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COLLECTIONS

OF THE

MASSACHUSETTS HISTORICAL SOCIETY.

SIXTH SERIES. — VOL. V.

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Honorary.

Edward A. Freeman, D.C.L. March 16, 1892.

Corresponding.

George H. Moore, LL.D. May 5, 1892.

Benjamin Scott, Esq. Jan. 18, 1892.

Rev. Thomas Hill, LL.D. Nov. 21, 1891.

Rev. E. Edwards Beardsley, D.D. Dec. 21, 1891.

Gen. George W. Cullum, U. S. A. Feb. 28, 1892.

PREFACE.

THE prefaces to Parts IV. and V. of the Winthrop Papers (5 Mass Hist. Coll. vol. viii. and 6 Mass. Hist. Coll. vol. iii.) describe at some length the various volumes in which selections from these MSS. had been previously published, either by this Society or by Hon. Robert C. Winthrop, the owner of the collection. It is only necessary to add that the present one (Part VI.) is chiefly devoted to the correspondence of Wait Winthrop during the latter part of his life, including the important litigation which grew out of his death, interspersed with selections from the correspondence of his son.*

It may be convenient to repeat that Wait Winthrop was born in Boston, Feb. 27, 1642-3, the younger of the two sons of John Winthrop, Jr., afterward Governor of Connecticut, by his second wife, Elizabeth Reade. In 1653 he was a pupil of Rev. Samuel Fitch at Hartford, whence in the following year he was sent to the grammar-school of Elijah Corlet, at Cambridge, Mass. From 1658 to 1660 he was a student in Harvard College; but he returned home without taking a degree,

* Part IV. contains one hundred and sixty-nine letters written by Wait Winthrop from 1659 to 1700, and Parts IV. and V. comprise many letters to him from his father and brother. Seven letters to him from Cotton Mather are separately printed in 4 Mass. Hist. Coll. vol. viii., and a few others to him from various persons may be found in 5 Mass. Hist. Coll. vols. i. and ix., in 6 Mass. Hist. Coll. vol. ii., and in 2 Proceedings, vol. iv.

in order to be with his mother during the long absence in England of his father and brother. Appointed Captain of the New London Train-band in the spring of 1665, he was active in the military and civil service of Connecticut for the next ten years, during three of which he was a Commissioner of the United Colonies; but after his father's death he gradually transferred his allegiance to Massachusetts, where he had inherited property. The second of the letters now printed is one in which John Allyn, Secretary of Connecticut, urges him, on behalf of the inhabitants of Hartford, to take up his abode there in 1676; and since this volume was in type there has come to light a letter dated Oct. 5, 1680, in which Samuel Willis writes to Allyn as follows:—

“Major Winthrop [Fitz-John] is dangerously ill; his bro^r came out of the Bay upon y^t account. Mr Waite Winthrop being a very sober discreet gentleman, much advantaged by his parentage, as well as his abillitys and fullnesse of estate, for publique trust, it may be of greate advantage to the Colony to chuse him to be a magistrate this Generall Court; w^{ch} will be a faire call of him to live in the Colony (unto w^{ch} I heare he is inclyned), who may be very usefull in point of physike as well as otherwise. He is a person of farr greater honour then any y^t can be ehosen to supply in the Colony. The making of rulers of the lower sort of the people will issue in contempt, let their opinion be what it will.” *

Notwithstanding these overtures, Wait Winthrop preferred to make his home in Massachusetts, where he served under Dudley and Andros in the Executive

* This letter was kindly communicated by our Corresponding Member, Charles J. Hoadly, LL.D., Vice-President of the Connecticut Historical Society, to whom the Committee have been repeatedly indebted for valuable suggestions.

Council of the Inter-Charter period, was made Commander-in-chief by the popular party after the fall of Andros, and on the organization of the Provincial government in 1692 was again named of the Executive Council, to which he was annually re-elected until his death, a quarter of a century later. For nineteen years, during eleven of which he was Chief-Justice, he sat on the bench of the Superior Court of Judicature, besides holding for a shorter period the office of Judge of Admiralty for New England and New York; but the preference of our ancestors for military over civil designations caused him to be habitually styled by his contemporaries "the Major-General," in allusion to the command of the Massachusetts militia which he exercised for nearly a generation. In politics a moderate liberal and much respected for his integrity and independence, an unsuccessful effort was made to have him appointed Governor in place of Joseph Dudley, whose active opponent he had long been, though the intermarriage of their children subsequently brought about friendly relations between them. He died in Boston in his seventy-sixth year, Nov. 7, 1717, having married, first, Mary, daughter of Hon. William Browne, of Salem, who was the mother of his children; and second, Katharine, daughter of Captain Thomas Brattle, and widow of John Eyre, of Boston, who outlived him. His surviving son and daughter are sufficiently described in the following pages.*

* His full name (hardly ever used by himself or his kindred) was Wait Still Winthrop. The name of Still came into the Winthrop family by the marriage of the father of Gov. John Winthrop the elder to a sister of Dr. John Still, Bishop of Bath and Wells; while the surname Wait is met with among the early settlers of Ipswich, Mass., a town founded by John Winthrop, Jr. On the other hand, the two have often been written and printed as one word, under the impression that it was intended for one of the quaint Christian names so common in Puritan times.

Unlike others of his family, Wait Winthrop did not enjoy the advantages of a foreign university education, but he inherited from his father a pronounced taste for the study of medicine, and a willingness to place the fruits of his researches gratuitously at the service of his neighbors. In a well-known sermon upon him Cotton Mather dwells with enthusiasm upon the "generous alacrity with which he dispensed medicines, as well as counsils, unto a great multitude of people," adding that "wherever he came the diseased of the place flock'd about him as if the Angel of Bethesda had come among them." Elsewhere in the same production Mather dilates upon the devotion of the deceased to the best interests of New England, his fidelity to the faith and order of the Gospel, his unspotted integrity, modesty, and freedom from ostentation, and the manner in which he combined "the prudence and the temper and the conduct of a gentleman with a courageous readiness to appear for his country when invasions were made upon its liberties." The glowing language of funeral sermons and commemorative addresses is generally open to suspicion; but Mather's eulogy is corroborated by the private diary of Samuel Sewall, Wait Winthrop's successor as Chief-Justice of Massachusetts, who speaks of him as "the great stay and ornament of the Council, a very pious, prudent, couragious New England man . . . for parentage, piety, prudence, philosophy, love to New England ways and people very eminent."

Partly from the fact that his papers have only been accessible in recent years, he has attracted little notice from historians. Governor Hutchinson, however, devotes some space to the plan for sending him to Eng-

land in 1702 to counteract the machinations of Dudley, and adds:—

“Mr Winthrop was a good sort of a man, and although he was of a genius rather inferior to either of his ancestors, yet he was popular, and the party against Mr Dudley wished to have him Governor. They flattered themselves that his being acceptable to the country would, together with his family and his estate, both of which were of the first rate, be sufficient to recommend him, but they were mistaken. Winthrop was a plain honest man. Dudley had been many years well acquainted with the customs and manners of a Court, and would have been more than a match for him.”*

More than a century later Palfrey, in his “History of New England,” takes occasion to allude to him as “rather a feeble person and something of a courtier,” this latter word exciting some surprise, as a sturdy homespun independence of character had been supposed to constitute his most prominent trait. Palfrey is not always happy when he undertakes to improve upon Hutchinson, and he often neglects to cite authority for his expressions of opinion. At the time he wrote none of Wait Winthrop’s correspondence was in print; and it has been suggested that Palfrey may have confused him with his son, John Winthrop, F.R.S., to whom the above description, from some points of view, is less inapplicable.

Be this as it may, Wait Winthrop would have been the last person to assert a claim to a foremost place among the worthies of New England. He made no

* Hutchinson’s History of Massachusetts (1st edition, 1767), vol. ii. pp. 129, 130. In a subsequent edition Hutchinson added, that “either out of respect to his family or for some other reason,” Winthrop was considered as President of the Council, though not entitled to it by priority of appointment. This would seem a mistake; Whitmore’s Civil List ranks him as Senior Councillor.

pretence to being as great a statesman as his grandfather, or as great a scholar and diplomatist as his father. He was conscious that his public services, whether military or civil, were neither so conspicuous nor so varied as those of his elder brother; and he would probably have been the first to admit that in native ability and acuteness, as well as in capacity for affairs, he was hardly a match for his rival Dudley. Where he rose above him, and above others of his contemporaries, was in unselfish patriotism, in freedom from any thirst for honor and power, and in open, honest, straightforward conduct. He was, moreover, a man of exceptional discretion and moderation, slow in making up his mind (as his more impetuous brother sometimes playfully reminded him), but always greatly relied on for the soundness of his conclusions and the wisdom of his counsels. Besides the taste for medical studies, already alluded to, he had a great love of agriculture; and had he consulted his own inclinations, would have retired from office to devote himself to the improvement of his estate; but he conceived it to be a duty he owed his father's memory to continue in public life, and do his best to preserve the liberties of the New England colonies. Writing to John Allyn in 1696, at the time the Charter of Connecticut was again threatened, he said:—

“ I have nothing of a private or worldly advantage that might any way incline me to be solicitous for the continuance of your Government, for tis possible I might advantage myself and my friends as much under a change in that respect as another might do; but it is merely for the sake of an honest and good people, who would serve God according to His own institutions, for which our fathers left all that was desirable

to come hither, and which will in likelihood be in a great measure lost if these Constitutions should change, which I pray God to continue, if it be His will."

And in two subsequent letters to his friend and admirer, Sir Henry Ashurst, he wrote:—

"The places I have sustained since I have been concerned in the Government have hitherto been very expensive to me; and indeed I know no place that will yield me a suitable recompence for my attendance on it unless (as has been done of late and is not yet wholly laid aside) I should eat up the poor as bread, and squeeze them to death by virtue of an office; which is so contrary to my nature and inclinations that I had rather make one of them than mend my condition in that way. I thank God I have a competency in the country (though it be remote from hence), which would yield me a comfortable New England subsistence if I could disengage myself here and look after the improvement of it, which I have in a manner lost by living here to help keep this people from sinking. I have not spent less than three thousand pounds while I have been concerned here, which I might have saved and added more than so much to it, if I had neglected the publick and minded my private occasions; but if I have been any ways instrumental to save the best interest here and keep this people from that slavery which they were growing under, and have almost forgot already, I am satisfied.* . . . Though I do not pretend to come within any degrees of the perfection of the great examples you have sometimes been pleased to name to me, I hope and pray that God will never lead me into the temptation of apostacy for any worldly interest whatsoever."

His domestic letters exhibit him in the light not merely of a dutiful son, an affectionate husband and

* The allusion is to the prominent part he had taken in the overthrow of Andros. It is greatly to be regretted that he appears to have taken the precaution to destroy his correspondence with his brother at this period. For an account of Fitz-John Winthrop's attitude during these troubles, and his correspondence with Andros, see the appendix to 6 Mass. Hist. Coll. vol. iii. *passim*.

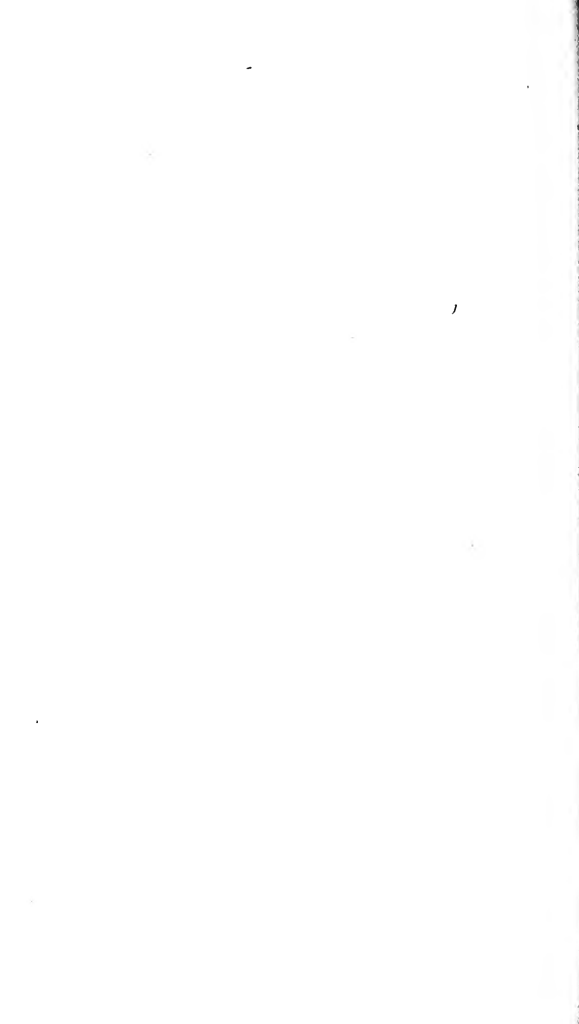
brother, and an indulgent father, but also of a man of simple tastes and habits, whose abiding religious faith was untinged by any trace of asceticism. His last words to his son (as quoted by Cotton Mather) partake somewhat of the nature of prophecy, though his forebodings were not realized in the generation which immediately succeeded him. "I am," he said, "verily persuaded that very great and quick changes are coming on the world, and astonishing revolutions, for the overthrowing of things that now seem strongly established in the nations. My advice to you is, to make sure of being found among the worshippers of the Inner Court, which will be your only safety in the troubles coming on."

At not a few points the correspondence now printed will be found to supplement the entries in Judge Sewall's diary, and to throw considerable light on the social and political condition of Massachusetts and Connecticut at the time when the letters were written. Especially noteworthy is Wait Winthrop's elaborate report on the "Method of Proceedings in the Courts of Massachusetts," which is printed from an official copy found among the papers of Fitz-John Winthrop and indorsed by him. Though it was formally approved by the Council, and ordered to be transmitted to England, no copy exists in the State archives. The brief for the appellant in the celebrated cause of Winthrop and Lechmere is also believed to have a permanent historical value; and the Committee greatly regret that they are not able to print with it the brief for the respondent. The funeral charges connected with the death of Wait Winthrop are of interest, not only as illustrative of the customs of the first quarter of the eighteenth century, but also as showing the current

prices of various articles of merchandise. The inventory appended to the marriage settlement of Katharine Eyre, and numerous incidental references elsewhere are of similar value in illustrating the social and economic condition of the colonies. The letters of Sir Henry Ashurst are curious and interesting; but it should be remembered that most of them belong to a period when he was well advanced in years, and smarting under what he regarded as a want of appreciation of services of real value to the colonies.

A heliotype copy of an original portrait of Wait Winthrop, now belonging to Robert Winthrop, Esq., of 118 Fifth Avenue, New York, who has kindly had it photographed for this purpose, is given as a frontispiece. It is supposed to have been painted in Boston about 1700, but it has been more than once reproduced in oil at later periods. Numerous fac-similes of signatures of the principal writers of letters here printed are also given.

BOSTON, June 1, 1892.

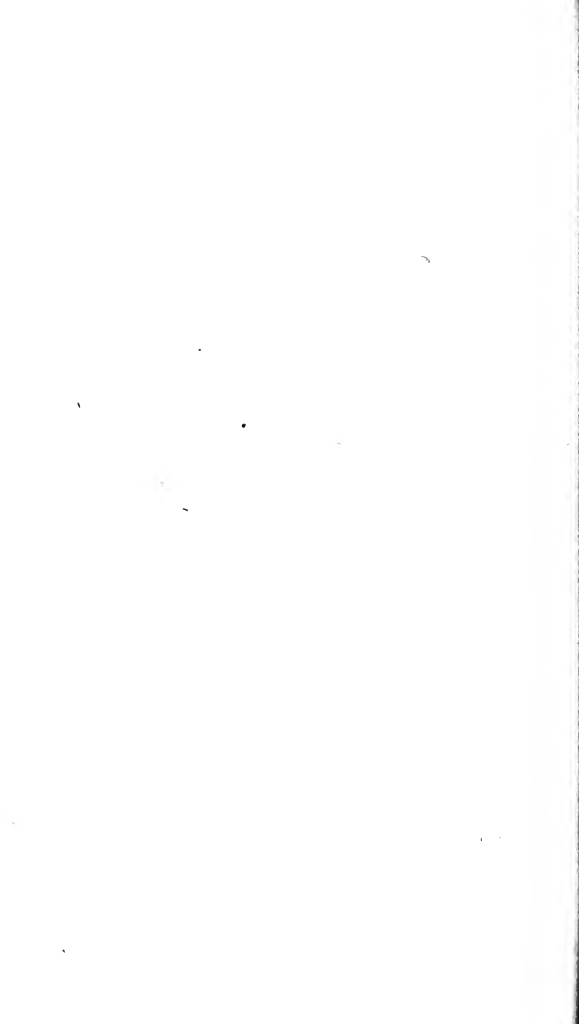


THE WINTHROP PAPERS.

(CONTINUED.)



PART VI.



THE WINTHROP PAPERS.

CORRESPONDENCE OF WAIT WINTHROP.*

(CONTINUED.)

THE GENERAL COURT OF CONNECTICUT TO
WAIT WINTHROP.†

HARTFORD, July 12th, 1675.

HONORD CAPTAIN WINTHROP, — We are glad to heare of your health & of our freinds & neighbours wth you, the soldiers sent hence. By post this night past we received your letter & understand you are at M^r Bull's, & of your motions with the gentⁿ of the Massachusetz; & seeing you have done your endeavour to fasten the Indians to the English, we know not what farther we haue to doe in this matter at the present, but still to desire you to carry so to the Indians of Narrogancett that you may oblige them to continue in freindship with us, & we advise & order you with your company forthwith to return to your charge to Stoneington or New London, & doe your best endeavour to defend the county of New London. We have

* For a short biographical notice of Wait Winthrop, with references to the portions of his correspondence already published by the Society, see the preface to this volume. — Eds.

