our sofl }^{ll}
 lord the King the sume of } 20 : 00 : 00
 Thomas Leanard the sume of } 10 : 00 : 00

1664.
 3 May.
 PRENCE,
 Gov^r.
 Released.

The condition, that if the said Samuell Linkorn bee of good behaiour towards our sofl lord the Kinge and all his leich people, and especially keep from libelling, and appeer att the Court to bee holden att Plymouth the first Thursday in June next, and not depart the said Court without lycence; that then, &c.

Wheras, att this Court, the aboue bounden Joseph Gray and Samuell Linkorne, together with Gorge Watson, complained of great wrong, sustained not onely by them, but by the whole towne of Taunton, by James Walker his neglecting, according to engagement, to leaue a sufficient passage for the her-rings or alewiues to goe vp in the riuer on which the saw mill standeth, the Court directed an order to the constable of Taunton to require him to signify vnto the said James Walker that hee speedily take course that a free passage bce left for the goeing vp of the alewiues in the said riuer whiles yett some pte of the season remaines of their goeing vpp.

*Att this Court, vpon the complaint of Wiltam Browne against Henery Saunders, for non payment of a debt of thirty shillings in butter and 3^s 6^d in other pay, the Court awarded the said Saunders to pay or cause to bee payed to the said Browne, with all convenient speed, the sume of 40 shilt in current comōditie att money prise; and incase this bee not done within one month after the date heerof, that the constable of Sandwich shall leuy and take soe much of the goods or chattles of the said Saunders as will satisfy the said sume of 40^s to the said Browne.

[*64.]

Att this Court, a judgment of fifteen shillings, wanting a peney, was graunted vnto James Cole, Seni^r, against Henery Saunders, for none payment of a debt due to the said Cole from the said Saunders.

Att this Court, James Shaw complained against an Indian, called Wawanquin, for killing a cow of his in a trapp; and forasmuch as it appeered to the Court that the said Shaw had taken and disposed of the said cow, viz^d, the flesh and hyde of her, and that the said Indian had none of it, the said Indian is awarded by the Court to pay vnto the said Shaw the sume of thirty shillings, in good and considerable pay, with all convenient speed.

Concerning a controversye betwixt John Rushell, of Acushena, and an Indian, about a pretended cure wrought by him on the said Indian, whoe had bin sicke, the said Rushell afeirming that the Indian had giuen him his gun in satisfaction for the said cure, hee complaining that sundry Indians, to the number of fiue, came into his house, and in an hostile manor tooke away the

1664.

3 May.
PRENCE,
Gov^r.

said gun, the Court ordered, that for his charge and paynes with the said Indian as towards his cure, that hee, the said Indian, shall pay vnto the said Rushell the summe of twenty shillings, and his gun to bee deposeted in the constables hands till the said 20^s is payed; and that the said Indians, viz^t, Woomham, Pagenatowin, Weesunka, Sucquatamake, and Chacapaquin, for their said hostile and insolent carriage in takeing away the said gun, bee fined to the vse of the collonie five pounds, viz^t, twenty shillinges a peece; and wheras the said Rushell was found blame worthy, in takeing vp of an axe, and indeauoring to improue it against the said Indians in a turbulent and dangerous manor, the Court reprobued him for his soe doing, and admonished him to take heed of doing noe more soe, as hee will answare it at his p̄rill.

[*65.]

*Att this Court, Hannah Churchill, widdow, desired that the one halfe of the land graunted to Wiltam Pontus, being in the diuision of lands att Namassakett and places adjacent, might bee confeirmed vnto her and her heires and assignes for euer: the Court, considering of her request, and serching the records concerning both the will of the said deceased Wiltam Pontus and the manor of the graunt of the said lands, haue, with the consent likewise of Phillip Delanoy, whoc was then p̄sent, and with the consent of Mary, his wife, the other daughter of the said Wiltam Pontus, settled the one halfe of the whole intire share of land lying and being att Namassakett or places adjacent, with all and singulare the meddows and all other appurtenances thervnto belonging, vpon and vnto the said Hannah Churchill, widdow, to her and her heires and assignes for euer.

Att this Court, M^r Constant Southworth requested concerning a smale p̄cell of vpland ground lying neare vnto his meddow, being alreddy his by graunt and purchase, might bee settled and confeirmed vnto him; and wheras there is some controversy between some of the naighbors about the bounds and ranges of their lands lying neare vnto the said lands of the said Constant Southworth, the Court haue appointed Phillip Delanoy, Leiftenant Nash, and Wiltam Paybody to settle the bounds of the said p̄cell of vpland vnto the said Constant Southworth.

Eers of adminnistration was graunted, att this Court, vnto Syselia Fish, widdow, to adminnester on the estate of M^r John Fish, deceased.

March the 4, 1663. Wheras, att the Court of Assistants holden att Plymouth the first day of December, 1663, Wiltam Nicarson, being summoned, appeered to make answare for his eregulare purchasing of land of the Indians, contrary to the order of Court bearing date anno 1643; and after much patience and forbearance of the Court, hee, the said Nicarson, retainenig, posessing, and improueing of the said land, contrary to the aforesaid order,

the Court saw cause to issue out warrants, in his ma^{ties} name, to the cheife marshall, in reference therunto, the tenure wherof followeth in the next page : —

1664.

3 May.
[PRENCE,
GOVERNOR.]

[*66.]

*The Coppy of a Warrant directed to the Cheife Marshall of the Jurisdiction of New Plymouth, as followeth.

To the Cheife Marshall of the Jurisdiction of New Plymouth, greet.

Wheras, att a Generall Court holden att Plymouth, anno 1643, it was enacted by the Court that noe psons whatsocuer should purchase or buy any land of the Indians within this goument but such as the Court should authorise therunto, vpon the penaltie of forfeiting fise pounds to the collonie for euery acre of land soe eregularly bought or purchased ; and wheras it hath bin abundantly manifested that Wiltam Nicarson, soñtimes of Yarmouth, within this jurisdiction, hath, contrary to the said order of Court, purchased or bought a very large tract of land of the Indians of Mannomoiett, to the prejudice of many the more ancient inhabitants and freemen of this jurisdiction, and that the Court hath vsed great indulgency towards the said Nicarson by sundry tenders and much patience, if happily hee might apply himselfe to them for his owne indempnitie either in whole or in pte, which haueing bine by him, the said ^, obstinately refused, and resolutely resolved to carry on his owne eregulare way in contempt of authoritie, to the great detriment of the whole, the Court finds themselues nessesitated att the last to put forth in a regulare way to giue some checke to his vnsufferable insolencies by leuying some pte of the penaltie att present, and soe to proceed further afterwards as they shall see just cause. These are, therefore, in his ma^{ties} name, to will and comāund you, on receipt heerof, to leuy the suñe of two hundred pounds of the goods or chattles of the said Wiltam Nicarsons, or soe much therof as shalbee found within this goument, as pte of the penaltie due for the breach of the aforsaid order, and see that they bee duely prised according to order of Court, and make returne heerof and of youer doeings heerin vnto the Treasurer.

THOMAS PRENCE, Goũ.
JOHN ALDIN,
THOMAS WILLETT,
JOSIAS WINSLOW,
THOMAS SOUTHWORTH,
THOMAS HINCKLEY.

Dated att Plymouth the 4th of March, 1663.

1664.

8 June.

PRENCE,
GOU^r.

[*67.]

**Att the Generall Court of Election holden att Plymouth the eight
of June, 1664.*

BEFORE Thomas Prence, Gou ^r ,	Thomas Southworth,
John Aldin,	Wiltam Bradford, and
Josias Winslow,	Thomas Hinckley,
Assistants, &c.	

M^R THOMAS PRENCE was chosen Gou^r, and sworne.

Wiltam Collyare,	} were chosen Assistants, and sworne.
John Aldin,	
Thomas Willett,	
Josias Winslow,	
Thomas Southworth,	
Wiltam Bradford, and Thomas Hinckley,	

Major Josias Winslow and Captaine Thomas Southworth were chosen co^mmissioners for the following yeare, and M^r Thomas Hinckley is the next in nomination.

M^r Constant Southworth was chosen Treasurer, and sworne.

The names of the deputies that serued att this Court and the adjournments therof are as followeth : —

John Dunham, Seni ^r ,	Edward Sturgis,
Robert Finney,	James Mathews,
Ephraim Morton,+	Nathaneell Bacon,+
Nathaniell Warren,+	John Chipman,+
M ^r Constant Southworth,	Ensigne Eames,+
Leiftenant James Torrey,	Anthony Snow,+
Isacke Bucke,+	M ^r Stephen Paine,+
Richard Bourne,	Leiftenant Hunt,+
James Skiffe,	Leiftenant Freeman,
Wilt Harvey,	Josias Cooke,
‡Leiftenant Wyatte,‡	Wiltam Britt,+
Richard Williames,+	John Willis.

*The Grand Enquest.

1664.

8 June.
PRENCE,
Gov^r.
[*68.]

sworne,	{	Wiltam Sabin,	sworne,	{	Wiltam Harlow,
		John Hollett,			Samuell Dunham,
		John Allin,			Stephen Winge,
		Nicholas Biram,			Joseph Holly,
		Henery Bourne,			Samuell Williames,
		John Hall,			John Deane,
		John Ottis,			John Burgis,
		John Traeye,			John Caruer,
		M ^r Josias Standish,			Thomas Paine,+
		Thomas Little,			Arther Hathewey.
{	John Tompson,				

The Constables of the seuerall Townes.

Plyñi,	Samuell Sturtivant.
Duxb,	Joseph Andrews.
Scittu,	{ Isake Chettenden, Wiltam Curtis.
Sand,	Thomas Burgis, Seni ^r .
Taunton,	Francis Smith.
Barnsġ,	Joseph Laythorp.
Yarmouth,	Samuell Hall.
Marshfeġ,	{ John Thomas, Francis Crooker.
Rehoġ,	Samuell Newman.
Eastham,	Daniel Cole.
Bridgŵ,	Samuell Packer.
Dartmouth,	James Shaw.

Surveyors for the Highwaies.

Plyñi,	{	M ^r Barnes,
		Jacob Cooke,
		Thomas Morton.

*Att this Court, M^r Thomas Walley, Seni^r, M^r Keith, Benajah Dunham, and Samuell Hunt were admitted to bee freemen of this corporation, and sworne. [*69.]

M^r Thomas Crosbey and Thomas Rogers stand propounded.

1664.

8 June.
PRENCE,
Gov^r.

Att this Court, the body of the freemen of this corporation being assembled, it was agreed and voated by them that an adresse shalbee made vnto his ma^{tie} for the further confeirmation of our pattent with as much conveniency as may bee; and for the management and ordering of matters concerning it, both for the raiseing of moneyes and appointing of men to bee employed therein, the countrey haue refered the same to the Court of Majestrates and Deputies.

The body of the freemen of this corporation, being assembled in Court, haue ordered, and doe heerby declare their resolution to maintaine their just rightes, which for many yeares they haue bine possessed of, in all those lands from Cape Codd to Saconett Point, with Pochasett, Causumsett, and the lands about Rehoboth to Patuekett Riuer, and as farr vp the said riuer till wee meet the Massachusetts line, which crosses the said riuer, and thence to Coahasset as the line runs.

And that incase any pson or psons bee seated, or shall seate themselues, within any the said lands, or cause any cattle to bee brought within the said bounds, or otherwise acte to our treaspas without leaue from this goufment, and not withdraw after warning giuen them, that then some effectual course bee taken for the remouall of them.

And for that end, it was likewise voated that letters should bee directed from this Generall Court to the Gou^r and Councell of Road Iland, for the asserting of our just rights as aforsaid, and that they would imploy their interest ouer such to reclaime them as haue thrust in vpon vs neare to Pochasett or elsewhere.

It is ordered by the Court, that if comissioners shall come out of England, and incase, by the prouidence of God, they shall either ariue in this harbour or come by land, that some psons bee deputed to bee in a reddines to accomodate them in a ciuill manor behoofull to their condition; and for that end that the Treasurer bee provided with nessesaries for their intertainment; and that incase there shalbee such occasion, that a generall rate bee made to defray the charge therof.

[*70.]

*It was ordered by the Court, for the supply of our honored Gou^r, that it bee graunted to giue out of the oyle, if it come in, the sume of twenty pounds, and likewise twenty pounds more out of that which appertaineth to the countrey, for Keñebecke, and this to bee ordered for this p^rsent yeare; but if the oyle shall fayle, then to make the supply out of that which is to come to the countrey for Keñebecke.

Forasmuch as the countrey is indebted to the Treasurer in money fifteen pounds, and likewise money to bee provided for the comissioners, wee judge

it nessesary that there bee a leuy of sixty pounds, the one halfe in money, the other halfe in wheat or pease, and the money to bee payed in the month of July next ensueing, for the defraying of the afromensioned charge and other charges that appears to vs that will ensue, and the other halfe to bee payed in wheat or pease in the month of October next.

1664.
8 June.
PRENCE,
Gou^r.

The Proportions of the seuerall Townes as they are rated to the said Sumē.

	ii
Plymouth,	05 : 11 : 00
Duxburrow,	03 : 00 : 00
Scittuate,	09 : 01 : 06
Sandwich,	05 : 01 : 00
Taunton,	05 : 01 : 00
Yarmouth,	05 : 01 : 00
Barnstable,	05 : 11 : 00
Marshfeild,	05 : 01 : 00
Rehoboth,	07 : 11 : 06
Eastham,	04 : 01 : 00
Bridwater,	02 : 10 : 00
Dartmouth,	01 : 00 : 00
Sowamsett,	02 : 05 : 00

The Account of the Charges expended att the Ruining of the Line betwixt the Jurisdiction of the Massachusetts and ours.

This was allowed by the Court.

Item, money expended by the Treasurer,	07 : 06 : 06
Item, for ourselues and horses 9 daies, att 5 shillī p day,	} 06 : 15 : 00
Item, for a horse and a man of Major Winslowes, 6 dayes,	
Item, for Willam Barstow 9 dayes, att thre shillī p day,	} 01 : 07 : 00
	16 : 12 : 06

Besides a horse and a man that went on our account, and was forgotten to bee reconed by them ; and the halfe of the charge of a surveyor, both now and formerly, att 20 shillings p day.

*The Court haue ordered the sumē of six pounds vnto Captaine Southworth and Captaine Bradford, viz^o, to each of them three pound, for and

[*71.]

1664.

8 June.
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GOU^R.

towards their time & pains in their late journey to Connecticut on the countreyes busines.

The Court haue allowed vnto Nathaniell Bacon and Robert Finney, for being employed in the countreyes busines in viewing land, each of them twenty shillings.

Concerning a controuersy betwixt sundry Indians, viz^d, Mattaquason, sachem of Mannomoiett, and John Quason, his son, on the one pte, and Wiltam Nicarson, on the other pte, about bounds of lands bought by the said Nicarson of the said Indians, the Court, haueing heard what can bee said on both pties, haue ordered that some psons bee deputed by the Court to giue meeting to the said Nicarson, to take knowledge of the bounds of the said lands, and make report therof to the Court.

Wheras Wiltam Nicarson, of Yarmouth, hath for some time since illegally purchased a certaine tract of land att Mannomoiett, contrary to the order of Court, and that, notwithstanding great patience and forbearance of the Court, hee still psisteth on in his way of possession and improueing of the said land; and haueing nothing to bee found to answere the penaltie of the law, the Generall Court of freemen, being assembled, haue voated that the said land shalbee put to sale, and improued to the vse of the collonie, onely that the said Nicarson shall haue a portion therof allowed vnto him, accordingly as the Court or the psons deputed in the behalfe of the countrey to make sale therof shall thinke meet; which said psons are M^r Hinckley, M^r Bacon, Leiftenant Freeman, and Wiltam Bassett, they or any thre of them; and the God is appointed by the countrey to affix the common scale of the gofiment vnto such deeds as shall be made to any for the sale therof.

It was also voted by the Court of Magistrates and Deputies, that the said Nicarson shalbee wholly dispossessed of the said lands before it bee sold or otherwise disposed of.

Cornett Studson and Nathaniel Warren are appointed by the Court to lay out a certaine tract or pcell of land graunted to M^r Browne, lying neare Patuckett Riuer, northward of M^r Blackstones.

M^r Hinckley, in the behalfe of John Coggen, sollicited the Court to haue libertie to make sale of the land of Henery Coggen, his father, deceased: the Court, haueing certaine intelligence that hee, the said John Coggen, is heire apparent vnto the said Henery Coggen, and that hee is of age, haue giuen leaue to him, the said John Coggen, to make sale of the lands as hee shall see cause.

It is ordered by the Court, that the generall training shalbee the first Wensday in July next, and to bee att Yarmouth this yeare.

[*72.]

*Leiftenant Joseph Rogers is reestablished in to the office of a leiftenant of the milletary companie of Eastham.

Serjeant Ephraim Morton is appointed and approved of by the Court to be lieutenant of the military company of Plymouth.

M^r Joseph Bradford is appointed and approved of by the Court to be ensigne bearer of the military company of Plymouth.

Henry Smith is appointed and approved of by the Court to be ensigne bearer of the military company of Rehoboth.

John Marchant is appointed and approved of by the Court to be ensigne bearer of the military company of Yarmouth.

It is ordered by the Court, that the generall training shalbee this yeare the first Wensday in July next.

Att this Court, all that tracte of land commonly called and knowne by the name of Acushena, Ponagansett and Coaksett is allowed by the Court to be a townshipe; and the inhabitants thereof haue libertie to make such orders as may conduce to their common good in towne concerns; and that the said towne be henceforth called and knowne by the name of Dartmouth. Dartmouth
made a towne.

Josias Cooke is deputed and appointed by the Court to make contracts of marriage in the township of Eastham, and likewise to administer an oath to give evidence to the grand enquest as occasion may require, and likewise to administer an oath to witnesses for the tryall of a case as occasion may require, as alsoe, in case any stranger shall haue occasion to commence a suite against any person, it shalbee lawfull for the said Josias Cooke to issue out warrants in his ma^{ties} name to bind over the said person to answer the suite at the Court at Plymouth by attachment or summons as occasion may require. This is otherwise ordered by
the Court.

‡Lieutenant James Torrey is authorised by the Court to make contracts of marriage in the towne of Scituate as occasion may require, and likewise to administer an oath to witnesses for the tryall of a case as occasion may require, and likewise to administer an oath to give evidence to the grand enquest as occasion may require; and alsoe, in case any stranger shall haue occasion to commence a suite against any person, it shalbee lawfull for the said Lieutenant Torrey to issue out warrants in his ma^{ties} name to bind over the said persons to answer the suit at the Court at Plymouth by attachment or summons as occasion may require.‡ ‡And otherwise to supena
witnesses to
give evidence
in any case to
appear at the
Court at
Plym^o.‡
This is other-
wise ordered.

*M^r Stephen Paine is authorised by the Court to make contracts of marriage in the towne of Rehoboth as occasion may require, and likewise to administer an oath to give evidence to the grand enquest as occasion may require, and likewise to administer an oath to any witness for the tryall of a case as occasion may require; and in case any stranger or forrainger shall haue occasion to commence a suite against any person, it shalbee lawfull for the said Stephen Paine to bind over the said person to answer the said suite by issue. [*73.]
This is other-
wise ordered by
the Court.

1664. ing forth warrants in his maties name to cause them to appeer att the Court att Plymouth to answare the said complainant.

8 June.
PRENCE,
Gov^r.

In reference to the complaint of sundry of the inhabitants of the towne of Taunton against James Walker and others, for the restraining of the alewives from going vp according to their vsuall manor by reason of a sawmill in thire herring riuier, by which obstruction of the said fish the said towne hath and is in danger to suffer much damage; this Court hath ordered, that betwixt this date and the next season of the fishes going vp, they, the said owners of the mill, shall make or cause to be made a free, full, and sufficient passage for the going vp of the said fish, or otherwise, vpon the further complaint of the towne, the Court will take an effectuall course that the same shalbee done.

Wiltam Paybody, for makeing a writing for the seperating of Wiltam Tubbs from Mercye, his wife, in reference vnto their marriage bond, is fined by the Court the sume of five pounds; and Leiftenant Nash and John Sprague, for subscribing as witnesses to the said writing, are fined each three pounds.

Att this Court, a protest was openly published, att the request of Wiltam Tubbs, against Mercye, his wife, as disowneing all debts that shce shall make vnto any from this time forward, as not intended to pay any of them to any pson whatsoever.

Att this Court, Wiltam Witherell, M^r Gyles Gilbert, Joseph Gray, and Samuell Linkhorne, were sentanced by the Court to pay each a fine of twenty shillings for an abuse done to a saw mill att Taunton belonging to James Walker and others, by coming in the night and breaking downe some pte of the said mill, and for takeing away seuerall things from the same.

In reference vnto the complaint of an Indian called Joseph, liueing neare Taunton, that M^r Gyles Gilbert had killed one of his hoggs, the Court, haueing heard the complaint and defence, haue some ground to suspect that the said hogg was killed by the said Gyles Gilbert, haue therefore ordered, that incase the said Gilbert shall and doe pay vnto the said Indian twenty shillings att his demaund, that then the said case shalbee soe issued; but if otherwise, vpon the further complaint of the said Indian of neglect herof, the said Gilbert is responsible to answare his complaint att Plymouth, and for that end that Thomas Jacus, the servant of the said Gilbert, bee warned to appeer the next Court to giue testimony in the × ×

These fines are
both remitted.

‡ Thomas Lucas, for swearing, sentanced to sit in the stockes during the pleasure of the Court, according to order, which accordingly was pformed. ‡

Dorcas Presberry, for comitting fornication, fined five pounds. Gorge Barlow stands engaged in her behalfe to see it payed.

*The psons nominated to take vp the Excise in the seuerall Townshipes of this Goūment, whoe are likewise to take notice of what Liquors, &c, are brought into the Goūment. See the Orders in the Booke of Lawes.

1664.

8 June.
PRENCE,
GOV^r.
[*74.]

Plymouth,	{ John Morton, Wiltam Harlow.
Duxbuř,	Benjamine Bartlett.
Scittuā,	{ Edward Jenkins, John Daman.
Sand,	{ James Skiffe, Thomas Tobey.
Taunton,	{ James Walker, Francis Smith.
Yarmouth,	{ M ^r Hawes, Richard Tayler.
Barnstable,	{ Henery Cobb, Nathaniell Bacon.
Marshfeild,	John Bourne.
Rehoboth,	{ Leiftenant Hunt, Richard Bullocke.
Eastham,	{ John Done, Juni ^r , Wiltam Walker.
Bridwater,	John Willis.

Libertie is graunted vnto Robert Finney to looke out a ꝑcell of land for accomodation about Sepecan or elsewhere, and to make report of it to the Court, that soe a competency may bee graunted vnto him.

The Court giues libertie to Josias Cooke, Leiftenant Joseph Rogers, Gyles Hopkins, Henery Sampson, and Experience Michell to looke out a ꝑcell of land lying betwixt Bridwater and the Bay line for their accomodation.

The Court haue graunted vnto John Cooke fifteen acres of meddow lying soñwhere neare the bounds of Dartmouth; and hee hath libertie to purchase it of the Indians, soe as it be not meddow alreddy graunted to any other.

Anthony Snow, Ensigne Marke Eames, Joseph Warren, Richard Wright, Wiltam Harlow, Nathaniell Morton, Ephraim Morton, Wiltam Paybody, John Dunham, Juni^r, John Rogers haue libertie to looke out land for accomodations, and to make report therof to the Court, that soe a competency may bee allowed to them.

[*75.]

*Att this Court, sundry of the towne of Hingham appeered, and desired to buy a ꝑcell or tract of land of the cuntry lying betwixt the Bay line and

See records of
sale of lands,
1664.

1664.

8 June.
PRENCE,
Gov^r.

This land was layed out afterwards, by order of the Court, by John Whitmarsh and John Jacob, and is att the path that leads from Waymouth to Bridgewater, as it is said, a little brooke running through the same.

Accord Pond and the land graunted to M^r Hatherley; and the Court declared themselues willing to sell it, and pitched a prise, and refered the agreement to the Treasurer in the countreyes behalfe.

In reference vnto the request of Phineas Pratte and the Elder Bates, in the behalfe of the children of Clement Briggs, that wheras they, the said Phineas Pratt and Clement Briggs, haue not had their proportions of land with others of this jurisdiction formerly called purchassers or old comers, that they might haue some consideration of land in that respect in a pcell or tract of land lying neare vnto the line betwixt the Massachusetts jurisdiction and vs, neare vnto Waymouth, the Court doth graunt vnto the said Phineas Pratt and vnto two of the said Clement Briggs his sonnes, viz^s, David Briggs and Remember Briggs, three hundred and fifty acres of the said lands, with all and singulare the appurtenances thervnto belonging, vnto them and their heires and assignes for euer, viz^s, vnto the said Phineas Pratt two ptes of three of the said three hundred and fifty acres, and the remainder therof vnto the two sonnes of the said Clement Briggs aforname; and this to bee layed forth for them by John Jacob, of Hingham, and John Whitmarsh, of Waymouth; and in case any Indian or Indians shall heerafter lay claime vnto the said lands, that the said Phineas Pratte and the Elder Bates stand bound to the Court to answere the charge of the purchase therof and all other necessary charges about the said land.

11 June.

An Order sent downe to Sandwich, as followeth.

To M^r Freeman, Richard Bourne, M^r Dexter, James Skiffe, and Wilham Bassett, greet, &c.

Wheras Nanquatnumacke hath complained of wrong done to him in his corne by horses of Sandwich, these are to request you to take some serious and effectuell course that the poor man may haue his corne preserued from the horses, either by keeping of them away or some other course, this sommer, or otherwise wee shalbee in some straight what to doe in the case.

This is the Courts desire and order.

P me, NATHANIELL MORTON, Clark.

Plymouth, June 11th, 1664.

[*76.]

27 July.

*Witnesseth these p^sents, that I, Wilham Barstow, Seni^r, of Scituate, haue bargained, couenanted, and agreed, and doe by these p^sents fully and absolutely bargaine, couenant, and agree, with M^r Constant Southworth and Major Josias Winslow in the behalfe of this colloney of New Pymouth, concerning the repaireing and maintaining of a certaine bridge, comonly called

1664.

2 August.
 PRESENCE,
 Gov^r.

forasmuch as it doth appeer that all that the said Billington had was bound ouer vnto John Barnes before the said attachment was layed on the said gun.

Att this Court, an acquittance was shewen in the Court, wherby it appeered that the portion belonging to Sarah Andrews, the daughter of M^r Henery Andrews, of Taunton, deceased, is fully payed and satisfied; which said acquittance was signed with Jared Talbut, and witnessed by Gorġ Macye and Wilſam Harvey, whose names were subscribed thervnto with their owne hands.

Att this Court, M^r Thomas Dexter, Seni^r, complained of sundry injuries against the towne of Sandwich about rights and titles to meddowes, &c, concerning which controversye, by mutuall consent of both pties, it was desired that the Gov^r, M^r Aldin, M^r Hinckley, and the Treasurer would repaire in convenient time to Sandwich, to haue the hearing and determination of the said controuersyes; and accordingly the Court haue ordered, that the time for the hearing and determination therof, as aforesaid, shalbee soñtime in October next, by the pties and att the place aboue named; and that for this p^rsent summer, M^r Dexter, Juni^r, and others of Sandwich as haue formerly improued the said meddowes, shall still improue them.

And wheras there is a controversye betwixt the towne of Barnstable and the Indians about bounds of lands, the Gov^r with the other aboue named are appointed by the Court to haue a hearing and determination therof before their returne.

This Court hath ordered, in reference vnto the purchase of some meddowes, belonging to sundry of the towne of Plymouth, called the South Meddowes, &c, lately purchased by the Gov^r, the major, and Wilſam Bassett, that notice shalbee giuen to all such as possesse the said meddowes that they may meet together and appoint some, in the behalfe of the rest, to treat and compound with those that haue bought it of the Indians, as aforesaid; which if they shall neglect to doe, that it bee refered, for the determination of the same, to the next session of the Court, to bee holden att Plymouth the last Tuesday in September next.

This Court, receiueing sufficient intelligence by late testimony produced in Court that Nehemiah Bessey, of Sandwich, is of full age to enter vpon the possession and enjoyment of such lands as his father left him, haue ordered and doe heerby giue libertie vnto the said Nehemiah Bessey forthwith to enter vpon the full enjoyment and possession of his fathers inheritance, according to the bequeast of his deceased father, Anthony Bessey, as appeers by his last will and testament.

[*78.]

*July the fift, Anno Doñ 1664.

The names of the jury summoned by the constable of Taunton vpon the


occation of the death of Leiftenant James Wyatt, on the day aboue written, Walter Deane, Jonas Austine, Hezekiah Hoare, John Cobb, Wiltam Harvey, Peter Pitts, Aron Knap, Richard Stacye, James Leanard, Christopher Thresher, Samuell Williams, and John Deane, being summoned, found, that on the fift of July abouemencioned, Leiftenant James Wyatt road to a meddow of his to cutt grasse, a seruant of his, an Indian boy, following him, and when hee came to the meddow hee found his master dead, as it is testified by him, who, returneing to the towne, reported that his master was dead. John Hall, Thomas Deane, and James Bell rode to the meddow, and there found that hee had cutt some grasse, and was gone out of the meddow, and there was fallen downe dead; and vpon search, the said jury finds not any cause of any violent death, butt the ymediatt hand of the Lord; and this is the agreement of vs all whoe haue heer subscribed.


1664.

5 July.
PRENCE,
Gov^r.

WALTER DEANE,

The marke **A** of JONAS AUSTINE,
HEZEKIAH HOARE,
JOHN COBB,
WILIAM HARVEY,
PETER PITTS,

The mark  of ARON KNAPP,The mark  of RICHARD STACYE,The **I** marke of JAMES LEANARD,

The  marke of CHRISTOPHER THRESHER,
SAMUELL WILIAMs,
JOHN DEANE.

**At the 2^{cond} Session of the Generall Court begun in June last, now 27 September.
held the 27th of September. [*79.]*

THE majestrates and deputies being assembled, it was ordered and enacted as followeth:—

Viz^z: that the sume of one hundred pounds should bee leuied by rate on the seuerall townes of this jurisdiction, according to their proportions, for the entertainment of his ma^{ties} co^mmissioners, the one halfe therof to bee payed in money vnto the Treasurer att or before the one and twentieth day of November next, and the other halfe to bee payed in weat, pease, barly, or Indian

1664. corn, soe as the barley exceed not in proportion one third pte of the said halfe, the wheat to bee payed att foure shillings and sixpence the bushell, the barley att four shillings, the pease att three shillings and sixpence, and the Indian att three shillings the bushell; the said graine to bee deliuered to the Treasurer att his house att Duxburrow, or to his order, by the sixteenth day of March next, good and marchantable, and the charge of transportation defrayed.

27 September.
PRENCE,
Gov^r.

The proportions of the seuerall townes to the said rate are as followeth:—

Plymouth, to one hundred pound, is	09 : 05 : 00
Duxburrow (Bridgewater being enclued) is	08 : 08 : 03
Scittuate,	15 : 02 : 06
Sandwich,	08 : 08 : 06
Taunton,	08 : 08 : 06
Yarmouth,	08 : 08 : 06
Barnstable,	09 : 05 : 00
Marshfeild,	08 : 08 : 06
Rehoboth,	12 : 12 : 06
Eastham,	06 : 15 : 00
	<hr/>
	95 : 02 : 09
Sowams,	03 : 15 : 00
Dartmouth,	02 : 10 : 00
	<hr/>
Suma totalis,	101 : 07 : 03

The Court haue ordered and agreed, that incase his ma^{ties} comissioners shall see cause to send for any of the majestrates of our jurisdiction to haue speech with them, that the major and Captaine Southworth, being deputed by the Court, shall bee in a reddines to goe, if such occation shall require.

The sume of six pounds is allowed by the Court vnto Major Winslow and Captaine Southworth, viz^s, to each of them three pounds, for and towards their expence of time and other troubles and inconueniencies by them sustained in their late journey to Conecticott as comissioners of our jurisdiction.

It was ordered by the Court, that the towne of Rehoboth and the neighborhood of Sowamsett, in all leuies for publicke rates, shalbee considered as one intire township vntill such time that the said neighborhood shalbee in a capassitie and desire to bee a township of themselues.

[*80.]

*The towne of Scittuate is allowed by the Court to make sale of a certaine pcell of land belonging to Gorge More.

Ten acres of meddow is graunted vnto M^r Allexander Standish, lying att Satuckett Riuer, if it bee there to bee had.

This Court did allow and approue of Thomas Haward, Juni^r, to bee leiftenant of the millitary companie of Bridgwater.

And of John Haward, Seni^r, to bee ensigne of the said companie.

In reference vnto the request of diuers desireing land att Namassakett in the last purchase, the Court haue refered the granting of the said lands vnto the next sessions of this Court; and that then there shalbee a final issue put thervnto, and in the interem a due observation bee taken by such as it consernes of such psons vnto whom most fitly it ought to bee distributed.

Memorand: that att the next sessions of this Court su^me way and course bee thought on for proportioning of su^me charge on lands lying dormant.

The majestrates and deputies doe thinke meet, and accordingly this Court is adjourned vntill the 2^{cond} Tusday in May next, vnlesse by some nessesary occation falling out in the interem, the Go^u and Assistants shall thinke meet to summon the next meeting of this Court sooner.

*Septem^r 27th, 1664.

[*81.]

M^r Stephen Paine is authorised by the Court to make contracts of marriage in the towne of Rehoboth, and likewise to adminnester an oath to giue euidence to the grand enquest, and likewise to adminnester an oath to any witnesses for the tryall of a case as occation may require; and incase any pson resideing in this go^ument shall haue occation to co^mence a suite against any stranger or forraigner, it shalbee lawfull for the said Stephen Paine to issue out warrants in his ma^{ties} name to bind ouer any such pson or psons to answare the said suite att the Court of his ma^{tie} to bee holden att Plymouth att any time by attachment or summons as occation shall require, and likewise to graunt subpnaes as occations shall require.

[This paragraph is duplicated and cancelled on the preceding page.]

Septem^r 27th, 1664.

Leiftenant James Torrey is authorised by the Court to make contractes of marriage in the towne of Scittuate, and likewise to adminnester an oath to giue euidence to the grand enquest, and likewise to adminnester an oath to any witnesses for the tryall of a case as occation may require; and incase any pson resideing within this jurisdiction shall haue occation to co^mence a suite against any stranger or forraigner, it shalbee lawfull for the said Leiftenant Torrey to issue out warrants in his ma^{ties} name to bind ouer any pson or psons to answare the said suite att the Court of his ma^{tie} to bee holden att Plymouth

1664. att any time by attachment or summons as occasion shall require, and likewise to graunt subpenaes as occasion may require.

27 September.

PRENCE,
Gov^r.

Septem̄ 27th, 1664.

Josias Cooke, of Eastham, is authorised by the Court to make contracts of marriage in the towne of Eastham, and likewise to adminnester an oath to giue evidence to the grand enquest, and likewise to adminnester an oath to any witnesses for the tryall of a case as occasion may require; and incase any pson or psons resideing in this jurisdiction shall haue occasion to comēce a suite against any stranger or forraigner, it shalbee lawfull for the said Josias Cooke to issue out warrants in his ma^{ties} name to bind ouer any pson or psons to answare the said suite att the Court of his ma^{tie}: to bee holden att Plymouth att any time by attachment or summons as occasion may require, and likewise to graunt subpenaes as occasion may require.