† When this letter was written, Fitz-John Winthrop being ill and Major Palmes absent, Wait Winthrop was in command of the forces of New London County. (See Conn. Col. Rec. 1665-1677, p. 332.) The same volume (p. 338) gives an abstract of an interesting letter from him to his father, dated three days earlier, describing his movements and conference with Ninigret. The original is in Conn. Archives. See also a letter to John Winthrop, Jr., dated July 4, 1675, and one to Fitz-John Winthrop, dated July 9, 1675, in 5 Mass. Hist. Coll. vol. viii. pp. 401-403. — Eds.

mett with some unexpected motions from Major Andross, who wth some force is at Saybrooke.* What he intends we are not fully satisfi'd in, & are forced to continue those forces at Saybrooke that came from the westward, with some additional forces sent from these partes for the defence of that place, & to wayt upon Major Andross his motions; which puts a farther necessity upon us to order your return, untill we may have opportunity to draw off some of those forces from Saybrooke. S^r, this Court having considered what is mentioned of the Narragancetts refusing to deliver hostages, with what els hath been presented to us, are not satisfi'd that it is sufficient ground for the begining of a warr. S^r, we present o^r respects to you & pray God to continue his presence, protection & blessings upon your endeavoures & the endeavoures of o^r confederates & remayn, S^r,

Your affectionate freinds,

The Gen^l Court of Coⁿnecticot,

Signed Ψ their order,

JOHN ALLYN, Sec^{ry}.

Postscript. Remember us to Robbin & Mamoho & tell them we well accept of their readiness to attend o^r orders, & shall keep it in remembrance for their future advantage, & order them to keep in the same readiness as formerly; & when there shall be occasion to imploy them, you must endeavoure to secure their wives & children.

* On the breaking out of Indian hostilities in Plymouth Colony, in July, 1675, and in anticipation of trouble with the Narragansetts, the authorities of Connecticut sent at once to Governor Andros of New York, who appeared off Saybrook on the 8th, with two sloops and some soldiers. Here he attempted to exercise a power adverse to that of the Governor and Council, who offered to make a treaty with him. He finally withdrew without effecting his object, which he had hoped to accomplish in their political and military embarrassments. See Conn. Col. Rec. 1665-1677, pp. 578-586; Palfrey's Hist. of New Eng., vol. iii. pp. 129-131. — Eds.

JOHN ALLYN TO WAIT WINTHROP.*

*These for the Honord Captaine Wayte Winthrope, at Boston,
this dd. P^r M^r Josie Wolcott, Q. D. C.*

HARTFORD, June 2^d, 1676.

HONORD S^r, — Yours by M^r Goodall I reced, & thereby was confirmd in the beleife of that sad & afflictive stroke the Lord brought vpon vs by the death of o^r honord Gouernor.† An awakening frown it is vnto vs. The Lord make vs duely sensible of his holy hand, & humble vs for o^r sins, the procureing cause of such sorrows. S^r, I doe truely simpathiz wth you. The good Lord for his mercy sake comfort you in your sorrowes, & uphold you & the good gentlewomen under it, & be to you according to all your necessities. I doe know this loss comes neer you & the gentlewomen, but you know though relations dye yet God liues & is the father of the fatherless. I pray God a double portion of your father's spirit may fall vpon you, that you may rise vp in his roome, & serue the God of your fathers, & be more & more a blessing to his people. S^r, your father tould me it was his desire that his sons might serue God & his people in this country. I heartily desire it may be so, & should much rejoyce to hear God did incline your heart this way. The most if not all the good people of this towne doe earnestly desire you would com & take up your aboad amongst vs, & doe speake freely that they will according to their ability grant encouragement. Pray, S^r, please to come vp & make a tryall amongst vs. I hope you will not repent of it. M^r Bel-

* John Allyn was chosen Secretary of the Colony of Connecticut in 1663, and held that office until 1696, the year of his death. He was for many years one of the Commissioners for the United Colonies, and was one of the Council of Sir Edmund Andros, besides holding many minor offices. "During the latter portion of his life probably no individual in Connecticut possessed greater influence in the public affairs of the Colony than he." See Conn. Col. Rec. 1689-1706, p. 190 n. — Eds.

† John Winthrop, Jr., died in Boston, April 5, 1676, while attending a meeting of the Commissioners of the United Colonies, and was buried in the King's Chapel burial-ground. — Eds.

cher's house I beleive might be procured upon good tearmes. Please to come, & if you can bring your spirit to settle here we will buy it for you or build you one as good. O^r people doe earnestly desire it, & I shall much rejoyce if I may any way be capeable of payeing that due. I am abundantly indebted to your famaly for the many obligations your honord father layd upon me & mine by his abundant respects & helpfullnes to vs upon all occasions. S^r, I return you herewth thankses for your last kindness in the rubilla you sent.* it came very seasonable, & is allmost spent upon the sick ; but now, blessed be God, the most of o^r people are getting up, though some are very sick. Ln^t Webster was buryed this day, & old M^r White is very ill. M^r Hooker is ill, but it is hoped he is somewhat better. We hear of two ships com into N. Yorke, but what news is com by them I doe not here. Pray present my respects to Major Palmes & his lady, to M^{rs} Martha & M^{rs} Ann, to M^{rs} Numan & M^{rs} Curwin, which wth the tender of cordiall respects to your selfe is all at p^rsent, from, S^r,

Your affectionate freind & humble seruant,

JOHN ALLYN.

My daughters p^rsent their seruices to your selfe & the gentlewomen.

* The letters of Wait Winthrop and his correspondents contain numerous references to this medicine, in the efficacy of which they had great confidence ; but the secret of its composition seems to have been lost. In his Lowell Lecture on "The Medical Profession in Massachusetts," Dr. Holmes says: "It is evidently a secret remedy, and, so far as I know, has not yet been made out. I had almost given it up in despair, when I found what appears to be a key to the mystery. In the vast multitude of prescriptions contained in the manuscripts, most of them written in symbols, I find one which I thus interpret: 'Four grains of (diaphoretic) antimony, with twenty grains of nitre, with a little salt of tin, making rubila.' Perhaps something was added to redden the powder, as he constantly speaks of 'rubifying' or 'viridating' his prescriptions; a very common practice of prescribers when their powders look a little too much like plain salt or sugar." (See Massachusetts and its Early History, p. 276.) But in a letter from Wait Winthrop to his son, dated April 22, 1717, he writes: "Its best to make rubila before the weather be hot." (See *post*, p. 342.) Probably some important ingredient was omitted intentionally from the prescription found by Dr. Holmes. — Eds.

STEPHEN CHESTER TO WAIT WINTHROP.*

For Cap^t Waite Winthrop in Boston, ddd.

WEATHERSFELD, Apr^l 17th 1677.

CAP^t WAITE WINTHROP AND HONOURED & WORTHY FRIEND, — Inclosed is copy of a letter I sent to Governo^r Leet before o^r election last with a line or two on o^r never to be forgotten honored Gov^t & y^r deare & honored father, wch though possible unworthy yo^r reading, yet y^e very great respect I beare to his most worthy memory constraynes me to something in that behalfe, wherein I doubt not but yo^r candor will afford me a reasonable good construction. I have since wch time spake with y^e D. Gov^t Leet, who seems to take the thing well at my hands. I hope o^r gentleⁿ will doe what may be in yo^r affaires. The Treasurer orderd our towne to send you 84^{lb} in county pay at yo^r prices, but since y^e country being indebted to many persons y^e Council orderd back to many severall sums, wch will this yeare hinder y^e sending anything from hence wch possibly will doe better next yeare, y^e prices being too low at present. My service to yo^r selfe & worthy sisters.

Yo^r reall friend & serv^t, STEPH. CHESTER.

WEATHERSFELD, Apr. 7th, 1677.

GOVERNOR LEET: HONORABLE S^r, — Haveing a word or two in commemoration of o^r late honorable Gov^t Winthrop (w^{ch} intended sooner), am soe bould to present the same to yo^r selfe who are his successor; and the rather because I would intreat of yo^r Honor and yo^r associates to take into yo^r worthy and serious consideration the affayres of the heires of the afores^d Gov^t Winthrop, referring to Fisher's Island, wch was incumbred for the sake of this Colony. And haveing last fall had some speech with Cap^t Waite Winthrop, who understands that M^r Harwood intends this

* Stephen Chester was an early settler at Wethersfield, and a brother of Capt. John Chester. — Eds.

way ere long from England, it will be much hoped as the Hon^{or}^d Generall Court hath begun a good work for y^e clearing y^e s^d Island, soe they would see it compleated; for had it not been for the late Governo^r going on that acco^t, his estate had never been intangled, & great pittie it will be his relicts should suffer for his good intentions for y^e publick. I presume that both yo^r honored selfe & confederates have such a respect for y^e memorie of y^e s^d Governo^r that you will voutsafe to beare in minde the premises, & intreating excuse for my bouldness remayne,

Yo^r Honors much to be commanded,

S. C.

Coppy.

JOHN ALLYN TO WAIT WINTHROP.

HONORD S^R, — My selfe & wife p^rsent o^r best respects to your selfe & lady. These lines are to request that you would be pleased by the next to informe me what is done for the redemption of M^r Harris, whither any effectuall course be taken about it.* M^r Wharton by the last did giue hopes that there would be an effectuall course taken about it. We shall be ready to perform o^r engagement about it, though we are very poore this yeare by reason of the loss of our wheat, yet something will be sent to Boston upon the acco^t.† I should be glad the Narrogancet country were well settled, & I doe not doubt but if your occasions would bring you hither, it would be no dificulty to setle it between o^r Court & the mortgage men, as they are called. I should be glad to see you here, & M^{rs} Winthrop. My hearty respects to M^r Wharton & his lady, Captain Cuñen & his lady, wth M^{rs} Ann. I am sorry we mist of your

* William Harris, one of the first settlers of Providence, R. I., took an active part in the disputes about the ownership of the lands at Pawtuxet, and made three voyages to England. On the third voyage he was captured by the Algerines, but was afterward redeemed and died in London. In 1679 he was appointed agent of the Colony of Connecticut, and sailed on his last voyage in December of that year. See Staples's *Annals of Providence*, R. I., p. 587; Savage's *Genealogical Dictionary*, vol. ii. p. 365; and *Conn. Col. Rec.* 1678-1689, *passim*. — Eds.

† In a letter to Fitz-John Winthrop, bearing the same date as this letter, Allyn writes: "I have no news to tell you, saue that we haue had a cold winter, & are buried up in snow almost." — Eds.

company last Michaelmass, & hope this sumer we may enjoy it. All freinds here are well. We have no news. If any be with your selfe, if you please to hand it this way it will be very acceptable. I doubt not but you haue observed the strang sign the Lord hath been pleased to set in the heavens the last month & this.* The Lord avert his displeasure & be mercifull to his people. Rob. Reene is dead; & old John Brunson & Deacon Mygat allso are gon to rest in a good old age. I beg your excuse for this trouble, & assure your selfe I am

Your most humble seruant,

JOHN ALLYN.

January 26, 1680 [-81].

A small portion of rubilla would be acceptable to ly by, if your store would permit it. I use to take 8 graines at a time.

RICHARD WHARTON TO WAIT WINTHROP.†

LONDON, November 17, 1687.

DEARE BROTHER WINTHROP, — Three ships are arived from Boston since y^t I came in, but haueing not a lyne from yo^r selfe or any gentlemen of y^e Councill save M^r Randolph, I am freed from y^e care of answears, w^{ch} were I obliged to, my owne indisposiçon might excuse, I haueing been confined to my chamber by a violent cold and cough for about a fortnight & but newly got abroad. News y^u must not expect from me, for my conversation is little at court. I send y^u a copy of S^r Edm^d & M^r West's report, w^{ch} pray communicate to those concernd. Some lords and psons of quality that haue seen it thinks it may prove more to our advantage then was intended. My Lord

* The reference is to the comet discovered at Coburg in November, 1680, which is supposed to have been the same as was seen in B. C. 44 and A. D. 531 and 1106. — Eds.

† For a biographical notice of Richard Wharton, and a correction of the inaccurate account of him in Savage's Genealogical Dictionary, see note in 6 Mass. Hist. Coll. vol. iii. pp. 466, 467. — Eds.

Culpepp^r promises to make y^e best ont. I heare not that there is like to be any pceedings ag^t Conecticot Charter this tearme, and some of their friends heer please themselves with hopes they will not surrender without a condemnation. I haue made noe pgress in any business of concernm^t, but if God grant health and strength shall now begin to use utmost indeavours for despatch homewards in y^e spring. My Lord Culpepper is warme and very forward to be moveing in y^e Narr^t concerne, but I am rather willing to defer till Fayreweather arive in hopes of some advice or directions from y^e propriet^{rs}; but if it be pressed forward sooner I shall not sue for or submitt to any thing but what I may be satisfyed is for generall benefit; and if for want of those directions and advice I was p^mised I mistake, I hope I shalbee excused. M^{rs} Sarah Deane is marryed to one Doctor Woodward, Chancell^r of Salisbury, a very worthy man.* They yesterday went into y^e countrey. They haue been very civill to me in many respects. I haue seen yo^r Cooz. Ward that was, who tels me shee hath heard nothing from yⁿ or M^r Ad. lately, and seems very desirous to know w^t passes between yo^rselvs and M^r Daniell. If the ship stay any tyme in y^e Downs, I may follow this with another scrawle. However, pray let yo^r owne & others omissions & my weakness excuse me, both to yo^rself & others, & p^rsent my service to M^r Stoughton, M^r Dudley, M^r Gidney & freinds at Salem, to y^e Coll., yo^r wife, sisters, &c.

Yo^r aff^t bro. & serv^t

R^p WHARTON.

* Sarah Deane was the eldest daughter of Thomas Deane of Boston, and granddaughter of Hon. William Browne of Salem, father of Wait Winthrop's first wife. She married Dr. Robert Woodward, Dean of Salisbury. See Savage's Genealogical Dictionary, vol. ii. p. 30. — Eds.

RICHARD WHARTON TO BARTHOLOMEW GEDNEY.*

LONDON, March 10th, 1687-8.

MAJ^r GIDNEY: S^r, — I haue yo^r by way Oporto, and sundry others to the same effect. The matters contained therein haue been the subject of my care and employ^m^t all this winter; but as I had noe method p^rscribed to pursue the same, soe I gouernd my selfe by app^rhensions I had of the publique intrest of N. E., and the best means I could thinke of to attaine that end; and if I have taken wrong measures, or faile of the success hoped for, I craue the like charity that hath been so often exercised in N. E., and that my good intention may excuse my imprudence or irregularities; but that y^m may trace me in the steps I haue taken, be pleased to know y^t in short tyme after I arived heer I was courted by p^rsons of great intrest to appeare and concerne my selfe with them for obtaining a patent for all the mines in N. E., of which they had very high notions, and thought copper and silver were as easily got out of the ground in N. E., as the late great treasures out of the Spanish wrecks; and as these men's designes were inconsistent with our comon intrest I was carefull to invent argum^{ts} to divert them, and amongst others laid before y^m the difficulty, great charge, and uncertainty of success, and that the risque would be two great for a few p^rsons, tho verry great, to run, & that it was onely proper for a great society or corpora^çon, without exclusion of any of his Majestye's subjects, to ingage in, and thes and other argum^{ts} effectually discouraged thes p^rsons; yet I was soone [*torn*] by a second [*set*] of the same religion, but of better judgm^t and [*torn*] whome [I] found it more difficult to shake of; but being rid of thes alsoe by good aduice, I

* Bartholomew Gedney was one of the Assistants from 1680 to 1683, a member of the Council of Sir Edmund Andros, a Judge of Probate, and one of the Judges of the Special Court at the time of the witchcraft delusion. He died Feb. 28, 1698. See Savage's Genealogical Dictionary, vol. ii. p. 240. — Eds.

applied to a Lord of the Priuy Councill that hath a verry good intrest with the King, acquainted him with the discoureries made, and the improvem^{ts} N. E. was capeable of if encouraged by his Majesty, and gaue him specimens of sundry oars and the copper yⁿ sent, of our balsome, masticke, olibanum, and other my collections, which were verry pleasing to him, and of which he promised a fauourable report to the King, which I belieue he made, and, as if he had heard the argument I used to rid my selfe of my first proposed p̄tn^{ts}, advised me to indeauor to get subscriptions from as many able and acceptable men as I could; for a fend to propose to lay the business open for some tyme to all his Majestye's subjects heer and New Engld.; and when any such compet^t number of subscriptions were obtained as might assure his Majesty of improvem^{ts}, to petition his Majesty for a charter. This aduice in every thing agreeing with me, I exactly attended thereto, but found in my first essayes the greatest discouragem^{ts} where I expected greatest assistants. However, I ingaged my Lord Mayor and some other considerable psons, and were ready with our petition when Captⁿ Hutchinson arived,* who gave new life to my undertakings by the samples he brought and report he made; and altho my pgress varied much from his instructions, and the pjections in N. E., yet he being satisfied those were impracticable, and thes methods would at least equally conduce to a publique good, he cheerfully joynd with me in the petition, and accompanyed me therewith to the King and Councill, where it was well rec^d, and referd as by the inclosed. Soone after consulting the heads of a charter, Cap^t Hutchinson, being exceeding and as app^rhended un-

* Elisha Hutchinson, eldest son of the second Edward Hutchinson, was born in Boston in November, 1641, and died Dec. 10, 1717. He held high military rank, and was also one of the Council, from 1684 to his death. He was interested in the purchase of the Narragansett lands, and went abroad in the latter part of 1687, returning with Judge Sewall in November, 1689. See Savage's Genealogical Dictionary, vol. ii. p. 510; 5 Mass. Hist. Coll. vol. v. p. 284. — Eds.

seasonably tender and carefull of some little priuiledges, estranged himselfe from me, and unhappily gaue occasion to an unsteady pson that I had some tyme over freely discoursed in the matters, as intending to use his assistance and sollicitaçon, my indisposiçon by a violent cold often confining me to my lodging, and who from the misunderstanding between Cap^t Hutchinson and my selfe cabald with some to breake our designe and afterwards build upon our foundation, and brought in a pson of great estate and of as large app^rhensions of his owne abilityes, who hath giuen great trouble and delay to our business, and by the intrest he hath made constreynts to compliance, and to abate many aduantages we might otherwise haue had, but hath more firmly united Cap^t Hutchinson and my selfe to o^pose his rash and resolute imposiçons, and to yeild in little matters for obteneing greater, and at last a draught is ready to p^rsent to the Lords Com^{tees} for powers and priuiledges, the heads of w^{ch} I hearwith send yⁿ, and hope by Cap^t Foy to giue a full acc^t of the success. But as we must not promise o^r selues all wee pray for, soe shall we indeauour to make any tollerable tearmes, hoping the intrests and purses of [those] that [*torn*] with us may be of great use to N. E. If the patent can be got, we cannot desire soe great subscriptions as will force in upon us. Wee haue now about 13,000.£ Sterling subscribed, and near as much more promiss by emin^t men that are not willing there names should appear before the patent be agreed on and granted. Before Cap^t Hutchinson came, and without order I subscribed for M^r Stoughton, Brother Winthrop, Maj^r Pinchon, yo^rselfe, M^r Johnson, Cap^t Hutchinson, and Hez. Vsher, & Bro. Higginson. There are crowds of people that are waiting to subscribe. We intend to raise the subscription soe high that a tenth part shall be sufficient to advance and set forward the first works, and as there may be encouragem^t to draw in and expend more of the subscriptions, the psons that hath

giuen us the great trouble will, when things come to a settlem^t, be managed as a good instrum^t to promote the prosperity of N. E., seeming to haue great designs of improvem^t there.