4 October.
[*82.]

**.Att the Generall Court held att Plymouth the 4th of October, 1664.*

BEFORE Thomas Prence, Gov ^r ,	Thomas Southworth,
John Aldin,	Willam Bradford, and
Josias Winslow,	Thomas Hineckley,
Assistants, &c.	

JAMES LOUELL, of Waymouth, producing a deed of sale from the heires of M^r Nathaniel Souther for a sertaine tract of land long since graunted by this collonie to M^r Souther abouesaid, and alsoe propounding a place where hee desired to take it vp, viz^d, neare the place where Phenias Prat and the sonnes of Clement Briggs were accomodated, between their land and the line of the pattent, this Court, taking notice of the former graunt, doe accordingly allow vnto the said James Louell two hundred acres of land in the place abouementioned, and haue appointed Leiftenant Torrey and Cornett Studson, if hee may bee obtained, to view it and lay it out vnto him, hee paying them for their paines; and incase Cornett Studson cannot, then Willam Barstow is desired to doe it; and that they reporting to the Court on their returne what meddow there may bee, or swamp land that may goe in consideration of meddow, the Court will graunt him what is meet in that respect, hee paying the Indian purchase, if any shalbee justly demanded.

1664.

4 October.
PRENCE,
Gov^r.

This Court haue likewise graunted vnto John Hanmore and Walter Woodward, of Scittuate, (who haue a right as servants,) vnto each of them is graunted sixty acres of land neare about the place abouemencioned, provided it intrench not vpon former graunts, and alsoe that they pay the Indian purchase for it if any bee justly demaunded; and haue impowered the same p̄sons that lay out James Louells to lay out theirs alsoe, they satisfying them for their paines.

By a suite comēced by Edward Jenkins, of Scittuate, against John Williams, Junr, concerning the improprateing of lands that are com̄on to the propriators of Conihassett, and alsoe of an ancient highway that goeth to the harbour, by fenceing the same, both which seemed to bee well cleared to vs to bee injuriose, this Court haue therefore appointed and desired Mr Timothy Hatherley, Captaine James Cudworth, Leiftenant Torrey, Cornett Studson, and John Turner, Junr, to take a view of the fence sett vp by the said Williams; and except hee shall otherwise satisfy, doe impower the aboue named Mr Hatherly, &c, to throw vp the abouemencioned fence, that the highway and com̄on lands bee not vnjustly impropriated.

*Mr Joseph Tilden haueing complained to this Court that Edward Bumpas, Junr, is indebted vnto him in the sume of eight pounds and odd mony, as will appeer by bill vnder his hand, and a considerable p̄te of the debt lyeth vnder attachment in Goodman Holmes his hand, this Court doth desire that Anthony Snow, Leiftenant White, Joseph Bedle, and Thomas Doged, whoe haue bine by the towne of Marshfeild impowered to acte for the said Bumpas, or some of them, with the said Edward, to treat and issue with Mr Tilden in reference to his debt, that soe any further suites may bee preuented; and the men aboue named, or such of them as shall acte in it, haue power to see such goods as are yett vnder attachment released for payment of the debt, and it shalbee the constables discharge.

[*83.]

Att this Court, Josias Wormal appeared in Court, and engaged vnto the Court for the sixt p̄te of the estate of Joseph Wormal, deceased, which is the portion of Hester Wormal; and when this engagement was taken, Mr Hatherley was cleared of his bonds for the adminestration graunted vnto Mirriam Wormal, of which see orders of Court, June, 1662.

Wheras John Wheston, late deceased, dyed intestate, and soe the lands of the said Wheston falls by right of law vnto Joseph Wheston, the heire apparent vnto the said John Wheston; and that it doth likewise appeer to the Court that the estate of the said John Wheston is but little, the lands excepted, and that there are diuers smale children to bee brought vp out of the said estate, therefore, vpon the free will and condecensy of the said Joseph

1664.

4 October.
 PRENCE,
 GOU^R.

Wheston, hee is content and hath by these p^sents taken the house and land that his father liued on and died in, in the towne of Scittuate, for his full and intire portion of his fathers estate both of lands and goods, freely allowing that the profit and benefitt of the said house and land shall redound vnto his mother, Susanna Wheston, for the full tearme of six yeares from the date hecrof, for and towards the bringing vp of the other children of the said John Wheston, they keeping the said house and land in repaire. Morouer, concerning the said John Wheston his p^{te} or share of Conihassett land, bee it more or lesse, both vpland and meddow, hee, the said Joseph Wheston, hath freely resigned, made ouer, and allianated the same from him and his heires vnto the rest of his brothers and sisters, the children of the said John Wheston, to bee by them or in their behalfe improued or sold as occasion shall require; onely that incase the said lands or any of them shall att any time bee sold, that the said Joseph Wheston shall haue the first proffer for the buying of them.

[*84.] *Att this Court, Captaine James Cudworth, Leiftenant Torrey, Ensigne Eames, Isacke Chettenden, and John Bryant are appointed and deputed by the Court as a comittee to settle a controuersy concerning a p^{ce}ll or tract of land lying on the east side of the North Riuer, between the lands of Daniell Hicke and Robert Sprout, the said p^{ns} to meet about the said expedition on the first Munday in the next month next after the date hecrof; and incase they can not settle the said controuersy to the satisfaction of the propriators, that then they make report of their proceeding therein vnto the Court, and that Walter Hatch and John Siluester are to take course for the satisfaction of the said p^{ns} for their paines about the same.

Att this Court, Christopher Winter, being summoned, appeered to make answare, being suspected to haue killed a horse of Joseph Bedles; the Court, not resting satisfied in his p^sent defence, saw cause to bind him ouer to further appearance att the Court as followeth:—

Christopher Winter acknowledgeth to owe vnto our }ⁿ
 sou^{er} lord the King the s^umme of } 20 : 00 : 00

The condition, that if the said Christopher Winter doe appeer att the Court of his ma^{tie} to bee holden for this gou^{rn}ment att Plymouth the first Tursday in March next, to make further answare concerning the killing of a horse of Joseph Bedles, and not depart the said Court without lycence; that then, &c.

Att this Court, Gyles Ricard, Seni^r, for swearing by the wounds of God, was sentanced to bee comitted to prison, and there to bee in durance the space of twenty four hours.

These are come
 to an agree-
 ment, and soe
 declared to the
 Court in March
 7th, 1664.

Ruhamah Turner, for comitting fornication, fined 05 : 00 : 00.

Wiltam Maze, of Taunton, for swearing, sentenced to sit in the stocks during the pleasure of the Court, which was accordingly executed.

James Bell, of Taunton, for strikeing John Eedey, fined 00 : 03 : 04.

1664.

4 October.
PRENCE,
Gov^r.

Seuerall of the
naighbours of
Sandwich en-
gaged to pay
this fine in the
behalf of Ru-
hamah Turn-
ner.

*The rates of the countrey, viz^d, for the officers wages, for the charge of the majestrates table, and for the charge of the comissioners men and horses, — the p̄ticulares of each townes proportion therein is as followeth:—

Plymouth,	08 : 06 : 06
Duxburrow,	04 : 01 : 04
Scittuate,	13 : 12 : 03
Sandwich,	07 : 11 : 04
Taunton,	07 : 11 : 04
Yarmouth,	07 : 11 : 04
Barnstable,	08 : 06 : 06
Marshfeild,	07 : 11 : 04
Rehoboth,	11 : 07 : 03
Eastham,	06 : 01 : 06
Bridgwater,	03 : 10 : 00
Sowams,	03 : 07 : 06
Dartmouth,	02 : 05 : 00
	<hr/>
	91 : 03 : 02

[*85.]

The 8th of April, 1664.

These few lines doe witnes, that I, John Coggen, doe from this day forward discharge and free my loueing frinds, James Cudworth, of Scittuate, and Isacke Robinson, of Barnstable, from being my guardians, acknowledging myselfe to bee fully satisfied; whervnto I haue sett my hand.

This was
p^resented to the
Court of As-
sistants held in
Plymth in Febru-
ary, 1664.

JOHN COGGEN.

Witnes, John Finney.

*A Writing appointed to bee recorded.


[*86.]


These witnesseth, and this bill of our hand bindeth vs, Thomas Morton, of the towne of Plymouth, in the jurisdiction of Plymouth, in New England, in America, yeoman, and John Andrews, of the towne aforesaid, in the said jurisdiction, planter, wec, our heires, exequitors, adminnestrators, and assignes, joyntly and seuerally, to pay or cause to bee payed vnto Nathaniel Warren, of the towne aforesaid, in the jurisdiction aforesaid, yeoman, to him or

1664.

4 October.
PRENCE,
GOU^r.

his heires, exequitors, adminnestrators, or assignes, the full sume of twenty and five pounds, to bee payed in mannor and forme following, viz^s: the one halfe in corne, English and Indian, and the other halfe therof in tarr; that is to say, the first payment of the said twenty five pounds, which is four pounds and eleuen shillings, is to bee payed in tarr att or before the fifteenth day of June next ensueing the date heerof; and the second payment, which is foure pounds and eleuen shillings, is to bee payed in corne att or before the first day of December, 1665; and the third payment therof, which is foure pounds and eleuen shillings, is to bee payed att or before the fifteenth day of June, 1666, in tarr; and the fourth payment, being foure pounds and eleuen shillings, is to bee payed in corn att or before the fifteenth day of June, 1667; and the last payment, which is forty and five shillings, is to bee payed att or before the first day of December, 1667, which sume of forty and five shillings, being the last payment of the abouesaid twenty and five pounds, is to bee payed in corne: all which seuerall payments are to bee payed in that which is good and marchantable both of the corn aad the tarr, and att prise current as the prises shalbee att the times of the deliuey of the seuerall payments to bee deliuered, viz^s: the tarr att the towne of Plymouth, and the corne att the house of the said Nathaniel Warren att the Elchriuer, in the towneship of Plymouth aforsaid. In witnes of the true pformance of the pmisses, and of euery pte therof, wee, the said Thomas Morton and John Andrews, haue heervnto subscribed our hands and affixed our seales, this tenth day of October, anno Domi 1664.

The marke  of THOMAS MORTON,
and his seale.

The marke  of JOHN ANDREWS,
and his seale.

Signed, sealed, and deliuered in the psence of
Thomas Southworth,
Robert Fuller,
Nathaniel Morton.

The sumes aboue mencioned to bee payed by the pties aboue mencioned, viz^s, Thomas Morton and John Andrews, is to bee payed for the remainder of the time vnserued out, which the said Andrews should haue serued with the said Nathaniel Warren, hee haueing alsoe, vpon the sealing heerof, surrendered vp the said John Andrewes his indenture for the said time; these pticulars were aded in the originall agreement in writing before the ensealing therof.

These seuerall payments are all payed by Thomas Morton and John Andrew to Nathaniell Warren and his assignes.

Testa me, NATH: MORTON, Secre^y.

1664.

4 October.
PRENCE,
Gou^r.

**At the Court of Assistants held at Plymouth the seauenth Day of February, 1664.*

1664-5.
7 February.

[*87.]

BEFORE Thomas Prence, Gou^r, Thomas Southworth,
John Aldin, Wiltam Bradford, and
Josias Winslow, Thomas Hinckley,
Assistants, &c.

IN reference to a controuersy betwixt Wiltam Shirliffe, plaintife, against Thomas Little, defendant, for vnjust molestation to the damage of forty shillings in forcable carrying away certaine timber trees by him felled and squared, as hee supposeth, on his owne land, and for refusing to lay out and bound the land according to order, the Court hath appointed M^r Alden, the major, and Joseph Bedle in due and convenient time to settle the bounds of the said lands in controuersy between them according to their best light, either from the records or otherwise; and in reference to the said timber trees, that Thomas Little is to returne them to the place from whence hee tooke them within ten daies from this present Court; and that the said Shirliffe hath libertie to improue the said trees, provided hee bee responsible to make good the vallue of them in case they shall proue heerafter to belonge to Thomas Little.

In reference to a complaint of John Smith, Jun^r, of Marshfeild, against Stephen Tilden, of Scittuate, for that the said Tilden neglected to pay vnto the said Smith the sume of twelue shillings due vnto him for the making of a cart, forasmuch as it appeered to the Court that the said Tilden was legally summoned, and did not appeer, nor any for him, to answare the said complainant, the said Smith owning before the Court fve shillings of the twelue received, the Court awarded the said Tilden to pay vnto the said Smith seauen shillings more, in all twelue shillings, besides twelue sh: charge.

In reference vnto diuers complaints amongst some of the neighbours of Plymouth, in pticulare John Barnes against Thomas Pope, and the said Pope against Gyles Rickard, concerning bounds of land wherof they complained

1664-5. each of other of encroachment and treaspas by cutting of wood and makeing of hiewaies ouer the said Barnes his land, the Court haue ordered Leiffenant Morton and Gorge Bonum, with the healp of some other for a third man, to measure and bound the said lands in controuersy, the ancient bounds being lost, that soe all controuersyes about the same might sease for the future.

7 February.
PRENCE,
Gou^r.

Att this Court, M^r Isacke Robinson was allowed and approued by the Court to keep an ordinary att Saconesett for the entertainment of strangers, in regard that it doth appeer that there is great recourse to and fro by trauelers to Martins Vinyards, Nātuckett, &c.

Benjamin Bartlett appeered att this Court, and demaunded some land which was formerly belonging to M^r Wilham Brewster, lying in Alcaranus Feild; but for as much as the p̄ticulare place cannot bee found, it is refered to the next Generall Court to determine.

[*88.]

*In answare vnto the desire and motion of Henery Wood and Thomas Pope, that for as much as it doth appeer by the last will and testament of Mistris Sarah Jenney, deceased, that did att her death giue and bequeath vnto the eldest daughters of Samuell Jenney, Henery Wood, and Thomas Pope a mare coult; and that Sarah, the eldest daughter of the said Samuell Jenney, is deceased before shee came to age, that therefore the surviuers of the said daughters might haue the p̄te of the deceased, the Court, takinge notice of the tearmes of the will, &c, adjudged it the right of the survivors, viz^s, Sarah Wood and Sussanah Pope; but forasmuch as Samuell Jenney was not p̄sent, and that his plea about it hath not bine heard, it was refered to the Generall Court to bee holden in March next, att which time the said Samuell Jenney is to bee p̄sent, and to make his plea, if hee hath any thinge to speake in the case.

Wheras a motion was made to this Court by Richard Bourne in the behalfe of those Indians vnder his instruction, as to theire desire of lieweing in some orderly way of goūment, for the better preventing and redressing of thinges amisse amongst them by meet and just meanes, this Court doth therefore, in testimony of theire countenanccing and incurraging to such a worke, doe approue of those Indians proposed, viz^s, Paypmunnucke, Keencomsett, Watanamatucke, and Nanquidnumacke, Kanoonus, and Mocrust, to haue the cheife inspection and management therof, with the healp and aduise of the said Richard Bourne, as the matter may require; and that one of the aforesaid Indians bee by the rest instaled to acte as a constable amongst them, it beinge alwaies prouided, notwithstanding, that what homage accustomed legally due to any superior sachem bee not heerby infringed.

This Court doth order, that if the Nātuckett Indians suspected for

murther bee to bee found within this goũment, that serch may bee made by the majestrates, that they may bee found out and secured vntill they bee sent to the goũment of the Massachusetts, that they may doe with them as the case may require; and in p̄ticulare, that M^r Hinckley take care that those people about the southeren p̄tes or south sea, where they were lately knowne to bee, may giue intelligence whether they bee gon or noe out of the goũment, that it may bee knowne whether that the p̄sons soe much concerned in it may bee enformed therof, that they may looke after them as they see cause.

1664-5.
7 February.
PRENCE,
Gou^r

Concerning some p̄ticulares which passed in this Court in reference to M^r Thomas Cushman, concerning an assignement made ouer to him by M^r Isacke Allerton, see more in orders and passages of the Court, 1648.

**Att the Generall Court of his Ma^{tie} held at Plymouth the 7th of March, 1664.*

7 March.
[*89.]

John Aldin, Deputie Goũ,
Thomas Southworth,

Wiltam Bradford, and
Thomas Hinckley,

Assistants.

ATT this Court, libertie was giuen vnto Barnard Lumbert, of Barnstable, to adminnester on the estate of one Cornelious More, an Irish man, late deceased, to pay all debts owing from the said estate soe farr and by equall proportions as the said estate will amount vnto, and to keep a just account of his said adminnestration, and to bee redly to giue in a true account therof when thervnto required by the Court.

Eres of adminnestration was graunted by the Court vnto Joyce, the wife of Thomas Lumbert, deceased, and vnto Jedediah Lumbert and Caleb Lumbert, to adminnester on the estate of the said deceased Thomas Lumbert.

Eres of adminnestration were likewise graunted vnto Stephen Vinall and John Vinall, to adminnester on the estate of Ann Vinall, deceased.

Eres of adminnestration were likewise graunted vnto Timothy White and Joseph White to adminnester on the estate of Gowin White, deceased.

M^r Micael Peirse came before this Court, and desired that an order pased by the Court in reference vnto the desposing of the estate of John Allin, deceased, with speciall reference vnto the portion of Josias Leichfeild, might bee considered by the Court, and amended in respect that some detriment is

1664-5. likely to acrew vnto him by the said order, it standing as it doth; in answare whervnto the Court returned, that forasmuch as diuers of the majestrates were absent, whose help is very requisitt for the right regulatēg therof, it is referred vnto a more full Court for the doeing of it.

7 March.
PRENCE,
Gov^r.

James Louell, of Waymouth, came before this Court, and requested to haue a supply of meddow or swampe, that may bee hopefull, to make meddow, bordering or appertaining to a certaine tract of land which hee bought of the heires of M^r Nathaniell Souther; hee was ordered by the Court either to come or send to the Generall Court to bee holden the begiūing of June next ensueing the date heerof, att which time the Court wilbee in a capaitie to answare his desire in some *some* suitable measure, according to a former order about it, if it may bee had.

Att this Court, it was made knowne to the Court that Elisha Hedge did breake bulke of goods before notice giuen of what liquors hee had brought into the towne of Yarmouth, and therby forfeited 16 gallons of liquor.

[*90.] *In reference vnto a controuersy between Gorḡ Allin and Richard Chadwell about a highway, the Court haue ordered and doe request M^r Edmond Freeman, Seni^r, Edmond Freeman, Juni^r, Thomas Tobey, and Benjamine Nye, or any three of them, to settle the said differēce with the first convenient speed they can, that soe there may bee a finall end of the said controuersy.

In reference vnto the desire of sundry, that the lands of Wiltam Randall, of Scittuate, may bee layed out and orderly bounded, the Court haue requested and appointed Captaine James Cudworth and M^r Joseph Tilden in due and convenient time to lay out and bound the said lands att the North Riuer according to their best descretions and such euidence as they can procure, to the intent that thence forth all suites and contensions may bee preuented, and a finall end of all controuersyes relateing to the bounds of the said land.

The Court, takeing notice that sundry Indians haue manifested some willingnes to make sale of some land within the bounds of Barnstable, haue giuen libertie and doe depute and appoint M^r Thomas Hinckley, Nathaniel Bacon, and John Gorum, or any two of them, to purchase the same; and whatsoever land shalbee soe purchased, they are to make report therof to the Court, that soe they may dispose of it as they shall see cause.

In reference to a cow and a steer belonging to Gabriel Fallowell that were taken in the trapps of Harry the Indian and his son, called Samuell Harry, which said cattle were soe hurt as the owner was constreynd to kill them, and therby were greatly damnified, the Court haue ordered, that they, the said Indians, shall pay to him, the said Gabriell Fallowell, or his assignes, the sume of foure pounds, viz^d, forty shillings the next Indian haruest, and

the remaining forty shillings Indian haruest come twelue month, in good and current pay. 1664-5.

Thomas Cushman, for comitting carnall coppulation with his now wife before marriage but after contract, is centanced by the Court to pay five pounds, according to the law; and for the latter pte of the law, refering to imprisonment, is refered to further consideration.

7 March.
PRENCE,
Gou^r.

Thomas Totman appeered att this Court, to answare his p̄sentment for haueing carnall coppulation with his now wife before marriage, and affeirmed that it was after contract; which being not cleare to the Court, hee was centanced to pay a fine of ten pounds, if not cleared by further testimony; but if soe cleared, to pay but five pounds.

Willam Randall, for breakeing the Kings peace by poakeing or strikeing Jeremiah Hatch with a ho pole, is sentanced to pay a fine of three shillings and four pence.

Thomas Sumers, for being drunke, fined five shillings.

Thomas Linkorne, Seni^r, for breaking the Kings peace, fined 3^s 4^d.

*Rehoboth, the 14th July, 1664.

[*91.]

Wee, whose names are heervnder subscribed, doe heerby signify to all psons whome it may concerne, that, according to our best light and apprehension, Rebeckah Sale, the late wife of Edward Sale, was her owne executioner, viz^d, shee hanged her selfe in her owne hiered house.

JOHN READ, Seni^r,
PETER HUNT,
JOHN PERREN, Seni^r,
JAMES REDWAY,
ROGER ANNADOWN,
WILLAM SABIN,
HENERY SMITH,
JOHN FITCH,
THOMAS COOPER, Juni^r,
JOHN PECKE,
NICHOLAS PECKE,
SAMUELL PECKE,
DANIELL SMITH.

Rehoboth, the seauenth of August, 1664.

Wee, whose names are subscribed heerto, doe heerby signify to all psons whom it may conserne, that Elizabeth Walker, the daughter of Phillip

1664-5. Walker, of the towne of Rehoboth, was accedentially drowned; shee, being sent to scoole, was found alsoe accedentially in the riuer first by two youthes; and they making knowne the same to two wemen, the wife of Nicholas Jyde and the wife of Roger Annadowne, and then to Wilłam Sabine, whoe forth with came and drew her out of the water, as hee saith. From the testimony of the afor specified psons, together with other concurring cercomstances, wee, the subscribers, conceiue that the child, which was two yeares and an halfe old, before specified, came accedentially to her end.

7 March.
PRENCE,
Gov^r.

STEPHEN PAINE, Seni^r,
THOMAS COOPER,
JOHN READ, Seni^r,
PETER HUNT,
JOHN PERRAM,
ROBERT FULLER,
ANTHONY PERREY,
NICHOLAS PECKE,
JOHN FITCH,
HENERY SMITH,
JOHN BUTTERWORTH,
DANIELL SMITH.

March the 1, 1664. This jury gaue in this verdict vpon oath before Josias Winslow, Assistant.

The seauenth of March, 1664.

Ruhamah Turner, of Sandwich, for comitting fornication with John Ewen, was fined the sume of fve pounds to the vse of the collonie.

[*92.]

*The Deposition of Richard Handy, aged about 19 Yeares.

This deponant saith, that hee being att worke about the mill dam the 19th of August with Thomas Fish, the banke being vndermined and dangerous, this deponent saith hee spoke to Thomas Fish and Edward Craggs, saying, "Lett vs knoke downe the banke." They being not willing to goe, this deponant said hee would goe; and then Thomas Fish said, "I will saue one," taking his barrow in his hands; the banke fell downe vpon him while this deponant was goeing to knoke downe the banke, being got the halfe way or therabouts; and this deponant saith, that ymediately after the banke was fallen downe ~ Thomas Fish, they hastened to take the elods from him; and being bruised therby, hee was gott to bedd and dyed in about four daies

and an halfe after; and further hee saith not. Edward Craggs testifyeth the same. 1664-5.

7 March.
PRENCE,
Gou^r.

The Deposition of Richard Church, aged about 56 Yeares.

This deponant saith, that hee, being att worke about the mill the 19th of August, hearing of a cry that the man was killed, hasted presently and heaped to remoue the earth from Thomas Fish, whoe, being much bruised therby, was gott to bedd, and in four dayes and an halfe dyed; and further saith not.

The Testimony of Nathaniel Fish, aged about forty-six Yeares.

This deponant saith, that hee was not willing his son should goe to worke about the dam that day that hee was hurt; and further this deponant saith, that hee heard his son say, not long before hee dyed, that Thomas Dexter said to Thomas Fish, "It is to late to goe to worke to day to Goodman Burgis."

The Names of the Psons warned by the Constable of Sandwich to view the Corpes of Thomas Fish, the Son of Nathaniel Fish, deceased, this 25 of August, in the Yeare 1664.

Thomas Tupper, Seni ^r ,	Francis Allin,
Richard Bourne,	Lodowicke Haukes,
Wilham Bassett,	Obadiah Eedey,
Benjamine Nye,	John Gifford,
Richard Smith,	John Gibbs,
Thomas Tupper, Juni ^r ,	Robert Rollocke.

These twelue men before expressed, takeing into serious consideration according to the best euidence, doe find the instrumentall of the death of Thomas Fish to bee, the vnderminding and falling of the bankes vpon him, the wheelbarrow being between him and the ground, and soe bruising of his body that hee dyed about four dayes and an halfe after that hee was thusse bruised.

*The Propositions made by his Ma^{ties} Co^mmissioners to the General Court of his Ma^{tie} held att Plymouth for the Jurisdiction of New Plymouth the 22^{cond} of February, Anno Domⁱ 1664. [*93.]

1. That all housholders inhabiteing in the collonie take the oath of allegiance, and that the adminnestration of justice bee in his ma^{ties} name.

2. That all men of competent estates and ciuell conversation, though of

1664-5. different judgments, may bee admitted to bee freemen, and haue libertie to choose and bee chosen officers both ciuell and milletary.

7 March.
PRENCE,
GOU^R.

3. That all men and weomen of orthadox opinions, competent knowlidge, and ciuell liues, not scandalous, may bee admitted to the sacrament of the Lords supper, and theire children to baptisme, if they desire it, either by admitting them into the congregations alreddy gathered, or pmitting them to gather themselues into such congregations where they may enjoy the benifit of the sacraments, and that difference in opinion may not breake the bonds of peace and charitie.

4. That all lawes and expressions in lawes derogatory to his ma^{tie}, if any such haue bine made in these late troublesome times, may bee repealed, altered, and taken of from the file.

1665. The Answare of the Generall Court held att Plymouth for the Jurisdiction of New Plymouth the 2^{cond} of May, Anno Dom̃i 1665, to the aboue written Propositions, as followeth.

2 May.

To the first wee consent, it haueing bine the practice of this Court in the first place to ensert in the oath of fidelitie required of euery housholder to bee truly loyall to our soũ lord the Kinge, his heires and successors; alsoe, to adminnester all actes of justice in his ma^{ties} name.

To the second wee alsoe consent, it haueing bine our constant practice to admitt men of competent estates and ciuell conversation, though of different judgments, yett being otherwise orthodox, to bee freemen, and to haue libertie to chose and bee chosen officers both ciuell and milletary.

To the third, wee can not but acknowlidge it to bee an high fauor from God and from our soũ that wee may enjoy our consciences in point of Gods worship, the maine end of transplanting ourselues into these remote corners of the earth, and should most hartily rejoyce that all our naighbours, soe qualified as in the proposition, would adjoyne themselues to our societie according to the order of the gospell for enjoyment of the sacraments to them and theires; but if, through different pswasions respecting church goũment, it cannot bee obtained, wee would not deny a libertie vnto any, according to the proposition, that are truly consciencious, although differing from vs, especially where his ma^{tie} comãunds it, they maintaining an able preaching minnester for the carrying on of publicke Sabbath worship, which wee doubt not is his ma^{ties} intent, and withdraw not from paying their due proportions of maintainance to such minnesters as are orderly settled in the places where they liue vntill they haue one of their owne, and in such places as are capable of maintaining the worship of God in two distinct congregations; and wee

being greatly incouraged by his maties gracious expressions in his letter to vs, and your honors further assurance of his royall purpose to continew our liberties, that where places by reason of our pausette and pouertie are vncapable *of two, it is not intended that such congregations as are alreddy in being should bee rooted out, but theire liberties preserued, there being other places to accomodate men of different pswasions in societies by themselves, which by our knowne experience tends most to the p̄seruation of peace and charitic.

To the fourth, wee consent that all lawes and expressions in lawes deregatory to his matie, if any such shalbee found amongst vs, (which att p̄sent wee are not consious of,) shalbee repealed, altered, and taken of from the file.

By order of the Generall Court for the jurisdiction of New Plymouth.

ꝑ me, NATH: MORTON, Secr^{ty}.

Plymouth, May the 2^{cond}, 1665.

An Acknowledgment ordered to bee entered.

To the honored Court p̄sented.

Forasmuch as the Court judges that I haue broken order, I ame sorry I haue giuen them offence; and if I had knowne that the order would haue bine soe vnderstod, I should not haue done it; and wherin I haue giuen the Court offence, I humbly craue theire fauorable judgment therin, and that the Court would bee pleased to pase by my weaknes and remite my offence.

WILEAM NICARSON.

The third of May, 1665.

1665.

2 May.
PRENCE,
Gour^r.

[*94.]

3 May.

**At the Court of Assistants held att Plymouth for the Jurisdiction of New Plymouth, 1665.*

1665.

May.

[*95.]

BEFORE Thomas Prence, Gour,

John Alden,

Josias Winslow,

Thomas Southworth,

Wiltam Bradford, and

Thomas Hinckley,

Assistant:, &c.

WHERAS Wiltam Newland standeth bound vnto this Court in the sume of three hundred pounds sterling faithfully to pay and make good vnto the children of Joseph Holley, deceased, the sume of six score pounds sterling, the Court, takeing notice and being sertified by seuerall writings

1665.

May.
PRENCE,
Gou^r.

vnder the hands of the said children and otherwise that they, the said children of the said Joseph Holley, Seni^r, deceased, viz^s, Joseph Holley, Juni^r, Mary, the wife of Nathaniell Fitsrandall, Sarah, the wife of Joseph Allin, Experience Holley, and Hopestill, the wife of Samuell Worden, haue receiued theire seuerall ptes and portions of the said sume, viz^s, euery of them twenty foure pounds, doe therfore fully and absolutely discharge the said Willam Newland, hee, his heires, exequitors, and adminnestrators, from the abouesaid bond and obligation, haueing fully paid the said sume vnto the said children aboue expressed.

Wheras Robert Ransome hath fenced in a peece of land att Lakenham that is comon, that hath occasioned much trouble, the Court haue ordered, that the said fence bee throwne downe, and the land to lye open, and not to bee fenced by the said Ransome vntill hee can proue his title; and the Court haue ordered the neighborhood of Lakenham to see the same pformed by the sixt of this instant May.

James Cole, Juni^r, for breaking the Kinges peace in strickeing of Robert Ransome, is fined 00 : 03 : 04. And wheras hee spake vnaduisedly in saying, "Kill the rogue," meaning the said Robert Ransom, hee taking notice of his great ouersight in soe speaking, and it being spoken when hee was in a great pasion, seeing his brother much abused by the said Ransom, and that hee, the said Cole, hath bine obserued otherwise to haue bine of a peacable disposition, the Court saw cause with admonition to remitt the fault.

Ephraim Tilson, for breaking the Kinges peace in strickeing Robert Ransome, is fined 00 : 03 : 04.

Att this Court Gorge Barlow appeered, being summoned to answare for attempting the chastity of Abigaill, the wife of Jonathan Pratt, by aluring words and actes of force, being to the affrighting and much wronging of the said Abigaill in the house shce dwells in, being then alone; the said Barlow bee examined, denyed the said acusation in all the ptes of it; notwithstanding, the Court saw cause to require bonds of him for his good behavior vntill the Generall Court to bee holden att Plymouth the first Tusday in June next after the date heerof as followeth:—

Gorg̃ Barlow acknowledgeth to owe vnto our soũ lord	}	20 : 00 : 00
the Kinge the sume of		
Thomas Sauory the sume of		10 : 00 : 00

Released.

The condition, that if the said Gorge Barlow bee of good behavior towards our soũ lord the Kinge and all his leich people, and appeer att the General Court of his said ma^{tie} to bee holden att Plymouth the first Tusday in June next, and not depart the said Court without lycence; that then, &c.

Att this Court, Ralph Smith, of Eastham, was fined, for telling of a lye, 1665.
00 : 10 : 00.

In reference vnto the complaint of John Barnes against Thomas Pope, for treaspasing vpon his land in carting ouer it, and the complaint of the said Pope against the said Barnes for violently oposing the children of the said Pope in the cart way when they were about theire honest labour, and for beating the horse of the said Pope, and in strikeing of the horse struck his boy, the Court ordered, that forasmuch as these controversyes arose rather out of prejudice then out of any reall cause, that they should addresse themselves to the healp of naighbours for the settleing of those matters, and that the said Pope should goe noe more through Barnes his land.

May.
PRENCE,
Gov^r.

**Att the Generall Court holden att Plymouth the 9th of June, 1665.*


9 June.
[*96.]

WHERAS there was an agreement made between the Court and Leftenant James Torrey and Cornett Robert Studson, as gaurdians vnto Josias Leichfeild and Anna, soñtimes the wife of John Allen, bearing date June, 1663, and stands vpon record p̄ticularly to bee seen, wee doe heerby declare and testify, that the said agreement wee did and doe clearly vnderstand was for a full and finall issue and settlement of what ptained vnto the said Leichfeild from Goodman Allens estate.

THO: PRINCE, Gov^r.
JO^N ALDEN,
JOS: WINSLOW,
THO: SOUTHWORTH,
THO: HINCKLEY,
WIL^L BRADFORD.

Nouember the 5th, 1663.

Receiued by vs, Cornett Robert Stetson and James Torrey, of Seittuate, of Micaell Peirse, of Hingham, the full and just sume of twenty pounds, for the vse of Josias Leichfeild, of Scittuate aforsaid; which twenty pounds the said Micaell Peirse was appointed to pay vnto vs for the vse of Josias Leichfeild aforsaid by the Court holden att N. Plymouth in New England in the month of June last past. In witnes wee haue heervnto sett our hands the day and yeare first aboue written.

The marke  of Cornett ROBERT STETSON,
JAMES TORREY.

The Constables of the seuerall Townes.

1665.

7 June.
PRENCE,
Gou^r.

Plym̄,	. . . . .	Mr Wilłam Crow, for Plymouth.
Dux.,	. . . . .	{ Mr Samuell Saberry, Walter Briggs.
Scittū,	. . . . .	Gorġ Russell.
Sandwī,	. . . . .	Richard Chadwell.
Taunton,	. . . . .	Joseph Wilbore.
Yarfū,	. . . . .	Joseph Howes.
Barnst̄,	. . . . .	Thomas Laythorpe.
Marshfeī,	. . . . .	{ Nathaniell Thomas, Joseph Siluester.
Rehobō,	. . . . .	Anthony Perrey,
Eastham,	. . . . .	Joseph Harding.
Bridgŵ,	. . . . .	Nathaniell Willis.
Dartmouth,	. . . . .	Daniell Wilcockes.

*The Grand Enquest.

[*98.]

sworne,	{	John Morton,	sworne,	{	Samuell Hickes,
		Mr Joseph Tilden,			John Peecke,
		Edward Jenkins,			John Woodcocke,
		Phillep Delano,			Leifft Thō Haward,
		John Bourne,			Samuell Smith,
		John Smalley,			Stephen Skiffe,
		Trustrum Hull,			John Washbourne, Juni ^r ,
		Robert Denis,			James Allin,
		John Dingley,			John Smith, of Barnstable,
		John Joyce,			for p̄sent respected,
Hezekiah Hore, absent,	John Howland.				
Joseph Warren,					

It was ordeř, agreed, and voated by the Generall Court now assembled, that the sumē of one hundred and fifty pounds bee leuied by rate vpon the seuerall townes of this jurisdiction, accordinge to their proportions, for and towards the carrying on the publicke affaiers of the collonie for this p̄sent yeare, the charge of the majestrates table being enclued in the said sumē, and the officers wages excepted ; of which said sumē of one hundred and fifty pounds, forty therof to bee payed in money to bee leuied by rate forth with, and the warrants to goe out for the same with all convenient speed, soe as the said sumē of forty pounds is to bee payed to the Treasurer by the last day of

1665.

July next; and the hundred and ten pounds remaining to bee payed, one third pte therof in wheat, and the other two thirds in either wheat, pease, barly, or Indian corne.

7 June.
PRENCE,
Gov^r.

Vpon consideration of diuers p̄ticulars proposed and larḡly agitated by the freemen of this jurisdiction assembled, concerning the proposition made by his ma^{ties} cōmmissioners in reference vnto the manor of choise of the gōfurnors of this jurisdiction, and in reference vnto an adresse to bee made to his ma^{tie} for the renewall of our pattent, the Court haue ordered and roated, that the said p̄ticulares bee refered to future consideration.

Likewise, as conserning sending a pson for England as agent in behalfe of the country, to sollicit his ma^{tie} for the establishment of the bounds of our jurisdiction accordingly as they were lately sett by his ma^{ties} cōmmissioners, it was concluded by the Court, that the said cōmmissioners bee sollicitod to improve their best entēst in our behalfe to the vtmost for the obtaining therof; and soe to cōmitt the case to God and vnto his ma^{tie} for the success, in regard of our p̄sent incapasitie otherwise to send.

In reference vnto the question concerning the continuance of the confederation of the Vnited Collonies, the Court haue ordered, that a loueing, curteous letter bee directed to the gōfurnment of the Massachusetts collonie, therin declaring that wee see not light to p̄sist on therin, and that yett notwithstanding, that if vpon further enformation and consideration of any returne from them or otherwise, wee shall see cause to send to another meeting in reference vnto a more ciuell and orderly breakeing of that, wee soe doe.

[*99.]

*In reference vnto the complaint of John Hathewey, of Taunton, against two Indians, the one named Tobey and the other Phillip, for stealing some swine from him, the said charge appeering to the Court to bee true, the Court haue ordered, that speedily they shall satisfy vnto the said Hathewey a swine as good as his other swine hee hath att home, that were fellowes to the swine soe stollen; and likewise, that for asmuch as the said Hathewey is not prouided att p̄sent with euedences conserning other swine in probabilitie stollen by them, that they, the said Indians, put in securitie to appeer att the next Generall Court of his ma^{tie} to bee holden att Plymouth the first Tusday in October next, to answare his further complaint on that behalfe.

Phillip aeknowledgeth to owe vnto our soū lord the } 20 : 00 : 00
Kinge the sume of

Tobey the sume of 20 : 00 : 00

Daniell, allies Paquaho, the sume of 10 : 00 : 00

Napames the sume of 10 : 00 : 00

The condition, that if the said Phillip and Tobey doe appeer att the

Generall Court of his ma^{tie} to bee holden att Plymouth the first Tusday in August next, to answere the farther complaint of John Hathewey, of Taunton, against them for stealing of his swine, and not depart the said Court without licence ; that then, &c.

1665.

7 June.
PRENCE,
Gou^r.

Ensigne Macey is approued by the Court to bee leiftenant of the milleye companie of Taunton, and Thomas Leanard for ensigne.

The remainder of the time that Moses Crocker is yett to serue from the date hecrof, the Court alowes that hee shall serue it out with Thomas Hiland, Junir, of Scittuate, prouided that the said Hiland shall not dispose of him to any other without the Courts consent.

Vpon the earnest request of Phillip, the Indian sachem of Pocanacutt, for to haue libertie to buy a horse within our jurisdiction, the Court haue bestowed a horse on him, as judging it meeter then to giue him libertie to buy one ; the horse is that which [^] prouided for the trumpeter belonging to the troop of horse which is spared from the said service on condition that another bee prouided to bee in his rome.

In reference vnto diuers complaints made conserning John Williams, Junir, his disorderly liueing with his wife, and his abusiue and harsh carriages towards her both in words and actions, in speciaall his sequestration of himselfe from the marriage bed, and his accusation of her to bee a whore, and that especially in reference vnto a child lately borne of his said wife by him denied to bee legitimate, the Court saw cause to require bonds for the appearence of the said Williams att this p^sent Court, and likewise sent for his wife to this Court ; and after the hearing of seuerall thinges to and frow betwixt them, the said Williams being not able to make out his charge against her, they were both admonished to apply themselves to such waies as might make for the recouering of peace and loue betwixt them ; and for that end the Court requested Isacke Bucke to bee officious therin, and soe dismissed them from the Court for that time.

Notwithstanding the law prohibiting the selling of horses to Indians, the Court aloweth Keencomsett, an Indian att Barnstable, to buy a horse to bee for his vse in husbandry, to bee done by the aduise and direction of M^r Hinckley, M^r Gorum, and Nathaniell Bacon.

It is enacted by the Court, that the neighborhood of Sowamsett bee accounted to bee within the township of Rehoboth and within that constablericke, and the constable to p^forme his office within the said neighborhood for the gathering of rates, &c, as in any other p^te of his liberties.

Said neighborhood is to pay to the
x pound rate
x shillings
x yeare.

1665.

7 June.
PRENCE,
GOU^r.

[*100.]

These lands were graunted to the p^rsons heer named with all and singulare the appurtenances belonging ther-vnto, to them and their heires and assigns for euer.

*The Names of those that haue Lands graunted vnto them by the Court, viz^d, the Land which is purchased on the westerly Side of Namasskett Riuer, which is to bee equally deuided amongst them, and being soc deuided, is conceiued it will amount vnto thirty Acres a Share of good Land, as alsoe Com^oning adjoyning thervnto proportionable.

Imp^rmes, to the towne of Plymouth for a minnester, one share.
 To Namasskett, for a minnester, one share.
 To the Elder Cushman for his children, one share.
 To Henery Sampson for his children, one share.
 To Experience Michell for his children, one share.
 To Edward Gray ten acres, to lye in a square.
 To Gabriell Fallowell, one share.
 To Captaine Bradford, one share.
 To James Cole, Seni^r, one share.
 To Gyles Rickard, Seni^r, one share.
 To M^r Joseph Bradford, one share.
 To Anthony Snow, one share.
 To Nathaniell Morton, one share.
 To John Morton, one share.
 To Ephraim Morton, one share.
 To Edward Dotey, one share.
 To Gorge Bonum, one share.
 To Wiltam Harlow, one share.
 To John Wood, one share.
 To Henery Wood, one share.
 To John Dunham, Juni^r, one share.
 To Samucll Dunham, one share.
 To Joseph Warren, one share.
 To John Jourdain, one share.

In all 24 shares.

It was ordered by the Court, that the charge of the purchase of the said land shalbee equally bourne by all those which haue lands there, euery one a like proportion; and that none shall possesse about two shares of that land either of the p^rtenors or any other; and that if any one shalbee found to possesse about two shares therof, it shalbee forfeit to the countrey.

The Names of such as are graunted Land in that Tract of Land commonly called the Majors Purchase, whoe are to haue thirty Acres apeece out of the best of it, and Coṃoning proportionable.

1665.

Wilkam Clarke, of Duxburrow,	one share.
Jonathan Dunham,	one share.
Benjamine Eaton,	one share.
Joseph Dunham,	one share.
Thomas Sauory for his children,	one share.

7 June.
PRENCE,
Gov^r.

These lands graunted with all and singulare the appurtenances belonging ther-vnto, to them and their heires and assignes for euer.

It was ordered likewise by the Court, that wheras the lott of M^r Howland and the lott of Wilkam Nelson, with two others, which are judged very meane, that they bee alowed twelue acres apeece att the heads of there said lotts.

The Court haue graunted vnto Zacary Eedey a smale gussett of land lying betwixt his land and the brooke, from his house below the path to Namasskett vnto the aforsaid brooke, vnto a bridg or way neare vnto a path that turnes out of the old way vnto Wilkam Nelsons house; the said pcell of land, soc bounded as aforsaid, is graunted vnto the said Zacary Eedey, to him and his heires for euer, with all and singulare the appurtenances belonging ther-vnto, on condition that the said Zacary Eedey doe continue a bridge neare his house in the place wher it is needed for horse and cart, for the vse of the country, for the full tearme of twenty yeares from the date heerof.

*The Court haue graunted vnto Major Josias Winslow a farme of two hundred acres of vpland, with meddow suitable and answarable thervnto, in regard of his extreordinary and emergent charges by him expended on the countreyes occations; the which farme lands hee is to looke out for in any pte of this goṃment; and vpon his choise therof, to bee and appertaine, with all and singulare the appurtenances belonging thervnto, to him and his heires and assignes for euer; and the Court haue appointed M^r Constant Southworth and Cornett Robert Studson to lay it out for him.

[*101.]

A competency of land is graunted vnto M^r John Alden, Captaine Thomas Southworth, and M^r Constant Southworth in any land that may bee found and purchased att or about Namasskett or elsewhere; which when it is sought out and purchased, and report therof made to the Court, to bee further conferred to them and their heires & assignes for euer.

Sence the death of Leiftenant Torrey, the major and the Treasurer are appointed by the Court to lay it out.

In reference vnto a former libertie graunted by the Court vnto Cornett Studson, two hundred acres of land is graunted vnto him on the southerly side of the three mile square of land formerly graunted vnto M^r Hatherly, the said two hundred acres of land, with all and singulare the appurtenances

1665.

7 June.
PRENCE,
Gov^r.

belonging therunto to appertaine unto the said Cornett Robert Studson, to him and his heires and assignes for euer, to bee layed forth for him by Leiftenant James Torrey.

The Court haue graunted unto Wilſam Brett, Thomas Haward, Seni^r, Arther Harris, Richard Williams, John Willis, and John Carey, to each of them, threescore acres of land lying betwixt the lands of Taunton and Teticut; but incase these lands shall any of them fall within the last graunt of Taunton, these lands being before graunted to these men, notwithstanding it shall not make the former graunt void, but that the said lands shalbee and remaine, with all and singulare the appurtenances belonging unto them, to the said Wilſam Brett, Thomas Haward, Seni^r, Arther Harris, Richard Williams, John Willis, and John Carey, to them and their heires and assignes for euer.

Leiftenant Freeman and Leiftenant Rogers are appointed by the Court to view a certaine iland petitioned for by Richard Higgins, and to purchase it if they shall see reason, and to make report thereof to the Court, that if they shall see cause they may dispose of it to him, the said Richard Higgins.

Fifty acres of land is graunted unto Roger Annadowne, lying att a place called the Ten Mile Riuer, being a pte of that land which Captaine Willett bought, lying on the bounds of Rehoboth; the said fifty acres of land, with all and singulare the appurtenances belonging therunto, to appertaine to him, the said Roger Annadowne, to him and his heires and assignes for euer.

[*102.]

*Wheras Wilſam Nicarson hath illegally purchased a certaine tract of land att Mannamoiett of the natiues, and hath noe visible estate to satisfy the breach of order, yett hath lately submitted himselfe unto the clemency of the Court, this Court sees good to allow him, the said Wilſam Nicarson, one hundred acres of that land att or neare his house, to bee layed out according to the best descretion of Barnard Lumber, Marshall Nash, and Joseph Howes; and the rest of the said land att Mannamoiett this Court graunts unto M^r Thomas Hineckley, M^r John Freeman, M^r Wilſam Sarjeant, M^r Anthony Thacher, Nathaniel Bacon, Edmond Hawes, Thomas Howes, Seni^r, Thomas Falland, Seni^r, Leiftenant Joseph Rogers, to them and their heires for euer, by equall proportions to bee aloted to them, provided the said Wilſam Nicarson haue an equall proportion of the meddow lands there with them; and these lands to bee proportioned between the said M^r Hineckley, M^r Freeman, and the rest aboue named, and the said Wilſam Nicarsons portion of land to bee layed out to him before the first day of December next; and the Court orders, that the said M^r Hineckley, M^r Freeman, and the rest aboue named,

alow in marchantable countrey pay their equal proportions vnto him, the said Wiltam Nicarson, of that pay as hee shall make apeer vpon just account that hee payed for the purchase of the said lands; and this Court orders and impowers the said Barnard Lumbert, Marshall Nash, and Joseph Howes, in the name of the Court, to put M^r Hinckley, M^r Freeman, M^r Sarjeant, and the rest, into full possession of the said lands att Mannamoiett; and the Court doth graunt libertie vnto M^r Hinckley, M^r Freeman, and the rest, to purchase the tract of land att Mannamoiett adjacent as are not purchased, and equally to proportion them amongst themselues, soe that it exceed not aboue one hundred acres apeece; and this Court ordereth, that none of them shall sell or allianate his pte or proportion of his lands thervnto any pson or psons whatsoever but with the consent and approbation of his associates or of the Court; and the Court orders all the said lands att Mannamoiett to appertaine and bee within the liberties of the township of Yarmouth, as the lands between Bound Brooke and Stony Brooke are, vntill the Court shall see cause to order otherwise.

The Court haue ordered, consarning the land att Saconett, in reference vnto the petitioners for it called the ancient seruants, that none shall purchase the said lands soe as to bee any meanes to hinder them from any oppertunitie that may p̄sent for an orderly purchase therof, in order to a supply of such of them as are vnsupplied; the p̄sons allowed by the Court to purchase it for them, if any oppertunitie may bee had, are the major and the Treasurer.

A certaine p̄cell of meddow, or such swampy ground as tendeth towards meddow, is graunted by the Court vnto Pheneas Pratt and James Louell, lying on the westerly side of Phenias Pratts land that was graunted vnto him the last June Court, neare vnto the line betwixt the Massachusetts and this jurisdiction, the said p̄cell being about foure or fiue acres, bee it more or lesse, to bee equally deuided betwixt them, the said Pheneas Pratt and James Louell, to them and their heires and assignes for euer.

M^r Hinckley, Richard Bourne, and Nathanel Bacon are appointed by the Court to purchase some land of the Indians in the behalfe of the towne of Yarmouth.

Richard Bourne and Wiltam Bassett are appointed by the Court to view and purchase some lands desired by Edmond Freeman and Thomas Butler lying towards Saconesett, if they find it worth the purchasing, and to make report of it to the Court.

*The Court haue ordered, that the summe of fifty pounds bee settled vpon and payed to the Gov^r for this p̄sent yeare, to bee payed out of the treasury.

It is enacted and ordered by the Court, that notwithstanding the majes-

1665.

7 June.
PRENCE,
Gov^r.

Of this see another order 5 pages forward in this booke.

1665.

7 June.
PRENCE,
GOD^R.

trates bee rated to the charge of theire table and the officers wages, that the Treasurer shall take it of from them and place it on the countreyes account.

It is ordered by the Court, that Yarmouth and Marshfeild bee for the future rated ten shillings apeece in a forty pound rate, and that it bee charged on Dartmouth.

Conserving a highway to bee layed out att Yarmouth, it is ordered by the Court, that the jury that shalbee impannelled to lay out the said highway shall alsoe judge of the damage done to the marsh that the said way must goe through.

A Deposition appointed to bee recorded, as followeth.

Ann Hinde, the wife of Wiltam Hoskins, aged 25 yeares or therabouts, being examined and deposed before M^r Edward Winslow in a case between John Darbey and John Chipman, afeirnceth vpon oath as followeth:—

That the said Ann liued in the house of M^r Darbeyes father with the said John Chipman att such time as the said John Chipman came from thence to New England to serue M^r Richard Darbey, his brother; and that the said Ann came afterwards likewise ouer to serue the said Richard Darbey, when old M^r Darbey requested this deponant to comend him to his cozen Chipman, and tell him if hee were a good boy hee would send him ouer the money that was due to him when hee saw good; and further, wheras this deponant heard the said John Darbey affeirme that his money was payed to John Chipmans mother, shee further deposeth that his said mother was dead a quarter of a yeare or therabouts before her old master sent this message to his cozen Chipman; all which this deponant sweareth, and further knoweth not.

Before mee, EDWARD WINSLOW.

Taken the 2^{cond} of March, 1641.

An Order sent to Taunton from the Court prohibiting bad Iron to bee made there, as followeth.

To the clarke of the iron workes att Taunton, greeting.

These are to acquaint you that the Court requires you to signify vnto the owners that are ptenors in the iron workes att Taunton, that wheras there is great complaint of bad iron made there, that the Court requires them to take course with the workmen that hence forth the iron that shalbee made there bee good and marchantable, that soe the countrey bee noe more wronged on that behalfe.

The Courts order p mee, NATH: MORTON, Clarke.

1665.

An Order directed to the Townsmen of Scituate, as followeth.

9 June.
PRENCE,
GOU^r.

The Court hath bine enformed of your reddines to appoint some of your townsmen to the healing about the settling of the bounds of some lands of Wiltam Randall, which hath bine hindered of accomplishment of that worke by some vnworthy speeches of the said Randall; yett being very desirouse of your peace as our owne, therefore wee request that you would againe nominate some other psons for that worke, and desire with your leau that you would request Cornett Studson to bee healpfull to the aforsaid Humphrey Turner and Walter Woodward to doe the same. This is the desire of the rest of the majestrates, as your frind acquaints you.

THOMAS SOUTHWORTH.

Plymouth, the 9th of June, 1665.

[*105.] *An Account of the Liquors brought into the Towne of Eastham, as followeth.

The 28th of the 9 month, 1664.

Thomas Paine, 5 quarts of liquor.

Joseph Harding, 2 gallons, twenty pound of shott, and 3 pound of powder.

M^r Crosbey, 1 gallon of liquor, six pound of shott, and three of powder.

Gorç Crispe, 2 gallons of liquor.

Daniell Done, one gallon of liquor, and 3 pound of powder, and 20^{li} of shott.M^r John Freeman, two gallons of liquor.

Edward Banges, six gallons of liquor.

Aprill, 65. Thomas Paine, 1 gallon of liquor, and 2 gallons of Gorge Crispe.

Nicholas Snow, 1 gallon and an halfe of liquor.

Joseph Harding, one gallon and an halfe of liquor.

The 23 of the 10th, 64. Ralph Smith, 2 gallons of liquor, 35 pound of shott, and five pound of powder.

Stephen Hopkins, 2 pound of powder, 1 gallon of liquor.

Aprill, 65. Ralph Smith, 2 gallons of liquor, and bought for Josias Hubbert, of Hingham, fifteen gallons of liquor.

Richard Higgens, 1 gallon of liquor.

John Mayo, two gallons of liquor.

John Smalley, one gallon of liquor.

Trustrum Hull, of Barnstable, brought a barrell of rum to the towne of

Eastham, and sold it, but gaue noe account of it to either of vs, and wee thought it good to giue the Court notice of it.

1665.

9 June.
PRENCE,
Gov^r.

WILLAM WALKER,
JOHN DONE.

Thomas Little, for not keeping secret, but discloseing, }
the proceedings of the grand enquest, being one of }
them, was fined } 01 : 10 : 00

Samull Norman, being convicted of telling of a lye, 00 : 10 : 00

Gyles Rickard, Seni^r, for swearing the 2^{cond} time, being proued by two witnesses according to law, was centanced to bee imprisoned twelue houers, which alsoe, with the former sentence of the same kind for the like, were both att this Court inflicted ; his punishment for the latter had not bin soe eazey but that the Court considered some matteriall cercoinstance about the case respecting the witnesses, which occasioned the mittigation of the punishment.

Thomas Lucas, for swearing by the wounds of God, was sentenced to bee imprisoned 24 houeres, which accordingly was inflicted.

John Rushell, of Acushena, allis Dartmouth, acknowl- }
idgeth to owe vnto our sofl lord the Kinge the }
sume of } 20 : 00 : 00

Edward Gray the sume of 10 : 00 : 00

The condition, that if the said John Rushell shall and doe appeer att the Released.
Generall Court of his ma^{tie} to bee holden att Plymouth the first Tursday in October next, to answere to any thinge that may bee further objected against him conserning attempting the chastitie of Hannah, the wife of Willam Spooner, &c, and in the interem of time bee of good behavior towards our sofl lord the Kinge and all his leich people, and not depart the said Court without lycence ; that then, &c.

Att this Court, fifty shillings was abated of Ruhamah Turners fine.

*Wheras Willam Nicarson, of Yarmouth, stood convicted diuers yeares about eregulare purchaseing of lands att Mannamoiett, the penaltie wherof is fue pounds for euery acree soe purchased, which amountes to much more then all hee hath is able to satisfy, and that warrants haue bine issued out for the leuying of the same in part ; and that before the execution therof, the said Nicarson made some applycation to his ma^{ties} comissioners att Plymouth, February the 22^{cond}, 1664, and that the said his ma^{ties} comissioners were pleased to moue the Court on his behalfe, incase the said Nicarson should submitt himselfe to the Court ; and that the said Nicarson then did acknowledge his mistake of the said order ; this Generall Court, takinge notice of and willing to

[*106.]

1665.

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PRENCE,
Gov^r.

Of this see another order in the actes of this Court 4 pages backwards in this booke.

gratify the said comissioners theirein, and not to procecute thinges to extreamities, doth therefore order the remiting of his fine, and alsoe allow him one hundred acres of the said land, to bee layed most conveniently to his house there, with a convenient portion of meddow ground, to him and his heires for euer; and alsoe what moneyes hee hath giuen to the Indians as for that regulare purchase of the lands shalbee repayed vnto the said Nicarson by the psons to whom the Court hath disposed of the rest of the lands there according to their seuerall proportions; the psons are as followeth, viz^d: M^r Thomas Hinckley, M^r John Freeman, M^r Wiltam Sarjeant, M^r Anthony Thacher, M^r Thomas Howes, Seni^r, Nathaniell Bacon, Leiftenant Joseph Rogers, M^r Edmond Hawes, and Thomas Falland, Seni^r; this Court therefore authoriseth Marshall Nash, Barnard Lumbert, and Joseph Howes, in the name of the Court, to measure out the said proportions of land vnto Wiltam Nicarson, as alsoe to the other psons abouenamed, and to giue them possession therof in the name and behalfe of the Generall Court, to haue and to hold to them and their heires for euer.

‡Propositions made by the Court to the seuerall Townshipes of this Gou^rment, refered to Consideration vntill the next Adjournment of this Court.

Concerning dormant lands, that the psons bee rated in such townships as the psons that owne them inhabites.

‡1. That all psons lyable to bee rated, in euery towne of this gou^rment, bee rated according to their visible estates and faculties, that is, according to their goods, faculties, and psonall abillities, whether they are in lands, both meddow lands, improved lands, or dormant lands appropriated, or in cattle, goods, or stocke employed in trading, in boates, barques, &c, mills, or other visible estate; but for the incurragement of trafficke that it bee ordered, that barques, catches, and bigger vessells may not bee rated aboue halfe their value; dormant lands, both vpland and meddow, out of townships, to bee rated for euery hundred acres according to 40^s estate; and if any pson lay downe any pte of his proprietie to the comonage of the companie then associated together, hee shalbee rated but for what quantitie hee keeps his propriety in; and concerning stockes employed in trading att home in and about the townships where hee liues, shalbee rated onely for two thirds of such stockes soe improved, as thus: 120^{li} stocke to bee employed in trading shalbee rated onely for 80^{li}, and soe proportionable.

‡Proposition 2^{cond}. That the Gou^rners that for the future shalbee chosen bee allowed fifty or sixty pounds p annum; and that there bee but five majestates chosen yearly, and they to haue, each of them, twenty pounds p annum, and they to beare their owne charges.

‡And if not soe, that there bee a standing counsell chosen ; and that there bee three in number besides the Gou^r alwaies of that counsell, it being alwaies att the libertie of the Court to renew the choise of that counsell as often as they shall see cause, allowing vnto the counsell ‡sixty pounds a yeare, ‡ ||twenty pounds a peec.||

‡And if soe, that the country doe make choise of two or more yearly for majestrates to bee aded vnto them, and the country to beare onely the charge of their table att the seuerall Courts.

‡This Court is adjoined vntill the 2^{cond} Tuseday in October next.‡

1665.

9 JUNE.
PRENCE,
GOU^r.

**Att the Court of Assistants holden att Plymouth the first Day of August, 1665.*

1 August.
[*107.]

BEFORE Thomas Prence, Gou^r,
William Collyare,
Josias Winslow,

Thomas Southworth, and
William Bradford,

Assistants, &c.

ATT this Court, Edward Williams, att the request of the Court, engaged to pay vnto Ann Crooker, widdow, the sume of forty shillings in good cloth, att a reasonable rate, which hee giueth vnto the said widdow, to bee forth with deliuered vnto her or her assignes att his returning home ; which hee doth in consideration of her poor condition, and that it bee a finall end of all controuersyes between the said Ann Crooker and the said Williams consarning her sonne, Moses Crooker.

In reference vnto a horse in controuersy between Major Winslow and Ephraim Tinkham, the Court haue ordered, that the said horse bee forthwith deliuered vnto the said major, and to run vpon his ground vntill the next October Court to bee holden att Plymouth aforesaid, causalties excepted, and then to cause him to bee brought to the Court, and that then all such euidences as can bee procured bee produced for the clearing vp of the right owner.

Memorandum : that M^r Eames, Seni^r, Nathaniell Warren, James Clarke, and Edward Williams had the sight of the said horse, and did affeirme, that, according to their judgments, he was then three yeares and advantage.

In reference vnto John Dunham the younger, for his abusiue carriage

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1 August.
PRENCE,
Gov^r.

towards his wife in continuall tirausing ouer her, and in p̄ticulare for his late abusie and vnciuill carryage in endeauoring to beate her in a deboist manor, and for affrighting of her by drawing a sword and pretending therwith to offer violence to his life, hee, the said Dunham, is sentansed by the Court to bee seuerly whipt; but through the importunitie of his wife, the execution of the said centence was respeted for p̄sent vntill the Court shall take further notice of his future walking, and then to doe therin as occation shall require; and for the preuension of future euill in the like kind, the Court sees cause to require securite for his good behaiour vntill the next Generall Court, and soe from Court to Court vntill the Court shall see cause otherwise to order.

John Dunham the younger acknowledgeth to owe vnto	} ⁿ 20 : 00 : 00
our soū lord the Kinge the sūmē of	
Gorge Bonum the sūmē of	06 : 13 : 04
Benajah Pratt the sūmē of	06 : 13 : 04
Jonathan Dunham the sūmē of	06 : 13 : 04

Released.

The condition, that if the said John Dunham bee of good behaiour towards our soū lord the Kinge and all his leich people, and in p̄ticulare towards his wife in reforming his former abusie carryage towards her both in word and deed, and appeer att the Generall Court of his ma^{tie} to bee holden att Plymouth the first Tusday in October next, and not depart the said Court without lycence; that then, &c.

Att this Court, John Arther appeered, according to summons, to answare for abusie speeches and for entertaining of the wife of one Talmon and the wife of Wiltam Tubbs; but the said Arther pretending hee could procure euidence to cleare him in some of the p̄ticulares charged, hee, engageing to appeer att October Court, is for the p̄sent released.

The Major Winslow, Anthony Snow, John Bourne, and Wiltam Paybody are appointed by the Court to rectify a difference and controuersy between Moses Simons and Samuell Chandeler in reference vnto the bounds of there lands where they now inhabite in Duxburrow.

**At the Court held at Plymouth the third Day of October, 1665.*

1665.

BEFORE Thomas Prence, Gou^r,
 Wilłam Collyare,
 John Alden,
 Josias Winslow,

Thomas Southworth,
 Wilłam Bradford, and
 Thomas Hinckley,

Assistants, &c.

3 October.
 PRENCE,
 GOU^r.
 [*108.]

THIS Court haue appointed John Pecke, John Allin, and John Woodcocke, of Rehoboth, to adminnester on the estate of Richard Ormsbey, late deceased att Rehoboth, to pay all due debts due and owing vnto any pson or psons from the said estate, soe farr and by proportion as the estate will amounte vnto, and to bee reddy to giue in a just account therof vnto the Court when required by them.

The Court doth alow vnto Sarah Ormsbey, widdow, the best bed that shee hath, with a boulster and a paire of pillowes, a paire of sheets, a paire of blanketts, and the best rugg or couerlidd that was left, and curtaines and vallene to the bed, and all her owne wearing apparrell.

M^r Joseph Tilden and Jeremiah Hatch are allowed and appointed by the Court to bee guardians vnto Nathaniell Man; and John Cowine is required by the Court to surrender him vp to their dispose as his guardians.

A judgment of eight shillings and the charges of the summons is awarded by the Court to bee payed by Abraham Jackson to Wilłam Nelson, in reference and for the ending of a controuersy betwixt the said p^ties about the keeping of two cattle some time the latter end of the last winter.

In reference vnto a controuersy betwixt John Smith, Morris Truant, and Richard Child, conserning a bargaine about the building of a house, the Court haue ordered, that the said Smith shall finish the said house according to his bargaine, and that the said Child doe prouide diett for him dureing the time hee is about it; and wheras the said Truant, by a wronge attachment serued on the said Smith, and by detaining of his tooles, and by neglecting to supply him with boards and nailes suitable to the finishing of the said worke, and diet when hee was about it, and that hee, the said Smith, hath bine att considerable charge for witnesses in reference vnto the said controuersy, the occasion of which trouble and charge hath mainely arisen by the said Morris Truant his meanes, the Court haue awarded him to pay vnto the said John Smith the sume of forty shillings.

M^r Thacher, M^r Hawes, and Robert Denis are appointed by the Court to receiue the excise on liquors, &c, att Yarmouth, this yeare.

Att this Court, open proclama-
 tion was made,
 that if any can
 lay any claime
 to any due debt
 from the estate
 of Richard
 Ormsbey, they
 are to come in
 betwixt this
 date and the
 first of October
 next.

1665.

3 October.
PRENCE,
Gov^r.

Eres of adminnstration are graunted vnto Thomas Roes, of Scittuate, and his wife, to adminnester on the estate of Jonas Pickles, deccased.

These p^rsents witnesses, that the abouenamed Thomas Roes engageth before the Court, that if incase God giue him any children, that when hee dieth hee will leaue that estate which God giues him to bee equally deuided amongst the children of Jonas Pickles and his in equall proportion; and incase hee die without any child of his owne before his wife, hee will leaue his estate vnto his wife to bee disposed of by her; and likewise hee doth engage, that if his wife die before him, that hee will dispose of a considerable p^rte of his estate to the children of the said Jonas Pickles as the Court shall thinke meet.

‡Eres of adminnstration are graunted vnto [^], the wife of Leiftē James Torrey, deceased, to adminnester on his estate, and hath giuen securitie to the Court for her true adminnstration thereof. ‡

[*109.]

*‡Att this Court Ensigne Johu Williams appeered, being su^moned to answare the complaint of M^r Barnabas Laythorp, in the behalfe of his sister, the wife of the said Williams, whoe complaned of the said Williams of vnkind, churlish, and vnworthy behaiour in seuerall respects towards his wife; shee being alsoe in Court, appeering according to su^mons, and pleaded her innosensy in such thinges as were by him layed to her charge, especially in reference vnto the child lately borne of her body, affeirming before her and vnto him in the Court that the said child was his, begotten by him, the Court being ‡ [^] [^]

John Shelley, for ployning a quantitie of liquors from M^r Barnabas Laythorp aboard his barque, is centanced to sitt in the stockes att Barnstable on a training day for the space of three houres; and for his telling a lye in his examination about it, hee is sentanced, according to the law, to pay ten shillings to the vse of the collonie.

James Cudworth, Juni^r, for comⁱting earnall copulation with his wife before marriage, is fined, according to the law, fiue pounds to the vse of the collonie.

Sarah Ensigne, for comⁱting whordome agreuated with diuers cercomstances, was centanced by the Court to bee whipt att the cartstaile; and that it bee left to the descretion of such of the majestrates as shall see the said punishment inflicted for the number of stripes, but not to exceed twenty, which accordingly was inflicted this Court.

John Barnes, being lately detected of being wise drunke, is fined twenty shillings.

Gyles Rickard, Seni^r, for suffering John Barnes to bee drunke in his house, is fined fiue shillings.

Thomas Lucas, for being drunke, fined ten shillings.

Thomas Phelpes, for telling of a lye, fined ten shillings.

James Cole, Seni^r, for suffering Richard Dwelley to bee drunke in his house, fine five shillings.

M^r Paine, Leiff Hunt, and Wiltam Brett, for none appeerance as deputies att this Court, fined each twenty shillings.

Samull Edson, for none appeerance att the Court, being summoned to serue on a jury, fined ^ ^

Ordered by the Court, that Thomas Huckens and Joseph Laythorp bee required either to pay their excise or to reparaire to the Court to giue a reason of their refusing to doe it.

In reference vnto the p^rsentment of Edward Sturgis, Seni^r, for swearing falsly, the Court, considering the invaliditie of one of the witnesses, doe not see reason to judge him guilty of swearing falsly, although they conceiue hee might haue bine more considerate in his apprehensions, as deeming the boat might bee affloat, and hee not see it.

*Wheras John Williams, Juni^r, appered before the Court held att Plymouth the seauenth of June last past before the date heerof, to answare for his disorderly liueing with his wife, and his abusive carriages towards her both in words and actions, in speciall his sequestration of himselfe from the marriage bedd, and that notwithstanding the Court then tooke such order about it as was judged meet for p^rsent, yett the said Williams not attending that due reformation expected from him, wherby M^r Barnabas Laythorpe hath seen cause, in the behalfe of his sister and those related to her, to reuine the former complaint, with some additionall charges; to which the said Williams, though seeming to desire the tryall of such his guiltines or not guiltines might bee put on a jury of his peers, yett afterwards refused it when graunted to him by the Court; this Court, being earnestly desirous of a renewed closure of his hart and affections to his wife, and that his future conversation with her might bee better then his former, were willing to extend what lenitie might bee, and in reference thervnto, with exhortation of him to amend his wayes respecting the p^rmises, hee was released att the p^rsent.

Notwithstanding, the wife of the said Williams, in reference vnto diuers scandalous reports cast abroad conserning her, desired that open proclamation might bee made in the Court tending to the clearing of her name, which accordingly was done as followeth:—

Wheras Elizabeth, the wife of John Williams, hath bine openly traduced and scandalised in her name, and by false reports and reproaches rendered as if shee were a dishonest woman, and that the child shee brought forth into the world was not legitimate, these are to declare openly before the country, that the Court, haueing had sundry occations to heare and examine p^rticulars sun-

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dry times relateing to the promises, can find noe cause of blame in her in such respects, but that shee hath behaved herselfe as one that hath faithfully obserued the bond of wedlocke, and that shee and her frinds hath bine much wronged by such reports.

M^r Anthony Thacher is authorised by the Court to make contracts of marriage in the townshipe of Yarmouth, and likewise to adminnester an oath to any witnesses for the tryall of a case as occasion may require within the said townshipe, and likewise to adminnester an oath to giue euidence to the grand enquest as there shalbee occasion within the said townshipe.

John Williams, Jun^r, is allowed & appointed by the Court to bee guardian vnto John Barker, and is required by the Court to bringe him vp in a way of education and learning, soe as may bee to his advantage and healp when hee comes to bee of age, by puting him forth to a trad, &c.

[*111.] *Orders and Conclusions, with seuerall Graunts of Lands, made, ordered, graunted, and concluded att the second Session of the Generall Court begun the seauenth Day of June last, adjoined vnto this present Day, being the eleuenth of October, Anno Doñi 1665.