Haueing been thus large in this, y^a must excuse me and expect publike intelligence from others. Pray be carefull to whom y^a communicate, and if any ships be ready to sayle fauour me with what occurs with y^a. I belieue I shall stay till midsomer, but will hasten all I can. S^r, I am

Yo^r uery aff^t friend & serv^t.

Indorsed: "Copy to Major Gidney from M^r Wharton."

RICHARD WHARTON TO WAIT WINTHROP.

LONDON, March 14, 1687.

DEARE S^r,—I could not let this ship goe without a lyne. The others by whome I hope I may give a better accompt of my business and employm^t are p^rpareing and will sayle in short tyme. I haue lost noe oppertunity to write to y^a, and haue rec^d but one letter from y^a, and was in pursuite of what y^a proposed therein before I rec^d it. Y^e p^rgress I haue made y^a will find in y^e inclosed coppes w^{ch} I send, haueing not tyme otherwayes to satisfy y^a therein. By the next I hope to send y^a some acc^o of the success in this and the Narroganset business, tho' I dispair of bringing that to any good head, but will drive it as far as I can. I haue subscribed £200 for y^a in y^e new company, and shall give y^a my vote for p^rsid^t. Y^a will haue roome to subscribe £1,600 more when y^e patten comes out, if y^a please. Pray faile not to satisfy yo^rselfe as privately as y^a can w^t the Wooborne oare will yeild, and if any ship ready to sayle advise me. However, it wilbe good for y^a to be fully satisfyed in it; for if it be as it is rep^rsented to me, I shall upon obteneing y^e patten give

advice for considerable subscriptions in N. Engl^d, w^{ch} I dare not incourage my pticular freinds heer to make without better assurance, and, indeed, if y^u or M^r Johnson have had a cheat put upon y^u, as I am something fearfull, I shall suffer much in my reputacion heer, and great discouragem^t will fall upon y^e undertakeing.

Pray indeavour to satisfy my wife both as to y^e reasons of my goeing and long absence, and keep her what y^u can from melancholly. I hope to be comeing home by midsum̃er. I desire y^u to direct M^r Thomas where to pay my quit rent, w^{ch} is ten shill., for my Narroganset farms, least a default cause some inconveniency. I haue not tyme nor business to inlarge, onely service to my sister and friends at Salem. I haue not oppertunity to furnish yo^r soñs, but shall remember them at my returne, and wilbe glad to know wherein I may supply my sister, & am

Yo^r aff^t bro. & serv^t,

R^d WHARTON.

Pray give my service to his Excell^y, the Presid^t & Vice Presid^t, and let my indisposicion and hurry excuse me to y^e last for not writeing. I shall, God willing, by the next tell him I haue subscribed £200 for him for y^e new undertakeing.

RICHARD WHARTON TO WAIT WINTHROP.

LONDON, Apr 26, 1688.

DEAR S^r, — I have by every ship given y^u an acc^o of my selfe and my employm^{ts} heer, and by Cap^t Darby, who sayld about ten days since, advised y^u of the stop that was given to our patent, w^{ch} seems now to be removed, and all things ready for y^e Lords Committee at y^e next board, and a good despatch is promised if some narrow spirited and p^rjudiced psons of our own company obstruct not. I hope you have comunicated to M^r Stoughton what I wrote by Leech, to

whome I now write my selfe, and refer him to y^u for y^o heads of our patent, w^{ch} will not pass with any restreynt on pprietyes, nor wth that gen^ll confirmaçon that was inserted, but encouragem^t is given to petiçon for his Ma^{tyes} gracious confirmaçon of proprietyes, and if the patent for mines pass the other its hoped may be passed with good success.

A small vessell of M^r Hutchinson's bound for Holland touched and brought me letters from several freinds, but none from yo^r selfe, but I understand y^o interm^t of yo^r father Browne restreynd y^u.* I wrote to all freinds at New London by Leech, and long much to heare of their recovery. The Maj^r Gen^ll nor neither of my sisters have favoured me wth a line since I came hither, soe y^t I hope I may be excused if I doe not multiply epistles to that port.

Pray visit my wife as often as y^u can, and indeavour to p^rvent the power of melancholy. I hope shee wants nothing that is conven^t. W^t money I left with her and to gather in I suppose may be suff^t for her supply without something extraordinary have brought some unexpected charge. However pray see that shee want nothing needfull; and if any thing should hinder my returne before winter, w^{ch} I cannot foresee, I shall make effectuall p^rvision to reimburse y^u and supply her.

I cannot yet shake off my cold, w^{ch} is more or less powerfull according to y^o weather, but I thanke God is much abated, and my strength well restored. I greatly want some rubila. A full supply of that would have saved me a great deal of blood w^{ch} I have been forced to part with. I shall be very industrious to see y^u before winter, and hope if I be not fully ready for y^o next ships to sen[d] Sam. with them; he sends his duty to y^u. Pray let them know at New London I am very passionately app^rhensive

* Hon. William Browne, of Salem, father of the first wife of Wait Winthrop, died Jan. 20, 1688. — Eds.

of the loss of their correspondence, and very ready to serve them. My service to my sister and love to J^{ny} and Will. If any ship upon rec^t of this be ready, pray venture a few lines to

Yo^r very aff^t Bro. & Serv^t, R^p WHARTON.

My son sends his service to yo^r selfe & my sister.

RICHARD WHARTON TO WAIT WINTHROP.*

Thes to Waite Winthrop, Esq^r, at Boston, in New Engl^d.

LONDON, Oct^r 18, 1688.

Sⁿ, — By way of Dartm^o I wrote you a few lines, & acq^{ted} y^a what indeavours have been used for releife of New England. The expecta^on of invasion, the demands of the Pr. of Orange, advice of the bishops, and discontents of the people, have quite broken y^e old measures and p^cured restoration of the Charter of London, now actually under admⁿ as formerly, and all y^e other cityes, corporations, and borroughs in Engl^d; and great resolutions seem to be hasting on, out of w^{ch} New England may, I hope, find deliverance. God hath taken away M^r Nowell by death.† M^r Maddar,‡ Cap^t Hutchinson, and myselfe, with M^r Stephen Mason, have sundry times been this weeke to wayte on the King, who hath often assured us o^f propertyes shall be continued and confirmed. The Colledge and revenue remaine in the hands of a Presd^t & Fellows, and liberty injoyed in matters of religion, and in order thereto the Attourney-Gen^l is ordered to ex-

* Wait Winthrop communicated the substance of this letter to his brother, in a letter from Boston, Jan. 5, 1689. See 5 Mass. Hist. Coll. vol. viii. p. 489. — Eds.

† Rev. Samuel Nowell, of Charlestown, was born Nov. 12, 1634, and graduated at Harvard College in 1653. He was never a settled minister, but was a chaplain in Philip's War, and afterward held important posts in the civil service, being at one time Treasurer of the Colony. He went abroad in December, 1687, and died in London in August or September of the following year. See Savage's Genealogical Dictionary, vol. iii. p. 295; Sibley's Harvard Graduates, vol. i. pp. 335-342. — Eds.

‡ Rev. Increase Mather, D.D. He went to England in April, 1688. See 5 Mass. Hist. Coll. vol. v. p. 209. — Eds.

amine the Govern^rs cõmission & instructions (of which we hope now to get a copy), o^r compl^{ts} and his proceedings, and to report the same with his opinion. It is surprising to many that wish well to New Engl^d to heare that men of estates, who hold them from the late Govern^t and by charter, should sue for patents, for it is not doubted but as soone as matters come to any such settlem^t heer as either the Court can be at leisure or Parliam^t called, but that all extra-judiciall and arbitrary proceedings and exactions, in the plantations as well as heer, will bee examined. M^r M., C. H., & myselfe, if we can but be supplied with money, are willing to stay and use utmost indeavours & intrest till some effectuall order can be obtained for releife of New England, w^{ch} wee cannot see how it can be accomplished with less charge than £2,000. If other men of estate would give the same assurance you have done to contribute, wee would find creditt heer, and I doubt not but upon y^e issue the whole countrey would indemnifye those that should soe contribute or ingage. And in this case there is noe danger of subscribing, if the end be expres'd to apply to his Majesty; and if any should be troubled on this occasion, it would furnish with new matter of compl^t. Attested copys of proceedings either from the courts or under the hands of some of the Councill, or such as will justifye the same in all matters complained of are needfull heer. S^r, you will from those that come over and the printed papers receive more full informacõn of the affayrs and designs heer than I have tyme to give; please therefore to accept & improve this as an assurance that I am much concerned for New Engl^d, and willing on all occasions to tell you I am, S^r,

Yo^r faithfull freind & serv^t, R^p WHARTON.

S^r, M^r Harris is unexpectedly gone. I must only therefore refer you to y^e aforegoing copy and a Gazette, having many papers I intended you left behind, as this will be if I say any more.

JOHN ALLYN TO WAIT WINTHROP.

HON^{ble} S^r, — I make bold by this opportunity to salute you wth my best respects, & am glad to hear of your welfare by such as com from those parts, & should be glad to receiue a few lines from you & what of news may be communicated. We heare are wholly strangers to affayres. We have no certainty of any thing. We hear nothing of the war, how it goes on, or when is like to be issued. We hear of great expences, but which way & when it must be payd I know not. Sometimes we hear of a great rate, but how it will be gatherd of o^r people I cannot tell. Most are so poore that they haue not wherewithall to pay it, except it be cattell. They haue neither money nor corn. You know there condition here as well as I. If any rate comes, I know not what they will doe. S^r, if I may be so happy as to receiue a line or two from you I should be glad. All freind here are generally well, & would be glad you would com & take up your aboad amongst vs. How times may chang I know not, but great talkes there is that things will be as sometimes they haue bin by reason of a proclamation made by his Ma^{tie} October last that restores charters; but when it will be I know not, & what new changes ther may be I cannot tell, & whither that proclamation reacheth vs I know not, but those things time will bring forth. Pray, S^r, let me hear from you by this bearer, W^m Man, how your selfe & all yours doe, wth M^{rs} Wharton & that famaly, & M^{rs} Ann & all your sisters. Major Winthrop was well last Munday. My wife doth present her respects to your Hono^r & M^{rs} Winthrop & your good sisters. I must beg pardon for this trouble, & subscribe my selfe

Your humble servant,

JOHN ALLYN.

FRANCIS BRINLEY TO WAIT WINTHROP.*

NEWPORT, May 6th, 1689.

Sⁿ, — To signifie unto your selfe or some other person y^e pres^t state of our affaires in these parts lies as a duty incombent on mee, y^t y^e malady being knowne, a sutable remedy may (if possible) be provided. I imagine y^e present unsetlednes w^{ch} generally appears here in people's minds, who were before quiet, takes it[s] birth from some particular persons, though at present unknowne. One told me there was now no government, and therefore, their charter being not legally taken away or surrendered, or to that effect, they might lawfully rule by that power. On their usuall day of election, by papers or libells signed W. C., J. C., scattered abroad and made knowne to whom it was thought meet, a company met in Newport, and by y^e votes of 40 men made choice of their old officers, civil and military; M^r Walter Clarke being the head or cheife seemed to decline and refuse the place.† At night they dissolved the meeting, no officer that day chose being either sworne or after their manner ingaged, yet all or most of them act, and perswade y^e most of y^e people into obedience to them who are easily led into it by the liberty they take to advance their private interests, especially in the King's Province; for a party of men lately intended to disarm the French, but I think were prevented by Maj^r Smith.

* Francis Brinley was born in England Nov. 5, 1632, came to this country when he was about fourteen years old, and settled at Newport in Rhode Island. He died in 1719. In a Memorandum, written in October, 1709, and printed in Mass. Hist. Coll. vol. v. p. 252, he writes: "I am one of the most ancient inhabitants of this colony, scarce half a dozen older than myself that lived here before me; and I am bold to say, that no person now living knows more, if so much, of the transactions and affairs of this place, it being settled about fourteen years before my first coming; for I always kept a particular account of all material passages that occurred, more perhaps than any person of my standing in this colony did." In 1672 he was one of the Assistants; and at various times he held other public offices. — Eds.

† The paper here referred to is printed in R. I. Col. Rec. vol. iii. p. 257. See also Arnold's History of Rhode Island, vol. i. p. 512. — Eds.

Another party, neare neighbours to y^e French, forbid them to make any further improvem^t on the land and bid them begon. Many others are setling and building on the Mortgage Lands, so called, and many more are ready to set in to settle all the best places. Our times are now the same we read of when there was no judge in Israell, but with this difference, — they did every one what seemed right in their owne eyes; these w^t they know to be wrong. Unles some divine providence or human power releive us, nothing appeares but ruine and confusion, property and priviledge (so much talkt of) will be destroyed, and all things else set up that may make a people miserable. S^r, these things I lay before you, that if there be any helpe it may be speedy, that the gap may be stopt before it grow too big. An oppressive government is to be preferrd before an anarchy, but a just and easy governm^t, let y^e forme be how it will, is my wishes and desire. I remaine, S^r, yo^r most humble servant,

FRANCIS BRINLEY.

Pray let not my lines be publique, for we, as in Bedlam, are crazy braind.

JOHN HIGGINSON TO WAIT WINTHROP.*

HONOURED & DEAR S^r, — Having heard of y^e good tidings of y^e Lord's mercy in recovering you from your late sicknes, I desire to give thanks vnto God for so great a mercy, & to congratulate your self in y^e enjoyment of it, y^t you may continue to be a publick blessing in the way of serving y^e Lord & his people in your generation. It hath occasioned me to renew that motion w^{ch} I have sometimes formerly made vnto you, y^t you would most

* Rev. John Higginson, of Salem, eldest son of Rev. Francis Higginson, was born in England August 6, 1616, and came over with his father in 1629. His daughter Sarah was the second wife of Richard Wharton. He died Dec. 9, 1708. (See Savage's Genealogical Dictionary.) For other letters from him, see 3 Mass. Hist. Coll. vol. vii. pp. 197-222. — Eds.

seriously consider whether it be not your duty in way of thankfulness to God to joyn your self in full communion with M^r Willard's church (where you do constantly attend). One y^t joyned to this church said he did it rather becaus it was [*illegible*] ag^t trouble & tryall, & he desired to be found in y^e nearest & fullest way of communion, & to own y^e caus of God & his people in such times. Another, an ancient man, having a great fit of sicknes & in danger of death, bewailed his neglecting so long to joyne to y^e church, & vowed to God if he pleased to spare his life y^t he would not delay it any longer. Accordingly, as soon as he was recovered he applyed him selfe thereunto & was lately receiued. Dear S^r, I commend vnto you these 2 examples for your imitation; let no discouragmts hinder you, but let y^e command of our blessed Saviour (Do this in remembrance of me), & y^e example of those in Acts 2: 42, & of your grandfather & father before you, incite you vnto that w^{ch} is your vnquestionable duty, to joyn to y^e church without any further delay.* I lately preached largely on David's dying charge to his son Solomon, 1 Cron. 28: 9, Know thou y^e God of thy father, &c. This also I commend to your serious consideration.

So, committing you to y^e grace of God in Christ Jesus,
I rest, your humble servant, JOHN HIGGINSON.

SALEM, Aug. 1, 89.

SAMUEL STOW TO WAIT WINTHROP.†

*For the much Honour'd Major Generall Wait Winthrop, Esquire,
in Boston, presented.*

MIDLETOWNE, y^e 20th of y^e 6^t, 1689.

MUCH HONOUR'D SIR, — Whom I desyre to honour for y^e sake of your honourable parentage & generous & worthy

* Wait Winthrop was admitted to the Old South Church, August 25, 1689. — Eds.