Wheras, in regard of the remote distance of our honored Gov^r his former habitation, and being the country saw reason to desire and request his remouall vnto the towne of Plymouth for the more conuenient administration of justice, and that, by Gods prouidence hee is now remoued to his great inconuenience and detriment,—

This Court haue ordered, and doe vnanimously agree to allow vnto him the summe of fifty pounds a yeare soe longe as hee shall remaine in the place of Gov^r.

And wheras hee is resedent in a place purchased by the country for that end, this Court haue likewise ordered, that incase hee shall decease att any time whiles hee is in the place of Gov^r and inhabiting the said seat or being, that then his family shall and may without molestation continew in the said place or seate for the full tearme of one yeare after his decease att the least; and likewise, that incase there should bee any alteration that any other should bee chosen to the place of Gov^r whiles hee liueth, that hee shall and may, notwithstanding, remaine in the said place without molestation for the full tearme of one yeare after such alteration att the least.

In regard of the many occasions that Captaine Southerworth hath bine employed about in the behalfe of the country, wherby hee hath bine much hindered in his owne occasions, to his great lose and detriment, the Court haue allowed him the summe of ten pounds.

This Court hath ordered, in reference to the building of the Eclriuer

bridge, that thirty pounds bee by the countrey allowed towards the same, the eight pounds already payed being a pte; and if when the worke is done it doe appeer by a faire account that it hath bine much more chargeable, the Court doe engage to doe what further may be judged meet.

Wheras formerly Richard Bourne and Wilſam Bassett were appointed by the Court to purchase a pcell of land desired by Thomas Butler, and that it doth appeer vpon tryall that the Indians will not pte with it, a further libertie and order is graunted to the said Richard Bourne and Wilſam Bassett, in the behalfe of the said Thomas Butler, to purchase other land desired by him, and that they make reporte therof to the Court, that they may doe therein as they shall see meet.

John Smith and John Russell, of the towne of Dartmouth, are appointed by the Court to make enquiry concerning some damage done to some Indians without the bounds of Acushenah by the horses of the English on the east syde of Acushenah, and to settle the said controuersy by takeing course for the satisfying of such damage as shall appeer vnto them.

Cornett Studson and Wilſam Paybody are appointed and requested by the Court to haue the ouersight of the worke in the rebuilding of the bridge at Joneses Riuer, intended and ordered to bee done by the countrey.

*The Treasurer, John Cooke, and Nathaniel Warren were appointed by the Court to treat with Phillip the sagamore about the sale of such lands as are to bee sold by him, and to purchase them in the behalfe of the countrey.

The major, the Tresurer, Cornett Studson, and Nathaniell Warren, or any three of them, are deputed by the Court to make sale of such lands as belonge to the countrey, not exceeding aboue eight hundred acres.

Libertie is graunted vnto M^r John Alden, that if hee can find a portion of land fitt for accomodation, ether that hee may purchase it or that two of the other majestrates shall purchase it for him.

Wheras the Court haue formerly impowered Cap^t Thomas Willett to purchase of the Indians certaine tracts of land on the north of Rehoboth towards the Bay line; the which hee hath done, and is out of purse some considerable sume of money for the same; this Court haue appointed the honored Go^v, the Major Winslow, Cap^t Southworth, and M^r Constant Southworth to treat with Cap^t Willett concerning the said purchase, and haue impowered the abouenamed comittee to take notice of what hath bine purchased by him, and what deeds hee hath, and what his disbursments haue bine for the same, and haue alsoe impowered them to settle vpon him such a proportion of the said lands as may appeer to bee equall vpon any graunt to him, and to accomodate the towne of Rehoboth respecting an enlargment of

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3 October.
PRENCE,
Gou^r.

[*112.]

1665. their towne, as the Court haue promised, and to take such course concerning the remainder as that hee may bee reimbursed of his just due, and those lands may bee settled by the Court.

3 October.
PRENCE,
Gov^r.

In reference vnto the request of the Kinges cōmissioners, in the behalfe of Leiftenant Peregrine White, desiring that the Court would accomodate him with a portion of land, in respect that hee was the first of the English that was borne in these p̄tes, and in answare vnto his owne petition prefered to this Court respecting the p̄mises, —

Of this graunt see more in the great booke, folio 87, named Evidence of Lands enrowled.

The Court haue graunted vnto him two hundred acres of land lying and being att the path that goes from Bridgewater to the Bay, adjoining to the Bay line.

Threescore acres of land, with four acres of meddow, and a certaine smale iland att a place called Patonumatucke, is graunted by the Court vnto Josias Cooke.

One hundred and fifty acres of land are graunted by the Court vnto the three sisters, the daughters of Roger Chandeler, deceased, viz^z, to each of them fifty acres, lying between the Bay line and the bounds of Taunton, according to the desire of John Bunday.

[*113.]

*Two hundred acres of land is graunted vnto the four younger sonnes of Leiftenant James Torrey, lying aboue Weymouth, neare vnto the line of the Massachusetts, to bee att the disposing of Captaine Wiltam Torrey for the good of the said children, according to a petition prefered to the Court to that purpose.

In answare vnto the petition of Thomas Little and Josias Keane, the Court haue graunted vnto them libertie to looke out for a portion of land for their accomodation; and incase they can find it, the Court haue graunted vnto each of them one hundred acres of land, viz^z: vnto Thomas Little one hundred acres in reference vnto land surrendered vp by him att Manomet Ponds, and vnto Josias Kean one hundred in respect vnto his great nessesitie.

The Court haue graunted vnto Ensigne Eames and vnto Isacke Chetenden, to each of them, a hundred acres of land lying and being neare vnto Accord Pond, viz^z, that which some of Hingham formerly refused.

M^r Thacher, M^r Howes, and Robert Dennis appointed by the Court to looke after the order about the excise in the towne of Yarmouth.

Letters of adminnestration are graunted vnto Ann, the relect of Leiftenant James Torrey, late of Scittuate, deceased, to adminnester on the estate left by him, the said estate being left in her hand to be improued for the bringing vp of their children, both whiles shee remains a widdow and afterwards, if it please God to alter her condition, and for that end haue impowered M^r Joseph Tilden and Walter Hatch to bee ouerseers therof.

**At the Court of Assistants held at Plymouth the 2^{cond} of
December, 1665.*

1665.

2 December.

BEFORE Thomas Prence, Gov^r,
Wiltam Collyare,
John Alden,

Thomas Southworth, and
Wiltam Bradford,

PRENCE,
Gov^r.
[*114.]

Assistants.

IN reference vnto a complaint against Abraham Jackson for corrupting of seuerall barrells of tarr by puting of dirt into the same, the Court, taking notice of diuers testimonies to cuince the truth therof, doe judge that noe other could doe it, and therefore doe centance him to pay a fine of fve pounds to the vse of the collonie.

And in reference vnto the complaint of Gyles Ricard, Juni^r, that hee hath lost foure barrells of tarr, and supposing that hee hath found them amoñst the tarr of Abraham Jackson, the said tarr being attached and bound oner vnto this Court, the Court, hauing heard both p̄ties concerning the same, and suspecting that the said tarr is the said Ricards, doe require securitie of the said Jackson to make further answare thervnto att the Generall Court of his ma^{tie} to bee holden for this goũment the first Tusday in March next, vnless the said p̄ties agree the case before that time ; which incase they doe, then theire said agreement to bee a finall end therof in reference to the Courts taking any further notice therof.

Abraham Jackson acknowledgth to owe vnto our soũ lord the Kinge the sume of fve pounds.

The condition, that if the said Abraham Jackson shall and doe appeer att the Generall Court of his ma^{tie} to bee holden att Plymouth the first Tusday in March next, to make further answare concerning foure barrells of tarr challenged amongst his tarr by Gyles Rickard, Juni^r, and not depart the said Court without lycence ; that then, &c.

Since this date Gyles Rickard, Juni^r, hath receiued of Abraham Jackson four barrells of tarr in reference vnto these bonds, according to order of Court.

In reference vnto the complaint of Wiltam Hoskins against Robert Ransom, for calling him rogue and other abusiue tearmes, and alsoe for violent assaulting of him when hee was att his house and in his honest labour, and for many threatening speches spoken by him against the said Hoskins, the said Ransome being by the Court admonished, and promising reformation, the said Hoskins rested satisfied, and soe the matter was ended.

In reference vnto the complaint of Hester, the wife of John Rickard, against Ann, the wife of Wiltam Hoskins, for slaundering her in saying the said Hester was as drunke as a bitch, and found in private companie in an ordinary with John Ellis, of Sandwich, the said Ann Hoskins acknowledgning

1665. her fault in open Court in reporting such thinges, haueing noe sufficient ground soe to doe, the said Hester Rickard therin rested satisfied, and soe the matter was ended.

2 December.
PRENCE,
GOU^r.

Att this Court, Nathaniel Bacon, John Chipman, John Tompson, and Trusterum Hull were approued by the Court to bee the select men of the towne of Barnstable.

Att this Court, an Indian, called John, haueing bin comitted to prison for stealing of a gun and an axe from Wiltam Harvey, of Taunton, forasmuch as neither the said Harvey nor any other appeered att the Court to proeecute against him, hee haueing bine longe in durance and vudergon much hardship, hee was ordered by the Court to repaire to the said Harvey, and either by worke or otherwise to satisfy the wrongs done him by takeing away his said goods; and soe the said John, with warning to doe soe noe more, was sett att libertie.

1665-6. *Att the Court of Assistants held att Plymouth for the Jurisdiction of New Plymouth, the sixt of February, 1665.

6 February.

[*115.]

BEFORE Thomas Prence, Gouvernor, & Thomas Southworth, and
Josias Winslow, Wiltam Bradford,
Assistants.

IN reference vnto the complaint of M^r Samuell Arnold against M^r Wiltam Thomas, for that hee charged him that in his catichisme hee had deliuered and taught horrible blasphemy in teaching that Christ as God is equall with the Father, but as mediator the Father is greater than hee, although the testimonies doe not make out the extent of the charge, yett the Court doe adudge, that it was great arogancy in M^r Thomas to expresse himselfe as hee did in tearmes as of horrible blasphemy vpon his meer apprehensions, and can not but owne that which M^r Arnold hath asserted to bee an orthodox truth concerning the controuersy, and therefore doe aduise the said M^r Thomas for the future to carry more soberly, and to bee willing to receiue the truth in the loue of it.

A judgment of 01 : 10 : 11 was graunted vnto James Cole, Seni^r, against John Suttin, in reference to an apparent debt owing by the said Suttin to the said Cole; the charges of the complaint is included in the abouesaid sume.

In reference vnto the complaint of Nathanel Warren against James

1665-6. certaine tract of land purchased by Captaine Willett on the north side of Relioboth, which said order impowereth the said comitte to dispose and settle a proportion of the said lands on the said Cap^t Willett as they shall thinke meet, and doe therefore settle and confirme vnto him foure or fiue hundred acres of the said land, to bee layed out for him on the easterly side or end of the said land, to him and his heires for euer.

6 March.
PRESENCE,
Gov^r.

Whereas Joseph Whiston, the eldest son of John Whiston, of Scittuate, deceased, hath freely and absolutly made ouer and allianated his whole pte and share of land in Conihassett land, bee it more or lesse, vnto the rest of his brothers and sisters, the children of the said John Whiston; and whereas the said land, as it is in its p^sent condition, is not like to conduce to the good and benefitt of the said children, these may certify, that with the free and full consent of the p^ties on each side interested, the Court hath giuen libertie vnto the said Joseph Whiston, with the heelp of his father in law, Wilk^m Brookes, and his vakell, Edward Jenkins, to make sale therof for the vse and benefitt of the aforsaid children, and to bee disposed of vnto them by order from the Court in equall proportions, according as they or any of them are or shalbee of age to receiue their pte therof.

In reference vnto a purchase of land made by John Cooke, in the behalfe of some others, of a pte of the iland called Nakatay, the Court haue ordered, that in case those for whom hee purchased the said land doe not satisfy him for the purchase therof and other nessesary charges about it betwixt this date and the next June Court to bee holden att Plymouth, that the said land bee then made ouer to him for satisfaction of the said purchase and charges.

In reference vnto a way desired by M^r Howland to his house and land att Roeky Nooke, the Court haue ordered, that in due and convenient time a jury bee impanneled to lay out the said way.

This bond is cancelled in open Court held att Plymouth March the 7th, 1667-1668.

These p^sents witnesseth, that Cap^t James Cudworth and M^r Joseph Tilden doe by these p^sents stand bound vnto the Court of Plymouth, in New England, in the sume of ten pounds, joyntly and seuerally, in reference vnto a p^sell of coopers stuffe and bolts attached on Conahassett land, that they haueing libertie from the said Court to dispose of the said stuffe and bolts, that in case any other shall or doe appeer betwixt this date & the Court of his ma^{tie} to bee holden att Plymouth the first Tusday in June next, and can make proffe that they are belonging to them, if then the said Captaine Cudworth and M^r Tilden bee in a reddynes and doe make satisfaction for the said stuffe and bolts to such as shall soe cleare vp their right therunto, that then this engagement to bee void, or otherwise the said sume of ten pounds to bee payable to the Court vpon their demand.

Att this Court, Quachattsett, the Indian sachem, of Mannomett, came into the Court, and owned that Nanumett and Nocroft, two other Indians, haue a p̄te in Mannomett old feild ; and hee doth heerby engage not to make sale therof from the said Indians, and that they shall haue libertie of wood and timber for fiering and other vses out of the bordering woods to the said feild ; and it was mutually desired by the said Quachattsett and the said Indians, that the p̄mises should bee heer recorded for their securitie.

1665-6.

6 March.
PRENCE,
Gov^r.

*In reference vnto the complaint of Mistris Howes against Edward Sturgis concerning a p̄cell of sturcion sould by some Indians vnto her, the Court, finding vpon examination that the said sturgeon was not deliuered vnto her according to agreement, doe order, that the said Indians bee required by order of Court to make satisfaction vnto her for the same.

[*117.]

Att this Court, Joseph Howes, the constable of Yarmouth, complained against Thomas Starr for opposing him and vseing threatening speeches to him in the execution of his office ; the said Starr desiring to haue the case tryed by jury, a jury was impannelled, whose names are as followeth :—

sworne,	}	M ^r Josias Winslow, Seni ^r , Cornett Robert Studson, Christopher Wadsworth, Willam Harlow, Samuell Dunham, Joseph Warren,	} sworne,	}	Edward Jenkens, John Turner, Willam Sabin, Leiffr Hunt, Gyles Rickard, Juni ^r , Benajah Pratt.
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These found the said Thomas Starr guilty of the said fact ; and therefore hee was centansed by the Court to pay a fine of fve pounds to the vse of the cuntry.

Att this Court, M^r Anthony Thacher complained against Thomas Starr, Jonathan Barnes, and Abraham Hedge for abusie carriages towards him in his house ; in reference whervnto the said Starr, Barnes, and Hedge were sentanced to pay vnto the said M^r Thacher the sume of fve pounds, viz^t : the said Thomas Starr the sume of forty shillings, Jonathan Barnes the sume of forty shillings, and Abraham Hedge the sume of twenty shillings ; and in reference vnto their rictus carriages att the same time in breakeing the Kings peace, for the which bonds was taken of each of them vntill this Court, the Court sentanced them to bee comitted to prison, and their to remaine during the pleasure of the Court ; which accordingly was p̄formed, and the next day after their comittment were sett att libertie, and their bonds deliuered to them.

And in reference vnto the said Thomas Starr and Jonathan Barnes their

1665-6. abusiue carriage to Francis Baker att the same time, they, the said Starr and Barnes, were sentanced by the Court to pay vnto the said Baker, each of them, the sume of twenty shillinges.

6 March.
PRENCE,
Gov^r.

And in reference vnto the said Francis Baker and John Casley their breach of the peace att the same time, they were fined by the Court, each of them, the sume of three shillinges and four pence to the vse of the collonie.

And wheras Elisha Hedge hath giuen testimony that the said Baker and Casley were drunke att the same time, incase any concurrant testimony shall appeer to cleare vp the truth therof, they shalbee lyable to suffer the penaltie of the law for the same.

Willam Honywell, haueing bine comited to jayle on suspision of buggerery with a beast, att this Court was examined concerning the same, and stily denyed it; and wheras noe sufficient euidence appeered to convict him of the said fact, hee was sett att libertie.

John Barrow, for refusing to giue euidence before a majestrate in reference to the grand enquest, was fined ten shillings.

Benjamine Eaton, for the same default agreuated by cercomstances, fiūd the sume of forty shillinges to the vse of the collonie.

[*118.]

*Wheras John Robinson, of Saconesett, hath bine convicted of some laiciuous speches and actions manifested towards Francis, the wife of Thomas Crippen, the Court saw reason to require bonds of him for his good behaiour, as followeth:—

John Robinson acknowlidgeth to owe vnto our soū	}	20 : 00 : 00
lord the Kinge the sume of		
Isacke Robinson the sume of		10 : 00 : 00
Robert Dennis the sume of		10 : 00 : 00

Released.

The condition, that if the said John Robinson bee of good behaiour towards our soū lord the Kinge and all his leich people, and especially towards Francis, the wife of Thomas Crippin, and appeer att the Court of his ma^{tie} to bee holden att Plymouth the first Tusday in June next, and not depart the said Court without lycence; that then, &c.

Wheras Thomas Crippin hath bine convicted before the Court of laiciuous speches tending to the vpholding of and being as a pandor of his wife in lightnes and laiciuousnes, the Court saw reason to require bonds of him for his good behaiour; and wheras the said Crippin could not procure surties, hee hath and doth by these p^sents bind ouer vnto the Court, in the behalfe of his ma^{tie}, the vallue of forty pounds out of his estate, as followeth, viz^d, two mares, one cow, two yearling heiffers, two twēumonthing steers, and soe much of his other estate as will make vp the said sume.

The condition, that if the said Thomas Crippen bee of good behavior towards our soū lord the Kinge and all his leich people, and appeer att the Court of his ma^{tie} to bee holden att Plymouth the first Tusday in June next, and not depart the said Court without lycence; that then, &c.

Wheras Jonathan Hatch hath bine convicted of vnnessesarie frequenting the house of Thomas Crippin, and therby hath giuen occasion of suspision of dishonest behavior towards Francis, the wife of the said Crippin, the Court hath admonished him and warned him for the future not to giue such occasion of suspision as aforesaid by his soe frequently resorting to the said house or by coming in the companie of the said woman, as hee will answare it att his p̄rill.

Wiltam Sabin, being p̄sented for pound breach, fined 02 : 10 : 00

Gorge Barlow, for being drunke the 2^{cond} time, fined . 10 : 00

John Crow, the son of Yelerton Crow, for breach of }
the peace in striking John Tayler, fined } 03 : 04

The Court aloweth vnto Gyles Rickard, Juni^r, from Abraham Jackson, ten shillings for charges in reference to a p̄sell of tarr of late in controuersye betwixt them.

Isacke Chettenden is alowed by the Court to draw and sell wine and liquors and to keep an ordinary in the towne of Scittuate.

The select men of the towne of Yarmouth approued by the Court are M^r Anthony Thacher, M^r Edmond Hawes, James Mathewes, John Miller, Joseph Howes.

Letters of adminnestration are graunted vnto Gorge Watson to adminnester on the estate of Mistris Margaret Hickes, deceased.

Lres of adminnestration are graunted vnto Mistris Mary Howes to adminnester on the estate of M^r Thomas Howes, deceased.

Att this Court, John Williams was discharged from being ensigne bearer of the milletary çompanie of Scittuate.

*These may certify to whom it doth conserne, that by mutuall consent and agreement between Richard Chadwell and Gorge Allin, the way is made that was in controuersy between them, that is, from the coōn neare the said Richard Chadwells now dwelling house to the said Gorg^e Allins now dwelling house, and soe to Musett, and by theire agreement to continew for euer, provided, that wheras Richard Chadwell hath bine willing for peace sake, and that loue might bee amongst them, they being soe neare dwellers, to make the way att the entery att the vper p̄te ouer a peece or p̄cell of dunge ground, being a choise place, where the said Richard Chadwell had yarded his cattle;

1665-6.

6 March.
PRENCE,
GOC^r.
Released.

[*119.]

1665-6.

6 March.
PRENCE,
Gov^r.

know this, that hee hath reserued to himselfe or his assignes, to take and carry away att his pleasure, by cart or otherwise, soe much of the ground in that said way as shalbee good for the manuring of his said land ; alsoe, the desire is, that this thaire acte and deed about the said way may bee enrowled in our Court booke att New Plymouth.

Witnes, EDMOND FREEMAN, Senir.

Sandwich, dated the 4th of July, 1665.

See June
Court, 1665.

The rates for the countrey charges of this yeare, as they were leuied on the seuerall townes of this jurisdiction, are as followeth, viz^y, as to the sume of one hundred and ten pounds, being a p^{te} of one hundred and fifty pounds ordered by the Court, June 7th, 1665, to bee leuied as aforesaid, the sume of forty pounds therof bee leuied and payed in money soone after the said order was concluded,—

Plymouth,	10 : 03 : 06
Duxborrow,	09 : 05 : 02
Scituate,	16 : 12 : 09
Sandwich,	09 : 05 : 02
Taunton,	09 : 05 : 02
Yarmouth,	07 : 17 : 11
Rehoboth,	13 : 17 : 09
Eastham,	07 : 08 : 06
Sowams,	04 : 02 : 06
Dartmouth,	05 : 10 : 00

111 : 09 : 10

The Rate for the Officers Wages.

Plymouth,	03 : 14 : 00
Duxborrow,	03 : 07 : 04
Scituate,	06 : 01 : 00
Sandwich,	03 : 07 : 04
Taunton,	03 : 07 : 04
Yarmouth,	02 : 17 : 04
Barnstable,	03 : 14 : 00
Marshfeild,	02 : 17 : 04
Rehoboth,	05 : 01 : 00
Eastham,	02 : 14 : 00
Dartmouth,	02 : 00 : 00
Sowams,	01 : 10 : 00

1666.

1 May.
PRENCE,
GOU^r.

by their since putting it to arbitration and vpon other grounds; and, vpon the other side, considering the lands as they were wast in respect of buildinges and fences, and the meddowes somethinge damnified, the rent must needs bee much the lesse, and takinge notice, alsoe, that the one halfe of her claime is satisfied by her agreement with Josias Keine, wee doe award, that Thomas Little pay vnto Mistris Dauenport aboucsaid or her order, as full satisfaction for all claimes and demaunds of rent of the said lands, fifteen pounds in good and current pay, the one halfe att present att or before the first of June next, and the other halfe att or before the 20th day of May, in the yeare 1667.

Wheras, by an order of Court bearing date the first of August, 1665, Major Winslow, Anthony Snow, John Bourne, and William Paybody were appointed and impowered to issue a difference between Moses Simons and Samuell Chandelers in reference to the bounds of their lands where they now dwell; in order therunto, wee, the aboue named, mett vpon the place on the 28th of March, 1666, and haueing seen both their records, viewed the bounds on the out sides of both their lotts, and heard what could bee said on both sides, wee judge there is a mistake in ranging Edmond Chandelers land north and by east between Moses Simons and him, when as the other ranges on both sides are north and by west; wee settled the range between from an old root in the corner of Moses Simons his orchard, north and by west to a little walnutt about the orchard, and thence to a stake and heap of stones, and soe vp to a great blacke oake marked on four sides north and by east and south and by west throughout.

In witness wherof wee haue heerevnto sett our hands.

JOSIAS WINSLOW,
ANTHONY SNOW,
JOHN BOURNE,
WILLIAM PAYBODY.

In reference vnto the complaint of Abraham Jackson against Nathaniell Warren, for detaining and not owning a barrell of tarr deliuered in by the said Jackson for the townes vse, after many passages about it, the said Nathaniel Warren engaged, that in case Richard Willis did prosecute an attachment against Peter Steuens for a debt due to him from the said Steuens and proue his debt, that then the said Warren would answare the said barrell of tarr.

Richard Willis stands bound vnto the Court in the sume of seauen pounds sterling to prosecute an attachment of seauen barrell of tarr against Peter Steuens att the Court of his ma^{tie} to bee holden att Plymouth the first

Tuesday in October next, in reference vnto a debt due to him, the said Willis, from the said Steuens.

*Whereas the Court haue ordered that Joneses Riuer bridge should bee repaired, and that, according to the Courts order, some lands haue bine sold for the defraying of the countreyes charges, these are to declare and order, that such summes as are due and payable to the countrey for the said lands soe sould bee heerby made ouer and assured by these p'sents vnto M^r Constant Southworth, Treasurer, for the accomplishing of the worke in repairing or building of the said bridge, or soe much of them as shalbee requisite for that end.

Att this Court, John Williams appeered to make answare for his continued abusing of his wife, by vnaturall carriages towards her both in words and actions, by rendering her to bee a whore, and for psisting on in his refusing to pforme marriage duty towards her according to the law of God and man; and forasmuch as the said Williams desired to bee tryed in reference to the p'mises by a jury, the Court gaue him libertie soe to doe, either att this Court or att the Court to bee holden att Plymouth in June next; the said Williams desired it might bee att the last named, and heerby engageth to supply his wife in the mean time with money and other nessesaries which shee shall stand in need of, and hath expressed himselfe to bee willing that shee shall or may repaire to her frinds vntill then, and then and att that time to attend the issue of the case on the fift day of the said Court weeke.

In reference vnto the complaint of Marshall Nash against the constables of Marshfeild, for not paying pte of his sallary, the Court haue ordered him to buy soe much corne as comes to ten shillings, and it to bee required of John Bourne, forasmuch as the cause of the said neglect of payment was caused originally by him.

It being a mistake in the warrant respecting John Bourne, it is cleared since the abouesaid entery.

1666.

1 May.
PRENCE,
GOU^r.

[* 121.]

This is since
payed.

1666.

**At the Generall Court of Election holden att Plymouth the fift
Day of June, 1666.*

5 June.

PRENCE,
GOU^R.

[*122.]

BEFORE Thomas Prence, Gou ^r ,	Thomas Southworth,
Wilkam Collyare,	Wilkam Bradford, and
John Aldin,	Thomas Hinckley,
Josias Winslow,	
Assistants, &c.	

M^R THOMAS PRENCE was chosen Gou^r, and sworne.

M ^r John Alden,	} were chosen Assistants, and sworne.
Major Josias Winslow,	
Captaine Thomas Southworth,	
Captaine Wilkam Bradford, and	
M ^r Thomas Hinckley,	

Likewise, M^r James Browne and Leiftenant John Freeman were chosen Assistants, but not sworne.

Major Josias Winslow and Captaine Thomas Southworth were chosen comissioners.

And M^r Thomas Prence was the next in nomination.

M^r Constant Southworth was chosen Treasurer, and sworne.

The names of the deputies chosen by the countrye out of the seuerall townshipes of this goument to serue att this Court and the seuerall adjournments therof are as followeth : —

M ^r John Howland,	‡Nathaniell Bacon,‡
Leiff Ephraim Morton,	‡John Chipman,‡
M ^r Constant Southworth,	‡Joseph Laythorp,‡
Christopher Wadsworth,	Ensigne Eames,
Cornett Robert Studson,	John Bourne,
Isacke Chettenden,	‡M ^r James Broune,‡
Richard Bourne,	‡M ^r Stephen Paine,‡
‡James Skiffe,‡	‡Leiftenant John Freeman,‡
James Walker,	‡Josias Cooke,‡
Wilkam Haruey,	‡Daniel Cole,‡
Edward Sturgis,	John Willis,
Elverton Crow,	John Cooke.

The constables of the severall townes of this jurisdiction are as followeth :—

1666.

5 June.
PRENCE,
Gov^r.

Plymouth,	Edward Gray.
Duxburrow,	John Rogers.
^	Richard Dwellcy.
^	Wiltam Peakes.
Sandwich,	Henery Dillingham.
Taunton,	John Hall.
Yarmouth,	John Miller.
Barnstable,	Thomas Huckens.
Marshfeild,	{ Wiltam Foard, Juni ^r , Jonathan Winslow.
Rehoboth,	{ Samuell Carpenter, John Perram.
Eastham,	Robert Vixon.
Bridgwater,	Daniell Bacon.
Dartmouth,	Wiltam Palmer.

*The grand enquest are as followeth :—

[*123.]

sworne, {	Anthony Snow,	sworne, {	James Lewis,
	Thomas Doged,		Jonathan Sparrow,
	M ^r Allexander Standish,		Thomas Leanard,
	Experience Michell,		Henery Andrewes,
	Joseph Aldin,		Henery Vincent,
	Samuell Sturtivant,		Charles Stockbridge,
	Samuell Fuller,		Wiltam Spooner,
	Gilbert Brookes,		John Thacher,
	Samuell Pecke,		Joseph Burgis,
	John Cushen,		Job Bourne.
{ Hugh Cole,			

The surveyors of the highwayes are as followeth :—

Plymouth,	{ Jakob Cooke, Robert Finney, Thomas Lettice.
Duxburrow,	{ Joseph Wadsworth, Samull Chandeler.
Scituate,	{ John Williams, Juni ^r , Wiltam Barstow, Thomas Pincen.

1666.

5 June.

PRENCE,
Gov^r.

Sandwich,	{ Stephen Winge, Thomas Butler.
Taunton,	{ John Cobb, Samuell Williams.
Yarmouth,	{ Samuell Rider, Senir, Thomas Gadge.
Marshfeild,	{ John Dingley, Josias Keine.
Rehoboth,	{ Gorge Kenericke, Richard Bowin.
Eastham,	^
Bridgewater,	^
Dartmouth,	^

The Names of the Celect Men in each Towne approved by the Court.

Plymouth :	John Miller,
Mr John Howland,	Joseph Howes.
Gor̄g Watson,	Barnstable :
Leiftenant Morton,	Nathaniel Bacon,
Robert Finney.	John Chipman,
Duxburrow :	John Tompson,
Christopher Wadsworth,	Trusturm Hull.
Mr Josias Standish,	Marshfeild :
Benjamine Bartlett.	Leiftenant White,
Scittuate :	Ensigne Eames,
Mr Thomas Kinge,	Anthony Snow,
Cornett Robert Studson,	John Bourne,
Isacke Chettenden.	Wiltam Foard, Senir.
Sandwich :	Rehoboth :
^	^
Taunton :	Eastham :
Gor̄g Hall,	Leiftenant Freeman,
Richard Williams,	Josias Cooke,
Walter Dean,	Richard Higgens.
James Walker,	Bridgewater :
Wiltam Harvey.	Nicholas Byram,
Yarmouth :	Leiftenant Howard,
Mr Anthony Thacher,	John Willis.
Mr Edmond Hawes,	Dartmouth :
James Mathewes,	^

*Att this Court, Elizabeth, the wife of John Williams, appeared with complaint against her husband, the said John Williams, for his great abusive and unnatural carryages towards her, both in word and deed, in defaming her in rendering her to be a whore, and by persisting in his refusing to perform marriage duty unto her according to what both the law of God and man requireth, which more at large appeareth by a writing vnder her hand.

And whereas the said John Williams obtained liberty of the Court to have the case tried by a jury, accordingly a jury was impaneled for the tryall of the said case, whose names are as followeth :—

John Tompson,	Ephraim Tinkham,
John Dingley,	Gilbert Brookes,
John Smalley,	Robert Vixon,
Trustrum Hull,	John Done,
John Joyee,	John Washburne,
John Pecke,	John Howland.

These all sworne.

These found the abovesaid complaint to be true or just.

And accordingly the Court proceeded to pass sentence against him as followeth :—

Whereas Elizabeth, the wife of John Williams, exhibited a complaint against her said husband unto the Court of Assistants held at Plymouth the first day of May last past before the date hereof, for many abusive carryages towards her both in word and deed, by defaming her in rendering her to be a whore, and persisting in his refusing to perform marriage duty unto her, as also that hee hath not onely withheld necessary comforts and conveniences suitable to her estate from her, but hath carryed bitterly towards her in many respects; and whereas hee should have bin a shelter and a protection unto her, hath endeavored to reproach, insnare, and betray her, &c, as by that her declaration aboue mencioned is more at large expressed; & that att the said John Williams his request the abovesaid complaint was att this Court put vpon tryall by a jury of his equals, and a verdict brought in against him, and that they found her complaint to be true or just, which did alsoe appeer to our satisfaction by evidence, himselfe alsoe declaring his insufficiency for converse with weomen, —

The Court, haueing seriously considered of the matter, doe judge, that it is not safe or convenient for her to liue with her husband, but doe giue her liberty att present to depart from him unto her frinds vntill the Court shall

1666.

5 June.
PRENCE,
Gov^r.
[*124.]

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Gou^r.

otherwise order or hee shall apply himselfe vnto her in such a way as shee may be better satisfied to returne to him againe, and doe order him to apparrall her suitably att the present, and furnish her with a bed and bedding and such like nessesaryes, and to allow her ten pounds yearly to maintaine her while shee shalbee thuse absent from him, and for pformance heerof doe require that hee put in securitie, or that one third pte of their estate be secured for her liuelihood and comfort.

Att the earnest request of his wife, this pte of the centance was remited and not executed.

2^{dly}. For that hee hath greatly defamed and otherwise abused his said wife as in the pmisses, wee adjudge him to stand in the street or markett place by the post with an inscription ouer him that may declare to the world his vnworthy carriages towards his wife.

3^{ly}. Inasmuch as these his wicked carryages haue bine contrary to the lawes of God and man, and alsoe very disturbing and expensiuie to this gouernment, wee doe amerce him to pay a fine of twenty pound to the vse of the collonie.

In reference to the Courts centance of John Williams his fine, and the securing of one third of his estate towards his wifes maintainance, the Court orders the cheife marshall to make distresse on the goods of the said Williams for his fine to the countrey according as in such case by law is prouided; and as to the securing of one third of his estate for his wifes maintainance or liuelihood, the Court orders, that incase hee refuse to sett out one third to his wifes order which is desired, or to giue her securitie for the payment of the ten pounds annually according to order, then the cheife marshall to see an equall deuision of the said estate, viz^t, lands, goods, and chattles, into three ptes, which shalbee brought to his view or cognizance by Elizabeth, the wife of the said Williams, with the heelp of Captaine Cudworth, Isacke Chetten-den, or any other of her naighbours; and being soe deuided, to deliuer one of the three ptes vnto the said Elizabeth or her order, to bee desposed by her for the ends aforsaid; the said marshall being to take care, in pformance of this his order, that it bee done in such a way as may bee least prejudiciall to the said estate.

[*125.]

*An Order sent to the Milletary Company of Scittuate, as followeth.

Gentfmen: Wee haue taken notice of your voate and nomination of the psons for p^sent management of your milletary exercises and affected with your condition, and must signify vnto you that wee judge that your voate was very vnaduised, and with respect to Captaine Cudworth, directly against our aduise and such reasons as wee did expect might haue bine satisfactory; and wee vnderstand that your voate, although it did soe pas as it did, was att

that instant protested against by many sober and discreet persons amongst you, and their reasons layed downe; and also concerning Mr Peirse, wee haue not to object concerning him but that hee is a stranger to vs, and doe therefore att present order Serjeant John Damman to take that charge, whoe was next in nomination by your owne voate, and will manage it to the best of his abillities, and wee conceiue to a generall satisfaction as any that can bee proposed. Wee doe therefore expect that you doe peacably and reddily attend the same vntill wee may otherwise prouide for you; and forasmuch as times doe threaten more then ordinary danger and trouble to the countrey, wee shall take the best care that in vs lyes for you, as for other townes of this gouernment, in that respect, & rest carefull of your peace and welfare, &c.

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Serjeant John Damman: These are to signify vnto you, that the Court haue and doe heerby order and appoint you to take the charge and command of the milletary companie of Scittuate vntill further order, requiring you to call them into armes and to drill and exercise them according to order to the best of your abillities, and incase of any reall seruice that Gods prouidence may any way put vs vpon; for which nessesary defence or otherwise you are to attend to such orders as by the Court or counsell of warr shalbee directed vnto you.

In psuance of an order of the Court for the jurisdiction of New Plymouth, giuen out for the laying out of two hundred acres of land graunted by the Generall Court of the said jurisdiction vnto the children of Leif James Torrey, deceased, viz^s, vnto his four youngest sonnes, wee, whose names are subscribed, haue, according to their speciall order, measured, buted, and bounded the said two hundred acres of land, joyning on the easterly side to the land formerly layed out to Clement Briggs; that is to say, two hundred rodds in length easterly, and eight score rodds in breadth, sett out by marked trees. This wee say wee haue finished and done, the 30th of May, 1666.

JOHN JACOB,

JOHN WHITMARSH.

Libertie is graunted by the Court vnto Francis Combe, as by right of his father, whoe was an ancient freeman, to looke out land for his accomodation, and to make report therof to the Court, that soe a competencye therof may bee allowed vnto him answarable vnto other ancient freemen.

The major and the Treasurer are appointed by the Court to lay out two hundred acres of land graunted vnto Cornett Studson. It is alsoe ordered

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by the Court, that when they come vpon the place, that they are to allow him such a proportion therof as they shall thinke meet considering the badnes of the land there.

Liberty is graunted vnto John Morton to looke out for an accomodation of land ; and incase hee can find any fit for his accomodation, to haue fifty acres.

Liberty is likewise graunted vnto Yeluerton Crow to looke out for land for his accomodation.

Nathaniel Warren and Wiltam Clarke are appointed by the Court to settle the bounds of the land of Robert Finney where hee now liueth.

[*126.]

*Two hundred acres of land is graunted vnto M^r Thomas Prence, to bee layed forth for him either att or about Rootey Brooke or att the head of the pond.

It is graunted by the Court, that Ensigne Barnard Lumbard, John Finney, and Isacke Robinson bee suplyed with fifty acres apeece or more of vpland att Pausatuke Neeke or therabouts, with six acres of meddow left to the descretion of M^r Hinckley and M^r Bacon to view, purchase, and lay out vnto them ; M^r Bourne alsoe being aded to them, to bee healpful therin.

See June
Court, anno
1662, in this
booke, and
there you shall
find a list of
theire names.

The Court haue graunted vnto the ancient servants, that they shall either bee accomodated att Saconett, according to a former graunt, or on the south-side of Weymouth, between the land of Clement Briggs and Waymouth bounds ; and incase they haue it att the latter place, that they shall haue fifty acres apeece ; and that Richard Beare bee accomodated with them ; and that the Treasurer and Cornett Studson shall lay it forth to them, prouided that it bee done betwixt this date and Nouember next.

The hundred and fifty acres of land formerly graunted to M^r Edmond Freeman, Jun^r, is fully confeirmed vnto him by the Court, viz^t : one hundred and fifty acres of land, with the meddow adjoyning to the bounds of Saconesett and vnto a place called Tassaest, being purchased by Richard Bourne and Wiltam Bassett, appointed thervnto by the Court ; that is to say, all the meddow within the said purchase made of Quachattasett and Sepitt, his son, bearing date the seauenth of August, 1665.

The major, the Treasurer, and Cornett Studson are appointed by the Court to take course and agree with some workmen for the building of Joneses Riuer bridge.

In reference vnto the land formerly graunted vnto Zachary Eedey, the Court haue ordered, that Serjeant Tinkham and Henery Wood shall lay out the said land ; and conserning the way that hee is to make in liew therof, that

they are alsoe to see that it bee made soe and in such place as may bee most convenient for the country and least prejudiciall to him.

Fifty acres of land is graunted by the Court vnto Joseph Whiston, the heire of John Whiston, deceased, lying att the southermost side of the land graunted to Walter Woodward vpon the path goeing from Bridgewater to Waymouth, bounding att the east end vpon a little brooke, and the west end to the comon land, and the southermost side likewise to the comon.

It was ordered and agreed by this Court, that a rate of two hundred and thirty pounds should bee leayed on the country for publike charges for this present yeare, besides the sume of seuen pounds to pay for sume law bookes appertaining to the country.

Wheras there is a great neglect in both Wilham Barstow and Robert Barker in not keeping of an ordinary fitt for the entertaining of strangers, the Court haue ordered, that Wilham Barstow shall make competent prouision for strangers for their entertainment and refreshment for this yeare, and that the other bee required to forbear; and that in case the said Barstow shall neglect soe to doe, that then the Court will take some other course about the same.

This Court hath called in the lycence that was giuen to Francis Sprague to keep an ordinary att Duxburrow.

The Court doth alow a fine of five pounds due from five Indians att Dartmouth, or soe much of it as can bee had, towards the building of a bridge there.

*In reference vnto the presentment of Wilham Sutton, for takeing away a Bible out of the meeting house att Barnstable, and keeping it, and saying hee bought it and would haue sould it, hee is centanced by the Court to pay vnto M^r Hinckley, or vnto the Treasurer or his order, the sume of twenty shillings, and for telling of a lye about it the sume of ten shillings.

[*127.]

A fine of five pounds due from Wilham Paybody was by this Court remited.

The Court haue graunted vnto Gyles Hopkins, the widdow Mayo, of Eastham, and Jonathan Sparrow a certaine p^sell of land neare Eastham, being a sinale necke of land called Sampsons Necke, and the wast land lying between the head of the fresh water pond and the westerly bounds of the widdowe Mayoes land, and soe downe to the coue.

Wheras a way hath formerly bine layed out by a jury which goeth through the land of Isacke Barker att Namassakesett, being greatly prejudiciall vnto him, the Court haue ordered, that this yeare the naighbours shalbee contented with such barrs as hee shall sett vp to keep his pasture through which the said way goeth; and that it bee proposed to them, that they either

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make the fence alonge the way through the said pasture, or to bee contented with gates which the said Isacke Barker is to sett vp, and in the mean time not to through downe his barrs to his damage.

The Verdict of the Corroners Enquest concerning the sudden Death of Mary, the Wife of Thomas Totman, of Scittuate.

Wee, whose names are vnder subscribed, being impanelled on a jury by the constable of Scittuate, the 10th day of Aprill, 1666, to enquire after the death of Mary, the wife of Thomas Totman, and haueing viewed the corpes and heard what euidence can speake, doe giue in this following as our verdict : —

That Mary, the wife of Thomas Totman, gathered, dressed, and did eate a root, which wee judge, shee mistakeing it, thinking it to bee the same which shee had formerly often eaten of; but the root being of a poisonous nature, eateing of it, wee judge, was the sole cause and ocaion of her death; and that wee all agree heervnto, witnes our hands this 24th of Aprill, 1666.

P me, JAMES CUDWORTH,
WILLIAM WITHERELL,
HUMPHERY TURNER,
JOHN TURNER,
JOHN BRYANT,
JOHN ROGERS,
ELISHA BESBEY,

By

the marke of EZEKIELL MAYNE,

JOB Γ JUDKIN, his marke.

EDWARD E WRIGHT, his marke.

EDWARD E W WANTON, his marke.

HENERY H E EWELL, his marke.

Joseph Deuell, of Dartmouth, tooke the oath of fidelitie this Court.

The Court haue graunted vnto Serjeant Ephraim Tinkham twelue acres of vpland on the east side of Whetstones Vinyard Brooke, and on the south east of the old Indian path, bounded att the westward end with a rid oake tree next the path and brooke, and a rid oake standing on a hill neare the Stony Brooke; and att the east end its bounded with a rid oake next the path and a white oake tree on the southward side therof; on the north side the land butts home to the path.

Measured for him by William Crow.

*In reference vnto Wiltam Paybody his exchange of his land, the Court haue ordered M^r Constant Southworth and M^r Bourne, of Sandwich, to proportion out vnto him how much hee shall haue of that hee desireth, in lieu of that hee exchangeth for it.

The Court haue graunted vnto M^r John Done one hundred acres of vpland att Pottamumaquate Necke, and six acres of meddow therabouts; and Leiftenant Freeman and Josias Cooke are to view it and purchase it of the Indians for him.

The Court haue graunted vnto Leiff Ellis a portion of land not exceeding one hundred acres att Maconsett Necke, and a smale quantitie of meddow therabouts; and Richard Bourne is ordered by the Court to lay it out for him.

The Court haue graunted vnto Esra Perry a smale quantity of land of about thirty acres in the necke of land where M^r Edmond Freeman, Junⁱr, hath his land that was last graunted vnto him by the Court.

The Court haue graunted vnto James Skiffe a smale quantitie of land, being about forty acres, lying on the easterly side of the herring brooke att Monnomett, lying next to M^r Josias Standishes land there, a highway lying through it; and the Court haue ordered Richard Bourne to purchase it and to laye it out for him.

The Court haue graunted, that Wiltam Shirtliffe shalbee accomodated with land amongst the servants neare vnto the Bay line.

The Court haue graunted vnto M^r John Howland one hundred acres of land in that land which Captaine Willett made purchase of att Tetiquott.

Likewise, the Court haue graunted vnto John Chipman and Jonathan Sparrow, to each of them, fifty acres of land att the same place where M^r Howland is to bee accomodated next aboue mentioned.

Likewise, the Court haue graunted vnto the said M^r Howland, John Chipman, and Jonathan Sparrow to bee accomodated with meddow land answerable to theire proportions of vpland in the purchase made by Captaine Willett as aforesaid, if itt bee there to bee had; if not, that they shalbee accomodated elsewhere with meet proportions, if it can bee found and purchased. The Court haue sence aded to Jonathan Sparrow and M^r Chipman fifty acres of land apeece.

If the land will
heare it: this
was aded July,
1673.

The Court haue graunted vnto John Hanmore the three acres of meddow desired by him lying neare the Indian Head Riuer.

Forty acres of land is graunted by the Court vnto Rebecka, the wife of Hezekiah Hoare, of Taunton, in some convenient place neare Taunton bounds.

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Experience Michell hath libertie to looke out land for his accomodation.
Likewise, M^r Thomas Dexter, Jun^r, hath libertie to looke out for land for his accomodation.

Likewise, John Rogers, of Duxburrow, hath libertie to looke out for land for his accomodation.

Likewise, Benajah Pratt hath the like libertie to looke out land for his accomodation.

Likewise, Willam Holmes hath libertie to looke out land for the accomodation of his children.

5 July.
[* 129.]

**Att the Court of his Ma^{tie} held att Plymouth the fift Day of July, 1666.*

BEFORE	Thomas Prence, Gov ^r ,	Thomas Southworth,
	John Aldin,	William Bradford, and
	Josias Winslow,	Thomas Hinckley,
	Assistants, &c.	

AT this Court, a certaine Indian named Daniell, allies Tumpasscom, was presented before the Court and examined consarning his strieking of Samuell Hiekes, of Acushena, soe as the said Samuell Hiekes languisheth and is in danger of death; hee, the said Indian, confesseth that hee strucke or punched the said Hiekes with an axe or the helue of it, but saith that the said Hiekes first strucke him; the said Indian was returned to prison, there to remaine in close durance vntill the last Tuesday in October, 1666.

‡This Court giveth liberty vnto John Copp, of Scituate, to still strong waters there from the tearme of six monthes from the date heerof, prouided that what liquors hee stilleth bee sent or con

Wheras John Copp, of Scituate, hath sett vp a still for the stilling of liquors before the order of Court prohibiting the same without lycence was extant, and that the not improueing of it might proue prejudiciall vnto him, the Court haue giuen him liberty to still liquors att Scituate for the space of six monthes from the date heerof, prouided that hee retaile nor sell any in this jurisdiction lesse then the quantitie of ten gallons, on the penaltie in that case ordered; and if within the time prefixed noe complainte bee exhibited by the said towne to the Court against him, that att the period therof the Court will doe as to enlargment of his libertie or otherwise as they shall see cause.

These may certify vnto all whom it may concerne, that whereas Peter Steuens somtymes bought an horse of Nathaniel Warren, of Plymouth, that the said Peter Steuens hath surrendered vp the said horse vnto the said Nathaniel Warren againe; and that the said Nathaniell Warren haucing, neare vnto the time of the buying of the said horse, receiued of the said Steuens a psell of tarr for the said horse, these are alsoe to giue notice and to certify all whom it may conserne, that the said Nathaniell Warren hath relinquished the said tarr, soe as since it hath bin attached att the suite of other creditors, and is disposed of according to law soe farr as it will extend for their satisfaction.

In reference vnto Thomas Barnes, servant vnto M^r John Barnes, of Plymouth, vpon complaint vnto the Court of the nott agreement between the said m^r and servant, the case being refered by such as were interested therein, viz^s, the said M^r Barnes, and M^r Rocke, of Boston, in the behalfe of the said Thom^o Barnes, for a full and finall determination, vnto our honored Go^o, hee hath ordered, with the consent of the Court aforesaid, that the said Thomas Barnes shalbee surrendered vp vnto the said M^r Rocke, to bee att his dispose, and that hee is released from his master, John Barnes, prouided that the said M^r Rocke pay or cause to bee payed vnto the said John Barnes the sume of

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*In reference vnto the request of M^r Thomas Dexter, Seni^r, concerning the amesurement of his land att Barnstable, hee conseruing that wanteth of his full due in that behalfe, the Court haue ordered, that the surveyors or measurers of land att Barnstable, viz^s, Ensigne Barnard Lumbard and Thomas Laythorp, bee authorised to measure or lay out the said land, with the heelp and assistance therein of M^r Hinekley, John Chipman, and Wiltam Crocker.

[*129^b.]

Att this Court, Edward Land, and John Cooper, and John Simons, for prophane and abusiue carriages each towards other, on the Lords day, att the meeting house att Duxburrow, were centanced to pay, each of them, a fine of ten shillings to the vse of the countrey; the said John Cooper, being most faulty, was adjudged worthy of corporall punishment; but forasmuch as in some sort hee tooke to the euill with some manifestation of sorrow, the aforesaid fine of ten shillings was excepted for satisfaction for this time.

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Gou^r.

[*130.]

**At the Generall Court of his Ma^{tie} held at Plymouth, for the Jurisdiction of New Plymouth, the 31st of October, 1666.*

BEFORE Thomas Prence, Go ^u ,	Thomas Southworth,
John Alden,	Wiltam Bradford, and
Josias Winslow,	Thomas Hinckley,
Assistants, &c.	

IT was ordered by the Court, that wheras Wiltam Nicarson, of Mannamoiett, hath very scandulously reproached this his ma^{ties} Court of New Plymouth and the freemen of this jurisdiction to the Hono^{ble} Collonell Richard Nicolls, Go^u of his ma^{ties} collonie of New Yorke, as appeers in a writing to the said hono^{ble} collonell bearing date Aprill the second, 1666, vnder the hand of the said Nicarson, a cobby of which writing being read in this p^sent Court vnto Wiltam Nicarson, not deneying the same, answered, hee should bee redy in time and place to make out euey p^ticular in his said writing to Collonell Nicholls; his sonnes in law, Robert Eldred and Nathaniel Couell, hearing the said writing read, did acknowledg^e theire priuity and consent vnto it; and Trustrum Hedges, another son in law of the said Nicarsons, deneyed not his priuitie and consent vnto the same; the Court therefore iudge themselues bound to vindecate the great scandall of his ma^{ties} Court, as alsoe the freemen of this jurisdiction, and doe require the said Wiltam Nicarson, Robert Eldred, & Nathaniel Couell to giue sufficient securitie for theire appeerance att the next Generall Court of his ma^{tie}, to be holden for this jurisdiction att New Plymouth the first Tusday in June next insueing the date heerof, viz^z: the said Wiltam Nicarson five hundred pounds, and for each of his sons aboue mensioned an hundred pounds apeece.

An Acknowledgment appointed to bee recorded, as followeth.

These p^sents witnes, that wheras I, Wiltam Nicarson, Seni^r, of Mannamoiett, haue through my mistake vttered or expressed in a letter to Barnstabl^t, and another to the Court of Plymouth, sundry expressions of a scandulous nature, tending to the great defamation of Thomas Hinckley, of Barnstable, Assistant, as that hee deneyed him justice notwithstanding his oath to God and the Kinge, and that hee was in combination with them that had a hand in royett and route, as is more att large expressed in the said letters; for which I ame hartily sorry, and doe heerby acquit the said Thomas Hinckly from the imputation of the said crimes, or what else may in either of the said

letters reflect vpon him to his defamation, desiringe the said Thomas to forgive mee the wrong donn him therby; and alsoe, I, the said Wilkam Nicarson, doe by these p̄sents graunt to the said Thomas Hinckley that it shall and may bee lawfull for the said Thomas to read these p̄sents, or cause them to be read, in open Court, or where else hee shall thinke meet, for his vindication from all and euey the said expressions tending to the defamation of the said Hinckley. In witnes wherof I haue heervnto sett my hand, this 18th of June, 1666.

By me, WILKAM NICARSON.

In p̄sence of
Wilkam Hedge,
Trusturm Hull,
John Miller.

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Gov^r.

*A Coppy of a Cōmission, as followeth.

[*131.]

New Plymouth. To Samuell Nash, Cheif Marshall of the Jurisdiction of New Plymouth, with Barnard Lumbert and Joseph Howes, greet.

These are in his maties name to will and cōmaund you, vpon receipt hecrof, with all convenient speed, to repaire to Mannamoiett, and, according to an order of Court bearing date the seauenth day of June, 1665, to lay out to Wilkam Nicarson, M^r Thon̄ Hinckley, all such portions of land att Mannamoiett, both vpland and meddow, according to your best descretion for quantity and manor of laying it out as is expressed in the said order of Court, and in the name and behalfe of the said his maties Court of New Plymouth to giue each of the said p̄sons possession of the whole by twigge and turffe, or of some p̄te of it in stead of the whole; and if you find any eregular p̄sons felling or squaring of timber, or preparing to sett vp any cottages in any of tle said lands, that you warn them in his maties name to desist and be gon, as they will answare the contrary att their prill, and make returne of your proceedings att the next Court of Assistants; and see you faile not in the p̄mises att your prills.

THOMAS PRENCE, Gov^r.
WILKAM COLLYARE,
JOHN ALDEN,
JOSIAS WINSLOW.

Dated att Plymouth the 30th of June, 1665.

*Wheras complaint is made vnto the Court, in the behalfe of the towne of Scittuate, of the neglect of the gathering in of a rate agreed vpon by the

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towne for the maintainance of their minnesters, for which a warrant was directed vnto Walter Briggs, late constable of Scittuate aforsaid, this Court hath ordered, that the said Briggs shall with all convenient speed gather in what is not gathered of the said rate, soe as it may bee payed to the minnester vnto whom it belongeth; and incase hee doe neglect soe to doe, that hee shall pay it himselfe.

And for his not obeying the warrant directed vnto him as aforsaid, it being such an ill p̄sident, hee is centanced by the Court to pay a fine of five pounds to the vse of the collonic.

Att this Court, John Phillips, of Marshfeild, tendered to make payment of the sum of ten pounds vnto Grace Halloway, the daughter of Wiltam Halloway, deceased, the said Grace Halloway being now of age to receiue the said sume as her portion, and shee haueing requested Major Winslow to aduise her in reference vnto the future way of her liuylhood; the Court, alsoe, approuing therof, haue alsoe ordered, that the said sume of ten pounds bee deliuered vnto him for to be improued by him for her vse.

Liberty is graunted vnto Ensigne Wiltam Merricke and Richard Bishop, that incase they be not accomodated with land amongst them with whom they are listed neare the Bay line, that they may looke out for accomodation elswher; or incase that Saconett can be purchased of the Indians, that then the said p̄ties may haue there portions of land there, if they please.

Att this Court, Gyles Ricard, Seni^r, his lycence for keeping an ordinary and selling wine and liquors by retaile was called in; onely wheras hee saith hee hath some liquor that would bee lost if not sold, hee hath liberty to sell it vntill it is spent, both vnto strangers and others alsoe of the towne of Plymouth, prouided that what hee seletth to any of the towne of Plymouth, it be for the reliefe of the weake or sicke, and that alsoe with the consent and approbation of Captaine Southworth.

In reference vnto the complaint of Elizabeth, the wife of Gor̄ Vaughan, and alsoe the complaint of the wife of Samuell Eaton, against an Indian called Sampson, alias Bump, for most insolent and intollorable carriages towards them, whoe coming into the house of the said Vaughan, hee not being at home, and held vp his knife att the said Elizabeth Vaughan seuerall times in a threatening way and manor as if hee would haue wounded her, with other insolent carriages that much affrighted her, and alsoe carrying to the wife of Samuell Eaton att the same time very wickedly by twisting of her necke to the indangering of her life, and alsoe other insolent carriages to Francis Billington att the same time, whoe was sent for to rescue the said weomen from his violence and wickednes; for which said facts, agrauated by diuers other

particulars, hee was centanced by the Court to be seuerly whipt att this present Court, and to bee branded in the shoulder with a Roman P, which accordingly was inflicted.

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In reference vnto the complaint of Edward Gray against Joseph Billington, for hunting his ox with a dog, and for the wrong don to his swine and fence, the said Billington is awarded by the Court to pay vnto the said Gray the sume of twenty shillings ; and as for his syth, vsed by the said Billington without the said Gray his leau, hee is ordered to returne it to him againe.

In reference vnto John Bates and Wiltam Burden, theire breaking the Kinges peace by striking each other, they were sentanced by the Court to pay, each of them, three shillings and four pence ; and the said Burden, for being drunke att the same time, is fined five shillings ; and wheras the said Bates abused the said Burden att the same time, by lying vpon him and striking of him, wherby hee was disabled for a certaine time to attend on his calling, hee, the said Bates, is ordered by the Court to pay vnto the said Burden the sume of twenty shillings.

John Silvester, for his affronting of the constable of Marshfeild in the execution of his office, is fined ten shillings to the vse of the collonie.

In reference vnto a hogg in controuersy lying vnder an attachment, which is in the costody of an Indian called Sampson, the Court finds the said hogg to appertaine to M^r Thomas Prence ; and if the said Indian find himselfe agreiued, that then Joseph Billington is to giue him satisfaction.

*Jabez Howland acknowledgeth to owe vnto our soū } 20 : 00 : 00
lord the Kinge the sume of }

[*133.]

The condition, that if the said Jabez Howland shall and doe appeer att the Court of his ma^{tie} to be holden att Plymouth the first Tusday in March next, to make further answare for misdemenior towards Joseph Billington by striking and otherwise abusing of him, and in the mean time carry peacably towards all manor of psons, and not depart the said Court without lycence ; that then, &c. Released.

Joseph Billington acknowledgeth to owe vnto our soū } 20 : 00 : 00
lord the Kinge the sume of }

The condition, that if the said Joseph Billington shall and doe appeer att the Court of his ma^{tie} to be holden att Plymouth the first Tusday in March next, to make further answare for his misdemeaning himselfe on the 30th day of October att the house of Gyles Rickard, and not depart the said Court without lycence ; that then, &c. Released.

In reference vnto the complaint of M^r Joseph Tilden and Wiltam Barstow against John Palmer, Juni^r, for ployning and pilfering of a psell of

1666.

31 October.
PRENCE,
Gov^r.

boards from the saw mill, the Court haue ordered, that what boards of the said p̄sell soe ploynd can be made appeer by those that attend the said mill to belong to the said Joseph Tilden and Wiltam Barstow, that they are to haue them; and such as are mixed with and amongst the said boards soe stollen, which shall appeer to belong to the said Palmer, hee to haue them; and if any others shall lay any just claime to any of the said p̄sell soe ploynd, they to haue them; and that what charge the said p̄ties haue bin att in bringing the case to hearing, that they be fully satisfyed for the same by the said Palmer; and for his fact in soe pilfering and ployning the said boards, hee is centanced by the Court to pay a fine of twenty shillings to the vse of the collonie.

In reference vnto an Indian called Daniell, allies Pumpanaho, for his dangerously striking of Samuell Hickes, wherof hee hath languished and hath bine in danger of death, and although recouered, yett much hindered in his time and ocaations, wherfore the said Indian is centanced by the Court to pay vnto the said Samuell Hickes the sūme of four pounds and four shillings in reference vnto his bill of charges, and forty shillings for the losse of his time, and ten shillings vnto John Haward for his coming to Plymouth with him by the constables order.

Wheras M^r Timothy Hatherley, by his last will and testament, hath made, ordained, and appointed M^r Joseph Tilden to be his sole exequitour; and the said Joseph Tilden doth refuse to accept of the said exequitourship according to the said will; wherfore the Court haue appointed him to be administrator on the estate of the said M^r Hatherley, to pay all debts and legacies due and owing from the said estate soe farr and by equall proportions as it will amount vnto.

The Court haue ordered Myles Blacke, of Sandwich, in the behalfe of the countrey, to see the line run eight miles into the woods westerly vpon the south bounds of Plymouth.

[*134.]

*In answare to a petition prefered to the Court by Capitaine James Cudworth, bearing date the 30th of October, 1666, in which hee soliseteth the Court for the deuision of a certaine p̄sell of marsh meddow between the said Cap^t Cudworth and John Williams, Jun^r, which said p̄sell of marsh lyeth att Conihassett, being the 23 share or lott of marsh there on the west end of the Great Necke, and is bounded towards the north east to Cap^t Cudworths marsh att a stone stucke vp in the marsh close by a great rocke att the point of the necke, and from thence ranging towards the northwest and by north to the mouth of a creeke att a stone stucke in the marsh, and from thence takeing in all the marsh between the Great Necke and Gulfe Iland and about Gulfe

Iland, and soe along southward and the Great Necke and the Great Creeke vntill it comes to the southerly side of Castle Roocke att a stone stucke in the marsh att the westerly point of a ledge of broken rockes, and from thence ranging towards the west north-west to the creeke and stone stucke in the marsh; which said p̄sell of marsh soe bounded was softimes the marsh of John Whiston, deceased, and by him sold, the one halfe therof vnto the said Cap̄t Cudworth, and the other halfe vnto Samuel House, deceased, and by him sold vnto John Williams, Junr, afforsaid, the said Williams being averse to a deuision, notwithstanding the said captaine hath proposed it to him seuerall times, and hath suffered great damage by the neglect therof, which nessesitateth him, to make suite to the Court for a deuision as aforsaid.

This Court haue therefore ordered, that twelue men bee warned to giue meeting vnto Major Josias Winslow on the thirteenth of this instant Nouember, att the house of Mr Thomas King, att Scituate, to be by him, the said major, impannelled to serue on a jury to make deuision of the said p̄sell of marsh according to this order.

Theire names are as followeth : —

John Hollett,	William Peakes,
Walter Briggs,	Mathew Ganett,
Jeremiah Hatch,	John Both,
Henry Luce,	Rodolphus Elmes,
Richard Standlake,	John Daman,
John Ensigne,	Joseph White.

John Andrew, att this Court, for telsing of a lye, fined ten shillings. And the said John Andrew, for breakeing the Kinges peace by strikeing Joseph Bartlett, was fined three shillings and fourpence.


And the said Joseph Bartlett, for breakeing the Kinges peace in striking the said Andrew, fined three shillings and fourpence.


*A Writing appointed to be recorded by the Court, as followeth.

[*134.]

John Whiston, aged eighteen yeares or therabouts, being the next eldest brother to Joseph Whiston, late deceased att Boston, whoe hath giuen him an estate, as wee are enformed, and hee, the said John Whiston, hath made choise of his vnkle, Edward Jenkins, of Scituate, for to be his gaurdian, to occurre what estate soeuer is his vntill hee comes of age.

January 4th, 1666.

The marke  of JOHN WHISTON.

Witnes, William Brookes,  his marke.

Timothy Foster.

1666-7. **Att the Court of his Ma^{tie} held att Plymouth the fift Day of
March, 1666.*

5 March.

PRENCE,
Gov^r.

[* 135.]

BEFORE Thomas Prence, Gov ^r ,	Thomas Southworth,
John Alden,	William Bradford, and
Josias Winslow,	Thomas Hinckley,
Assistants, &c.	

WILLIAM NICARSON, for sundry scandulouse charges against M^r Thomas Hinckley, Assistant of this go^vment, highly tending to the defaming of his ma^{ties} authoritie in this his Court, to the stirring vp of faction and sedition, as appeers vnder his hand, is centanced to pay a fine of fifty pounds vnto the countreyes vse; but in case hee shall acknowledge in open Court this his miscarriage, that then thirty pounds of this fifty shalbe remited, or otherwise the whole to be exacted.

William Nicarson did acknowlidg in open Court, that in these scandulouse and reproachfull charges, which hee so^mtimes layed vpon M^r Thomas Hinckley, as hee was a minnister of justice and an Assistant in this go^vment, hee did scandulize his ma^{ties} authoritie and this his Court of which hee is a member, and is very sorry for his miscarriage therin, and hopes it shalbe a warning to him for the future.

This acknowlidgment in Court was accepted soe as to abate thirty pounds of the fifty pounds abouesaid.

William Lumpkin and Peter Worden, for causing disturbance att the meeting house att Yarmouth on the Lords day, were fined, each of them, ten shillings to the vse of the collonie.

Jabez Howland, for breakeing the Kinges peace by striking of Joseph Billington, is fined three shillings four pence to the vse of the collonie.

Joseph Billington, for the like default toward Jabez Howland att the house of Gyles Rickard, on the 30th day of October, 1666, is fined three shillings and four pence to the vse of the collonie.

Arther Howland, Jun^r, for inveigling of Mistris Elizabeth Prence and making motion of marriage to her, and procecuting the same contrary to her parrents likeing, and without their consent, and directly contrary to their mind and will, was centanced to pay a fine of five pounds and to find surties for his good behavior, and in speciall that hee desist from the vse of any means to obtaine or retaine her affections as aforesaid.

M^r Samu^l Saberry, being su^moned to this Court, appeared to make answere for that by writing vnder his hand and otherwise hee hath busied

himselſe to ſcanduliſe and defame the minneſtry of Duxburry ; but not taking notice therof to acknowledgment, and not giueing ſatisfaction in that behalfe, but rather the contrary, hee was exhorted and admoniſhed by the Court vnto his duty in that behalfe, and likewise warned to deſiſt from ſuch diſturbing practices, the which if the Court ſhall receiue further information therof, hee muſt expect to be againe queſtioned about it, and be reddey to giue better eecuriſy for his better walking, and ſoe for the p̄ſent was releaſed.

1666-7.
5 March.
PRENCE,
Gou^r.

*Letters of adminneſtration was graunted by the Court vnto Joſeph Holley and Marke Redley to adminneſter on the eſtate of M^r Truſtrum Hull, of Barnſtable, deceaſed.

[*136.]

In reference vnto a box attached by John Rickard for a debt of fifteen ſhillings due from Elizabeth More, the Court haue awardeed vnto the ſaid Rickard a petticoate of the ſaid Mores, which is to anſware the ſaid debt and the charges of the ſuite.

In reference vnto the deſire of Robert Barker, that a p̄ſell of meddow might be recorded vnto him lying att the North Riuer att Robiniſons Creeke, and that hee hath produced ſeueral euidences to ſatisfy the Court about it, the Court haue ordered, that if the towne of Duxburrow, or any of that towne, doe not produce any thing to the contrary betwixt this Court and the ſhuting vp of June Court next, that then hee, vpon ſuch euidence as hee ſhall then produce, may haue the ſaid meddow recorded vnto him.

Memorandum :
that a copy
heerof be ſeaſonably ſent to
the towne of
Duxburrow.

Joſeph Hollett and Elizabeth, his wife, for cōmiſſing carnall coppulation each with other before marriage or contract, fined ten pounds.

Letters of adminneſtration was graunted vnto Hoſea Joyce to adminneſter on the eſtate of M^r John Joyce, deceaſed.

Memorand : that Samuell Edson be ſum̄oned to the next Court to anſware for his neglect to appeer to ſerue on a jury, being ſum̄oned for that purpoſe.

Memorandum : that Dinah Silueſter, Sarah Smith, and the daughter of Edward Jenkens, bee ſum̄oned to the next Court.

Arther Howland, Juni^r, acknowledgeth to owe vnto }
our ſoū lord the King the ſum̄e of } 50 : 00 : 00
John Daman the ſum̄e of } 25 : 00 : 00
Timothy Williamson the ſum̄e of } 25 : 00 : 00

The condition, that wheras the ſaid Arther Howland hath diſorderly and vnrighteouſly indeaoured to obtaine the affections of Miſtris Elizabeth Prence againſt the mind and will of her parents, if, therefore, the ſaid Arther Howland ſhall for the future refraine and deſiſt from the vſe of any meanes to obtaine or retaine her affections as afoſaid, and appeer att the Court of his ma^{tie} to

Release 1 July
3, 1667.

1666-7. be holden att Plymouth the first Tusday in July next, and in the mean time
 be of good behavior towards our soñ lord the King and all his leich people,
 and not depart the said Court without lycence; that then, &c.

5 March.
 PRENCE,
 GOV^r.

[*138.]

*According to the Courts appointment, wee layed out vnto Cornett Robert Studson a certaine tract of land bounded as followeth, viz^d: on the north side by those lands that were graunted att Accord Pond; on the east by the line of the towne of Scittuate vntill it crosse a deepe, still brooke; and on the southwest and westerly side by the said brooke; and soe againe from the townes line as M^r Hatherleyes land runs westerly vntill it crosse the said brooke there againe, with all the spotts and holes of meddow that are within the abouesaid bounds.

Witnesse our hands,

JOSIAS WINSLOW,
 CONSTANT SOUTHWORTH.

1667.

2 April.
 [*139.]

*THE councill of warr, being assembled att Plymouth the 2nd day of
 Aprill, namly, M^r Thomas Prence, presedent, M^r John Alden, Major
 Josias Winslow, Captaine Thomas Southworth, Captaine Wilham Bradford,
 M^r Thomas Hineckley, M^r Anthony Thacher, M^r Constant Southworth, and
 M^r Nath Bacon, did then order and conclude as followeth:—

Viz^d: that euery comission officer in the seuerall milletary companies of
 this jurisdiction shall haue a comission deliuered vnto them vnder the scale
 of the goũment, and signed with the presedent of the said councill.

The forme of the said comissions are as followeth:—

First, of a captaine:—

You, A B, haueing bine orderly chosen and accepted to the office of a
 captaine of the foot companie of the towne of P., you are heerby authorised
 and required to take the comãund and charge of that companie, to exercise
 and traîne them vp in the vse of their armes according to such orders as are
 or may bee sefled by the Court or councill of warr in that respect, and alsoe
 impowred to comãnd or lead any or all that are vnder your comãnd vpon
 reall duty and seruice for ofence and defence as occasion may require; and
 you are therein required carefully to attend such orders and instructions as you
 haue or shall from time to time receiue from the councill of warr; and in
 defect therof, shall acte according to such advice as you shall haue respecting
 any su'daine exegent from such in your towne as are appointed to be a coun-

cell with you in such cases ; and soe acting, you may expect full and reddey obceidience from all vnder you in their respectiue places, and be warranted and accepted in your good endeauors.

Giuen by the counsell of warr for the jurisdiction of New Plymouth this 2^{cond} of April, 1667.

T. P., Presdent.

For the Leiftenant.