† Rev. Samuel Stow, of Middletown, Conn., was born in England about 1622, and came over with his parents in 1634. He graduated at Harvard College in 1645, and died May 8, 1704. See Sibley's *Harvard Graduates*, vol. i. pp. 118-121; Savage's *Genealogical Dictionary*, vol. iv. pp. 217, 218. — Eds.

acts, hoping y^e Lord y^t raised vp your noble heart to do worthyly for his poor people in the spring, tho' he hath been chastning you wth sore sickness, yet I hope it hath been to fit you the more for himselfe & honourable service he may haue yet further for you to do. I make bold to present after my rude manner a few lines vnto you to congratulate your recovery, and to inform your Honour of a greate attempt y^t I have been labouring to write, an Essay to call the Jewes, tho' som look at it as a ridiculous thing to attempt such a thing; yet I know that wise & vnderstanding ones y^t are men of wisdom to know the times, what ought or may be done in y^e fear of God & for y^e sake of the honour & glory of God & y^e salvation of souls, will judge otherwise. If God will work by a poor despicable instrument, y^e more his glory will appeare. What I haue don, I haue sent it for your Honour & the Reverend M^r Willard to pervse & censure as ye shall see cause. And if, Sir, you judge the labourer worthy of any thing, it being for a publick designe & work you may, I doubt not, in you[r] wisdomes & prudence promote it; if it be not performed by the autho^r so takingly, let others y^t can do better mend it; so y^t y^e work may be done, the Jewes call'd, I matter not tho' my labours be lay'd by in silence. I thought y^t writing might do it to y^e Jewes now in their dispersion among the Gentiles, as in Jeremiah's time, writing to them in Babilon, Jer. 29. 1. Writing will not be mocked out or jeered out of countenance, as personall speeches wth y^m may. What is written will abide & be a constant voyce to not one or so, but to many, not once & way, but alwayes to all to whom such books may com. If they haue ought of ingenuity, they will either yeeld & believe or soberly reply in writing. I did not think y^t I should ever haue put my hand so far to this work as I haue don, thô my heart, wth y^e rest of God's people, haue been for it in my prayers, y^t God would do it by som or other, that God would move som or other to

prophesie over the dry bones. I thought it must be by travils & immediate discourse in som strange language; but till of late God hath moved me to do it in y^t mode y^t I haue followed. I vnderstand they are a very subtil people, & ripe witted in most languages, so as y^t they will vnderstand y^e English tongue as well as other; & then I look at it, if such a work by God's blessing succeed, all Christians will be desyrous to be reading the books y^t God shall blesse to be y^e meanes of their calling, yea, as Capten Allyne, of Hartford, said to me, puting it into his hands while at our towne vpon a visit, there are many things good & vsefull for Gentiles as well as Jews. Whatever in it of God, I say, let God haue y^e prayse, & what of mine infirmityes, w^{ch} may be many, I hope my friends & y^e honestly minded will overlook, & not cast away a good kernel for som spots that may be on y^e outside of y^e nut. If it please you, Sir, you being well acquainted wth M^r John Cole, schoolmaster of a writing school wthin your precincts, if it should fall out y^t any encouragements by any be presented, you may enform him. I hau betruusted him wth my concerns in this matter.* Thus wth presentation of my humble & hearty service to your Honour, wishing God's rich blessing vpon your honour'd selfe & all yours that God would double that of his Holy Spirit y^t was in your most worthy & famous ancestors on you & them. Sir, I humbly take my leave, & rest yo^r poor, vnworthy, yet, I hope, willing servant to serve you to his power,

SAMUEL STOW.

* Apparently Mr. Stow's treatise was sent to Nathaniel Higginson in London many years afterward, but was not printed. In a letter to Higginson after Stow's death, Judge Sewall wrote: "His manuscript of the Jews is in your hand to do with it as you see cause; being well assured you will do nothing amiss." See 6 Mass. Hist. Coll. vol. i. p. 321. — EDS.

JOHN HIGGINSON TO WAIT WINTHROP.

For the Honoured Major Generall Winthrop, at Boston.

SALEM, NOV. 28, 89.

HONOURED & DEAR S^r, — Having heard of y^e Lord's taking to himsef my honoured & dear son Wharton,* I could not forbear to expresse my vnfeined sorrow for y^e losse of so good a man, & to sympathize with your selfe in your sorrow for y^e losse of so good a brother & cordiall friend, & truly not onely we but y^e wholl countrey have cause to lament y^e great & publick losse & misse of such a one as hath left few fellowes behinde him. There is also great cause of mourning for good M^{rs} Wharton,† & her children's losse; but what shall we say, y^e Lord himself hath done it, & who may say to him What doest thou? His thoughts are not as ours, nor his wayes as ours: it becomes vs after humble submission to his holy will to pray y^t he would teach vs to number our dayes so as to apply our hearts vnto wisdom, & to wait all y^e dayes of our appointed time till our own change come. I am deeply concerned for good M^{rs} Wharton, fearing y^t she will be ouerwhelmed with sorrow & her children there, as these 2 children are here, but I doubt not your selfe will not be wanting in all wayes of carefullnes & helpfullnes to her & her children there, & for these 2 here my selfe & son John shall be carefull of them, & they may continue here so long as shall be judged expedient; & though I doubt not your good sister will of herselfe be willing to it & forward in it to give to these 2 daughters here y^e same mourning garments w^{ch} she giues to her own daughters at home, yet if you pleas to put her in minde of it y^t if she would pleas to send Sam. Newman hither with such

* Richard Wharton died in London, May 14, 1689. — Eds.

† Martha, sister of Wait Winthrop, and third wife of Richard Wharton, who left issue by three marriages. The two daughters referred to in the latter part of this letter were children of his second wife, Sarah Higginson. — Eds.

mourning garments as soon as may be, it will be honourable to her & acceptable to all. So I commend you to y^e grace of God in Christ Jesus, & rest

Your humble servant, JOHN HIGGINSON.

COMMISSION TO WAIT WINTHROP AS MAJOR-GENERAL.*

SEAL. The Generall Court of the Colony of the Massachusetts Bay in New England, to Wait Winthrop, Esq^r, Major Generall.

WHEREAS you are chosen and sworn to the office of Major Generall of all the military forces within their Majesties' Colony abovesaid for this present year, or untill another be chosen and sworn in yo^r place. These are in their Majesties' names to authorise and require you to take into yo^r care and conduct all the said forces, and diligently to intend that service by leading and exercising your inferiour officers and souldiers in time of peace and warr, comãding them to obey you as their Major Generall. And in cases of emergency upon the assault or attack of any enemy, to rayse and detach all such part of the said forces as shall be needfull for their Majesties' service in defence of the country, and to resist, repell, and subdue the said enemy as occasion shall present. And to that end to issue forth your orders to the serjeant majors of the respective regiments or captains of the particular companys of horse and foot, or either of them, haveing regard to the direction of the laws refering to yo^r office. And you are to observe and obey all such orders as from time to time you shall receive from the Councill or Generall Court of this Colony. IN TESTIMONY whereof the publick seal of the said Massachusetts Colony is hereunto affixed. Dated the nineteenth day of February, one

* Wait Winthrop had been chosen commander-in-chief of the militia immediately after the downfall of Andros. See Hutchinson's Hist. of Mass. vol. i. p. 382. — Eds.

thousand six hundred eighty-nine, 1689/90. In the second year of the reign of our Sovereign Lord and Lady William and Mary, by the grace of God King and Queen of England, Scotland, France, and Ireland, &c^a.

SIM. BRADSTREET, *Gou'n^r*.

By order of the Court,

IS^A ADDINGTON, *Sec^{ry}*.

SAMUEL STOW TO WAIT WINTHROP.*

To the Worshipfull and much Honour'd Major Wait Winthrop, Esquire, living in Boston, these be presented.

MIDLETOWNE, y^e 4th of August, 1692.

WORSHIPFUL AND MUCH HONOUR'D SIR, — Whom I cannot but in my heart honour for y^e sake of your heroike father & grandfather, the glory of the times & places they lived in, even a crowne to N. E. Thô they are for their worthy acts now covered wth glory, yet, your Honour, I hope, being advantaged to som steps of, & to their places of dignities, you will not be wanting to wait vpon & serve the blessed God of your fathers, according to y^e exhortation of David to his son Solomon, 1 Chron. 28. 9. They were both famous & really renoued through both Englands & many countryes more; wherefore, Sir, the God of mercy returning to his poor people in this wilderness whom I hope, for y^e body of them, are willing to serve the Majesty of Heaven, and to be alwayes in his feare true & loyall to Majesties on earth, I cannot but as one of your ancestors' freinds and your freind, thô vnworthyest of all, yet I cannot but testify my wel wishes to your Honour's & the countryes felicity, and in order hereto I wish long such to live as haue been & are willing to promote it to the vtmost of their power & prudence. I could heartily

* This letter was written a few months after the arrival of Sir William Phips, the first Governor of Massachusetts appointed under the Province Charter, in which Wait Winthrop was named one of the Counsellors or Assistants. — Eds.

advise by all meanes and prudence it might be obtained that God's people might no more com vnder forreigne imposed ones to be over them, but y^t they may enjoy such as God graciously promisseth, Jer. 30. 19. And that thô their Majesties reserve to themselves to appoint whom they please, yet I hope they are so gracious & benigne that they may be prevailed wth to appoint none but such as they may see good of the propriators, and of the Council chosen by y^e body of freemen whom they please of those, & so they to make vp, after his taking his place, the number of counsellors; and, if it may be, I could wish and desyre that the head of Ch^h flocks in this wilderness might be one of y^e fold in ful communion in som one of y^e churches. And that as to his negative voyce, if at any time such a thing should be, it might be wth his reasons given in writing, else, as I conceive, it will be absolutely an arbitrary governour, the w^{ch} I suppose his most gracious Majesty is far from intending any such thing as most abhorring to his royall & noble designes published to y^e world, w^{ch} hath been to free Christians from slavery or arbitrary goverments as well as from Popery.

Sir, your generose candor & clemency I hope will bear wth my boldness. I would be one found of the faithfullest to God & man. One thing, most Honour'd, I would humbly crave your favourable construction and inspection as relating to a designe of mine, that the Jews might be called. I pray consult wth y^e reverend yo^r pastor, M^r Willard, who may informe your Honour what I haue written to y^e Convention of the Reverend Elders that meet on the weckly lectures to do, relating to a venture sent at an adventure to the dispersed Jewes, &c. I veryly believe whoever set their hearts & hands to further their call shall not be any loosers by what they do, if any should expend som part of their meanes to advance it. I leave it to the most bountifull God of Heaven and to his free & willing ones

to honour him in promoving such a work, w^{ch} must be & shall be contemporary wth y^e fall of Mystery Babilon, as may be gather'd from Jer. 50th, 1, 2 to y^e 6^t v. compared wth Revel. 19, v. 1 to y^e 7th. Thus, worthy & renowned Sir, I am bold, confiding in your publick spirited breast & heart to do all the good you may for God's honour & the good of his saints. Wishing you all blessings from y^e Almighty ever more, more & more to animate, wth y^t spirit by w^{ch} you vnder God wrought as another Phineas salvation to his Israel in y^e Massachusetts, in whose joy God forbid but we should rejoyce as in our owne. Wishing all peace, prosperity, health, & happyness for time & to eternity, I humbly take my leave, & rest,

Sir, your real & assured humble servant, thô y^e most vnworthyest, yet your cordiall freind,

SAMUEL STOW.

COMMISSION TO WAIT WINTHROP AS A JUSTICE OF THE
SUPERIOR COURT.*

SEAL. WILLIAM AND MARY, by the grace of God of England, Scotland, France, and Ireland, King and Queen, defenders of the faith, &c^a. To our trusty and welbeloved Wait Winthrop, Esq^r, Greeting.

WHEREAS there are several courts established for the administration of justice within this our Province or Territory of the Massachusetts Bay in New England, partic-

* The Superior Court was established by an Act of the General Assembly passed Nov. 25, 1692; and William Stoughton was appointed Chief Justice, with Thomas Danforth, John Richards, Wait Winthrop, and Samuel Sewall, Justices. This Act was repealed by the Crown in 1695; and new Acts were passed, June 19, 1697, "for establishing of Courts," and, June 26, 1699, "for establishing a Superior Court, Court of Assize, and General Goal Delivery." Subsequently to the date of the commission here printed, and before his appointment as Chief Justice, three other commissions were issued to Wait Winthrop as a Justice of the Superior Court, and have been preserved, — in 1696, 1697, and 1699. See Mass. Province Laws, vol. i. pp. 73, 76, 285, 370; Whitmore's Mass. Civil List, p. 68. — Eds.

ularly one Superiour Court of Judicature over the whole Province, to sit for & within the several respective countys, at such times and places as in and by one Act made and passed by the Great and General Court or Assembly of OUR s^d Province entituled An Act for the Establishing of Judicatories and Courts of Justice within the same, are particularly set down and directed, which court is to have cognizance of all pleas, real, personal, and mixt, as well in all pleas of the Crown, and in all matters relating to the conservation of the peace and punishment of offenders, as in civil causes or actions between party and party and between OURSELVES and any of OUR subjects, whether the same doe concern the realty and relate to any right of freehold and inheritance, or whether the same do concern the personalty & relate to matter of debt, contract, damage, or personal injury, and also in all mixt actions which may concern both realty and personalty. And when and in what county soever the s^d Superiour Court shall sit, the justices thereof shall hold a Court of Assize and General Goal Delivery for the s^d county at the same time as occasion shall be. KNOW YEE that WEE have constituted and appointed, and do hereby constitute and appoint, you, Wait Winthrop, Esq^r, to be one of our Justices of OUR said Superiour Court *quam diu se bene gesseris*, with authority to use and exercise all powers and jurisdictions belonging to a Justice of s^d Court, and to do therein what to justice doth appertain according to law. AND you, together with other OUR Justices of OUR s^d Court, or any two of them, to hear and determine all such causes and matters as are cognizable to s^d Court, and to award execution thereupon according to law. IN TESTIMONY whereof WEE have caused the seal of OUR s^d Province of the Massachusetts Bay to be hereunto affixed. WITNESS S^r William Phips, K^{nt}, OUR Captain General and Governour in Chief in and over OUR Province afores^d, by and with the advice and consent of the Council, at Boston, the twenty-

first day of December, 1692, in the fourth year of our reigne.

WILLIAM PHIPS.

By order of the Council,
Is^a ADDINGTON, *Secry*.

NATHANIEL MILNER TO WAIT WINTHROP.*

BRISTOLL, y^e 19th May, 1694.

MAJOR WAIT WINTHROP, — Just now I heard of youre being at London, and not before.† Since my departure from New England I have had a grat dele of trybles, & sopose you have heard of them. In my homwards bovd pasidg from Vergeny I was forst on shore in Cornwell neare S^t Ives by a desperrate storme of winde. The nete proceds of what I maid of ship and cargoe, that I bought a small vessell with and some cargoe, designeing for S^t Georges & New England, bvt y^e vessell proved so disperate leackey that I pvt into S^t Micalls and thare indevered to finde the leakes, bvt covld not. Then I took a freight for y^e Connaryes, it being bvt a short ryne. From thence retvrned to S^t Micalls agane, and laded y^e other time for y^e Connaryes. Yⁿ laded wines for Bristoll homwards bovd. By reason of a contrary wind I pvt into Ireland in y^e rever Cellmeare, from whence I was tacken ovt by two French privateers. Ten days aff^r that she was retaken by an English privateare & carried into Fallmovth. Since my retrvrne from Ireland I have bene downe to Falmovth, whare I fovnd y^e vessell, meteriall, & cargoe mvch imbassolled by y^e French & English. They demands one halfe of what is left for salvedg. The act of Parliment allows it to them in case they make no imbas-

* Nathaniel Milner was apparently an English shipmaster trading to New England and Virginia. The letters which we print are written and signed by two entirely different hands; and perhaps neither is his own autograph. — Eds.

† Wait Winthrop was not in London at this time. Milner confounded him with Fitz-John Winthrop, who was there. — Eds.

selment, but proof enow of imbasselment is against them. Thare is Robart Raworth marc^{ht} in London who was a fraighter on y^e vessell. He is now at law with y^e privateares, & acts for me as well as himselfe. I hope thare will be a spedy end pvt vnto it, and then I intends to lefe what appears to be dve vnto yov & y^r part^{rs} in New England in y^e hands of M^r Charles Jones, Jvn^r, of this cittey, also y^e accompts. It will be delivered to yo^r ord^r. I have writt to Boston in New England by two oppertvni-teys from this place. Yo^r negro Kinch come from Ireland with me, bvt at Coombe he was pressed from me to go on bord y^e Royall William. He promised me that he wovld come to me agane, and if so I will take care to send him vnto yov. I have abovte eighteen povnds dew to yov for y^e negro's wages. It shall be paid vnto yovre ord^r. If yov wright to me, plese to direct yo^r letters to M^r Edward Martendel's, marchant, in Bristoll, for Nathanell Milner, at Red Lane nere Bristoll.

I am yo^r hvmbler servant,

NATH^{LL} MILNER.

NATHANIEL MILNER TO WAIT WINTHROP AND OTHERS.

To Magar Weight Wintrop and Comp^a, Marchants at Boston in New England, pzent.

BRISTOLL, y^e 9th of July, 1694.

GEN^r, — My last to you was by M^r Hooppar. Sense that my frind at London haue had a treyall with the pri-uateares at y^e Corte of Doctars Commons, whare the jvdg haue acquitted vs from y^e privateare's demands, by reason of theyar great imbaselments. The owners of y^e privateare appealed to the Lords of y^e Cowncell & haue had a hearing at the Cowncell Chambar, whare the Lords confirmed whot was done at Doctars Commons. Now we are thretnd to be shewd for y^e saluidg by the King, but I hope bettar things. I cannot giue you an accompt

of whot will be dve to you vntill I knowes the law chargis, & whather y^e King will shew for y^e saluidg, or not. I design for Virgenea in aboute two months more. I haue not got Magar Wintrop's neagro as yet, but hopes to haue him before I sayles, for he promased to come to me as soone as y^e ship was payed of. I haue eigheteane pounds six shillings & thre pence due to Ma^{sr} Wintrop for his negroe's wagis. It shall be payde to his ordar.

I am youre humble servant to command,

NATH^t MILNER.

SAMUEL STOW TO WAIT WINTHROP.

These for y^e Honourable Major Generall Wait Winthrop, one of y^e Honourable Council of his Majesties Province of y^e Massachusetts, be presented, in Boston. Per Amicum, Q. D. C.

MIDLETOWNE, y^e 9th of June, 1696.