You, A B, haueing bine orderly chosen and accepted to the office of leiftenant of the foot compainie of the towne of P., are heerby authorised and required to bee assistant to the captaine of that place in the exercising and training vp of the souldiers of that towne in the vse of their armes according to such orders as are or may be settled by the Court or counsell of warr, or by order from your captⁿ in that respect, and alsoe impowered to comāund and lead that companie, either in peace or warr, in the absence of your captaine, with as absolute comānd as your said captaine hath when p^sent ; and you are required carefully to attend such order and instructions as you haue or shall from time to time receiue from the counsell of warr, and in defect therof to acte according to such advise as you shall haue respecting any suddaine exegent from such in your towne, or the major p^{te} of them, as are appointed to be a counsell in such cases ;* and soe acting, you may expect full and reddey obceidience from all vnder you, and be warranted and accepted in your good endeavors.

Giuen, &c.

For the Ensigne.

You, haueing bine orderly chosen and accepted to the office of ensigne of the foot companie of the towne of P., you are heerby authorised and required to be assistant to the captaine and leiftenant of that place in exercising and training of the souldery of that towne in the vse of their armes according to such orders as are or may be settled by the Court or counsell of warr & said officer in that respect, and alsoe impowered to comānd, vnder your said officers, in such a capasitie as occasion may require for ofence and defence ; and in the absence of your said captⁿ and leiftenant, to comānd and lead that companie, either in peace or warr, with as absolute comāund as either of them haue when p^sent ; and you are required discretely and valliantly to defend and maintaine that badge of your honor and your countreyes, and carefully to attend such orders and instructions as you haue or shall from time to time receiue from the counsell of warr, and in defect therof to acte according to such advise as you shall haue, respecting any suddaine exigent, from such in your towne, or the major p^{te} of them, as are appointed to be a counsell in such cases,* and soe acting, you may expect full and reddey

1667.

2 April.
PRESENCE,
God^h.

*Except the vrgency of the occasion, to your best vnderstanding, calls for such speedy action as not safe to delay for their advice, in which case you are authorised to acte as you see the matter may require.

1667. obedience from all vnder you, and be warranted and accepted in your good endeauors.

2 April.
PRENCE,
Gov^r.

Giuen, &c.

[*140.]

*1. The councell of warr haue determined, that during any appearence of danger a mililitary watch be kept in each towne, in the most convenient place or places for takinge and pasing an alarum, according to the deseretion of the comānders and councell in each towne, and according to the danger that p̄sents; and alsoe some in each sea towne bee appointed to looke out to sea in the day time to discouer any shippes that may be on the coast, and to obserue their motion.

2. That the fiering of three musketts shall make an alarum in the night, and that fiers be alsoe made in the night att the place where the alarum did rise.

3. That the troop in each towne be ordered by their owne officers, or where such are not, by such as are of the grand councell in that towne, to be redy att all times to goe forth as scouts vpon discouery to carry intelligence from place to place as there may be occasion, and to doe such seruice further as need may require, vntill by speciall order of their cheife comānders they are called off.

4. That there be serch made how horse and foot are provided with armes and amūition, and defects to be returned.

5. That the souldiery of euery towne shalbe att the free dispose of their respectiue comānders in any seruice that they shall require att their hands according to their comīssion and instructions giuen them.

6. It is determined, that Duch and French be looked vpon as our comōn enimie whiles soe to our nation, and shalbe resisted, opposed, and expelled by the forces of this jurisdiction to their vtmost power, and that all advantages shalbe vsed to that end.

7. It is ordered, that if any towne or plantation be distressed by an enimie, vpon intelligence the next towne shall forthwith send them such assistance as their need may require, be it to a third or halfe their men.

8. That the Indian sachems heerabouts be sent for, and advised to imploy their men in looking out to sea for shiping, and giue speedy intelligence to the English of any vessell and their motions, and that they be warned by their p̄sent losse not to adventure on board of any strange vessels, but to their power doe joyne with vs for defence of their and our comōn interest against a comōn enimie, and that they be forbidden the fiering of any guns in the night or making any false alarums.

9. That there be noe shooting att pignons or any other game by day or night whiles dangers p̄sents, but onely att an enimie.

*10. That every towne provide soñi place of retire for their weomen and children in case of an alarum, as the descretion of each place may giude them, that soe the men may with lesse distraction face an enimie.

11. That in time of danger the troopers of Plymouth repaire to the Goū as his gaurd, vntill further order.

12. That ail p̄sons in any township, although aboue sixty yeares of age, or otherwise vncapable of bearing armes, but are of compctent estates, and shalbe soe judged by their com̄aunders and councill of that towne, they shalbe lyable to find a man to watch and ward as occation be, and it be required of them.

13. That whosoeuer shall refuse or neglect to doe his duty in watching and warding when required shalbe lyable to pay a fine of fiue shillings for euery such defect, vnlesse they can giue a satisfying answare to their com̄aunders and their councill in their owne towne, and this to be forthwith leuied by the constable; but incase they hold themselues agreiued, they may haue libertie, after the fine payed, to appeale to the councill of warr.

14. That it shalbe in the power of such as are appointed a councill, in euery towne, in any exigent or suddaine occation, to dispose of the generall stocke of armes and āmunition in that towne or any p̄te of it as occation may require.

The Names of those that are appointed to bee of Councill with the Com̄ission Officers in each Towne.

Plymouth :

The Goū,

Cap̄ Bradford.

Duxburrow :

M^r John Aldin,

M^r Constant Southworth,

Leif^t Josias Standish.

Scittuate :

Cornett Studson,

John Daman,

Isacke Chettenden,

Edward Jenkins,

Isacke Bucke.

Marshfeild :

M^r Josias Winslow, Seni^r.

Sandwich :

M^r Richard Bourne,

William Bassett,

James Skiffe, Seni^r.

Taunton :

James Walker,

William Harvey,

Richard Williams.

Rehoboth :

Cap̄ Willett,

M^r Paine, Seni^r,

1667.

2 April.
PRENCE,
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[*141.]

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PRENCE,
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Mr Thomas Cooper,	For Eastham :
Gilbert Brookes.	Lciftenant Freeman,
For Yarmouth :	Josias Cooke,
Mr Anthony Thacher,	Richard Higgens.
Mr Edmond Howes,	For Bridwater :
Thomas Howes.	Samuell Edson,
For Barnstable :	Nicholas Byram,
Mr Thomas Hinckley,	John Willis.
Mr Nath Bacon,	
John Chipman.	

For Dartmouth, Sarjeant James Shaw to exercise the inhabitants in armes till the next June Court, and that then the towne are to p̄sent some to the Court to be settled in office according to order ; and that the said Serjeant Shaw to advise with John Cooke, Samuell Hickes, and John Russell, incase of any danger p̄senting for the best defence of the place in such respect, and to see how men are prouided with armes and āmunition, and to returne the defects to the said Court.

[*142.] *Seuerall Orders appointed by the Councill of Warr to be obserued by the seuerall Courts of Gaurd in this Jurisdiction.

Gentlemen Souldiers : You are required carefully to attend your duty in watching, warding, and such other seruice as shalbe required of you by your com̄aunders and counsell, wherin p̄ticularly obserue these following orders : —

Imp^r. That noe outrage be com̄itted by any pson vpon duty by prophane swearing, cursing, drinkeing, quarrelling, or fighting one with another.

2^{ly}. Noe man shall hold correspondeney with the enemie, or confer with any trumpett, drum, or messenger of the enemie, but by appointment.

3. None shall neglect his watch or other seruice com̄itted to him, sleep on his sentenelship, or depart thence vntill releived.

4. None shall make the word knowne to the enemie, or change the word, but by order.

5. None shall make any needles alarum by day or night.

6. Att the soundage of an alarum, euery one shall repaire to their coullers or place appointed them.

7. None shall fly in battle vntill a retreat be com̄aunded, nor quite any place com̄itted to their trust whiles defencable.

8. Euery private souldier is required to keep his armes fixt and cleane, and not to paune, sell, or play away his armes.

9. None, vpon prill of their liues, shall attempt to abuse any sentenell that is out vpon duty, but shall reddily make themselues knowne and obey him.

10. That all centenells, vpon the like penaltie, shall carefully attend their charge giuen them for the discouering of an enimic and preuention of danger and mischeife to any of our owne people.

The councill of warr haue alowed fourteen dayes from this date for the townes to send in their accomts of armes and aūnition vnto the major; and that if within the said time any that haue bine att this meeting of the said councill returned defectiue shall be supplied before the said time be expired, they shall not be fineable for breach of order in that behalfe.

1667.

2 April.
PRENCE,
Gov^r.

**Att the Generall Court of Election holden att Plymouth, in New England, the fift Day of June, 1667.*

5 June.
[*143.]

BEFORE Thomas Prence, Gov^r, and Wiltam Bradford, and
John Aldin, Thomas Hinckley,
Thomas Southworth,
Assistants, &c.

M^R THOMAS PRENCE was chosen Gov^r, and sworne. And

M ^r John Alden,	} were chosen Assistants, and sworne.
Major Josias Winslow,	
Captaine Thomas Southworth,	
M ^r Wiltam Bradford,	
M ^r Thomas Hinckley,	
Leiftenant John Freeman, and	
M ^r Nathaniel Bacon,	

The Coūmissioners chosen were Major Winslow, Captaine Southworth.

And the next in nomination was M^r Thomas Hinckley.

The Treasurer chosen was M^r Constant Southworth, and sworne.

1667.

5 June.
PRENCE,
Gou^r.

The deputies of the seuerall townes were, —

Mr John Howland,	Edward Sturgis,
Leif Ephraim Morton,	Yelverton Crow,
Mr Constant Southworth,	Joseph Laythorp,
Christopher Wadsworth,	Ensigne Marke Eames,
Cornett Robert Studson,	John Bourne,
Isacke Chettenden,	Leiftenant Peter Hunt,
Richard Bourne,	Ensigne Henery Smith,
Thomas Tupper, Seni ^r ,	Daniell Cole,
Wiltam Harvey,	John Willis,
James Walker,	John Cooke.

The Grand Enquest.

Mr Joseph Tilden,	} sworne.	Joseph Warren,	} sworne.
Mr Josias Standish,		Andrew Hallott,	
Phillip Delanoy,		Jacob Cooke,	
John Bryant,		Wiltam Foard, Seni ^r ,	
Wiltam Crocker,		Daniel Smith,	
John Dingley,		Samuell Newman,	
Thomas Linkorne.		Marke Snow,	
Thomas Gibbs,		Samuell Tompkins,	
Micaell Blackwell,		Richard Sisson,	
Joseph Wilbore,		James Cobb,	
John Winge,			

*The Constables of the seuerall Townes.

[*144.]

Plymouth,	Francis Comb, sworne.
Duxburrow,	Samuell Hunt, sworne.
Scittuate,	{ Micaell Peirse, } sworne.
	{ William Brooks, }
Taunton,	Richard Burt, sworne.
Yarmouth,	Thomas Howes, sworne.
Barnstable,	Abraham Blush.
Sandwich,	Edmond Freeman, Juni ^r .
Marshfeild,	{ Nathaniell Winslow, } sworne.
	{ Josias Keine, }
Rehoboth,	{ Nicholas Peecke, } sworne.
	{ John Titus, }

Eastham, John Banges, sworne.
 Bridgewater, John Willis, Junr.
 Dartmouth, Peleg Tripp, sworne.

1667.
 2 June.
 PRENCE,
 Gov^r.

Surveyors of the Highways.

Plymouth :	Yarmouth :
Mr John Barnes,	Thomas Gage,
Ensigne Bradford,	Judah Thacher.
Hugh Cole.	Barnstable :
Duxburrow :	^
^	Marshfeild :
Scittuate :	^
William Barstow,	Rehoboth :
John Ensigne.	^
Sandwich :	Eastham :
^	^
Taunton :	Bridgewater :
^	^
	Dartmouth :
	^

*The Celect Men in each Township.

[*145.]

Plymouth :

Leiftenant Morton deputed to adminester an oath respect- ing their place as occation may require.	{	Leiftenant Morton, Nath Warren, William Harlow, William Clarke, William Crow,	}	sworne.
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Duxburrow :

Christopher Wadsworth de- puted to giue oath as aboue- said.	{	Christopher Wadsworth, Mr Josias Standish, Benjamin Bartlett,	}	sworne.
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Scittuate :

Isacke Chettenden to admin- nester an oath as aforesaid.	{	Cornett Studson, Mr Thomas Kinge, Isacke Chettenden,	}	sworne.
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Sandwich :

Thomas Tupper to giue the said oath.	{	Thomas Tupper, Seni ^r , James Skiffe, Seni ^r , Thomas Burgis,	}	sworne.
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Taunton :

James Walker to ad- minnester the said oath.	{	Gorge Hall, Walter Deane, James Walker, Richard Williams, Willam Harvey,	}	sworne.
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Yarmouth :

Mr Edmond Howes, Edward Sturgis, James Mathewes, Yelverton Crow, Samuell Sturgis,	}	sworne.
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Barnstable :

Willam Crocker, John Chipman, John Tompson, Joseph Laythorp,	}	sworne.
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[*146.]

*Marshfeild :

And John Bourne appointed to ad- minnester an oath.	{	Anthony Snow, Ensigne Eames, John Bourne,	}	sworne.
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Rehoboth :

Mr Stephen Pa'ne,
John Allin,
Mr James Browne.

Eastham :

^ ^

Bridgewater :

John Willis, Nicholas Byram, John Carey,	}	sworne.
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Dartmouth :

Arther Hathewey to giue the aforsaid oath.	{	John Russell, Samuell Hickes, Arther Hathewey.
--	---	--

Receiuers of the Excise in each Towne.

Plymouth,	Benajah Pratt.
Duxburrow,	Henery Sampson.

Scittuate,	{ Edward Jenkens, John Cushen.
Sandwich,	{ Tupper, Juni ^r , Thomas Tobey.
Taunton,	Richard Burt.
Yarmouth,	{ M ^r Anthony Thacher, John Miller.
Barnstable,	{ Thomas Huckens, Joseph Laythorp.
Marshfeild,	Wiltam Maycomber, Seni ^r .
Rehoboth,	Daniel Smith.
Eastham,	Wilt Walker.
Bridgwater,	Arther Haris.
Dartmouth,	Samuell Hickes.

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*In reference vnto the complaint made against Phillip, the sachem of Pacanacutt, by an Indian, that hee was in compliyanee with the French against the English in New England, the Court, hauing heard his answare, and therein certified that the ground of such reports arose from a certaine sachem of the Narragansetts, doe order Leiftenant Hunt and Ensigne Smith to repaire to Warwicke in some convenient time for the Court to be holden att Plymouth in July next, and that the said Phillip doe there giue them meeting before one of the majestrates there, that soe the said sachem may make out what hee hath spoken in that behalfe, and that Ninnegrett haue notice therof, that soe hee may vnderstand what is charged against him.

[*147.]

Att this Court, proclamation was made that if any can lay any just claime vnto any due debt from the estate of William Hacke, John Turner, and Thomas Ewer, they may come in within a twelumonth and a day of this date, and they shalbe satisfied soe farr as the estate will amount vnto.

This Court alowed vnto the major, in reference to his journey to the sachem Phillip, in the behalfe of the countrey, the sume of fiue pounds.

To Captaine Southworth, for his paines and time, forty shillings.

To the Treasurer, respecting his longe time and paines, three pounds.

To Cornett Robert Studson, his horse, time, and paines, forty shillings.

Two shillings and sixpence a day is alowed vnto the troopers, to each of them that went on the abouesaid expedition, viz^s, to each of them, for him and his horse,

Ten shillings is alowed vnto Nicholas Hyde for bringing of a letter to the Gou^r, and his other time and paines about it in reference to the abouesaid busines.

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This Court haue graunted vnto Andrew Ringe a smale þsell of land lying att the end of his land att Namassakett, viz^d, all the land lying att the end of his lott between the path and a smale brooke and the valley the full breadth of his lott.

The Court haue graunted vnto Thomas Butler a necke of land called Tassacausett, lying neare to Edmond Freemans land, being deuided by a creeke or brooke on the southerly side, which said land is bought by the said Butler of an Indian called Charles, allies Pampmunit, for a yoake of oxen, prouided the said Indian returne the sume of three pounds to the said Butler.

In reference vnto the graunt of land graunted vnto Gyles Hopkins, Jonathan Sparrow, and the widdow Mayo, the Court haue ordered Leiftenant Freeman eithor to purchase it or hier it for them as occation shall require, as hee shall see meet.

Liberty is graunted vnto Thomas Paine to looke out some land for his accomodation.

[*148.] *The Accomt of the Liquors brought into Yarmouth the Year last past, giuen in by M^r Thacher.

The 15 of the first month, Elisha Hedge, one barrell of rum.

M^r Hedge, 9 gallons of sacke.

September 14, (66,) by John Barnes, for Elisha Hedge, fifty gallons of rum.

For M^r Sprague, 10 gallons of rum.

For Samuell Sturgis, 30 gallons of rum.

For Edward Sturgis, Juni^r, 25 gallons.

For John Mokeney, six gallons.

Jonathan Barnes brought sundry barrells of liquors to the towne, since which hee did not inuoyce with vs, but did after some distance of time inuoyce it with the Treasurer.

The first weeke in Aprill, (67,) Edward Sturgis, Seni^r, 22 gallons of sacke, which was inuoyced, thō not in due time according to order.

Att that time, there were fue or six barrells of rum bought of the marchant att Satuckett, which was not inuoyced, but concealed one barrell; Jonathan Barnes had another barrell; Joseph Ryder three more, hee seized for the countrey, which haue bine since condemned, viz^d: Samuell Sturgis, one barrell of rum; Edward Sturgis, Juni^r, one barrell of rum; and Abraham Hedge, one barrell of rum, which lyes responsible for his father to cleare betwixt this and the Court in July next.

Boardman, halfe a barrell, or soūwhat more, which hee inuoced.

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The first weeke in June, 67, Jonathan Barnes invoiced one barrell of rum for John Mokaney. Abraham Hedge had about three barrells last summer, which it is vncertaine whether invoiced or noe.

The collect men of the towne of Yarmouth, this Court, returned the names of Teage Jones, for not coming to meeting, and Nicholas Nicarson, for refusing to appeer att the summons of the said collect men, and for neglecting to come to the publicke worship of God.

This Court haue ordered and appointed Cap^t James Cudworth and M^r Joseph Tilden, in the behalfe of Elizabeth Williams, the wife of John Williams, to demaund and receiue what is due to her from her said husband for her annuall allowance according to order of Court, and that incase there shalbe occasion therof, that one of them bee an apriser of that which shalbe payed vnto her in that behalfe, and incase either of them shalbe by Prouidence hindered from pforming what is required of them in that case, that then John Hallett is to supply his rome by the Courts appointment.

In reference to the complaint of Wiltam Randall against John Bryant,

^ ^ ^ ^
*John Cooke was appointed by the Court to solemnize marriage in the towne of Dartmouth, and to giue oath to witness for the grand enquest and for the tryall of causes.

[*149.]

Sarjeant James Shaw and Arther Hathewey are appointed by the Court to exercise the men in armes in the towne of Dartmouth.

In reference vnto the estate of Thomas Ewer, the Court haue appointed Thomas Laythorp and Shuball Linnitt to take his estate and adminnester thereon, and to be gaurdians alsoe to the children.

Thomas Huckens is authorised by the Court to adminnester on the estate of John Turner, deceased, and, with the advice of M^r Hinckley and M^r Bacon, to pay some smale debts due from the same.

A Writing appointed to be recorded.

To our honored Gof, M^r Prence, and the rest of the honored Court, our humble petition, which wee, whose names are vnderwritten, doe present vnto your fauorable consideration, that forasmuch as it hath pleased God by his ordering hand of Prouidence to dispose of things soe that our father in law, Wiltam Nicarson, hath purchased a portion of land att Manamoiett or therabouts to accomodate his children and posteritie withall for our comfortable subsisting, and that through the blessing of God vpon our labors wee might liue and not be chargable, hee hath gicen it vnto his children to accomodate vs

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and our posteritic withall; and wee doe not desire to liue alone, but are willing to receiue soe many inhabitants as there is land to accomodate them with, soe that wee may goe on in a way of peace and loue, for the glory of God and the good and welfare of the goũment, and the inlargment therof and the good one of another; for the greatest pte of vs haue bine brought vp vnder this goũment, and our desires are to continew vnder this goũment; still, if the Lord shalbe pleased to graunt vs to find fauor with the Court to graunt our request, and our request to the honored Court is, that they would be pleased to graunt vs libertie to settle a township att Manamoiett or therabouts with as many inhabitants as wee shall see the land will comfortably accomodate, soe that they be townsmen that wee can close with, wee shall willingly receiue them, vpon the condition that they shall pay their ptes of the purchase according as wee shall agree, and not otherwaies; and if the Court shalbe pleased to graunt our petition, wee shall count it a great fauor from God and fauor from *and fauor from* the Court; thuse hoping to find fauorable answare from the honored Court, wee rest,

WILLAM NICARSON, Seni^r,
NICHOLAS NICARSON,
ROBERT NICARSON,
SAMUELL NICARSON,
JOHN NICARSON,
WILLAM NICARSON, Juni^r,
JOSEPH NICARSON,
ROBERT ELDRED,
TRUSTRUM HEDGES,
NATHANIEL COUELL.

The 4th of July, 1663.

[*150.] *Att this Court, Benjamine Bartlett complained against his servant, named John Cooper, for refusing to serue him vlesse his indenture could be produced, which was supposed by him to bee ploynd and made away; the Court, vnderstanding by sufficient euidence that hee is yett to serue him three yeares, ordered him either to accept of such conditions as were agreed on betwixt his said master and him since this controversy arose, or to be forthwith publickly whipt and forced to returne to his said master; after this they renewed the conditions, and soe the mater for p̄sent is ended.

Att this Court, Robert Pinion was taken vp as a vagarant and publickly whipt, and ordered with a passe forthwith to depart the goũment.

Att this Court, a jury was named and ordered to bee impaneled to lay out all waies requisitt in the township of Bridgwater.

Theire names are as followeth :—

Nicholas Byram,	Arther Harris,
Samuel Edson,	John Carrey,
Thomas Haward, Seni ^r ,	Ensigne John Haward,
^ Packer,	Marke Laythorp,
M ^r Nathaniel Willis,	Robert Latham,
Leiftenant Thomas Haward,	Joseph Aldin.

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GOC^r.

Captaine Brad-
ford ordered by
the Court to im-
panell this
jury.

And if by Providence any of these be hindered, that then Samuell Allin and John Aimes doe supply.

Eres of adminnestration were graunted vnto Wiltam Bassett, Juni^r, to adminnester on the estate of Wiltam Bassett, Seni^r, deceased.

Eres of adminnestration were graunted vnto Henery Dillingham and John Dillingham to adminnester on the estate of M^r Edward Dillingham, deceased.

Eres of adminnestration were likewise graunted vnto Mary Hacke to adminnester on the estate of Wiltam Hacke.

Letters of adminnestration were likewise graunted vnto M^r Joseph Tildin to adminnester vpon the estate of M^r Timothy Hatherley, deceased; and the said M^r Tilden is heerby ordered and impowered to receiue and dispose of the said estate in reference vnto payment of debts and legacies due from the estate soe farr as there is estate to discharge, and in all points to acte and doe what euer may be requisite for preserueing and disposing of that estate as an adminnestrator according to the will of the deceased.

These were
graunted Octo-
ber 30, 1666.
See more, Wills
and Invento-
ryes recorded.

*Richard Bourne and Wiltam Paybody are appointed by the Court to view a certaine peece of land purchased of the Indians by Thomas Dexter, Juni^r; and in case they shall judge, that for quantity and quallitie it will nott accomodate more then one, that it be then settled vpon the said Thomas Dexter. [*151.]

Joseph Burge, of Sandwich, for disorderly healing away of horses out of the collonie, is fined twenty shilling to the vse of the collonie.

Samuell Jackson, for breaking the Kings peace, is fined three shillings and four pence.

Att this Court, Wiltam Nicarson, Robert Eldred, and Nathaniell Couell appeered, according to their bond, but gaue noe satisfaction to the Court for their offence, and att last themselues and some frinds desired further time to consider, as alsoe a copy of his writing to Collonell Nicolls to puse and take notice of the pticulars, promising to apply themselues speedily to giue satis-

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faction, wherypon the Court, willing yett to extend lenitie, desireing reformation rather than seuerity and sharpnes, gaue them vntill the next Court of his ma^{tie}, to be holden att Plymouth the first Tusday in July next, to giue theire answare, alsoe takinge theire owne engagement for theire appearence theratt.

Forasmuch as the inhabitants of Plymouth haue graunted vnto Nathaniel Warren and Joseph Warren, to each of them, fourteen acres of meddow att or about Agawaam, out of that which was formerly purchased, they being in great nessesitic therof, and the said towne not in a capacitic otherwise to supply them, the Court, not willing to alow of any p̄ticular proprietie there, yett for the reasons forenamed doe approue therof, and doe prohibite any further graunt in that kind vntill they shall otherwise order.

Att this Court, Mary Hacke, of Taunton, sollisited the Court to haue libertie to bestow herselfe in marriage, and produced diners testimonies to make it manifest to the Court that Wiltam Hacke, her husband, is dead, hee haueing left her about three yeares since, and went for England, and that shee neuer receiued any letter from him since, nor any other intilligence from or concerning him, saue the said testimonies, which serued to euidence that hee is deceased. The Court not being satisfied in the testimonies soe fully as to graunt her libertie of marriage att the p̄sent, they refered the case for further clearing vntill the next October Court.

This Court was adjoined vntill the third day of July next in reference vnto the Court of Majestrates and Deputies.

[*152.] *Instructions for the Com̄issioners for the Jurisdiction of New Plymouth.

1. That incase the confederation hold, that it be better obserued then it formerly hath bin.

2. That whatsoeuer the com̄issioners doe agree vpon, either relating to desoluing and breakeing vp of the confederation between the collonies or theire reuniting, shalbe proposed to the senerall Generall Courts of the respectiue goilments, and assented vnto by them before it shalbe binding vnto them.

3. That you indeauor to vindicate the collonie from the false aspersions that are cast vpon vs concerning the breach of the former confederation.

4. That if there be a reuniting, some speedy course may be taken to settle the propositions both of men and charges more equally then it is att p̄sent, by reason that since the first settlement therof some of the collonies are more increased then others.

5. That inquiry be made about the wampam in Conecticutts hands.

6. That if there be a reuniting, (which wee rather desire, may it be

vpon equall tearmes,) wee desire it may be taken notice off and expressed that wee reserue our alligience to the crowne of England.

Memorand: that you signify vnto the Massachusetts comissioners, that wee take it ill that wee can not for our moneyes be supplied with ammunition, although they haue good quantities in their hands.

And signed by order of the Court for the jurisdiction of N. Plymouth,

P me, NATH: MORTON, Secre^t.

N. Plymouth, June the fift, 1667.

Att this Court, warrant were issued out from the Court to leuy by rate the sume of two hundred eighty six pound eighteen shillings and eight pence, for the publicke charges of the country.

**Att the Court held att Plymouth the 2nd of July, 1667.*

2 July.
[*153.]

BEFORE Thomas Prence, Gov ^r ,	William Bradford,
John Aldin,	Thomas Hinckley,
Josias Winslow,	Nath Bacon, and
Thomas Southworth,	John Freeman,
Assistants, &c.	

WHERAS William Nicarson, Robert Eldred, and Nath Couell, of Manamoiett, were bound to appeer att the Court holden heer for his maties the first Tusday in June last, to make answare to a writing exhibited to the Honno^{ble} Collonell Richard Nicolls, bearing date Aprill the second, 1666, wherein are contained many pticulars greatly scandulous to his maties Court of this jurisdiction of New Plymouth, in which Court the grand enquest were detained in order to the issuing of the case vntill the said Nicarson seemed to fall in the case, and seemed willing to apply himself to take notice of his abuses therein offered, and to giue satisfaction for the same; which that hee might the better doe, the Court graunted him a copy of his aforesaid declaration in writing, vpon his engagement to giue timely knowlidge vnto M^r Hinckley or some of the majestrates there what hee would doe therein, and soe this Court might be in a reddines to proceed to an issue of the case; but hee failing to make timely returne about the promises, and not applying himself to giue any reasonable satisfaction to answare vnto this complaint, and foras-

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much alsoe as wee haue in this interem of time received another letter of his to Collonell Nicolls, dated February, 66, wherby it appeereth hee still goes on to abuse them as formerly, vpon the considerations aboue mensioned, this Court haue seen cause to bind ouer the abouesaid Nicarson, Eldred, and Couell vnto the next Court, to bee holden heer on the last Tusday in October next, to answare for the abouesaid scandulouse papers.

Mr Hinckly and Mr Bacon were ordered by the Court to make dilligent enquiry concerning the liquors brought into the towne of Sandwich.

Daniell Smith is alowed by the Court to keep an ordinary in the towne of Rehoboth for the entertainment of strangers, incase Goodwife Abell lay it downe; and hee is likewise authorised to looke after the excise in that towne, and to draw and sell liquors there.

It is ordered by the Court, that the first pte of the rates to be directed to the Treasurer be brought in by the first of October next.

[By a mistake of Secretary Morton, no pages were numbered *154-157.]

[*158.]

*Att this Court, Nicholas Nicarson was detected before the Court by two witnesses for speakeing of some approbrious speeches against Mr Thomas Thornton, in saying that the said Mr Thornton said, that if a man haue not of his owne to pay towards the minnesters maintainance, hee must borrow it of his naighbour; the said Nicarson alsoe affeirmed, that a certaine sermon the said Mr Thornton taught was halfe of it lyes; hee, the said Nicarson, acknowledging before the Court that hee hath done him wronge in soe saying, and engaging that hee would publickly acknowledge his fault therin, likewise att a convenient time att the meeting house att Yarmouth, and promising reformation in that behalfe, was released, and this fault passed by.

In reference vnto the complaint of John Barnes against Thomas Dotey, for detaining of fourscore and ten pounds of marchantable tobacco, and a debt of seauen shillinges due for goods, as the said Barnes saith, the Court doe award the said Thomas Dotey to pay or cause to be payed vnto the said John Barnes or his order one hundred pounds of marchantable tobacco within one month after the date heerof; and in reference vnto the seuen shillinges nominated, that incase John Holmes should come in and testify vpon his oath that hee hath payed fine shillinges vnto the said Barnes in the behalfe of the said Dotey, that then the said Barnes should rest satisfied; which accordingly the said Holmes did before the Court broke vp, and soe the case was finally determined.

Arther Howland, Jun^r, did sollemly and seriously engage before this

Court, that hee will wholly desist and neuer apply himselfe for the future, as formerly hee hath done, to Mistris Elizabeth Prence in reference vnto marriage.

The Court haue allowed the summe of ten pounds towards the building of a bridge ouer Taunton Riuer.

The Court haue allowed the summe of twenty two pounds, with that which is already expended, towards the building of a bridge ouer the Eelriuer, in the place wher it now is; and in case it be not accepted, that it be signified to the next October Court, that soe the Court may order a way and bridge elsewhere.

The Court doth pmitt the towne of Sandwich, in regard of their scarcitie of men fit for publicke employment, to send but one deputie to the Generall Courts.

*The Court haue granted vnto Esra Perrey twenty acres of land, to be aded to his thirty acres formerly granted, being in the purchase of M^r Edmond Freeman, Jun^r, and not suitable for any one besides, being ther is noe meddow belonging to it.

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[*159.]

One hundred acres of land is granted vnto Henery Wood vpon Namasakett Riuer or elsewhere, if it may be found, haueing a great posteritie to succeed him.

Thirty or forty acres of land is granted vnto M^r Wilłam Collyare, with some meddow to it, for his grand child, if it may be had, viz^t, that grand child whoe is now seruicable vnto him.

The Court haue granted vnto Wilłam Paybody the remainder of that land hee payed for, being a p̄sell of poor, silly, barren land.

The Court doe admitt of Richard Church to come with the ancient ser-vants for a share of land att Saconett.

The Court haue granted vnto Hugh Cole respecting his fathers graunt, being an ancient freeman, and his owne graunt, sixscore acres of land betwixt Mattapoisett Riuer and the easter bound of Acushenah.

The Court haue granted vnto Sarah, the wife of Thomas Haward, Jun^r, sixty acres of land lying betwixt the line of the collonics and the bounds of Bridgwater.

The Court haue granted vnto John Mecoy twenty six acres of land and ten acres of meddow, which was giuen him by the sachem of Sautuckett, lying vpon the south sea.

The Court haue granted vnto Thomas Tupper, Sen^r, in reference vnto a former graunt giuen him, that if hee can find the land, that hee shall haue sixscore acres.

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Liberty is graunted vnto Joseph and Barnabas Laythorp to looke out for land for their supply.

The Court haue graunted vnto Ensigne Marke Eames and Isacke Chetenden that they may haue their portions of land formerly graunted them in some other place, forasmuch as the place formerly graunted them was not sufficient to accomodate them.

Libertie is graunted vnto Daniell Cole to looke out a p̄sell of land to accomodate him and his children, and to purchase it by order from the Court.

[*160.]

*The Court haue graunted vnto Wilłam Barstow, that hee shall haue a p̄sell of land ordered and layed out vnto him l̄ying to the westwards of Cornett Studsons graunt, in reference to satisfaction for his paines, &c, in the country busines, to be soe ordered and layed forth by the major and the Treasurer; and if that they shall judḡ it more then his said paines deserues, that hee shall pay for the rest.

The Court haue graunted vnto some ancient freemen liuing in Taunton, viz^d, Richard Williams, Walter Dean, Gorge Hall, Allis Dean, the wife of John Deane, deceased, M^r John Poole, Peter Pitts, James Walker, and Henery Andrewes, that they shall haue some supplies of land vpon the west syde of Taunton Riuer, if not already graunted to any other; or some other place, if it may be obtained.

The Court haue ordered, that Captaine Bradford and the Treasurer shall view the land desired by Bridgwater in reference to their enlargment, according to their petition preferred to the Court July the fift, 1667, and to make report therof to the Court, that soe the Court may determine therein as they shall see cause.

The Court haue graunted vnto Robert Finney one hundred acres of land where M^r Alden and Captaine Southworth hath land att Namassakett Riuer, if it may be had there; if not, then to haue such a portion with Hugh Cole, neare Acushenett.

Libertie is graunted vnto Henery Sampson to looke out land to accomodate his children.

Likewise, libertie is graunted vnto Wilłam Clarke, Joseph Burge, of Sandwich, Thomas Huckens, John Tompson, Edward Dotey, and his brother John Dotey, and James Cole, Jun^r, to looke out for some supplies of land, if it may be had for their accomodation.

Wheras M^r Thomas Hinckley and M^r Nathaniel Bacon hath had a former graunte of meddow, which att the p̄sent can not be purchased, and that forasmuch as that there is land and meddow in that tract purchased by Wilłam Bassett betwixt Wakoiett and Saconeesett bounds, the Court haue graunted a

portion of vpland and meddow within the aforsaid purchase, if the land may be had, the which quantitie is to be forty acres to a pson with meddow, according to their former graunt.

*In reference vnto two neckes of land purchased by Mr Thomas Dexter, Juni^r, —

The Court haue graunted vnto the said Thomas Dexter one hundred acres of the vpland therof, and haue ordered, that the remainder therof shalbe settled, and doe graunt that it shall appertaine to the minncsters house at Sandwich.

The Court haue graunted vnto Richard Bourne, of Sandwich, a smale skirt of sedge, with some smale tract of vpland to it, to be viewed by Wiltam Paybody; and incase it be not found prejudiciall to Mr Standishes land, that it be settled and confeirmed to him.

The Court haue graunted vnto John Rogers, Seni^r, of Duxburrow, one hundred acres of land lying vpon Coteticutt Riuer, being alreddy purchased, if it may be had; if not, that hee hath libertie to looke out elsewhere.