HONOURABLE SIR, — These are to pay part of y^e vnexpressible respects y^t I owe vnto your Honour; wishing you all health & happyness for soul & body, for time & eternity, that you may live long to y^e honour & glory of y^e greate God of your fathers, who served God in their generations, doing worthyly in their dayes for this poor land, whose spirit you & your honourable brother, I verily believe, do inherit. I pray God double it more & more vpon him & you, enabling you both to add more & more to the good & honourable services, you, even each of you, haue done for one Colony & for another. I rejoyce, Sir, in what your honourable selfe did in y^e day of it for y^e people of God of y^e Massachusetts. I pray God guide & instruct you more & more to promote their happyness. God knowes that it is my heart's desyre that they as well as ourselfes of Connecticut might enjoy the happyness that they enjoyed in y^e dayes of your grandfather of blessed memory, that yourselfe, if it be y^e will of God, might be a compleate restorer of y^m vnto y^e like,

& therefore I earnestly beseech you, Sir, that you would not be wanting, as I hope & believe you are not, to improve what interest and advantages you may there vnto. For certainly vnder kings thats y^e best goverment w^{ch} God commends & hath promised vnto his peculiar people, to choose their owne rulers from y^e highest vnto y^e lowest from among themselves, as it is prophesyed, Jer. 30: 20, 21, 22 compared wth Deut. 1: 13, 14, 15, wth Ezekiel 46: 10. God make vs of this Colony thankfull to God & his instruments for what your worthy brother hath done for vs, & help him & vs, if God bring him to vs, to make that wise & through improvement of our libertyes to God's honour & our credits in promoting all godlyness & honesty, leading peaceable & quiet lives therein. God hath been chastiseing his people more than 40 years here in this wilderness. We are yet vnder his humbling & afflicting dispensations. The Lord teach vs why he doth so, & so contend wth vs, what it is for. I am apt, Sir, to think y^t we are very defective as yet, as to the attending of God's institutions in not taking care y^t God's house be furnished wth able, diligent ruling elders, as well as wth faithful teachers; for much good teaching wth our lives moulded into y^e doctrine of y^e Gospel will but aggravate our condemnation, for it is y^e ruling elders' work properly to promote people's adorning y^e doctrine of God our Saviour by their vigilant & diligent inspection into y^e lives & manners of y^e auditors, as well as to look to y^e good decorum in y^e publick assemblies. To further this & many good works there wants a liberall publick spirit, spoken of, Isaiah 32: 8, The liberall deviseth liberall things, & by liberall things shall he stand. The whole chapter concerns our times; as we would have y^e plentifull downe pouring of God's spirit, we should reform y^e sins reprov'd & attend y^e dutyes commended, so we shall enjoy y^e good promised. Besides what I haue now hinted, I verily think God hath a greate quarrel wth many of his people of this

land for their love of filthy lucre in their Indean trade & in these & those covetings to haue licenses for selling of drink, w^{ch} is to such as need it not, as well as selling to excess. The blessed M^r Cotton & Doctor Oxenbridge haue witnessed against it in their publick ministry, a shame for men to make bargains in taverns & not in their owne houses, shops, or ships, a shame y^t they must be liquor'd all, one as y^t w^{ch} is reprov'd, Habbk. 2, a wofull evil, v. 15, compared wth y^e other woes denounced in y^t chapter, see Amos 4 : 1 wth Zeph. 1 : 8.

I would not be too tedious. If you haue not M^r Josh. Moodyes Artillery Election Sermon, June, 1674, I would advise your Honour as a Christian & good souldier to give a look vpon my Annalls of God's Blessing of N. E. in y^e yeare 1674, where you 'l finde som passages of it recorded.* I suppose if you haue never seen those my scripts M^r Cotton Mather may accommodate your Honour wth y^m. Those my Chronilogicall Decads haue rings or loops by w^{ch} they may be fastened together or hang'd vp, to preserve from mice or rats. Worthy Sir, if you 'l be pleased to gratify me, who am vnworthy of y^e least aspect of such an one as you are, wth a line of advice relating to y^e duty of our times, I shall be exceedingly beholding vnto you.

1169712

That treacherous & villanous complotters against our most noble king are discovered is God's signal favour to vs & to all that love the Protestant religion, but I am not a little sorry that y^e name of a Stow is among them. If it please you, Sir, y^t I might not be too bold, I could wish his gracious & royall Majesty did know what a loyal Stow he hath in New England at Connecticut. If he did know my affections for his Majesties prosperity & for publick works & good designes, possibly he might promote out of

* At its session in May, 1695, the General Court of Connecticut voted that "This Court return there thanks to M^r Stow for his great paynes in preparing a History of the Annalls of New England." See Conn. Col. Rec. 1689-1706, p. 144. — Eds.

y^e spoiles of his enemyes & of Cap^t Stow, if he haue ought, the publishing of som of my labours. I leave the matter as you think good or expedient to your Honour's prudent discretion by yourselfe or honourable brother, our agent, to move som such thing, because it was an vnexpected thing to me to heare of y^e name of a Stow in England, having had information y^t y^e name was out, & that there were severall livings did belong to y^t name ther w^{ch} one of the Stows of Barmoodes did look after, & had halfe, but suing for the other halfe lost all, and I being a younger brother's son, y^e youngest of my father's family, did not much minde it, knowing y^t to compass such matters was difficult. My father had a brother at Canterbury that was an exretainer of y^e nobility, being a barber chyrurgion, & his house being the place of their quarters when at y^t city, & his consort was a curious sempter y^t taught many of their daughters. I suppose him to be dead long agoe; my father, y^t was younger, being dead above these 40 yeares. My vnclē had but one son who might be older than myselfe or as old, whose name was Antony. I mention these things, if your Hono^r may give me any information, thō my spirit riseth often against y^e fact of y^e treacherous Stow. But my prayer to God is for his precious soul's salvation, & God, y^e Saviour of our king's Majesties person, save still wth all manner of salvations, especially wth heavenly, spirituall, & eternall. Let all the prayers of y^e godly for heaven's blessing vpon good kings center vpon the head & heart of his present Majesty. I am sorry I haue given you so much trouble in being so prolix. Pray pardon my boldness. Wishing the blessings of y^e Almighty & infinitely wise God vpon all your consults & endeavours for y^e good of God's church & people, I humbly take my leave & rest

Your Honour's thō vnworthy yet cordiall freind and
humble servant,

SAMUEL STOW.

SIR HENRY ASHURST TO WAIT WINTHROP.*

[*For*]r Waite Winthrop, Esq: at Boston, New England.

LOND: Jan. 28th, 1696-7.

MUCH HOND. S^r — Tho I haue not y^e honour to bee knowne to you, yett I hear you are soe true to y^e interests of religion and your country (w^{ch} are twins & inseperable from each other), thatt I take y^e boldness to address to you to desire your freindshipp, and to offer my seruice, assuring you w^{te}uer carактер M^r D. and his agents are pleased to giue of mee, I beg you to beleieue I haue studyed faithfulness to y^r trust you haue reposed in mee, as to my wife and children. And desire to continue noe longer in y^r good opinion then you find mee soe. I am glad of any oppertunity to assure you how much I am

Y^r most faithfull and affec^{tt} seru^{tt},

HEN. ASHHURST.

SAMUEL WILLIS TO WAIT WINTHROP.†

MUCH HONrd S^r, — Had I imagined that your aboade at New London this winter would have bin of soe longe continuance, it would have bin a greate inducem^t to mee to have refreshed my self with your good company at New London, but I am glad to heare that we are like to

* For a short biographical notice of Sir Henry Ashurst see Part V. of the Winthrop Papers (6 Mass. Hist. Coll. vol. iii. p. 19). He was for many years Agent for Massachusetts and Connecticut, which he served with great zeal and fidelity. From his social and political connections he was able to exert a much larger influence than a person of less weight could have done, as he frequently reminds his correspondents. He wrote a very illegible hand, and it is with great difficulty that the letters in his own hand have been deciphered. Many of them, however, were written by amanuenses. It is perhaps unnecessary to add that he had an intense hatred of Joseph Dudley. — Eds.

† For a notice of Samuel Willis, see 6 Mass. Hist. Coll. vol. iii. p. 16 n., and for a long letter from Wait Winthrop to the Governor and Council of Connecticut, dated April 8, 1696, describing the molestation his tenants had received from Captain Fitch, see 5 Mass. Hist. Coll. vol. viii. pp. 517-522. There are also references to this subject in the correspondence of Fitz-John Winthrop, *passim*. — Eds.

see you at Hartford at the Court in May, where your company will be much needed to prevent Capt. Fitch his makeinge sale & desposing away the lands of this Colony granted by the Charter w^h your honrd father procured, w^h lands were granted by the Kinge to the patentees therein mentioned & theire heires & theire associates the freemen of this Colony, of w^h lands Capt. Fitch hath made greate markets to st[r]angers & put the mony into his owne pocket. It is apprehended that he hath monopolized to himself more of other men's lands than ever any man did in the Kinges dominions, w^h I suppose you are well informed of, and soe will much obstruct the settlem^t & peoplinge of the Colony, besides the greate trouble y^t hee gives to the people settlinge att Quinabauge under your incoragem^t. Yet Capt. Fitch is one of the three persons appointed to reforme our lawes, soe y^t except matters can be mended at your brother's returne, the popularity hath put the governm^t on such that wee are fallinge into the dreges of a democraticall anarkie. S^r, there are greate priveleges in the Charter w^h your father obtained for this Colony, had those concerned harts & wisdome to make a right improvem^t of them; but hopinge & expectinge shortly to see you, I shall not inlarge. S^r, if you intend to doe any thinge at our Court, you must be here that weeke the election is, for our Gen^l Court never sitts but one weeke, for when our Deputys haue spent their salary w^h the country allowes them, they breake up and leave all businesse. The bearer herof, Capt. William Whittinge, will be good company upon your journey; you may ease your journey by goeing from New Roxbury to Wendam. My kinde respects to the gentlewomen, your sisters.

S^r, I am your respectfull freind & servant,

SAMUELL WILLIS.

HARTFORD, Aprill 21, 1697.

S^r, I understand you have obtained a patent from New Yorke of some lands upon Longe Island; if you please to

bringe it, or a copy of it, with you, probably I may offer somethinge to your consideration for improvem^t of it, I haveinge also an intrest upon the island.

SIR HENRY ASHURST TO WAIT WINTHROP.

LONDON, the 25th August, 1697.

HON^{ble} S^a, — I haue heard of your great fidelity to your countrey in the worst of times, and of your zeale and piety, w^{ch} makes me value you much and desire your frendshipp. I did in January last give you the trouble of a letter, which I hope came safe to your hands. I send you this p M^r Jackson, who is nominated by mee one of the Com^{rs} to inspect and send specimens of navall stores, as is alsoe M^r Partridge, with two other persons nominated by the navy board: this I obtained as a favour to avoid the passeing of a patent which would haue tended to your ruine, as I haue told you in my publick letter. I desire you would encourage and assist M^r Jackson, who I haue allwayes found an honest man and zealous for the good of your countrey; I thinke you are highly concerned for your owne and the interest of your posterity to do your vtmost for the establishm^t of so great a trade, w^{ch} when effected will fill you with riches. I do in a pticuler manner referre the care of my Lord Bellamont's encouragem^t to you, who I hope will answer the character I haue given of him in my publick letter; and I haue in a pticuler manner recomended you to my lord, haue told him he may intirely trust you, and how fitt you are for the best employment vnder him. I am much troubled, y^t after all my labours, time, and money spent in your service, y^t M^r Byfeild in your Assembly should not thinke mee worthy to be continued your agent, and Dudley and his party in towne did boast y^t I should be dismiss'd my employment, and M^r Blaithwaite put in my roome by a

vote of yo^r Assembly ; but I knowe you are not of y^t party, and therefore I write so freely to you. I can truly say you haue not been more concerned for the good of yo^r family than I haue for the good of your countrey for these 8 years. I shall recomend my interest and service in a pticuler manner to you, & I desire an intimacy of friendship & correspondence with you ; and when ever it is in my power to serve you, you may with all freedome write to mee, for I am

Yo^r affectionate friend & servant,

HEN. ASHHURST.

SIR HENRY ASHURST TO WAIT WINTHROP.

To Major Generall Wait Winthrop, Esq^r, att Boston, New England.

LOND. th 8 of May, 1698.

HON^{ED} & DEARE S^R, — Y^{RS} of the first of March was very welcome to mee. I cannot enough expres how kindly I tooke the freedome you ussed in itt, and of all the hints you gaue mee w^{ch} I knew nothing of but from you, espetially of that of By., w^{ch} I am amazed at. I am affraid his preferment will influence the chois of the Assembly, w^{ch} will be prejuditall to the best interest thare, w^{ch} with out complement I take you to be in the head of. In my priuat leter to my Lord B. I haue told him that thos that war good in bad times and that was alwais stedy to the interest and religion of the countray, thos I told him was his Lords, his Majties, & my frinds ; itt is upon this account you are so ualuable to mee, and I thinke that place would beter become you then Byfeild. You may bee sure to comand any seruice within my power ; therfor I pray giue mee a perticular account of all occurances with you of momant, & upon yo^r judgment and fidelity I shall depend. I wish when y^{OR} Parlment are assembled that you could consider of passing an act with such penalties for breaking the act of nauigations that may make yo^r

Brentons unnecessary to you.* When I can come from the gouement with any complant of Brenton's comition, as being contrary to y^o charter, I will appear in itt to oppos itt; but the leter I had from the gouerment taking not the least notice of itt, I am affraid you haue some few men amoung you that are acted by D., that doe make yo^r offences dificult & perplex them; and all the il will I haue from any in yo^r countray hath ben from my opposition to him, whom I take to bee the work of men, the Hamond † that hath designed yo^r destruction; as for my self the keeping you from patent to ruine you & from D. being y^or gouerner, I haue spent many dayes, weekes, & much mony; and you ought to bee just to mee, seeing y^o countray hath the benefitt. I doe not question but you will doe yo^r utmost both for a gratuity and a salery. I pray, S^r, instruct mee how I may serue you, and belieue itt, for itt is uery true, you haue not in England a more sincere friend then

Yo^r true friend & se^{tt},

HEN. ASHHURST.

I agree with you in all yo^r sentiments that the factors & strangers will ruine the interest of religion amoung you, & I perceine that yo^r young men haue litle regard to the old cause that brought y^m thar, but ar for high church & arbitrary. *O tempera, O mores.* I shall be able to stop the tide but a litle while. If you will destroy yo^rselves you can saue you. If I could rid you of yo^r colectors I shuld doe something. Pray suffer no incroachments upon yo^r charter. My enemes among you reproach me; but the seruice I haue done, I haue kept D. from being gouerner, a patant to ruine yor traid, Allin from New Hampshire, & no good neighbour in New York; thes are my crimes.‡

To Waight Winthrop, Esq^r.

* Jahleel Brenton was appointed Collector of Boston by William III., and held the office for many years. — Eds.

† Haman. This was a favorite comparison of Sir Henry Ashurst. See note, *post*, p. 153. — Eds.

‡ The answer to this letter is printed in 5 Mass. Hist. Coll. vol. viii. pp. 533-535. — Eds.

SIR HENRY ASHURST TO WAIT WINTHROP.

For the Hon^{ble} Waite Winthrop, Esq^r, in Boston, New England.

LOND., th 15 Octo. 98.

MUCH HONRD S^R, — Tho I haue had no leter since my two last to you, yet I must neuer omitt and oppertunity of paying my respects to you, being I realy honer you for yo^r inflexible fidelity to the best interest of yo^r countray in all times, and euer since I had an acco. from you that Byfiled was by comition made Judg of the Admiralty, w^{ch} was priuatly done by a party that are neither frinds to yo^r religous or ciuil interest, I was amazed at itt, and haue presented you heer; and M^r Cooke being ordered by a great minister to name two persons out of w^{ch} they would choos one, so I hope hee will not be long liued in that post. I wish you could finde some way to satisfie the gouerment that the acts of nauigation shall not bee broken for the futur in New England, that you may get rid of thes fellows that will in time I am affraid ruine you. I am glad my Lord Belamont takes you into his counsell & frindship. I am suer I did recomend you to him with all affection. I doe watch all oppertunitys I can to preuent mischeifs to you. I am now in the Parlment, and if any thing can bee done for yo^r seruise, I pray aquainte mee, as also any thing in w^{ch} I may serue you in perticular. I haue intire confidence in yo^r prudence and integrity. I perceiue by M^r Stoughton that hee will moue in the next sesions for an allowance for mee for the mony I haue expended and a salery befor my Lord Belamont com, all w^{ch} I doe not take to be in kindnes to mee; but no discouragment shall perswad mee to desert yo^r interest, tho I thinke you ought to bee just to mee, and the laborer is worthy of his hier. I am suer you will doe euery thing that lookes just and kind to mee. I am alwaise to the utinost of my power

Yo^r most faithfull & humble se^{tt}, HEN. ASHHURST.

Pray, S^r, encourage my Lord; he will be as true to yo^r religious interest as any you can haue, & he is an honest man.

SIR HENRY ASHURST TO WAIT WINTHROP.

MAY th 5, 1699.

DEARE S^r,—I haue yo^rs of 25 July w^{ch} lost itt^s conuayance with that w^{ch} couered itt of the 4th of Feb.,* and I thanke you for itt. I haue considred itt^s contents, and doe assure you I haue bin laboring to the utmost of my power to get Byfeild's place for you, and I haue now attained itt to my great satisfaction, and yo^r comition is a drawing; and I am glad I had an oppertunity to serue so good a man. I haue written my mind fully to the Gouverner & Counsel and Assembly, and doe not doubt but you will doe yo^r utmost to doe mee justice; for if you will not thinke fitt to allow mee mony laid out in yo^r seruice I must be forced to get itt some other way. Pray, S^r, take care that Major Walley bee paid. I pray giue mee a uery perticular acco. of all occurances with you. I doe not doubt you will assert my interest to yo^r power. Thos that are against mee and the Gouverner are no frinds to yo^r countray. My true loue to you.

Yo^r reall friend & se^{tt}, HEN. ASHHURST.To Wait Winthrop, Esq^r.

SIR HENRY ASHURST TO WAIT WINTHROP.†

LOND., th 6 June, 99.

WORTHY S^r,—I haue ʒ this sent you yo^r commition under the great seale to bee Judge of the Admiralty.

* See 5 Mass. Hist. Coll. vol. viii. pp. 544, 545.—EDS.

† The commission enclosed in this letter is engrossed on parchment with an engraved heading in which are depicted a crowned lion rampant, an eagle, a serpent, and various birds, etc.; and in the upper left-hand corner is a portrait of William III. It is of considerable length, and is wholly in Latin. The jurisdiction of the court extended over the Colonies of Massachusetts Bay, New York, and New Hampshire.—EDS.

What I haue paid for itt you will reimburse mee at yo^r leissure. I doe hope yo^r Assembly will doe mee justice, and make mee such acknowledgments as may encourage mee to continue in yo^r seruice & scetle a constant salery and send mee a new deputation. I doe depend upon you for a perticular account of all occurances, and you may depend upon the frindship of

Yo^r affect. frind & humble se^{tt},

HEN. ASHHURST.

THOMAS HINCKLEY TO WAIT WINTHROP.*

BARNSTABLE, June 27th, 1699.