The Court haue graunted libertie vnto Wiltam Browne, of Sandwich, that Richard Bourne may purchase a smale psell of land for him of Nonquitnumacke, if it may be had; if not, that then hee may haue libertie to looke out elsewhere for the quantitie of about forty acres of vpland and six acres of meddow.

The Court haue ordered, that the land graunted before mensioned shalbe purchased betwixt this date and the next Election Court, or otherwise to be suspended and rest vnurchased for the tearme of seauen yeares after.

Libertie is graunted vnto Joseph Burge, of Sandwich, Wiltam Clarke, Thomas Huckens, John Tompson, Edward Dotey, and his brother John Dotey, and James Cole, Juni^r, to looke out for some supplies of land, if it be to be had.

Joseph Bartlett is allowed the sume of seauen pounds towards the repairing of his damage in the losse of his horse in the countreyes service.

The generall training is appointed to be this yeare att Taunton on Wedensday in the second weeke of October next.

The Court haue graunted vnto Mr Thomas Dexter, Juni^r, one hundred acres of vpland, where hee shall make choise of it vpon either of those neckes of land by him purchased; and incase the necke that hee shall pitch vpon doe nott containe soe much, hee shall take the remainder att the end of the other necke that is next adjoyning and all the meddowes by him purchased.

And they haue alsoe graunted the rescdew of those lands by him there

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GOU^r.

[*161.]

This is other-
wise ordered:
see att the foot
of this page.

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[*162.]

purchased vnto the towne of Sandwich, for the vse of the minnistry of that place, they paying their proportion toward the purchase of the said land.

*Samuell Fuller, the son of Samuell Fuller, Seni^r, of Barnstable, for selling liquors to the Indians, is fined twenty shillings.

This to be payed

to M^r Hinckley.

Richard Dwelley, being convicted of drunkenes the second time, is fined ten shillings.

In reference vnto Sarah, the daughter of John Smith, of Barnstable, her comitting of fornication, although the sume of ten pounds fine might be required for her said default, yett on some considerations the Court haue remited the one halfe therof, and doe require the sume of five pounds.

Elizabeth Soule, for comitting fornication the second time, was centanced to suffer corporall punishment by being whipt att the post, which accordingly was executed and pformed.

Dinah Siluester, for comitting fornication, fined ten pounds.

Joseph Hallott & his wife, for comitting carnall copulation before marriage and before contract, fined 10^{li} : 00 : 00.

[*163.]

*M^r Myles and M^r Browne, for their breach of order in seting vp of a publicke meeting without the knowlidge and approbation of the Court, to the disturbance of the peace of the place, are fined, each of them, the sume of five pounds, and M^r Tanner the sume of twenty shillings.

And wee judge, that their continuance att Rehoboth, being very prejudiciall to the peace of that church and that towne, may not be allowed, and doe therefore order all psons concerned therein wholly to desist from the said meeting in that place or township within this month; yett in case they shall remove their meeting vnto some other place, where they may not prejudice any other church, and shall giue vs any reasonable satisfaction respecting their principles, wee know not but they may be pmitted by this goũment soe to doe.

Memorandum. Whereas there hath bine a controuersy of many yeares standing in this Court concerning a psell of land about Mannamoiett, pretended to be purchased by Wiltam Nicarson, Seni^r, of Mattaquason, and John Quason, Indians, which said Nicarson was soĩtimes of Yarmouth, —

This is to be minded as a reall truth, that in all this time the said Wiltam Nicarson was neuer able to produce any deed or legall euidence of any such purchase, although hee hath bine seuerall times vrged thervnto in open Court, that soe the truth and certainty of his claime might appeer, whether for yeares, or tearme of life, or for inheritance.

All that hath appeered in Court is, that there hath bine diuers goods giuen by the said Nicarson, and reconed by the Indians by way of bargaine for some land, but neuer agreed how much or vpon what tearmes; Nicarson

boldly affirming, and the Indians as peremptorily denying, and soe it remaines att this present; therefore it doth easely appeer how much the countrey was abased by him that hath noe legall right to any lands there.

And it is further ordered by this Court, that since soe much trouble and contest hath arisen heerabouts, and complaints from the Indians alsoe, that from henceforth the Indians be required not to make any further bargaine or contract with the said Nicarson about the said lands, except in the hearing or presence of such as the Court shall appoint for such an end.

John Cooke, of Dartmouth, is authorised by the Court to make contracts of marriage in the towne of Dartmouth, and likewise to adminnester an oath to giue euidence to the grand enquest, and likewise to adminnester an oath to any witnesses for the tryall of a case as ocaation may require; and in case any pson or psons resideing in this jurisdiction shall haue ocaation to comēce a suite against any stranger or forraigner, it shalbe lawfull for the said John Cooke to issue out warrants in his ma^{ties} name to bind ouer any pson or psons to answare the said suite att his ma^{ties} Court to be holden att Plymouth att any time by attachment or summons as ocaation may require, and that hee shall giue forth suppenaes to warne wittnes.

*Vpon a motion of marriage betwixt John Phillips, of Marshfeild, and Faith Dotey, of Plymouth, in the jurisdiction of Plymouth, in New England, in America, these p̄ticulars were joyntly concluded of by the abouesaid p̄ties, as followeth:—

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Imprimis. That the children of both the said p̄ties shall remaine att the free and proper and onely dispose of their owne naturall parents, as they shall see good to dispose of them.

Secondly. That the said Faith Dotey is to enjoy all her house and land, goods and cattles, that shee is now possessed of, to her owne proper vse, to dispose of them att her owne free will from time to time, and att any time, as shee shall see cause.

Thirdly. That in case by death God should remoue the said John Phillips before her, that shee come to be left a widdow, that then shee shall haue and enjoy one third p̄te, or one p̄te of three, of all his estate that hee dieth possessed of for her liuelyhood during her life,—that is to say, one third of all his estate, either house, lands, or any other his reall estate,—and att the end of her life, then it shall returne to the heires of the said John Phillips, excepting her wearing apparrell and her bed and bedding, and such furniture as belonges thervnto, which shee shall and may giue att her death to whom shee pleaseth, all the rest of the thirds to returne to the heires of the said

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2 July.
PRENCE,
Gov^r.

1667.

2 July.
PRENCE,
Gov^r.

In witness wherof the said John Phillips and Faith Dotey have mutually and joyntly sett heervnto their hands, this twenty third of February, anno 1666.

The marke of  JOHN PHILLIPES.
The marke  of FAITH DOTEY.

In the presence of
Thomas Southworth,
Desire Dotey.

[*165.]

*May the 20th, 1667.

Then received of John Allin, John Peeke, and John Woodcocke the full and whole sume of twenty pounds, which was of the goods of Richard Ormsbey, deceased, which the Court granted vnto John Godfrey, which is to be in full satisfaction vnto the said Godfrey for all former debts, dues, and demands from the said estate by the said Godfrey or any vnder him from the beginning of the world to this day; I, the said Godfrey, doe heerby discharge and acquitt Richard Ormsbey, his heires, exequitors, adminnestrators, or either of them; alsoe, I, John Godfrey, doe discharge and acquitt John Allin, John Peeke, and John Woodcocke, which was appointed by the Court to adminnester vpon the estate of Richard Ormsbey; and I doe heerby engage, that I, neither any vnder mee, shall neuer trouble nor molest the said Allin, Peeke, or Woodcocke, or any of them; whervnto I haue sett my hand and seale, the 20th day of May, 1667.

The marke  of JOHN GODFREY, and a



Signed, sealed, and deliuered in the presence of vs,
John Cobleigh,
Thomas Wood,
Gedion Allin.

[*166.]

*July the 2^{cond}, 1667.

The first session of this Court, June the 4th, 1667, Phillip, the sachem of Pocanckett, being ordered therunto by Major Winslow and Captaine Southworth, made his psonall appeerance.

The cause was this: the Gov^r being informed by post letters from Rehoboth that the said Phillip, though in confederation with vs, had expressed himselfe in the presence of severall of his men, importing his reddines to comply with French or Duch against the English, and soe not onely to recouer their lands sold to the English, but inrich themselues with their goods; vpon which intelligence Major Winslow, Captaine Southworth, the Treasurer

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2 July.
PRENCE,
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Southworth, and others, with a pty of horse, were speedily dispatched to Rehoboth to enquire of the truth of that report; who, coming thither, found the Indian, the first reporter of it, to be one of Phillip the said sachems men, whoe freely and boldly did avouch it to his face, and soe to p̄ticularise time, place, and severall psons, which, with diuers other cercomstances from other Indians and English, made the matter appeer very probably true, att least, as to some agitation; but the said sachem, Phillip, stify denyed it, and said that Ninnegrett, a Narragansett sachem, had hyered this Indian to accuse him to vs, and doubted not but in time soe to make it to appeer, yett withall confessed the English had just cause to doe as they did vpon such a report, and for his fidelitie to the English was willing to surrender vp his armes to custody of the English, which was accepted, and hee ordered to appeer att June Court, if happily hee might cleare himselfe of this charge.

Att this Court, therefore, appeering as formerly, professing his loue and faithfulness to the English, and that it was a meer plott of Ninnegrett, the Narragansett sachem aforesaid, his professed enimie, that had hiered this Indian to raise such a report of him, to breake that longe continewed loue and amitie between the English of N. Plymouth and him, by whom hee and his brother and father had bine vpheld, and to that end p̄sented a letter from another Indian sachem of Narragansett speaking much to the same purpose; but the Court, suspecting that it might bee but some faigned, as indeed it did appeer afterwards, resolued to send Leiftenant Hunt and Ensigne Smith, of Rehoboth, vnto Warwicke, with some of Phillips men, and to haue the said Narragansett sachem examined before a majestrate of that jurisdiction, to heare what the said sachem could testify in the case, whoe vtterly disclaimed that hee had or could say any such thinge concerning Ninnegrett, as was signified to the Court vnder the hand of M^r Smith, a majestrate att Warwicke, and the same affirmed by Leiftenant Hunt and Ensigne Smith, soe that Phillip was left to find other proffe; as alsoe a letter att the same time from M^r Roger Williams asserted to the like purpose, onely that hee rendered the Indian that accused Phillip to haue bine a very vile fellow formerly. The said sachem, Phillip, still protested his inosency and faithfulness to the English, by whom himselfe and progenitors had bine preserued from being rewined by the Narragansetts, those potent enimies, pleading how erationall a thing it was that hee should desert his long experienced frinds, the English, and comply with the French or Duch, whoe had the last yeare kiled and carryed eighteen psons, both men and weomen, of his from Martins Viniyard, affirming still that it was a plott of Ninnegreets, thõ hee was not att p̄sent able to make it out, expressing his *great confidence that hee had in that ancient league

[*167.]

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2 July.
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with the English, which hee hoped they would still continew, professing that their withdrawing of their wonted fauor was little lesse then a death to him, glading his enimies, greiueing and weakening his frinds, and soe left himselfe and case to the Court; who taking it into serious consideration, not willing to desert him and lett him sincke, though there was great probabilitie that his tongue had bine ruining out, yett not haueing such due proffe as was meet, judged it better to keep a watchfull eye ouer him, and still to continew tearmes of loue and amitie with him, vnlesse soemthing further did manifestly appeer, and hee to beare pte of the charge, and soe haueing twenty dayes giuen him to appeer att Plymouth to make a finall issue; att which day appointed hee and his principall men appeered, where, after much debate with the Goff, Major Winslow, Captaine Southworth, and the Treasurer, came to this issue:—

1. That if noe further matter did appeer against him, wee should looke att him and carry towards him as formerly.

2. And that hee should beare forty pound of the charge of the expedition, and the country the rest.

3. And that incase any such occasion should be for the future, except apparently dangerous, wee would send to him by letter or messenger; vpon notice by either, hee engaged speedily to come.

4. That incase hee can yett make it out that this late report is indeed a meer plott betwen Ninnegrett and the Indian, wee will giue him the best aduise wee can that hee may haue soem due reparation.

5. Haueing giuen bills for the payment of the forty pounds aforesaid, his armes both att Plymouth and Rehoboth were all ordered to be deliuered againe vnto him and to his men; which was thankfully accepted, and soe the case att p̄sent issued.

**.At the Court held at Plymouth, for the Jurisdiction of N. Plymouth, the thirtieth of October, 1667.*

1667.

30 October.

[PRENCE,
GOVERNOR.]

[* 168.]

BEFORE Thomas Prence, Gour,
John Alden,
Josias Winslow,
Thomas Southworth,

William Bradford,
Thomas Hinckley,
John Freeman, and
Nathaneell Bacon,

Assistants, &c.

WHERAS the Court haue formerly determined, that John Williams, Junr, of Scittuate, shall allow vnto Elizabeth, his wife, the sume of ten pounds p yeare for her maintainance vntill, by their mutuall agreement or the Courts appointment, they shall come to liue together againe, this Court doth further order, that the said Williams shall yearly renew bonds for the current discharge and payment therof.

Att this Court, three Indians, namely, Simon, Monchase, and Assoot, for goeing on board the boate of Simon Steuens at Cape Cod and takeing away a caske of liquor, and haueing a hand in the imbezeling and spending therof, were centanced by the Court to be whipt att the post att Plymouth, which accordingly was pformed; likewise, other six Indians, viz, Lawrance, Quequequancett, James, Moses, and Wamant, and Monchasacke, for their being ptenors with the other in the imbezeling away of the said liquor, were centanced and stand bound vnto the Court to pay the sume of ten pounds, to be deliuered to Leiftenant Freeman att his house att Eastham in Indian corne, or porke, or feathers, for the collonies vse, betwixt the date heerof and the first day of May next ensuing.

Att the request of the towne of Yarmouth, the Court haue appointed Andrew Hallett, Thomas Howes, and John Thacher to be aded vnto the comitttees of Yarmouth for the desposing of lands in that township, and to acte in all such like cases as formerly the said comitttee hath done.

The Court doe approue of and appoint John Miller to keep an ordinary att Yarmouth.

The Court doe appoint Captaine Southworth to purchase the land of the Indians which is desired by Henery Wood, according to a former graunt.

Wheras the Court is informed that there is a mare, and a coult, and a gun, and a little linnine cloth, and a sow, and three piggs in the costody of John Allin, John Woodcocke, and John Pecke, adminnistrators of the estate of Richard Ormsbey, deceased, the Court haue ordered the said p̄ticulars to be deliuered to the two youngest sons of the said Ormsbey.

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30 October.
PRENCE,
Gov^r.

James Doughtey, for his eregular carriage in indeauoring to release Thomas Sumers, a prisoner orderly comitted, is fined the sume of forty shillings to the collonies vse.

Abraham Sutliffe, for expressing of vngodly and atheisticall speeches in his drunkenes, is fined the sume of four pounds, and for his being drunke is fined fise shillings, to the collonies vse.

Wilkam Nicarson appeered att this Court to answare for his exhibiting of a writing to the Hono^{ble} Collonell Richard Nicolls, bearing date Aprill the 2^{cond}, 1666, and alsoe another writing bearing date the 23 of February, 1666, the former wherof consented vnto by Robert Eldred and Nathaniel Couell, sons in law to the said William Nicarson, in which said writings are contained many p̄ticulars greatly scandulous to his ma^{ties} Court of this jurisdiction of New Plymouth and the body of the freemen therof, in which respect they might justly haue bin amereed in a great sume to haue payed by way of fine; notwithstanding, the Court, obseruing that they did in soñ sort take to and acknowledg their fault therin, and alsoe in reference vnto the request of the said Collonell Nicolls in their behalfe, haue fined the said Nicarson the sume of ten pounds, and the said Eldred and Couell, each of them, fise pounds.

The sume of fifty shillings is ordered by the Court to be payed vnto Samuell Jackson by Hugh Cole, for the takeing vp of his boate, which went on drift.

Lres of adminnestration was graunted by the Court vnto John Thacher to adminnester on the estate of M^r Anthony Thacher, deceased.

Likewise, letters of adminnestration were graunted vnto Sarah, the wife of Nathaniel Warren, deceased, to adminnester on his estate.

[*169.]

*Att this Court, John Artler, of Road Iland, appeered to make complaint of seuerall Indians for abusing of him by dispossesing him of his house and otherwise att Pocasseeset, neare Road Iland ferry; vnto which the Court answered, that incase hee would nominate the said Indians, and be reddey to make out against them the said charges, they would warne them in to make answare thervnto.

Thomas Delanoy, for haueing carnall coppulation with his now wife before marriage, fined the sume of ten pounds.

In reference vnto a controuersy between the English and the Indians about ruñing the line of the bounds of Dartmouth, the Court haue ordered, that incase Robert Hazard, of Rhode Iland, may be procured, that hee run the line, with the inspection of such as shalbe approued both by the English of the said towne and the Indians; but incase hee can not be procured, that John Cobb, of Taunton, shall run the said line; and that this shalbe a finall

end of this controuersy, and that the charge of the busines shalbe bourne by the said towne.

*Wheras libertie hath bine formerly graunted by the Court for the jurisdiction of N. Plymouth vnto Captaine Thomas Willett and his naighbours att Wannamoisett, to become a township there if they should see good; and that lately the said Cap^t Willett and M^r Myles, and others their naighbours, haue requested of the Court that they may become a township there or neare therunto, and likewise to haue graunted vnto them such psells of land as might be accomodate therunto not disposed of to other townships, this Court haue graunted vnto them all such lands that lyeth between the saltwater bay and coming vp Taunton Riuer, viz^z: all the land between the said salt water and riuer and the bounds of Taunton and Rehoboth, not prejudicing any mans p^ticular interest; and forasmuch as Rehoboth hath meddow lands within the line of Wannamoisett, and Wannamoisett hath lands within the line of Rehoboth lying neare the south line of Rehoboth, if the two townships cannot agree about them amongst themselues, the Court reserues it within their power to determine any such controuersy.

The Court haue ordered and authorised M^r Thomas Kinge, of Scituate, to adminnester an oath to such witnesses as shalbe disabled through weaknes to appeer att the Court to giue euidence or testimony to any case, and likewise to graunt subpenaes for the warning of witnesses to giue testimony to any case or tryall, and likewise to swear witnesses to giue euidence to the grand jury-men within the towne of Scituate as occasion may require.

Septem̄ 20, 1667.

Wee, whose names are vnderwritten, being warned to bee vpon a corroners enquest vpon the death of a child of Daniell Dones, whoe was drowned in a well, wee doe all of vs judge that the child was accedentially drowned.

JOSEPH ROGERS,
EDWARD BANGES,
DANIEL COLE,
WILLAM MERRICKE,
RICHARD KNOWLES,
ROBERT VIXON,
THOMAS WILLIAMS,
BENAJAH DUNHAN,
BENJAMINE HIGGENS,
JONATHAN SPARROW,
JOHN MAYO,
JOHN ROGERS.

1667.

30 October.
PRENCE,
GOU^r.

[*170.]

1667.

30 October.

PRENCE,
Gov^r.

[*171.]

The verdict abouesaid was attested by the psons next aboue written before mee.

JOHN FREEMAN, Assistant.

*Yarmouth.

In the yeare 67, vpon the 14th day of October, wee, whose names are heervnder written, being warned by authoritie to view the corpes lately deceased, viz^d, the child of Nicholas Nicarson, haue found in the windpipe of the child a peece of a pumpian shell; the which wee, being all and euery one of vs agreed, doe judge that it was the cause of its death.

WILEAM LUMPKIN,
JOHN HALL,
WILLAM ALDREDGE,
THOMAS GAGE,
JOHN BURGE,
JOHN CROW,
PAULE SAERS,
JOHN HALL,
ZACARIAH PADUCKE,
JOSEPH HALL,
NATHANIELL HALL,
JOHN ELDREDGE.

18 Nouember.

Nouember the 18th, 1667.

Timothy Poole, son of Captaine Willam Poole, being about twenty five yeares old, on the 15th day of Nouember, 1667, in the morning, went from the house of James Bell, pretending to goe to kill some fowle, to a smale pond about halfe a mile from the house of James Bell; Hester, the wife of James Bell, reported that Timothy Poole told her that hee had killed some fowle, and that hee had some expectation to kill some more; but returning not that day, James Bell, comeing home to his house that day, made some serch in the woods for him, but not finding him, came to the towne to haue some others to goe to seeke him, with whom there were Henery Andrewes, John Hall, Jehud Talbut, Samuell Hall, Nathaniel Williams, Joseph Williams, and some others, which after some serch made by these by the syde of a smale pond, thē found on the snow his tract, and by that came where they found his gun and most of his clothes, and from thence saw where the yice had bine formerly broken into the pond; and after that, when they had feched a cannoe, and after some time of dilligent serch, Henery Andrewes discouered him att

the bottome of the pond, about twelue foot deep in the water; which when they had gotten vp, they brought to the shore, and finding noe hurt on him any otherwise but that hee perished in and by the water and the extremity of cold; and this the verdict of the jury which was warned by the constable, which are these vnderwritten by vs.

1667.

30 October
PRENCE,
Gou^r.

GORG: HALL,
GORG: MACEY,
NICHOLAS WHITE,
JOHN COBB,
JOSEPH WILBORE,
PETER PITTS,
WILLIAM HAILSTONE,
THOMAS CASWELL,
JOHN DEANE,
RICHARD BRIGGS,
JONAH AUSTIN, Juni^r,
WILLAM HARVEY.

February 3th, 1667.

1667-8.

3 February.

The majestrates, being mett together on speciall occations, did then order, that Major Winslow and Cornett Studson, or either of them, in the behalfe of the countrey, to purchase a certaine tract of land, in the which the cornetts purchase is included.

In reference vnto a graunt of land graunted vnto Josias Keine, the Court haue ordered Cornett Studson to laye it forth for him according to the graunt, on the southerly syde of the land graunted to the children of Leiftenant Torrey.

The majestrates haue agreed, that in respect vnto a graunt of land made vnto Francis Combe, that all the land that lyeth betwixt that little brooke that is next to the majors land att Namassakett, vpon the riuer, containing the feild comonly called the Blacke Sachems Feild, and soe vnto a springey swamp about fifty or sixty rod on the southerly syde, and soe from the said swamp to a swamp where there is a little hole of meddow, it being alsoe included; and from thence as shalbe judged meet by the Gou^r shalbe settled vpon him, the said Francis Combe.

*These are to declare vnto all whom it may concerne, that M^r John Winge, master of the ship called the Hopewell, and John Irons, and Hercules Toute, seamen appertaining to the said shipp, ariueing att the harbor of Plymouth, in New England, on Thursday, the sixt of this instant February,

6 February.

[* 172.]

1667-8. 1667, repaired vnto mee, Nathaniel Morton, Secretary to the Court for the jurisdiction of Plymouth aforesaid, on the seauenth of the said month of February, and protested against the said shipp as insufficient for the sea, forasmuch as that they, seting sayle in her from Boston, in New England, on the fift of the month of February fornamed, being in companie with other shippes, by that time they had sayled about six or seauen leagues from Nantaskett, they found, that in a moderate gale of wind, and carrying but little sayle, they were in danger seuerall times to haue bine ouerset, and tooke in diuers tuns of water vpon her decke, and that shee had a leake sprunge vpon her, wherupon they were constrained to make to the first harbour they could, and by Gods prouidence came in att Plymouth aforesaid on the seauenth of this instant forenamed; and desired that their said protest against the said shipp might be entered on the recordes of this Court; which accordingly by these p̄sents is done, and a transcript heerof deliuered the same day vnto the said m^r and seamen abouenamed, vnder the hand of the Secretary aboue mentioned.

28 February.

The bounds of Francis Combe his land, layed out by the Go^d: his west-erly bounds vpon Namassakett Riuer, his southsyde from the riuer bounded by a great beach tree in two p̄tes on one roote, from thence to a little red oake marked, and from thence vp into the woods a direct line to the southermost syde of a little spott of meddow to a marked white oake tree; on the easterly syde of the said spott of meddow, all that meddow spott to be included within his line, and from the said oake to a marked pyne tree, and from thence through a swamp to a marked white oake standing on the north syde of the path that bounds that land called the Majors Purchase; and that southermost path that comes from Namassakett to Lakenham is his syde bounds till it comes to a ridgg of hills that runs downe to Namassakett Riuer, which is the bounds betwē that land giuen to the major and the new lands of Francis Combe, his lands vpon the riuer being about sixty rodd breadth, be it more or lesse, that p̄te being called the Black Sachems feild, buting vpon the riuer against the stone ware; and all the rest of the land expressed within the bounds aboue mentioned, be it more or lesse, layed out to him on the 24th of February, 1667.

As attesteth THOMAS SOUTHWORTH, Assistant.

Plymouth, the 28th of February, 1667.

**Att the Court of his Ma^{tie} held att Plymouth for the Jurisdiction of New Plymouth, the fift Day of March, Anno Doñi 1667.* 1667-8.

BEFORE Thomas Prence, Gov ^r ,	William Bradford,
John Alden,	Thomas Hinckley,
Josias Winslow,	John Freeman, and
Thomas Southworth,	Nathaniel Bacon,
Assistants, &c.	

5 March.
PRENCE,
Gov^r.
[*173.]

THE Court haue ordered, that M^r Alden, Captaine Southworth, and the Treasurer shall, on the second day of May next ensueing the date heerof, repaire to Marshfeild, and take notice of the bounds of some land in controuersye, and the differences therabout between Captaine Thomas and the towne of Marshfeild, and to make report therof to the next Court.

Leiftenant Morton and Gorge Bonum are appointed by the Court to range the land of Edward Gray att Rockey Nooke, and also to lay out a highway by it, which land is to be ranged and to run on the same point of the compas as M^r Howlands att Rockey Nooke next vnto John Cookes doth, that is to say, on a west southwest line.

Leiftenant Morton and seuerall others of the naighbours liewing towards the Eelriuer gaue in att this Court an account of a late amesurment and ranging of their lands, viz^s, their twenty acre lotts, with their additions or enlargments; that is to say, of their said twenty acre lotts, from the widdow Churchills bounds on the northeren syde to William Clarkes southerly bounds or line, and respecting the said aditions from Nathaniel Mortons northerly syde or line to William Clarkes southerly line of his addition, or the southermost bound of the vper end of his land att the Eelriuer; and the Court ordered, that the said ranges and bounds should be recorded, and are extant elswher in the records of the Court, and to be feirme and settled for the future, and not to be altered.

See Booke of Euidences of Land recorded, folio 133.

‡The great booke of orders and passages of the court, folio 133.‡

It is ordered by the Court, that wheras a certaine Indian appertaining to our jurisdiction is now in hold att Boston for matter of fact, and that there is probabilitie of a tender of some land for his ransome from being sent to the Barbadoes, that incase the said land be tendered to acceptance, that it shalbe improved and expended for the defraying of the charge of the printing of the booke intituled New Englands Memoriall.

In reference vnto a claime made by Benjamine Bartlett vnto some land giuen by M^r Jonathan Brewster, deceased, vnto his wife, which is said to lye in Alkarmus Feild, the Court haue ordered, that incase hee can produce any

1667-8. testimony to manifest wher M^r William Brewsters land lyeth within the said feild, that then hee shall haue four acrees layed out vnto him by William Crow; and incase that afterwards hee can produce any other evidence that more is due vnto him there, that hee shall haue it layed out to him.

5 March.
PRENCE,
Gov^r.

Wheras there hath bine a controuersye between the towne of Duxburrow and Robert Barker about a p̄sell of meddow lying att Robinsons Creeke, in the township of Duxburrow, and that there was an order directed from the Court vnto the towne of Duxburrow, bearing date March the fift, 1666, in which said order is expressed, that incase the said towne of Duxburrow, or any of them, did not produce any thinge to the contrary betwixt that Court and the shutting up of the June Court following, that then, vpon such evidence as hee should produce, should haue the said meddow recorded vnto him; and that since that time, nothing hath appered to the Court to be a sufficient reason to obstruct the same; this Court doth therefore heerby ratify, confeirme, and settle vnto the said Robert Barker the said p̄sell of meddow, being nine acrees and an halfe, be it more or lesse, being bounded on the northerly syde with the meddow of Robert Sprout, and with the meddow of Gorge Russell on the southerly syde, and with the meddow of William Tubbs on the west-erly syde.

[*174.]

*Wheras, att the Court held att Plymouth the 2^{cond} of July, 1667, the said Court graunted vnto Richard Bourne, of Sandwich, a smale skirt of sedge or creeke stuffe, with some smale tract or p̄sell of vpland to it, lying neare M^r Josias Standishes land att Mannomet, which was to ^{be} viewed by William Paybody; and incase that it should not be found p̄judiciall to the aforesaid land of M^r Standishes, that it should be confeirmed to him, the said Richard Bourne.

Att this Court, the said William Paybody came into the Court, and certified the Court that hee hath viewed the said skirt of sedge or creeke stuffe, and findeth it not prejudiciall vnto the said land; and therefore the Court doth settle and confeirme vnto the said Richard Bourne the said smale p̄sell of vpland and creeke stuffe, and some smale inconsiderable p̄sells of meddow heer and ther amongst it, to him and his heires and assignes for ener, hee satisfying the right Indian propriators for the same.

In answare vnto a petition prefered to the Court by John Jacob, of Hingham, and others the p̄tenors in the land graunted to M^r Hatherly att Accord Pond, that forasmuch as some of the p̄tenors, whoe haue but smale portions in the said lands, are not willing to consent vnto such good orders as the generallitie of them doe agree vpon in reference to the said land, incase that such p̄sent decenting p̄tenors doe not concurr and come to an agreement

with the rest in reference vnto such orders betwixt this date and the next June Court, that then it shalbe att the libertie of the generallitie of them to make deuision of the said lands.

¶ Res of adminnestration were graunted vnto Mistris Elizabeth Thacher and vnto John Thacher to adminnester on the estate of M^r Anthony Thacher, deceased.

¶ Res of adminnestration were graunted vnto Mary, the wife of Anthony Dodson, to adminnester on the estate of John Williams, Seni^r, of Scittuate, deceased.

It being desired that a ferrey should be kept on our side to transport psons ouer to Road Iland, the Court hath appointed John Cooke and other the naighbours of Dartmouth to take order with one to doe the same ; and the Court likewise giues libertie, that hee whom they shall order to be employed therin to erect some smale building and to improue some land there, with the Indians pmission, for his more comfortable healp and carrying on whiles hee is in the said employment.

This Court doth alow and approue of M^r Nathaniell Bacon and Joseph Laythorpe to be gaurdians vnto Joseph Hull, the son of M^r Trustrum Hull, deceased.

Daniell Wilcockes tooke the oath of fidelitic this Court.

In reference vnto the complaint made against Ralph Smith, of Eastham, concerning oppression and hard dealing with a carpenter named Crispen Wadlen, whoe was one of Captaine Allins companie, which said Wadlen kept about three weekes att the said Smithes house, the Court haue ordered, that a certaine p̄sell of tooles which the said Smith had of the said carpenters shalbe deliuered vnto Nicholas Snow, to be sent to the said Wadlen ; and that the said Snowes receipt of them shalbe the said Smithes discharge ; and that a certaine p̄sell of cotten woole, which the said Smith had of the said Crispin Wadlen, shalbe by him, the said Smith, kept, if hee please, for full satisfaction for the time & charge hee was att when att his house as aforesaid.

And in reference vnto the complaint of Captaine Allen against the said Ralph Smith for like oppression or hard dealing, forasmuch as none appeared in the Court to be authorised to procequite against him in his behalfe, the Court doe leaue it to the said Captaine Allin further to proceed therin as hee shall see cause.

*The Court doe alow and approue that the township graunted vnto Captaine Willett and others, his naighbours, att Wannamoissett and places adjacent, shall hensforth be called and knowne by the name of Swansey.

The Court haue appointed Captaine Willett, M^r Paine, Seni^r, M^r Browne,

1667-8.

5 March.
PRENCE,
Gou^r.

[*175.]

1667-8. John Allin, and John Butterworth to haue the trust of admittance of towne inhabitants into the said towne, and to haue the disposall of lands therin, and ordering of other the affaires of the said towne.

5 March.
PRENCE,
Gov^r.

The Court haue graunted liberty vnto Captaine Willett to purchase what lands hee can in the behalfe of the Court within the township of Swansey soe as hee doe not to much straiten the Indians.

The Court haue declared, that soe farr as in them lyeth they are willing that for such stronge liquors as are or shalbe brought into the said towne by forraigners in the way of trad, it shalbe costum free soe as it be not retailed; and this libertie to continew for the tearme of seauen yeares from the date heerof.

It is further ordered by the Court, that the towne of Swansey shall send downe one to serue in the office of a constable for that constablericke, and one for a deputie, and a grandjury man, vnto the next June Court, to take office to serue in their respectiue places and offices for that towne.

Eastham, the 24th of the 10th month, 1667.

Wee, whose names are vnderwritten, being impannelled vpon a jury to make dilligent and carefull serch and enquiry, according to that measure of wisdome and discretion that God hath giuen vs, concerning the death of Robert Chapell, James Nicolls, and William Pidell, that were of the companie of Captaine John Allen, which by Gods prouidence was put on shore vpon Cape Codd, wee find, according to our best wisdome and deseretion, that the cause of Robert Chapells and James Nicolls was wett, extream cold, and some liquors which they dranke; these thinges working together vpon them wee judge to be the cause of their death; and concerning William Pidell, wee apprehend that former sicknes which we vnderstand was vpon him, and wett, and extream cold wee judge to be the cause of his death; heerin wee all agree. Witnes our hands,

Fines.

MARKE SNOW,
JOSEPH SNOW,
BENJAMINE HIGGENS,
DANIELL DONE,
JOHN COLE,
JOSHUA BANGES,
RICHARD HIGGENS,
THOMAS PAINE,
BENAJAH DUNHAM,
JOHN SMALLEY,
JOHN MAYO,
JONATHAN SPARROW.

*Wee, whose names are vnderwritten, being impanneled vpon a jury, 1667-8. this first day of January, 1667, to serch and inquire, according to that measure of wisdome and deseretion God hath giuen vs, concerning a child about fiue or six yeares old, which was kept by John Smalley, Seni^r, of Eastham, being found dead in the woods, about six or seauen miles from the house of John Smalley abouesaid, wee doe all judge, that it came by his death by straying away, lost its right path to gitt home againe, and was killed by the cold.

5 March.
PRENCE,
Gov^r.
[*176.]

BENJAMINE HIGGENS,
WILLIAM SUTTON,
SAMUELL DOTEN,
ELIAS WHITE,
EDMOND FOARD,
BENJAMINE SPILLER,
ROBERT WIXAM,
GYLES HOPKINS,
GORGE CRISPE,
WILLIAM TWINING,
RICHARD KNOWLES,
JOHN YOUNGE.

Samuel Smith tooke the oath of fidelitie the 25th of October, 1667.

In reference to the p^sentment of Joseph Turner, for his breach of the peace in strikeing Thomas Perrey, is fined 00 : 03 : 04.

The said Joseph Turner, for makeing and publishing a scurrilous and infamous writing, wherin is contained many laciuous and filthy verses, hee is centanced by the Court to be publickly whipt, or to pay a fine of fiue pounds ; and in reference to his frequency in speakeing falsely and scandulously of others as in that paper, and att other times, hee is centanced by the Court to find surties for his good behavior vntill the next June Court.

Joseph Turner acknowledgeth to owe vnto our soū	} 20 : 00 : 00
lord the Kinge the sume of	
Nathaniell Turner the sume of	10 : 00 : 00
Richard Dwelley the sume of	10 : 00 : 00

The condition, that if the said Joseph Turner be of good behavior Released. towards our soū lord the Kinge and all his leich people, and in speciall that hee beware of speaking scandulously and falsly of others, and appeer att the Court of his ma^{tie} to be holden att Plymouth the first Tusday in June next, and not depart the said Court without lycence ; that then, &c.