MUCH HONRD SIR, — After my humble service p^rsented, wth my thankfull acknowledgment of all your undeserved favour & respect from time to time showne to me vnworthy, I am bold to intreat y^r favour in behalfe of Major William Bradford, who hath been a servant of God & his country for many years, that you would please (if it be not to late), to improve y^r interest wth his Excelency y^e Gouⁿor for his continuance of the said Major (at least) in his co^mission as Judg for y^e Probate of Wills, &c., w^{ch} may be some advantage to him in his old age and low outward conditiö, & not p^judiciall to those that may be concerned therein. I remember in Sir Edmond Androsse time the like co^mission to me did afford some little supply toward y^e many expensive journeys & weeks spent wth y^e Councill then at severall times, & that (as y^e manner then was) wthout any allowance frö y^e publique, not that I

* Thomas Hinckley, sixth Governor of the Plymouth Colony, was born in England, in or about 1618, and probably came over in 1635. He filled many positions of honor and responsibility in the Colony, was one of the Commissioners of the United Colonies, and was a Councillor of Massachusetts under the Provincial Charter. He died in 1706. The letter here printed is written in a very tremulous hand. Major William Bradford, in whose interest it was written, was the son of Gov. William Bradford, and was born June 17, 1624. He was wounded in the great Narragansett fight, Dec. 19, 1675, and died Feb. 20, 1704. See 4 Mass. Hist. Coll. vol. v. pp. xiii-xv; Savage's Genealogical Dictionary, vol. I, pp. 231, 232; vol. II, p. 425; and for numerous letters and papers of Thomas Hinckley, 4 Mass. Hist. Coll. vol. v. pp. 1-308. — Eds.

repent thereof, it being but my duty not to desire to swim when y^e publike was in danger to sink, & therefore to vse my best indeavour according to my poor weak abillities to p^rvent y^e same, & to p^mote y^e publik good. But of this only by y^e way, to show that it may be some little help to y^e Major, who hath been willing to spend his time & strength & to hazard his life in y^e former Indyan warr for y^e safety & benifitt of y^e publike, there remayning still in his body a bullet then shott into it, w^{ch} many times hath indisposed him for bodily labor; but for his capacity, faithfullnes, & care in managing that office if still continued to him, I think there is no cause to doubt; nor of your readines to appeare for y^e help of y^e poor & low wherein you may in justice, notwthstanding any opposition thereunto by y^e rich & mighty, as I have found by experience, both frō your self & divers other of y^e honor gentlē wth you, for w^{ch} I desire to renew my hartly & humble thanks both to God & to you all, wth my humble supplication for his gracious p^rsence, good guidance, & blessing to be wth you & upon you, especially in all your weighty concerns for his glory & y^e publik good, & remayn,

Your hoñor's humble & obliged servant,

THOS. HINCKLEY.

SIR HENRY ASHURST TO WAIT WINTHROP.

LOND., July 26, 99.

HONR^{sd} S^r, — I did the 6 of June last send you yo^r comition under the gr. seale to be Judge of the Admiralty, w^{ch} I hope is come safe to yo^r hands. I doe not question you will doe what becometh you in reference to my self. I haueing many dispatches to make shal be shorter now, but belciue mee, I am in great truth,

Yo^r most faithfull & humble ser^t,

HEN. ASHHURST.

To Wait Winthrop, Esq^r.

SIR HENRY ASHURST TO WAIT WINTHROP.

For the Hon^{ble} Wait Winthrop, Esq^r, these att Boston.

LONDON, July 31, 99.

S^a, — I could not satisfie my self with y^e gen^l lett^r I wrote to yo^r govern^t, but must apply my self to my freinds particularly, not y^t I shall ever ask any thing of them in particular, y^t I don't imagine is just & reasonable & for y^e gen^l service; for I think y^t it is for y^e country's advantage to give encouragem^t to those y^t serve them, & what they are oblidg'd to, on y^e acc^t of co^mon justice, besides gratitude; for my part I have served them as if I subsisted & depended upon them, & I more regrett y^e slight & undervaluing of my labour w^{ch} their not thinking it worth paying for puts upon me, than I desire their mony. But I hope, S^r, in so reasonable a request as y^t you would gratifie a gentleman for y^e trouble y^t yo^r co^mands subject him to, you will be hearty, & y^t in y^e affair of solliciting all yo^r laws, screening you from all ill, & promoting yo^r welfare & happiness, you will not shew yo^rselves niggards or venture to starve so important a cause. If it lies in my power to serve you, S^r, in yo^r private affairs here, I shall do it with all readiness, & shall with y^e utmost gratitude acknowledge any service you shall do to my interest, for I really am

Yo^r countrey's & yo^r very faithfull humble servant,

HEN. ASHURST.

WAIT WINTHROP TO SIR HENRY ASHURST.*

[BOSTON, August or September, 1699.]

MUCH HON^{or} S^a, — Some time since the last ships Foster and Mason went hence, I had the favour of your letter

* This letter is printed from a rough draft, without date or signature, and is indorsed by the writer "Copy to S^r Henry Ashurst." The kinsman referred to, Adam Winthrop,

of May 5^t,* which was a considerable time after the arrivall of the ship that brought it. I wrote nothing to you by those ships, hoping I might haue had a better prospect of our affairs to giue you by this conveyance, which I knew would not be long after the other, our Gen^l Assembly being then in the midst of their business. I haue, with all the industry we could, with others of your friends also, endeoured to obteyn a just satisfaction for the very grate care, paines and cost you haue taken and bin at to preserue us from the many inconveniencies and mischiefes that som unreasonable men haue bin designing against us, but am ashamed I haue no better account to giue you about that affaire; such as it is you will see in the letter to you, therefore shall not need to trouble you farther about y^t perticular. The truth is we haue a smale party, and you know who the heads of them are, who haue this many years don all thay could against your interest and ours too, hoping to get their comrade M^r D. to be Gov^r here and so driue on their private interest with the ruine of this people's libertyes, which thay came hither for. Did not the same men, when thay were judges in S^r Edmon Andross his time, do so as to our temporall concernes when (before S^r Edmon would presume to enter on our estates and grant patents for our houses and lands, and issue out writs of intrusion against us if we would not comply and giue nere the utmost value for them ourselues), and take it as a favor too (which I could giue instances of), did not S^r Edmon, I say, before all this put it as a point in law to those judges whether any man had right to what he possessed here, — who gaue it under their hands, after the Gov^r refused to take their word for it, that thay had none? And when som began to com-

was born in Boston, March 3, 1676-7, graduated at Harvard College in 1694, and died Oct. 2, 1743. After filling various important positions, he was made Chief-Justice of the Court of Common Pleas, which office he retained until shortly before his death. He was the father of Prof. John Winthrop, the learned Professor of Mathematics and Natural Philosophy in Harvard College. — Eds.

* See *ante*, p. 43. — Eds.

plaine of such hardship, as I remember perticularly one instance of, a poor widow woman of Charlstown, which, as I remember, was said to be blind too, came to the Gov^r and Councill with severall children with her, with such complaint of her land being taken away by patent, she and others had a faire answare from the Gov^r that it was by the opinion of the judges that were good men of our own people, & he could say nothing to it, — and did thay not do so likewise at the same time as to our spirituall concernes when the justices of the peace had sent out their warrant (notwithstanding the then newly emitted proclamation for liberty of conscience, which yet we thought not wanting here if we had our right), to all the ministers and people to keep a certaine day according to the statute ; * accordingly when the day came the justices went in person and forced the people to shut up their shops, which warrant being served upon me, being one of the Councill, I secured it, and wⁿ I had oportunity complained of such imposition to the Gov^r and Councill, and layd the Justices' warrant before them, not that I expected releife, but being desirous all might know what we must trust to in those points. At length after severall councill dayes' delay (and being in the meane time in vaine wrought with by M^r Dudly, and others to let that matter fall), I obteyned a hearing, and the justices had notice to appear ; and after som debate and the proclamation for indulgence which I produced being read, the matter was comited to the judges for their opinion in the law, who after som consideration returned that the Justices had don their duty, and accordingly were aquited and encouraged before the Councill by the Gov^r, telling them thay should not want his assistance, — all which I expected would com to pass before, for I knew M^r Bullivant and the rest of them durst not haue don what thay did but by his countenance

* The reference is probably to the shutting up of the shops on the anniversary of the execution of Charles I., Jan. 30, 1687-8. See 5 Mass. Hist. Coll. vol. v. p. 201. — Eds.

and knowledg, the whole matter being contrived befor-hand, tho he was at that time at the eastward, managing the Indians. And you know who of these very judges haue bin our managers ever since, who for the sake of their salaryes, which was 120 or 150^{lb}, would thus betray the whole interest of their country, temporall and spirituall, and if the happy revolution had not immediately hapned all the acts of conformity, even from Rom it selfe, had bin prest upon us with the gratest severity. It is som of these men, tho thay haue semed to turn with the tide a litle since, that haue cloged all our affaires, and haue gained so much by studied fair speaches and pretentions upon our honest country representatives, who many of them are new every year and haue not known the old entreagues, that thay are the more easily perswaded to dismiss their best friends as usless, and, under the notion of saving charges, will suffer themselues to be ruined. I must now beg your pardon for this long digression, and return you thanks for your kind letter, and for the grate care and paines you haue bin taking for me. I know not but you haue don better servis for the people here in geting the other removed then in procuring me in his room, which might haue bin filled up by one more capable for such an employ ; however, I am no less obliged for your grate favour and respect to me, and shall upon all occations make you sincere return of my acknowledgments accordingly, and since by your kind reco^mendation I may be thought fit, I shall with the like duty endeavour to serue his Maj^{ty} in that station as I haue hitherto don in others. This coms to you by my neer kinsman, M^r Adam Winthrop, who has taken his degreese at our colledg, and has since betaken himselfe to merchandising ; he is son to a very honest good man, who has a capable estate to farther him therin ; he has relations of good consideration by his mother's side in England, and is sober and well inclined, and your countenance to him (being a

stranger), so far as you shall observe he may deserue it, will still ad to the obligations I am so deeply under alredy. I haue bin a little the more free in what I haue writ, hoping this will not faile of safe conveyance. M^r Byfeild is now of the Councill, and has married his daughter to M^r Stoughton's nephew;* thay are fast to their own interest, but I know not to whose else. I must needs say I never knew a minister y^t left preaching for the sake of wordly interest ever good for any thing after, and for the sake of two or 3 such I shall always haue a care how I trust any that do so. I belieue it is not my opinion alone that the ruine of the antient liberty of this country is instrumentally owing to the pride, ambition, avarice, of som such, and I would not be thought to be censorious in so saying, and is only to y^rselfe, that you may haue a care who you trust and confide in.

SIR HENRY ASHURST TO WAIT WINTHROP.

For the Hon^{ble} Waite Winthrop, Esq^r, att Boston, New England.

LOND., th 7 of 9 b. 99.

DEARE S^a, — Tho I haue no time to write a line to anybody except two lines to the gouernment, yet I could not omitt kindly to thanke you for yo^r last kind leter & yo^r kinsman, and for yo^r sake I shuld bee glad to doe him any seruice in my power. I wish you all maner of hapienes in yo^r new imployment. What mony I paid for yo^r patent & other charges you will at yo^r owne time reimbarse mee. You giue a true stat of yo^r affaires, w^{ch} I beleue to bee exactly so. I hope tho the gouement will not bee kind to mee they will bee just to mee. I doe not question you will doe yo^r utmost for mee. By the inclosed Gazett you

* Edward Lyde married Deborah, one of the daughters of Nathaniel Byfield, Oct. 22, 1696. Byfield did not become a member of the Council until 1699. We cannot find that he was "a minister that left preaching," as was the case with Stoughton. — Eds.

will see how kindly the King tooke y^e last Gazett. My true loue to you.

Yo^r affect. frind & se^{tt}, HEN. ASHHURST.

SAMUEL WILLIS TO WAIT WINTHROP.

MUCH HONRD S^r, — Some of ou^r neighbours beinge bound to Boston market wth som ware in this winter season, I was willinge to salute you by a few lynes and to acquaint you with the welfaire of you^r freinds in these parts, who had hopes to haue seene you last Octob^r court, where Major Palmes waited all the time, and seemes much inclyned to pick holes in his neighbours coates and caryes it very disrespectfully to the Gov^r. But I hope the court will be carefull that he may haue justice accordinge to law, and then there will be lesse danger of his complaints. I remember you declared when you was last at Hartford, that in Boston Colony the judges and courts allowed the benefitt of the co^mon law of England to the people there, w^{ch} if it were soe also in this collony as it is wth you, and in all the Kinges other plantations & colonys, I and others also apprehend that it would be very much for the safty of ou^r charter, in such carpinge times, tho Major Palmes his case at New Lond. was tryd by the statute law of England.* S^r, we are informed that M^r Stodard was cost by M^r Fitch his attorney neere a 100£ in mony at the inferiour court at Boston, and at the superiour court a 130£, because he omitted to indors some monys that he received it, w^{ch} noe rationall man can object against. But for M^r Fitch to haue a 130£ more in mony from M^r Stodard vpon this accompt, when he was paide his debt in soe dead & vnprofitable & dubeus estate, seemes very harsh & vnreasonable, w^{ch} its concluded you^r justice and wisdome

* Numerous references to Major Edward Palmes and his intrigues and litigation may be found in the correspondence of Fitz-John Winthrop, *passim*. — Eds.

will prevent. S^r, there beinge onely my self and one more scribbling pattentee left,* wee haue exhibitted a complaint against M^r Fitch att the last Generall Court for vnjust monopolinge greate quantytys of lands belonginge to the pattentees & free men of this colony, who haue appointed cōmissionrs to examin the matter fully, & prepare it against May court, when that title of M^r Stodard's land will be further examined & lookt into. I suppose the authority with you & here may easily order it y^t M^r Stodard may pay the mony out of that land, & not be more mony out of pocket vpon soe loosinge a bargaine. S^r, M^r Stodard hath formerly writt to mee, how he hath bin baffled about M^r Fitch his debt, w^{ch} some here are very sensible of, w^{ch} makes mee the more bould to cōmend this matter to you^r prudence & justice for his releife as farr as this motion will goe; and soe I humbly moue & suggest that execution against M^r Stodard may be respitted, soe that he may haue liberty granted him to pay that judgm^t of court in part of those lands w^{ch} he received by execution of M^r Fitch, in this colony.

S^r, you may please to cōmunicate what you apprehend proper in this letter to M^r Stodard y^t is fit to be imparted to him.

I pray present my kinde respects to all you^r good sisters, thus cōmendinge you and all you^r publiqe affaires to the guidance of the Supreme Gov^r of all thinges.

I am, S^r, your affectionate cordiall freind,

SAMUELL WILLIS.

HARTFORD, Decemb^r 13, 1699.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

For the Hon^{ble} John Winthrop, Esq^r, Gov^r of his Maj^{ty} Collonye of Conecticott, in New London, these.

BOSTON, Jan^y 23. 1699.

DEAR BROTHER, — I haue had yours by the post with [a] little bundle which your nephue will be very th[ank]-

* Capt. Daniel Clark is the person referred to. — Eds.

full for when he coms to town; he has severall times bin [to] enquire after the velvet engine of the old Coll^r direction, but the French enginere is remoued to Roxbury, whither I went yesterday to enquire about it and found the body of it framed, but it seems he had no lining for it, which I did not know before; therefore it cannot be sent by this post, but hope you will not faile of it by the next if we can get an inside to it. Yesterday came in a small ship from Holland who toucht at Plimoth to clear, has bin eight weeks from thence, says that Foster came out with her and kept her company thre days but sayled not so well, and that the day before she came from Plimoth the Detford frigate, who was bound hither and had bin out a considerable time, came in thither, having sprang all or most of her masts; the King was come home, and the Parliament to sitt speedily. We look for Foster every hower, but the packets to the Gov^r were in the Detford and in Mason, who sayled a fortnight before this; thre or fower vessells who went out about a fortnight since, the day before the storm, are lost or stranded about Nosset, one of them lost with all the company, som of the others lost two or thre men. Our Gen^l Court, which was to sitt the seventh of Feb^r, I think will be prorogued till March, that the ships from England may be here before they sitt. Coll. Tounsends mother was buried on Fryday last, 94 years old; Cap^m Ball was buried last week likewise. I could not speak with the fuller yesterday at Roxbury, but he is just now com to me, and resolues to be coming to you the next week; his name is Robert Luscum; by all the advise I can get he is an excellent workman. M^r Haberfeild, the clothier here, tells me that Waldron that has taken Dane's mill knows nothing of the trade but what he got by being a little while imployed by them here, and is an idle, deseitfull fellow. The stone jugg I told you of I beleive holds a little more then two quarts, and came exactly sealed up and still remaines so;

I doubt it will be spoiled to send it by the post, but must stay for an oportunity by water. Not a drop or jot more; love and servis to every body. I am

Yours,

WAIT WINTHROP.

Our sister Ben. Brown has got a young daughter. As I was sealing it got a fire, and I haue not time to transcribe least the post be gone; but you may read it, I think.*

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

For the Hon^{ble} John Winthrope, Esq^r, Gov^r of his Maj^{ty} Collonye of Conecticott, in New London, these.

BOSTON, Jan^y 27th, 1699.

DEAR BROTHER, — The barer M^r Luscom comes just now to me for a letter of reco^mendation, and sayes he will set forward next Munday. I think you may depend upon M^r Haberfeild's opinion of him that he is a good workman, and if he will undertake the corn mill also, I beleiue may do well. Here is an other young man who is a miller, who he sayes will joyn with him, if he likes the place when he has seen it. Thay seem to be honest west countrymen; I know not whether thay will be for much farming, but possibly may be able to keep a few sheep, &c. I haue given him no other encouragment then that if he will be at the charg to goe and see the place, I beleiue he will like it, and you will be willing to giue him all the encouragment you can. Thay that shall take the mills and the whole farm too, will expect to giue little more then the mills will be worth without it, and a little flock of sheep will make the farm valuable in a short time. Here is no news since my last by the post, only our Gen^l Assembly is prorogued farther to

* Three large holes were burned through the paper; but the writer interlined most of the missing words. — Eds.

the 13th of March, and the winter has bin so favorable that they haue killed many whales in Cape Cod bay; all the boates round the bay killed twenty nine whales in one day, as som that came this week report; as I came by when I was there last one company had killed thre, two of which lay on Sandwiche beach, which they kild the day before, and reckned they had kild another the same day, which they expected would driue on shore in the bay. I do not think you will meet with a better man for the mills, therefore it will be best to giue him what incouragment may be; our wuttunckses thereabouts will never advantage us much in those affaires if there should be any propositions that way. I forgot in my last to write about the principle matter, but how to remit hither I know not. Hañah Corwin is not well yet.