Joseph Bartlett, for breakeing the Kinges peace in strikeing of an Indian called Sampson, is centanced to pay a fine of 00 : 03 : 04.

1667-8.

5 March.
PRENCE,
Gou^r.

And for his abusing the said Indian therein, hee is ordered by the Court to pay to the said Indian a bushell of Indian corne.

In reference vnto a controuersy between Joseph Turner and Hester Wormall, concerning reports deuoulged by the said Turner against the said Hester Wormall, forasmuch as that notwithstanding such testimonies as haue bine produced on both sydes for the clearing of the case, it lyes dubiouse to the Court, it is for the p^rsent suspended vntill further complaint and euidence shalbe produced vnto the Court for the clearing vp therof.

[*177.]

The said Nathaniel Soule, requiring to be tryed by his peers according to law, was indited for the said fact, and vpon the reading of the inditment owned himselfe guilty therof.

*Att this Court, Nathaniel Soule, being summoned, appeared to answare for his abusing of M^r John Holmes, teacher of the church of Christ att Duxburrow, by many false, scandulous, and opprobriouse speeches, as appeared to the Court by many testimonies, for which hee was centanced by the Court to make a publicke acknowledg^ment therof att this p^rsent Court, and to find surties for his good behauior, and to be sett in the stockes duering the pleasure of the Court; att the earnest request of the said M^r Holmes, the latter p^rte of the centance was remitted; the two former p^rtes therof were p^rformed as followeth:—

These are to declare vnto all men, that wheras I, Nathaniel Soule, of Duxburrow, being p^resented before this honored Court now in being att Plymouth, and alsoe indited for wickedly speaking, and with an high hand contumeliously villifying and scandulising M^r John Holmes, minnester of the gospell att Duxburrow, the which accordingly as I did owne myselfe to be guilty of the abouesaid p^rticulares, wheras the said inditment was read in the Court, soe doe I now; and that this my wickednes in soe speaking of soe godly a man is greatly a^grauated in that it hath a tendency to the hinderence of the efficacye of that great and honorable worke of the preaching of the gospell vnto which hee is called; and soe, as it is rightly said in the aforesaid inditment, I haue dishonored God, and what in mee lyeth in the aforesaid respects hindered the good of the soules of his matⁱes good subjects, and therby haue not onely incurred the wrath and great displeasure of God, but alsoe doe deserue seuerer punishment from this honored Court to be inflicted on mee, and doe desire that noe other may be any way incurraged by my wicked example att any time to speake soe wickedly and abominably, and that this may be a warning to mee whiles I liue to take heed that I noe more soe falsely & wickedly speake as I haue done of the said reuerend man, nor of any other, being willing to submitt myselfe vnto the centance of the Court, as being justly inflicted on mee, and being farr lesse then my demeritts in reference to the p^rmisses; and that this my publicke acknowledg^ment may be

entered on the records of this honored Court, and for the truth of this my acknowledgment, I haue heervnto subscribed my hand in the p̄sence of this honored Court.

1667-8.
5 March.
PRENCE,
Gou^r.

NATHANIEL SOULE.

Nathaniel Soule acknowledgeth to owe vnto our soū }
 lord the Kinge the sūme of } 20 : 00 : 00
 Gorge Soule, Seni^r, the sūme of } 10 : 00 : 00
 John Soule the sūme of } 10 : 00 : 00

The condition, that if the said Nathaniel Soule be of good behauior towards our soū lord the King and all his leich people, and be carefull not to speake contumeliously or scandulously either of M^r John Holmes or any other, as hee hath done, and appeer att the Court of his ma^{tie} to be holden att Plymouth the first Tusday in June next, and not depart the said Court without lycence; that then, &c. Released of these bonds.

Francis, the sachem of Nausett, for his vnciuill and inhumaine words and carriages to Captaine Allin when hee was cast away on Cape Cod, was comitted to ward for a certaine time, and fined 10 : 00 : 00.

**Att the Generall Court of Election held att Plymouth the third Day of June, Anno Doñi 1668.* 1668.

3 June.
[*178.]

BEFORE Thomas Prence, Gou ^r ,	William Bradford,
John Aldin,	Thomas Hinckley,
Josias Winslow,	John Freeman, and
Thomas Southworth,	Nathaniel Bacon,
Assistants, &c.	

M^R THOMAS PRENCE was chosen Gou^r, and sworne.

M ^r John Alden, Major Josias Winslow, Cap ^t Thomas Southworth, Cap ^t William Bradford, M ^r Thomas Hinckley, M ^r John Freeman, and M ^r Nathaniel Bacon,	}	were chosen Assistants, and sworne.
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Major Josias Winslow and Captaine Thomas Southworth were chosen Comissioners.

3 June.
PRENCE,
Gov^r.

Mr Thomas Prence was the next in nomination.

Mr Constant Southworth was chosen Treasurer, and sworne.

The Names of the Deputies of the seuerall Townes.

Leiftenant Ephraim Morton,	John Chipman,
Samuell Dunham,	Anthony Snow,
Mr Constant Southworth,	Ensigne Eames,
Mr Josias Standish,	Leiftenant Peter Hunt,
Mr Thomas Kinge,	Ensigne Henery Smith,
Thomas Burgis,	Daniell Cole,
James Walker,	Jonathan Sparrow,
William Harvey,	John Willis,
Thomas Howes,	John Cooke,
John Thacher,	John Allin.
Leiftenant Laythorpe,	

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*The Names of the Grand Enquest.

Mr Wiltam Clarke,	Ensigne John Haward,
Mr James Browne,	Jeremiah Howes,
Mr Samuell Saberey,	Benjamin Nye,
Henery Wood,	Paule Saers,
John Otis,	John Wadsworth,
John Turner, Seni ^r ,	Arther Hathewey,
John Damman,	John Done, Juni ^r ,
Phillip Walker,	John Hall,
Jouathan Blisse,	Edward Bobbitt,
Nathaniel Thomas,	Jabez Lambert.
John Rogers,	

The Constables of the seuerall Townes in this Jurisdiction.

Plymouth,	John Wood.
Duxburrow,	Joseph Wadsworth.
Scittuate,	{ Mathew Gannett,
	{ Benjamine Studson.
Sandwich,	William Swift.

Taunton,	Samuell Smith.
Yarmouth,	Richard Tayler.
Barnstable,	Henry Bourne.
Marshfeild,	{ Clement Kinge, Samuell Sprague.
Rehoboth,	{ Robert Fuller, Gorge Kendricke.
Eastham,	Samuell Freeman.
Bridgewater,	Nicholas Byram.
Dartmouth,	John Briggs.
Swansey,	Nathaniel Pecke.

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PRENCE,
Gov^r.

Surveyors of the Highwaies.

Plymouth,	{ Gorę Bonum, Joseph Howland, Jonathan Morey.
Duxburrow,	{ Gorge Partrich, Henry Howland.
Scittuate,	{ Cornett Robert Studson, Serjeant William Tickner, William Peakes.
Sandwich,	{ Myls Blackwell, Edward Perrey.
Taunton,	{ Leiftenant Gorge Maceye, Peter Pitts.
Bridgewater,	^
Yarmouth,	{ Thomas Gage, Judah Thacher,
Barnstable,	{ John Crocker, Seni ^r , John Finney, Seni ^r .
Marshfeild,	{ Joseph Bedle, Resolved White.
Eastham,	{ Jonathan Banges, William Walker.
Rehoboth,	^
Dartmouth,	^
Swansey,	^

1668.

*The Celect Men of each Towne of this Jurisdiction.

3 June.
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GOU^r.
[*180.]

Plymouth,	{ Leiftenant Ephraim Morton, Serjeant William Harlow, William Crow.
Duxburrow,	{ William Paybody, Christopher Wadsworth, Benjamin Bartlett.
Scittuate,	{ M ^r Thomas Kinge, John Sutton, Isacke Bucke.
Sandwich,	{ Thomas Tupper, Seni ^r , James Skiffe, Seni ^r , Edmond Freeman, Juni ^r .
Taunton,	{ Gorge Hall, Richard Williams, Walter Deane, William Harvey, James Walker.
Yarmouth,	{ M ^r Edmond Hawes, James Mathewes, Thomas Howes, John Miller, John Thacher.
Barnstabł,	{ Thomas Huckens, William Crocker, John Tompson, John Chipman, Leiftenant Laythorpe.
Marshfeild,	{ Leiftenant Peregrine White, Ensigne Marke Eames, Anthony Snow.
Eastham,	{ Richard Higgens, Daniell Cole, Nicholas Snow.
Bridgwater,	{ John Willis, Nicholas Byram, John Carrey.

Jāedia Lumbert and his wife, for comitting carnall coppulation before
marriagē, after contract, fined 05 : 00 : 00.

*The Names of such as are appointed by the Court to recieve the Excise in each Towne of this Jurisdiction.

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 PRENCE,
 Gov^r.
 [*181.]

Plymouth,	Benajah Pratt.
Duxburrow,	Henry Sampson.
Scittuate,	Isacke Chettenden.
Sandwich,	{ Thomas Tobey, and Thomas Tupper, Jun ^r .
Taunton,	William Harvey.
Yarmouth,	{ John Miller, John Hawes.
Barnstable,	{ Leiftenant Laythorpe, Thō Huckens.
Marshfeild,	Anthony Snow.
Rehoboth,	Daniel Smith.
Eastham,	Ensigne Merricke.
Bridgewater,	John Eames.
Dartmouth,	Serjeant Shaw.

Memorandum : that Samuell Sturgis, Edward Sturgis, Eliza Hedge, Thomas Starr, John Crow, Jun^r, Abraham Hedge, John Mocoy, and Marke Redly be sent for to the next Court, to giue a reason of their bringing in such great quantities of liquor into the collonie.

In reference vnto the complaint of an Indian called Powas against Peter Pitts, of Taunton, for detaining of his gun from him on pretence of none pformance of a bargaine about breaking vp of ground, the Court haue ordered, that the said Indian shall breake vp twenty rodd of ground for the said Peter Pitts ; and when that is don, hee shall haue his gun returned to him againe in good culture.

M^r Hinckly, M^r Bacon, and M^r Freeman, or any two of them, are appointed by the Court to settle a difference betwixt Gor̄g Allin and Richard Chadwell in reference to a highway, either as they returne home from this Court or as they come to July Court ; the said way to be twenty foot in breadth, or more, if it may be convenient.

In reference to the complaint of Sacary Ryder against Richard Berrey, on suspension of the stealling of an axe from him, the Court haue ordered M^r Hinckley and M^r Bacon, forasmuch as matters cannot att present be cleared, it is refered to M^r Hinckley and M^r Bacon to end it att home.

In reference vnto the complaint of Thomas Howes, the late constable of Yarmouth, against William Nicarson, Seni^r, Nathaniell Couell, Samuell

1668.

3 June.
PRENCE,
Gov^r.

Nicarson, Joseph Nicarson, and William Nicarson, Jun^r, for affronting him in the execution of his office, and offering diuers abuses to him therein, the Court haue centanced them all to sitt in the stockes dureing the pleasure of the Court, which accordingly was pformed; and p̄ticularly, forasmuch as the said William Nicarson, Sen^r, hath bine principall and leader in the said affront, hee was centanced by the Court to find surties for his good behauior vntill the Court to be holden att Plymouth in October next, or to be comitted to prison vntill hee soe doe; hee, refusing to prouide surties, stood comitted three daies, and after that gaue bonds as followeth:—

William Nicarson acknowledgeth to owe vnto our so ^u lord the Kinge the sūme of	}	20 : 00 : 00
James Cole, Sen ^r , the sūme of		20 : 00 : 00

Released.

The condition, that if the said William Nicarson be of good behauior towards our so^u lord the Kinge and all his leich people, and appeer att the Court of his ma^{tie} to be holden att Plymouth aforesaid the last Tusday in October next, and not depart the said Court without lycence; that then, &c.

[*182.]

*In reference vnto a p̄sell or tract of land formerly graunted vnto M^r Thomas Prence, lying att Namassakett, the Court haue appointed Major Winslow, Captaine Southworth, and Leiftenant Morton to lay out a proportion of the land hee hath lately purchased there vnto him, as they shall thinke meet, or to settle the whole of it to him, if on the sight and viewall therof they shall see cause.

In answare to a proposition made by M^r Thomas Prence, Gov^r, to purchase the seate hee now liueth on att Plaindealing, in the township of Plymouth, this Court did voate the sale therof vnto him, and accordingly ordered M^r Hinckley, M^r Bacon, M^r Constant Southworth, Treasurer, Daniell Cole, John Allin, John Chipman, and Leiftenant Morton, in the behalfe of the colonic, to make sale therof.

The tearmes and conditions wherof are as followeth:—

Viz³: that the said house and land, with all and singulare the appurtenances and priuiledges belonging thervnto, viz³, the whole seat, with all the additions and enlargments appertaining thervnto, is bargained and sold vnto the said M^r Thomas Prence, to him and his heires and assignes for euer, for and in consideration of the sūme of one hundred and fifty pound, in current cuntry pay, to be payed one third therof this time three yeare, another third therof this time six yeare, and the other third this time nine yeare. It is likewise agreed by and between the said p̄ties, that if it be to be sold att any time, the cuntry shall haue the refusall therof, and to haue it on the same tearmes it is now sold, prouided that what it shalbe the better by any expence

on it in the interem, it be payed for ouer and aboute the sume aboute mentioned.

The Court haue likewise ordered, and doe by these p̄sents impower M^r Constant Southworth, Treasurer, for and in the behalfe of the collonie, to giue and seale deeds and euidences further requisite in law for the full ratification and ample conferment of the said p̄mises vnto the said M^r Thomas Prence, hee, his heires, and assignes for euer, allowing and approueing as authentically whatsoeuer the said Constant Southworth shall doe therein as their acte and deed.

A portion of land is graunted vnto Experience Michell lying next vnto Hugh Coles graunt, which is betwixt Mattapoisett Riuer and the easterly bounds of Acushena, on the western syde of the said riuer.

This Court, Josias Wampatucke came into the Court, and owned that the three mile square of land by Accord Pond, which was graunted by the Court to M^r Hatherley, that hee hath sold it to M^r Hatherley, and is by him fully satisfied for it.

It is ordered by the Court, that Paomett and soe farr as the Cape Head be reputed within the constablericke of Eastham.

It is likewise ordered, that the lands att Mannamoite be att present reputed to be in the constablericke of Eastham, and liable to pay publicke charges there.

It was ordered by the Court, that the ferrey att Pochasett be ordered and to farne lett by John Cooke and Daniell Wilcockes in the behalfe of the countrey.

This Court, John Briggs, John Sherman, and Ralph Earle tooke the oath of fidelitie.

*The Court haue ordered, that a tract of land containing a mile and a halfe, lying on the north side of the towne of Rehoboth, is allowed to be the proper right of the said township, and for such lands as are lying betwixt the Bay line; and it is to be accompted within the constablericke of Rehoboth vntill the Court doe order it otherwise; and that such farmes as lyeth within the said liberties shalbe responsible in point of rateing att the collonies despose.

The Court, haueing taken into consideration the controuersy att Dartmouth, arising from a diuersitie of expressing the eastermost bounds of Dartmouth, and finding vpon serch of the first ancient record that the bounds was to take place from the riuer and two miles eastward, but this Court allowes of three miles eastward, and doth mind the riuer, and not the bay, to take the three miles from, and the tree that hath bine their bounds soe longe, and hath bin proued, the Court sees noe reason but you ought to rest satisfied in.

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1668.

The testimony of Richard Sisson, aged sixty or therabouts: John Archer, being att my house, did speake as followeth, and said, the deed of gift made by Namumpam to John Sanford and himselfe was a cheatt, and the intent therof was to deceiue Namumpam, squa sachem, of her land; and they were to haue both corn and peague to ceure her land from Wamsutta or Peter Talmon, and was to resigne vp the deed att her demand.

And I, Mary Sisson, doe testify, that I heard the same words att the same time; and further, when my husband was gon out of the house, I heard them both say they were troubled in consience that they had concealed it soe longe, and did refuse to take pte of the gratification.

This was attested vpon oath before mee,

May 27, 1668.

JOHN COOKE.

Richard Sisson was sworn to this testimony aboue written this 3 of the 4, 68.

Before mee,

JOHN ALDEN, Assistant.

Att this Court, the sume of twenty pound in countrey pay was ordered to be improved by the Treasurer for and towards the printing of the booke intituled New Englands Memoriall; and it was likewise recomended to the scuerall townes of this jurisdiction by their deputies to make a free and vouldentary contribution in mony for and towards the procuring of paper for the printing of the said booke.

This Court, Ensigne Henery Smith is authorised by the Court to make contracts of marriage in the towne of Rehoboth, and likewise to adminnester an oath to giue euidence to the grand enquest, and likewise to adminnester an oath to any witnesses for the tryall of a cause as occasion may require; and in case any pson within this goument shall haue occasion to comience a suite against any stranger or forraigner, it shalbe lawfull for the said Ensigne Smith to issue out warrants in his maties name to bind ouer any such pson or psons to answare the said suite att the Court of his matie to be holden att Plymouth by attachment or summons att any time as occasion shall require, and likewise to graunt subpenaies as occasion shall require for witnesses in the case.

[*184.]

*Nathaniell Soule, standing presented vntill this Court, and summoned therunto to answare, for his telling of a pnisious lye, did put the case vpon trauerse, not owning the p̄sentment.

The names of the jury are as followeth: —

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Mr John Jacob, William Barstow, Thomas Paine, Serjeant Tinkham, Thomas Pope, Phillip Walker,	}	sworne,	Robert Barker, Nathaniell Thomas, James Cole, Jun ^r , James Cobb, John Cole, John Smith,	}	sworne.
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These found the p̄sentment.

And the said Soule, for telling of a p̄nicious lye, was fined, according to law, the sūme of 00 : 10 : 00.

Att this Court, Joseph Turner, for misdemeaning himselfe in speaking dishonorably and offenciue by vttering seuerall words concerning the Goũ, was centanced to sitt in the stockes during the pleasure of the Court; but att the earnest request of the Goũ, and on the said Turner his promise of reformation, this centance was remitted.

Att this Court, Thomas Starr, for being distempered in drinke, was fined fīue shillings.	}	00 : 05 : 00
John Mathews, for excessiue drinking, was fined fīue shillings.	}	05 : 00
John Haddaway, of Barnstable, for abusing himselfe with drinking, was fined fīue shillings.	}	00 : 05 : 00
Walter Joyce, of Marshfeild, for abusing himselfe with drinke, fined	}	00 : 05 : 00
Joseph Trewant, for distempering himselfe by exces- siue drinkeing, fined fīue shillings.	}	00 : 05 : 00
Mary Phillips and Jane Hallowey, for breaking the Kings peace by strieking each other, were fined each	}	00 : 03 : 04

Att this Court, vpon the oftens and earnest suite of William Tubbs to be diuorsed from his wife, shee haueing for a longe time sequestered herselfe from him, and will not be p̄swaded to returne to him, the Court haue directed letters to Road Iland to the goũment there, in whose jurisdiction shee now is, to request them to take course that shee may be informed of the Courts pleasure and determination, that incase shee, the said Mareye Tubbs, the wife of William Tubbs, doe not returne vnto her said husband between this date and the Court of his ma^{tie} to be holden att Plymouth the first Tusday in July next, that then hee, the said William Tubbs, shalbe diuorced from her.

Edward Gray, for vseing reviling speeches to John Bryant, the son in law to Steucl Bryant, of Plym- outh, on the Lords day, as soone as they came out of the meeting, was fined	}	10 : 00
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1668.

**Att the Court of his Ma^{tie} holden att Plymouth the 7th of July,
1668.*

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Gov^r.

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BEFORE Thomas Prence, Gov^r,
John Alden,
Josias Winslow,
Thomas Southworth,

William Bradford,
Thomas Hinckley,
John Freeman, and
Nathaniel Bacon,

Assistants.

THIS Court, taking notice of much injury already don and more like to insue to this collonie by haueing sundry of our swamps pillaged lying within our line, doe therefore order and impower Major Josias Winslow, M^r Constant Southworth, Treasurer, and Cornett Robert Studson, or any two of them, to sell all such swampes, or soe many as they shall see cause, to the best advantage of this collonie.

And wheras there was an order of Court to lay out a psell of land to William Berstow for some service of his to the countrey in ruining the line, and that the proportion is not mencioned, the Court haue ordered, that the psons aboue named lay him out forty acres of arrable land, or att the vtmost but fifty, if they judge it convenient, and that they make sale of the rest of the land in that purchas either to the said Barstow or any other to the best advantage for the collonie.

In reference vnto a former graunt, vpon a petition presented vnto the Court by Bridgwater, desireing their enlargment may extend the whole six mile that they purchased of the Indians by order from the Court, the Court haue graunted vnto the township of Bridgwater that they shall haue six mile from the center on the northsyde where the line of the collonie hindereth not, and on the westsyde vp to Taunton bounds, and on the south and southeast syde vnto Teticutt Riuer as farr as the six mile extends; and soe likewise on the east syde, that is to say, the whole six mile from the center east, west, north, and south, alwaies prouided, that what graunts of land formerly made by the Court be not molested. It is alsoe ordered, that those lands that are between Bridgwater and Namassakett already graunted shalbe determined by the Court vnto what township they shalbelong; and that the Indians be not molested, notwithstanding this enlargment; and that all those graunts that are within this six mile shall belong to the township of Bridgwater; and that the town of Bridgwater be carefull to accomodate M^r Keith with a competency of land within the said graunt of the said six mile.

In reference vnto a motion made to the Court by Thomas Andrews, in

the behalfe of Gorge Vicory and Gorḡ Partrich, to haue a supply of land settled vpon them in reference to a former graunt vnto them as ancient ser-
uants, the Court haue ordered the Treasurer and Cornett Studson to lay out
to each of them sixty acres of land between the line of the collonie and John
Hanmores lott, principally to the westward of the old path leading from Bridḡ-
water to Waymouth; or if any other be found therabouts that the said psons
deputed shall see meet to lay out vnto them, that they haue each of them
a like proportion, both for quantity and qualitie, as farr as conveniently
they can.

In reference vnto the printing of the booke intituled New Englands
Memoriall, the Court haue ordered, that the Treasurer shall indent with the
printer for the printing therof; and to improve that which is or shalbe con-
tributed thervnto with the suḡme of twenty pounds, ordered by the Court to
that end, and the suḡme of five pound more if hee shall see cause, the said
twenty five pound to be out of the countreyes stocke; and to indent with M^r
Green to print it, if hee will doe it as cheap as the other; and for the number
of coppies, to doe as hee shall see cause.

*The Court confeirmeth vnto Ensigne Barnard Lumbert, John Finney,
Seni^r, and Isacke Robiunson a certaine necke of land, with the meddow adjoyn-
ing thervnto, coḡmonly called Passuntaquanuncke Necke, on the South Sea,
heertofore graunted to them, and as is now layed out to them by M^r Thomas
Hinckley, M^r Nathaniel Bacon, and Richard Bourne, appointed thervnto by
the Court, being bounded westerly by a river which deuides between the said
necke and Quenaumett, and by the next river easterly, together with a stripp
of land coming vp from the said necke to the high way which leads from
Barnstable to Saconesett for their coḡmon and out lett, being p^{te} of those
lands purchased by the said Thomas Hinckley, and Nathaniel Bacon, and
Richard Bourne, mencioned in a deed of sale bearing date the second of
December, 1667, signed by Quachatasett, Sepitt, and Acomont, sachems;
alsoe, this Court confeirmeth vnto M^r Thomas Hinckley and M^r Nathaniel
Bacon all the resedue or remainder of the lands, both vpland and meddow,
contained within the said deed of sale, from the aforesaid riuier easterly extend-
ing to Wequasett, according to the bounds mencioned in the abouesaid deed
of sale, in right of the Courts former graunt vnto them, as alsoe *as alsoe* in
right vnto the Courts graunt vnto William Clarke, bought by them, the said
Thomas Hinckley and Nathaniel Bacon.

The third day of the fourth month, 1668, according vnto Court order,
wee haue layed forth vnto M^r William Brett, Thomas Haward, Seni^r, Arther

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Harris, John Willis, Seni^r, and John Carey sixty acres of land, vnto each pson aboue expressed, be it more or lesse, and is bounded as followeth : —

Wee began att the westerly end, next the lands of Henery Andrewes, att a brooke called by the name of South Brooke ; the first lott, nañily, John Careyes, begins att the abouesaid brooke, and ruñeth for his westerly line as the brooke ruñeth vntill it extends vp into the woods for his full length, and from the said brooke for his breadth vpon a northeast line vntill it meets with two white oake trees marked, which two trees rangeth for their length about nor^t west and south east, which easterly syde of the first lott must soe range.

The second lott, which is Arther Harrises, rangeth from the abouesaid white oake trees northeast till it meets with a smale liue oake tree marked and standing in a smale swamp.

The third lott, which is Thomas Hawards, Seniers, begins att the abouesaid liue oake tree, and extends for its breadth northeast till it meets with a great white oake tree marked standing neare a run of water haueing allowance in measure as to the breadth for the meanes of it.

The 4th lott, which is M^r William Bretts, begins att the abouesaid great white oake, and rangeth on the same point of compas for its breadth vntill it meets with a red oake tree marked standing on a little knowle neare Trought Brooke, on the easterly syde of the brooke.

The fift and last lott, which is the lott of John Willis, Seni^r, begins att the abouesaid red oake, and ruñeth on the same point as the rest doe vntill it meets with a smale white oake tree marked a little aboue the path goeing to Teticutt ; all these last four lotts ruñeth for breadth and length as the easterly syde of the first lott doth ; and because wee found that the land was very mean, excepting a little stripp along the riuier, wee haue extended their lines to run for euery of their lotts sixty pole on the northerly syde of the riuier, vpon the same point of compas as their lotts run on the southerly syde.

WILLIAM BRADFORD,
CONSTANT SOUTHWORTH.

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*In reference vnto a controuersy between an Indian called Peter and James Bell, of Taunton, about a deer, the Court haue ordered, that the said Bell shall pay or cause to be payed vnto the said Indian the sume of fifteen shillinges ; and for his neglect and contempt in not obseruing of the order of the celect men of the towne of Taunton about that matter, hee was centanced by the Court to pay the sume of ten shillinges to the collonies vse.

In reference vnto an Indian called Mekamoo, allies Steuen, now in durance on suspicion for killing of a cow belonging to William Pointing, of

Taunton, the Court haue ordered, that hee shall pay vnto the said Pointing the sume of fifty shillings; and in case it appeer betwixt this and the next Court that hee did not kill the cow, or that any other killed it, then hee is to haue the said sume returned to him againe; but if it appeer that hee did kill it, that then hee shall pay the full worth of it.

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July 9, 1668. Those Indians whose names are vnderwritten stand engaged that the said sume shalbe payed forthwith on their returne home.

Witness,

The mark **F** of FRANCIS, the Sachem of Nausett.

The mark **S** of SAM: HARRY.

The marke **V** of PYANT.

The marke of **C** POMPECANCHE.

The marke of **L** JOSEPH, allies TATAWASHAW.

Thomas Perrey acknowledgeth to owe vnto our soū }
lord the Kinge the sume of } 10 : 00 : 00

Richard Dwelley the sume of 10 : 00 : 00

The condition, that if the said Thomas Perrey doe appeer att the Court of his ma^{tie} to be holden att Plymouth the last Tusday in October next, to answare his p^sentment, and not depart the said Court without lycence; that then, &c.

Richard Dwelley acknowledgeth to owe vnto our soū lord the Kinge the sume of forty pounds, to be lenied on his lands, goods, and chattles.

Richard Dwelley, for being drunke the third time, was centanced, according to order, to be bound to his good behavior.

The condition, that if the said Richard Dwelley be of good behavior towards our soū lord the Kinge and all his leich people, and appeer att the Court of his ma^{tie} to be holden att Plymouth the last Tusday in October next, and not depart the said Court without lycence; that then, &c.

In reference vnto the other p^sentments of Richard Dwelley, wherby hee is convicted of fighting, and abusiue words, and other misdemenors, the Court haue centanced him to pay a fine of twenty shillings to the vse of the collonie.

John Williams engaged to pay towards his wifes maintainances a barrell of beife and a barrell of porke, to be deliuered good and marchantable soñtime in Nouember next vnto M^r Thomas Clarke att Boston, and a good cow not exceeding eight yeare old, and as much corn as will made the beife, porke, and cow ten pounds, to be deliuered att the now dwelling house of John Williams, in Scittuate, the second Tusday in May next, to the said Elizabeth Williams or her assignes.

Wheras, att the Court held att Plymouth the scauenth of June, 1665, a

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The conditions
of this graunt
see in the rec-
ords of the
Court, June,
1665; and by
the old path
heer is ment
the old path
that goeth
from Plymouth
to Namassa-
kett.

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smale gussett of land was then graunted vnto Sacaryah Eedey, it is layed out to him, and the bounds of it are as followeth: it, lying betwixt his land and a brooke, is bounded with a blacke oake tree on the south syde of the old path and a maple tree aboue his house att a bridge; this was done according to order of Court by

HENERY WOOD, and

Sarjeant EPHRAIM TINKHAM, his **E T** marke.

Hugh Cole and Samuell Bacon, refusing to stand exequitors of the last will and testament of Richard Foxwell, deceased, are ordered by the Court to adminnester on the said estate.

*Wheras Marcey, the wife of Willam Tubbs, being a woman of ill fame and light behaiour apparently manifest, hath for the space of four yeares and yppwards absented and withdrawne herselfe from her husband into another col-lonie, pretending shee is att libertie, and that, notwithstanding all the meanes and waies her husband can vse with safety, shee will not be reclaimed nor pswaded to returne and abide with him as shee ought to doe; and that, alsoe, by letters to the gouernment of Road Island from this gouernment, due course hath bin taken to giue her certaine intelligence, that in case shee would not returne vnto and apply herselfe to her husband to liue with him as shee ought to doe betwixt the date of the said letters and this present Court, that then hee should be diuorced from her; and that shee hath since, before competent witnes, professed and affirmed that shee will neuer returne againe vnto him while her eyes are open; hee, the said Tubbs, appeering att this Court, and earnestly againe sollissiteing the Court for a diuorce from her, —

This Court, therefore, sees cause and doe heerby declare, that the said William Tubbs is legally cleare from his couenant of marriage formerly made with Marcey, his late wife, and free him from those duties relating therto; and that the said Marcey hath cutt of herselfe from any right henceforth to the pson or estate of the said William Tubbs, her late husband, and heerby allowing him libertie further to dispose of himselfe in marriage, if hee see fit soe to doe.

*Wce, whose names are vnderwritten, being ordered by the Court to lay out highwaies and appoint such roads as might be most suitable to the inhabitants of the towne of Bridgewater, being sworne as a jury theron, did as followeth: —

Imp^r. From the meeting house to Arther Harris his range vnto the common, and thence throw a swamp vnto the sandy hill, and then to John Haward, Junif, his range, and then crosse his lott to Daniell Bacon his house,

and then into the old way to widdow Bassetts lott to a place called the Woolfe Trapp, and then ouer the same lott to Thomas Haward, Juni^r, his lott, vnto Goodman Tomkins, of Salem, his lott, and soe through it to the peece of land left for a highway betwixt him and Thomas Snell, and then ouer a corner of Thomas Snells lott joyning neare the riuer to the bridge, and then through Nicholas Byrams land to his house, and soe ouer a little riuer, and soe ouer the plaine to a narrow place in the swamp, and soe to Arther Harris his fifty acree lot, and then by the swamp syde on the hard grownd vnto his son Samuell his house, and from thence straight to a bridge on Satuckett Riuer as the rockes will p^mitt, from thence straight away to an oake in the middest of the highway neare to Robert Lathams barne, and then to the vsuall way or road to Plymouth as farr as the bounds of our township doth extend, onely in the way wee fech a little compas to avoid a steip hill a little way from Robert Lathams lott.

Secondly. Wee haue agreed on a way or road to Boston, and is as followeth : from the meeting house on the same road aboue mensioned vnto John Hawards range, and then into the vsuall roads which reacheth into the bay as farr as our bounds doe extend.

Thirdly. It is further agreed on by vs, the way to Taunton is from the meeting house to John Haward, Seni^r, and then followeth ouer the riuer, and soe between the lotts that were Mr Brewsters and Edward Vobes their lotts, and soe in the vsuall way that leads to Taunton.

Fourthly. It is agreed alsoe by vs, that the way to the great meddow shall come out of Taunton way att the head of Edward Vobes his six acree lott, and soe att the head of Samuell Edsons six acree lot, to William Snowes, and then between the said Edsons and Snowes lands vnto the comon, and then to the riuer. These waies were laied out by vs att scuerall times as in the yeare 1667, 1668.

NICHOLAS BYRAM,
 SAMUELL EDSON,
 NATHANIEL WILLIS,
 ROBERT LATHAM,
 MARKE LAYTHORP,
 ARTHUR HARRIS,
 JOHN CARY,
 THOMAS HAWARD, Seni^r,
 THOMAS HAWARD, Juni^r,
 JOHN HAWARD, Seni^r,
 SAMUELL PACKER, Seni^r,
 JOSEPH ALDIN.

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*This indenture, made the 24th day of September, 1667, in the 19th yeare of the raigne of our soū lord Charles the Second, Kinge of Great Brittain, et cet̄, witnesseth, that Richard Handy, of the towne of Sandwich, in the collonie of New Plymouth, woolcomber, hath couenanted, agreed, and put himselfe an apprentice to and with James Skiffe, Junir, of the same towne, cooper, to liue with the said James from the 25th of October next ensueing vntill that hee judge in himselfe that hee hath fully attained the skill and craft of a cooper. The conditions on Richards p̄te are, first, that vpon the sealing heerof, hee deliuer vp to James his whole cropp of Indian corne, beanes, and pumpianes, which hee hath now growing in Ensigne Dexters land, and that hee p̄forme halfe the worke with James in gathering and conveying home the said cropp. 2^{condly}. That hee worke dilligently and faithfully with and for the said James in the occupation of a cooper, according to the vsuall costoms of prentises, not absenting himselfe needlesly and att his pleasure from his worke either day or night, but att lawfull houres, during his abode with James; likewise, that hee shall not sett vp for himselfe, or instruct any other in the craft of a cooper, in the lymetts of Sandwich, without lycence from James, but vpon the forfeiture of ten pounds sterling to be payed to the said James vpon euery such acte. In consideration wherof, James doth agree with and engage to deliuer to the said Richard seauen bushells of marchantable corne and his diett, good, wholsome, and sufficient, during the said tearme; and, further, hee doth engage to instruct the said Richard faithfully in the whole craft of a cooper soe farr as James himselfe vnderstands, with what expedition the said Richard shall from time to time be capable to receiue it; and likewise that hee will not hinder the said Richard by busying about worke which doth not tend to his obtaining insight into the abouesaid trade; and that when that Richard shall judge, that by his owne dilligence and instruction of James hee hath sufficient skill in coopering, then James shall giue him full leaue to depart, without any disturbance. For confirmation wherof wee haue enterchangably sett to our hands and scales, this 24th day of September, 1667.

RICHARD HANDY, and a

Seale.

Read, signed, sealed, and deliuered in the
p̄sence of vs, witnesses,

Ichabod Wiswall,
Remember Wiswall.

GENERAL INDEX.