I am, with love and servis to all, yours,

W. WINTHROP.

I know not whether the cap will be redy for this man, but will be for the next post.

WAIT WINTHROP TO SAMUEL READE.*

BOSTON, Feb^{ry} 28th, 1699.

S^a, — My last was under covert to my cousin Adam Winthrop in answere to yours of the 15th and 17th of Augst, since which haue not heard from you, Foster, Mason, &c. not being yet arived, but supposed to be blown off to som of the islands. I can say little more to you about your concerns at Salem than what I last wrote; haue made farther enquirys as to value, but can not be satisfied so as to give y^t acc^t of it I could wish. The tenant offered 250 pounds, which is very inconsiderable to

* Samuel Reade, a London merchant, was a cousin and frequent correspondent of Wait Winthrop. — Eds.

what my thoughts haue bin about it. Cousin Daniell Eps thinks it worth not above 300th, and spake of making propositions to you about it, but I cannot think but it must be worth much more for any man that is in a way to improve it. That which much abates the value of all lands in this country w^{ch} labor is dear, is setting up and maintaining fences, espetically where there is not water to fence a good part, but must be fenced round, which costs almost as much as the land is worth, but this lying but about two miles out of Salem would be very considerable if it were well fenced. We had formerly a copy of M^r Wharton's will, I think sent by your selfe and M^r Whitfeild, attested only by a publick notary which is not accounted sufficient here; if you could do me the favour to procure a copy, under the seale of the prerogatiue office, it might be a kindness to the children and to the creditors. Now the warr is over som of his out-lands may be of worth so as to make the estate solvant and possibly saue something for the children. M^r Nelson was one of the adm^{rs} formerly apointed here, who I suppose will write to you, and will also write to M^r Charles Middleton, merch^t on Tower Hill, to pay you the charg that shall arise in procuring it. I sent you a note from my brother in my last letter to pay the ballance of his acc^t to me; I likewise desired you would pay to S^r Hennery Ashurst, baronett, what he has bin out for me in procuring a comission out of the Admirality, which he has bin very kind in. I knew not justly how much it was, but suppose it may not be any grate sum. I wrote to him that I had desired you to do it; he will tell you what it is. I also desired you to pay the sadler you mentioned twenty pounds, if so much shall be in your hands after S^r Hennery is satisfied, which I advance to him on acc^t of his goods sent by my brother, hauing not yet rec^d his effects, and shall giue him acc^t of the whole in a little time. If my other letters should haue miscaried I desire you would pay as

above out of that money in your hands, espetically to S^r Hennerly; if you pay any thing to M^r Garret, the saddler, please to take his rec^t for the acc^t of goods sent by my brother. Not els but my loue and servis to all our good freinds. I am your affectionate kinsman and servant,

WAIT WINTHROP.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

BOSTON, March 5^t, 1699.

DEAR BROTHER, — I haue delivered your letters, after I had sealed them, to the Gov^r, who promises to put that to the Sec^y of State up with his own to him, as also the two papers under the seale of your gover^{mt}. The last week Foster came in from London, but has toucht at Barbados and hears no news of Mason. I had a letter from Cousin Read, who says he had rec^d yours but could not write you now; he has sent a full order to sell his farm, either in parts or the whole, and make him returnes for it. The inclosed from our little kinsman was brought me with your packet as coming from York, for which he had a shilling, but when I opened it found it for your selfe, and then lookt farther on the superscription; he would haue bin kinder if he had said 30^{lb} instead of 50, which is all he says he has bin out on her; however, if she be not old and fited as he says, if you are in a capacity to answare his expectation now she may be worth that mony; possibly it might serue his turn as well to haue so much effects shiped to him on his acc^t to Jamaica after he is gon, which I perceiue will not be presently. I beleiue I shall be at New York before he goes, which may be an advantage to you to know whether she be old and crasy; if so, tis better to giue a little more for a good new one, but please yourselfe in the matter notwithstanding what I hint. The lead he speaks of is considerable. Yesterday the Gov^r and Councill met, and there being

about 32^{lb} to pay for bringing the prisoners you sent from Rehoboth, Capt^a Gulluck was sent to pay so much out of the mony had bin delivered to him, what had formerly bin stop't for that use hauing bin all expended; but he returning an insolent answare in writing, with grate reflections on the Gov^r and Councill, was sent for and immediatly sent to prison by a unanimous consent; how he is this morning I haue not heard. My Lord, as also the committe who took acc^t of Kid's treasure, offered their oathes, and were accordingly sworn that they haue not directly or indirectly concealed or bin the better for any of that treasure, but haue delivered all according to acct^s now to be sent for England, and my Lord sayes it will be expected from all the Gov^{rs}.^{*} Gulluck told me the other day that you wrote him you had a prospect of more mony to be discovered, and I understood him that he expected you would haue sent som in your hands now before he had gon, but would order it to M^r Newton, and tho he spake well to me of yourselfe, yet very ill of all elce with you. I spoke to the Gov^r about his order for sending all those men; he desired me to excuse him to you that he dose not write now, hauing much to write for the dispatch of the frygate, but says he will send you a cobby of those orders by the next post.

I am your affectionate brother, WAIT WINTHROP.

Postscript, March 6th.

Last night the Gov^r and Councill met, and Cap^t Gulluck upon his humble submission giuen in writing was released from his imprisonment. One M^r Prince of this place sayes he will put in to N. London in about a fortnight, by whom intend to send the stone bottle and som paper.

* Under date of February 28, Judge Sewall records: "We ship off the iron chest of gold, pearls, &c., 40 bails of East India goods, 13 hogsheads, chest and case, one negro man, and Venturo Resail, an East Indian, horn at Ceilon. . . . Agreed in the weight of the gold with our former weight. . . . Mr. Bradstreet and Capt. Winn's clerk took an account at the crane; but Capt. Winn would not give a rec^t till had them on board the sloop Antonio, which ridd off just without the outward wharf. Gave a rec^t for the gold at Capt. Belchar's as soon as it was weighed." See 5 Mass. Hist. Coll. vol. vi. p. 7. — Eds.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

*For the Hon^{ble} John Winthrop, Esq^r, Gov^r of his Maj^{ty} Collonye of
Conecticott, in New London, these.*

PLIMOTH, March 29th, 1700.

DEAR BROTHER, — The court being over, M^r Cook and Cap^{tn} Sewall are going homward, by whom I send this for the next post, and am going forward towards the Island, and hope to be at home by the midle of Aprill, or sooner if I can. I spake with Captⁿ Sewall about lending mony to your collony, who says there is one hundred pounds in his hands to be let, which he is willing to accomodate them with upon good security, if thay will send about it. We haue had a very grate storm (of wind, raine, and this morning snow), which has held without intermission about 40 howers, but now its fair, tho' the wind be still high. I wish we hear of no shipwrack after it; if you do any thing about that with Captⁿ Sewall, it will be best to write to him as soon as may be. I inquired of M^r Stoddard formerly, and helpt him serch all his Stonington wasteheges, but could find nothing to that purpose, which I thought I had wrote you formerly, but forgot to mention it in my last.

I am yours,

W. WINTHROP.

On Munday last when I came from home I ordered the guns with the pistolls to be put on bord Carter Gillum in a box, as also an halfe barrill of good Dutch powder, who intended to sayle about this time; the pistoll barrill I saw tryed, and I beleiue is very good.

SIR HENRY ASHURST TO WAIT WINTHROP.

LOND., th 25 Ap. 700.

WORTHY S^r, — I am in yo^r debt for seuerall of yo^{rs}, and was resolu'd not to write to you until I had a perticular oppertunity, that I might conuay itt safe to you. I hope you need not fear M^r Byfeild's threets, and that you may continue in yo^r place. I am sure I will doe my utmost that itt shall bee so. I haue taken but £10 of yo^r cossan, tho I thinke I was out of pource more. I take itt for granted you will make mee some amends, if you can, in the Counsell & Representatiues, that they may bee both just and kind to mee, and agree to make mee thar agent & scetle a salery; for let them not flater them selues, unless you desine to be under the slauery of M^r By. and his party, w^{ch} I oppose alone, and haue done this 11 yeares, I am suer itt concerns you to doe itt, and that speedily, the party at New York and New England being inrag'd at what my Lord B. hath done to deliver both placies from the oppresions of thos that haue inslaued them & murdered. Others of them haue by thar emis-sares indeavred to impeach my Lord B. in Parliemt, indeaivering to sensure his being concerned with Kid, & then to present 38 articles in order to impeach him. How industrious I haue bin to put off[f] that & to deliver my Lord is seffitiently knowne heer, and you will euery day more and more want my solicitation. If you are not infatuated to yo^r ruine, you will both incourage my Lord and my self in yo^r seruice, w^{ch} you will find the best mony you can lay out. If you haue any thing of the product of New England that is not cranburys, for thos I licke not, that is for a garden here, or any thing else that you will send me, & a smale present of itt shall bee kindly accepted by

Yo^r truly affectionat frind & faithfull humble se^{tt},

HEN. ASHHURST.

To Waite Winthrop, Esq.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

*For the Hon^{ble} John Winthrop, Esq^r, Gov^r of his Maj^{ty} Collonye of
Conecticott, in New London, these.*

Boston, Aprill 29th, 1700.

DEAR BROTHER,— After a long jorneye I got hither again on Saturday night, and haue yours by the two last posts. I perceiue the R. Islanders hold on their old stroake of confidence, by which only thay haue twice gained what footing thay haue in the Narraganset, and do yet uphold their goverment; thay think thay can but loose all, which I beleiue thay expect, and so will venture at all. I haue not seen the Gov^r nor any body els since I came home, hauing not bin very well, therefore cannot giue you his sence or any others about that matter. I wonder your gent^m should neglect the opertunity of sending to secure that with Cap^m Sewall if thay want it;* I question whether he may not haue disposed of it before now if he had no farther notice about it, and I cannot speak with him now least the post be gon. About a hundred and fifty pounds, as I told you, you may depend upon, but the other hundred pounds which I spake of can not be got in; but if your gent^{ms} dependance be upon thre or fower hundred pounds to do their business with, thay had as good throw it up at first and submit to the confidence of the R. Islanders; tis not worth their while to endever to uphold their gov^{mt} if thay are not able to advance a few hundreds of pounds, by their credit or otherwise, to saue themselues when there is occation. I am sorry for the accident about the two Indians, who I suppose to be lost tho' you do not say so, and tis well the others escaped. If there should be any difference about the pumme of the whale, I doubt I must com and hold a court of admiralty about it. 15 p^r annum, if it scape

* See ante, p. 59. — Eps.

the hands of Mistucksuck suckers, will be something, but whether it be pounds or bushels you do not say. I know of no holsters that were left here but what belonged to the sadles and were sold with them and had all caps; them that belong to my furniture haue no caps, and I haue no other either with caps or without. If you would saue them I can send them by the post, but tis easy to take the caps off any pair of holsters for the new sort of bags and put them on again as occasion may be. We are all thankfull for the cheses, and I shall see the armes fitted I hope shortly. Osenbrigs is far inferior to the specked linnen, but I shall endeavour to send som if M^r Christophers be not gon, unless I can get som good cotton and linnen which we buy for our folks, and shall enquire for vinegar. I am so ill I can write no more now, but am

Yours,

W. WINTHROP.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

For the Hon^{ble} John Winthrop, Esq^r, Gove^r of his Maj^{ty} Collonye of Conecticott, these.

BOSTON, May 6th, 1700.

DEAR BROTHER, — I haue rec^d yours with the papers, am troubled for your indisposition before your jorney, but hope you are now well at Hartford. I was ill all the last week, but am now better (God be thanked). I haue not spoke with Cap^{tn} Sewall about that matter yet, but intend it this day; if your gent^m think 150^{lbs} will do their business, thay had as good saue that too and never send. The R. Island agent has bin here to take his passage; he carrys 600^{lb} with him.* I think his name is Shefeild, and is to joyn with M^r Brenton, who has charged a bill of

* By an Act of the Rhode Island Assembly, May 3, 1699, Jahleel Brenton was appointed sole agent of the Colony in England; but as there was some doubt whether he had accepted this appointment, Captain Joseph Sheffield was appointed sole agent in the fol-

exchang on that gov^{mt} for 250^{lb} (as M^r Brenlye informes me) by the last ship by way of York. I beleive M^r Brenton will serve himselfe whatever coms of them. I know not which way to transmit any mony for England; thay must send sombody who I will assist all I can. Our Superior Court sits here to-morrow, and next Thursday com sennit at Kittery beyond Piscataque, whether I must be going next Munday, and must be at the Court at Ipswich the Tuesday following, which be the 21st of May, and hope to be at home that week. Balston will be going for England, thay say, within two or thre days, and Adm^l Benbo within a week or more. I know not what ship their agent goes in, or when any other ship will goe. I cannot tell whether any of those papers can be procured here or not, but shall speak with M^r Brenly, Co^l: Hutchinson, and M^r Saffin, who are to meet me to day about this affair. If your Gover^{mt} tamely giue away this, or loose it for fear of a little charge, all the rest will follow by degrees, and then they may pay as much in one year as their charter has cost them almost this forty years. I hear M^r Tyler is in town, by whom I may write farther.

I am your affectionate brother,

W. WINTHROP.

My servis to all the gent^m with you, and pray them thay would not dye to saue charges as we did. I think to write to S^r Hennery by this ship to giue him notice that your gov^{mt} is sending to him, that if thay are before you he may delay them till your instructions com to his hand. I fear the post will be gon, therefore cannot write to M^r Saltonstall, but hope he will excuse it. The post, being delayed a little, I spake with Co^l Hutchinson, who

lowing February, provided Brenton had not acted under the previous vote. If he had accepted the appointment, "then the said Jahleel Brenton, Esq'r, to be continued jointly in the aforesaid agency with the aforesaid Sheffield." Subsequently the authority granted to Sheffield was revoked, and Brenton was continued as sole agent. See Rhode Island Colony Records, vol. iii. pp. 372, 403, 404, 410. — Eds.

has copyes of the inclosed papers and som others. Mason will sayle for England about 3 weeks or a month hence.

Indorsed by Fitz-John Winthrop: "My brother. Acct. of papers about the Naroganset busines."

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

BOSTON, June 3^d, 1700.

DEAR BROTHER, — I rec^d yours by Cap^m Whiting and one by the post, and haue almost no patience to think your gover^{mt} should take so little care of its interest; if thay loose Narraganset, thay will for the same reason loose all the rest. Admirall Benbow sayled this morning, so your matters are too late for that opertunity; the Road Islanders I heare haue given their agent 40^{lb} to stay at home since M^r Brenton's bills of exchang haue com to them, and thay will improue him farther, but I know not whether thay haue yet sent their letters; if thay haue, here is ships going every day, which will be time enough for your business unless your gent^m contriue to send more mony. I told you of a hundred and fifty pounds which is redy, but how to remit it I know not, or where to take up more upon your October court's credit. What writings are here to be had I will get and insert in your list of papers to S^r Henry. It is the election for the artillery, and Coll Hutchinson is just going to church and it hinders all business, so you must stay till the next opertunity for a farther account. I am going to wait on the Gov^r with your gen^l (who are invited to dinner with the Artillery), and shall improue all the interest I can for their sattisfaction. The post is just blowing his horn, and I cannot help it that I write no more perticularly, but shall answeere every word by the next, but beleieve I shall not be able to get mony.

Yours,

W. WINTHROP.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

BOSTON, June 10th, 1700.

DEAR BROTHER, — I had not time to say more by the last post than I did, but haue yours by this post with the others before me, that I may remember what I should haue writ the last time. As to the concern about the papers to be procured here in Co^{ll} Hutchinson's hands, I think I sent you account of them formerly and thought it was needless to send coppies, but to put them up with the other papers to goe for England when you haue sent all the rest, and have not yet got coppies, being a little straightened for time with the Court and otherwise; and as to the mony concern I cannot yet procure bills, but hear that the Road Islanders' bills which thay had procured are in town to be sold and shall enquire after them. M^r Addington informes me that M^r Brenton, who thay depend upon for their agent, will be here in the next ships; if so, you need not be in grate hast, however it will be good to be ready. Mason and Foster sayle with the first wind, but severall others will be going spedily, so that you will not want opertunity. Tis strang that thay should want profe that Quinabauge was Hiems his country. How will thay prove all the Indian or English deeds with their bounds, when the witnesses are all dead, but by tradition? You haue Mashanshowit's evidence and the old man's two sons at Pigscomscot whose father shewed them the bounds. I can say no more then you know about it; you haue, I think, all the papers. I shall enquire after the Sudbury man, and get what he can say, and will contriue to be at October Court if I can, and shall farther search after that paper with M^r Stoddard. Upon your reco^mendation Cap^{tn} Crow has bin to take a cordiall syllybub out of the gold boule. I had a letter from Cousin Read, who desired to be excused that he could not write you then; he insists still on the sale of his farm, and Cousin Daniell

Epps would be his chapman, but I doubt he will not giue what it may be worth. I hear nothing yet of any corn from your Treasurer; if it coms, shall make the best I can of it. I hear Jonas Clark is to put in at N. London; if I can get Ozenbrigs on bord him before he be gon in the morning, you will haue it by him. I am sorry my neice should be any ways indisposed, and should be glad I could contribute any way to her health. The Gov^r speakes of going to York as soon as our assembly is over, w^{ch} may be in a fortnight or less, but I hope will not goe till after the Co^mencement and then I may goe with him, otherwise must goe after him; he is to meet the Indians at Albany the 10th of August. Your nephew hopes you will be here at the Co^mencement which will be the 4th of July.* John Elliston came home from Antegoa yesterday; his wife has lately layn in with an other boy. Here is no news; pray giue my servis to M^r Saltonstall and his lady, and all friends.

I am your affectionate brother, W. WINTHROP.

Your gent^m are yet here, and I shall forward their dispatch what I can.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

For the Honorable John Winthrop, Esq^r, Gov^r of his Maj^{ty} Collonye of Conecticott, in New London, these. Free.

BOSTON, June 17th, 1700.

DEAR BROTHER, — Although those ships are gon, here are more going every day, two or thre this week or next, and others as soon as thay are gon, and where the defect lyes I know not; I could do no more then I haue don, tho I must confess I haue a propensity, as you hint, not to hurry farther then I can see a thing feasable; which I

* John Winthrop, F.R.S., only surviving son of Wait Winthrop, graduated at Harvard College in 1700. — Eds.

haue bin the apter to indulge my selfe in because I haue alwayes found it has hapned for the best, and that precipitation in any matter of consequence is irretreuable ; but when all is said, I cannot get a 100th more for your gent^m, neither know I how to send this that I promised ; all masters are sworn to carry no mony, and bills of exchange are not to be had. Cap^m Bellcher, who went last week to Hartford to see his mother Gilbert and will be at home this week or next, gaue me som kind of incouragement about bills, but would not promise till he came hom againe. I know not whether the Road Islanders haue sent anything by the ships alredy gon, but, if thay haue, M^r Brenton will, as is said, be here with the first ships on whome thay haue dependance. I cannot get Coff Hutchinson to look over his papers yet for copyes, and I beleieue there are no grate matters more then you haue alredy ; but what there is may be sent and aded to your cattalogue, and when you haue sent all your papers and mony is procured, you will not want a conveyance, but it will certainly render your gover^{mt} contemptable and ridiculous to send no more then a 150th in this mony, which I pray your gent^m to consider well. Your gent^m here find a difficulty about their business. M^r Stoughton and others bare hard upon them, and Coll. Hutchinson has set men to digg black lead somewhere about the line, and just as I am writing one tells me tis on our lead-mine land. I think you haue the Indian deed of ten miles every way from the lead mines, and it were good to haue it recorded, there being part, I suppose, in that gover^{mt}. Coff Hutchinson has a grant of 600 acres, which I beleieue he intends to lay out there. I beleieue your gent^m will go home *re infecta*. I shall endeavor to get sayles, riging, and wine, but doubt Smith will be gon first, but shall send by the first ; I sent a little water stuff by the post last week. By all means get that about recorded.

I am your affectionate brother, W. WINTHROP.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

*For the Hon^{ble} John Winthrop, Esq', Gov. of his Maj^{ty} Collonye of
Conecticott, in New London, these. Free.*

BOSTON, July 1st, 1700.

DEAR BROTHER,— I much wonder M^r Ozenbrigs is not arived yet, but I think he was to put into Road Island. I shall take all the care I can about the Sudbury man and M^r Stoddard's paper, and do what I can to be at Hartford in October, but tis difficult resolving so long before. Tis a good head of enquiry that M^r Willis and Clark proposes, and I shall giue all the light I can about it. The Gov^t seems resolved to goe to York with the two frygats, his things are all on bord Cap^{tn} Crow, and will sayle the next week, I beleine, without faile; if not, the latter end of this, when I suppose our Gen^l Court will brake up.* I shall not be able to goe with them by water, but must com your way as soon as I can after thay are gon. I think Cap^{tn} Belcher will supply with bills of exchange, but I could not agre with him till I know what sum you intend, if it be only what you haue of mé you had as good do nothing. I shall be here, I think, two posts at least to receiue your orders. Here is one Smalage from Gilford has brought rye, corn, and pease, but I fear I must house it for want of a market, which will be trouble and losse, but shall avoyd it if I can. I had ordered a cask of green wine to be put on board Smith with the sayles, but he could not take it in; shall send it and som glass by the first. Your nephew will be gratly disapointed at your not being here, having, I suppose, prepared a whole paragraph in honor of the gov^{rn^t} of Conecticott.

Yours,

W. WINTHROP.

* Lord Bellomont sailed for New York July 17, according to Sewall's diary, and died there early in the following year. — EDS.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

BOSTON, July 8th, 1700.

DEAR BROTHER, — I am sorry for your indisposition, and beleive a jorny hither this coole wether we haue had of late would haue prevented it. Your nephew was forced to omit most of his discours in honour to that gov^{mt} for want of your being here, but is com off with a grater applause then I expected; the Presedent told me he was glad he had appointed him to that servis. I am gratly surprised to find that the whole dependance of that affair lyes on the small sum I promised to supply. A gover^{mt} that will throw away such an interest to saue a little mony deserues not to be served by any body. I can supply with no more then I promised and bills are not to be had under forty per cent, or very little lesse if anything, so that what I haue will procure but about one hundred pounds there, and how farr that will goe you may guess. Cap^{tn} Belcher can draw bills for 3 or 400^{lb} if he has not disposed of them since last week. I could not then agree with him for any certain sum till I heard from you; if your Councill would write to him to help them at a dead lift, it may be he would, and I would stand their security. I will moue it to him, and take bills for what I haue here, but it will certainly be ridiculous to send that alone. The Gov^r speakes of going this week, but our court is not don; he intends, I think, to goe without all to Sandy-hooke; I beleive it will be the latter end of the week before he sayles. I shall be here for the next post, if not longer. I haue put on bord M^r Demmon a hh^d of wine and a crib of glass for you. I cannot sell the pease, being the worst that ever I saw, black and worm eaten, and boil like shot; about halfe the rye also is landed for the ratts. I shall do what I can about the Sudbury man and M^r Stoddard's paper. The dog dayes will not be so good to medle with rubila in, so it must be defered at

present. Your letters to the Lords are dated from Octob^r, which will seem strange. Here was a ship last week from England, but brings no news or letters considerable; we expect more every day. My servis and loue to every body.

I am yours,

WAIT WINTHROP.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

*For the Hon^{ble} John Winthrop, Esq^r, Gov^r of his Maj^{ty} Collony of
Conecticott, in New London, these. Free.*

BOSTON, Aug^t 5th, 1700.

DEAR BROTHER, — HAVING no letter from you by the post, suppose you expected we had bin on our jorny, but I could not possibly get away, sister Richards falling into a little relaps the very hot wether the begining of last week, but is prety well recruited now; sister Endecot also was taken so bad with a fever at the same time that we all concluded she would not liue, but it has since fallen with a grate swelling into one of her leggs and she was in a likely way to do well the last night, hauing not seen her this morning; and now I must stay till the latter end of this weeke. Cousin Adam Winthrop, hauing languished a good while, did on Saturday about two of the clock take his leaue of us, and we are to attend his funerall on Wensday next; he gratly desired to see his son before he died, who is expected every day, but it could not be.* I intend if it be possible to set out this week; if not, the begining of next at farthest. M^r Green disapointed you, hauing his full frait to R. Island and M^r Christophers has sold his sloop, so the boards must go in

* Adam Winthrop, only surviving child of Gov. John Winthrop's son Adam, was born in Boston, Oct. 15, 1647, and died there Aug. 3, 1700. In early life he was in business in Bristol, England, where he married a Miss Luttrell. On his return home he served in the General Court and in the Executive Council. His widow married Col. Joseph Lynde, of Charlestown. — Eds.

Simon Smith or M^r Harris. I wonder you did not send halfe a year since, then could haue sent to Piscataque for choyce and what length I would ; now must take such as can be got. The Gov^r got to York in five or six days, but has a fit of the gout. We haue nothing more of news.

I am yours,

W. WINTHROP.

WAIT WINTHROP TO SIR HENRY ASHURST.

BOSTON, Aug^t 10th, 1700.

HON^{BLE} S^r,—I haue herewith sent you two bills of exchang of one hundred pounds each, one payable at thirty days, the other at sixty, by M^r John Iues, as you will see, and are for account of the Collonye of Conecticott. I haue also sent you their letters and other papers which haue bin some time here and were not sent, partly because severall overtures for an accommodation between the gov^{ment} of Road Island and them haue bin made, but all to no purpose, thay of the Island fearing thay shall loose their gover^{mt} would sink the other with them if could. The good servis you haue don for the gover^{mt} here has drawen this farther trouble upon you, and though thay are not so grate as som of y^r neibours, yet I hope you will find them as willing to acknowledg any kindness you shall do for them as you can expect, and I must be bold perticularly to reco^mend them and their concerns to your care hauing my selfe good reason to desire their continuance in that way of gover^{mt}, as being most easy for a poor people in their minority, thay hauing at first issued out from hence and of the same religion and way in their churches with vs here, and I doubt not but God will reward you for any kindness you shall do his people, if thay should not. Our Gov^r is gon to visit New York and meete with the Fiue Nations of Indians (as thay are called) at Albany. I beleieue we shall not see him here

untill next spring. We haue grate apprehensions of the Indians eastward who are under the influence of the preists that are amongst them; but thay know we are aware of them, which I beleiue has kept them quiet hitherto. I must again return you thanks for your former kindness, and hope my kinsman Read, to whom I gaue full orders, has reimburst you, tho it has bin worth nothing to me hitherto, neither do I see any grate prospect, yet it has bin a kindness to the people not to be harrassed beyound reason, as they might haue bin and would, if it had remained where it was. If the pirates and their goods had bin tryed here, as som people thought thay ought, there might haue bin more advantage then ever is like to be again; but however I shall always when opertunity offers acknowledg your respect therin. I know you haue had account of all our affaires since the session of our Assembly; therefore shall not trouble you with any thing of that or other business this time other then to assure you I shall embrace all opertunityes to serue you to my capacity, and that I am,

S^r, your faithfull humble servant.

Indorsed by the writer: "Copy to S^r Henery Ashurst."

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

NEW YORK, Sept^r 23^d, 1700.

DEAR BROTHER, — I had yours by the post on Saturday night; am glad to hear all are well with you. Having urged that matter as far as was convenient before your letters came, and had an answare, which shall acquaint you with when I see you, thought it not convenient to deliver yours. The beginning of this last week came in the Advice frigate from England with some stores and a hundred Fusileers for the supply of these garisons, and a hundred and fifty more are dayly expected from Irland. The day after came in Capt. Jefferys from London, fifteen

weeks passage, with whom came Coll. Lodowick, and the same day came another ship from Holland and England. The frygate had but six weeks and odd days passage, brings little news, but coms to relieve Captⁿ Morris, who is ordered home, and will sayle in a little time. Saturday last the companies were in arms to receive the southern Gover^{rs}, the men of wars both being sent to Jersye with Colls. Depoister & Courtland to compliment and receive them at Elizabethtown; but Gov^r Blacke, being taken with a fever and ague at Pensilvania or on this side it, returned back, and Coll. Nicolson being troubled with vomit and flux stopt them till yesterday about noon, when Gov^r Penn and he, with Coll. Hambleton, arived at this place soon after dinner time and were saluted by the cannon from the fort and the men of warr. Coll. Nicollson and Gov^r Pen enquired after your welfare. This morning it raynes fast. I intend to get as far as New Haven or Milford this week, if God please, and see you at Hartford the begining of the next. John is well, and sends his duty to you and love to his sister and cousin. My lord and lady and others speake of that matter, which is all I know about it yet; if anything be mentioned to me from those concerned, shall use all the prudence I can about it. My love and servis to all.

Yours,

W. WINTHROP.

LORD BELLOMONT TO WAIT WINTHROP.*

For Maj^r Generall Wait Winthrop at Boston.

N. YORK, the 26th Nov^r, 1700.

SIR,—I am glad to hear you are safely return'd to Boston. I must desire you to stand M^r Campbell's friend in an employment I have thought of for him, w^{ch} is the

* Richard Coote, Earl of Bellomont, was born in 1636. He was appointed Governor of New York, New Jersey, New Hampshire, and Massachusetts in November, 1697, and arrived at New York in April, 1698. He went to Boston in May, 1699, and spent about a year there. He then returned to New York, where he died March 5, 1701. — Eps.

place of High Sheriffe of Suffolk County.* M^r Gookin has ben long enough in that office, unlesse it were to be entail'd on him; besides he lives out of the county. You know as well as I, that M^r Campell has always been zealous to serve that country to the best of his capacity. I hope therefore you will not only bestow him your own interest, but that you will also dispose all your friends of the Council to appoint him Sheriffe. My wife's and my humble service to your sisters and daughter.

I am, Sir, your affectionate humble servant,

BELLOMONT.

THE METHOD OF PROCEEDINGS IN THE TRYAL OF ALL CAUSES IN THE SEVERAL COURTS OF JUSTICE ESTABLISHED WITHIN HIS MAJ^{TIES} PROVINCE OF THE MASSACHUSETTS BAY IN NEW ENGLAND.

ALL manner of debts, trespasses, and other matters not exceeding the value of forty shillings (wherein the title of lands is not concerned) are heard, tryed, and determined by any one Justice of the Peace, within his precincts (without a jury), and are brought forward either by summons, capias, or attachment, to be granted either by such Justice or the Town Clark of the town where the def^t lives, directed to the Sheriffe of the county, or his Deputy, or Constable of the same town, and are to be served and executed at least seven days before the time of tryall or hearing. And from every judgment given by a Justice of Peace there lyes an appeal to the next Inferiour Court of Common Pleas within the same county; and if in action of trespass the def^t shall justify upon plea of title,

* Samuel Gookin was appointed Sheriff of Suffolk County, May 27, 1692. March 6, 1700-1, "Duncan Campbell was named and rejected" as his successor (see Whitmore's Mass. Civil List, p. 79). Campbell was a Scotsman and a bookseller in Boston; and Bellomont had lived in his house while in Boston, and had employed him as an intermediary in his negotiations with Captain Kidd (see Memorial History of Boston, vol. ii. p. 179). — Eds.

the Justice is to transmit the cause to the next Inferiour Court, and the def^t to become bound to the adverse party in a reasonable sum, not exceeding twenty pounds, to pursue his plea and bring forward a suit for tryall of his title at such Inferiour Court.

All civill actions as well real as personal above the value of forty shillings triable at the common law are originally commenced and tryed in an Inferiour Court of Common Pleas holden for and within each respective county, which Court is constituted of four Justices appointed and commissioned by the Governo^r by and with the advice & consent of the Council in each county, any three of whome make a quorum, and have cognisance of all pleas in civil actions arising and hapning within the same county above the value of forty shillings as aforesaid.

In cases wherein the King is concerned, it is in the election of the prosecutor to begin his suit either in the Inferiour Court or in the Superiour Court of Judicature at his pleasure.

The proper original process in the Inferiour Court of Common Pleas is summons, capias, or attachment, which issues forth of the Clark's office of such Court in his Maj^{ties} name, under the seal of the Court bearing the teste of y^e first Justice named in the commission for holding of such Court, and being directed to the Sheriffe, his Under Sheriffe or Deputy, and are to be served and executed fourteen days before the day of the sitting of the Court where the same are returnable. And in every such process is contained and set forth a declaration of the cause of action, and a cobby thereof attested by the Sheriffe or his Deputy given to y^e adverse party (if demanded), when served upon his body. If his goods or estate be attached, a summons of like tenour in substance with y^e attachment importing the service thereof upon the def^{ts} goods or estate, & requiring his appearance to answer the suit of y^e p^{lf} therein named, is either delivered to y^e def^t or lef[t] at his house

or place of his last and usual abode fourteen days before the day of the Court's sitting.

Cases wherein the King is concerned are brought to tryal, either by process as aforesaid, or by bill or information filled in the Clark's office of the Court where the tryal is to be, and suñmons issued for appearance of the def^t or claimer.

All writs as well original as judicial issuing out of the Clark's office of the Inferiour Court of Common Pleas within each county run thro' the Province.

On the first day of the Court's sitting, or before every p^lr enters his action with the Clark of such Court, and the Court being opened, the jurors returned upon the venires issued by y^e Clark to the several towns within the county and respectively chosen by the freeholders and other inhabitants of such town duely qualified are impanaled, and (after challenges allowed to y^e partys) are sworn that in all causes betwixt party and party that shall be committed unto them, they will give a true verdict therein according to law and the evidence given them. The foreman being appointed by the Justices.

The actions are usually tryed in the order wherein they are entred, and the partys being called, if the def^t (upon process duely served & return thereof made into Court) appear not by himself or his attorney, his default is recorded and judgement entred up against him thereupon, unless before the jury be dismissed he shall come into Court and move to have a tryall; in which case he is admitted thereunto, first paying down unto the adverse party double the cost he has been at so far, and y^e plan^t makes a new entry. If y^e p^lt appear not, he is nonesuit, and judgement is given for y^e def^t to recover costs. If both partys appear and answer, the process is read and the def^t is heard upon any exception or plea that he shall offer in bar or abatement of the process, which exceptions or plea being judged insoficient and over ruled by the

Court, he is required to make an issuable plea or pleas, which being joyned by y^e pla^t and recorded, the pla^t is heard in opening of his cause, and y^e evidence on his part received, examined, and sworn, being given in writing, or taken viva voce promiscuously before y^e Court and Jury, and then improved by the p^t or his attorney. After which the def^t is admitted to his answer, and the evidence on his part alike examined and sworn, and both partys being fully heard, the evidence as applicable to the matter in issue are sum^d up by the President of the Court unto the jury, who are afterward sent fourth with an officer appointed to keep them untill they are agreed of their verdict, and being agreed return back into Court with y^e officer, and after calling over and being asked whither they are agreed, the foremand delivers their verdict in open Court, which being received by y^e Court, recorded, and read over to y^e jury, judgement is afterward entred up accordingly.

And if either party be agrieved at any such verdict and judgement given in the Inferiour Court, such party agrieved may review the same action by a new process at the Inferiour Court, and the party agrieved at the judgement given upon such tryal by review may appeal therefrom unto the next Superiour Court of Judicature to be holden for and within the same county, or bring a writ of error for a new tryal of the said cause in the Superiour Court of Judicature. Or the party agrieved at the first verdict & judgement given in the Inferiour Court may appeal therefrom unto the Superiour Court of Judicature ; and in such cases either party not resting satisfied with the judgement given on the tryall of such appeal may review the action by a new process in y^e Superiour Court. Where there is an appeal execution is stayed untill after the tryall by appeal.

Every action of review is to be brought within y^e space of three years.

In all cases where either pl^t or def^t shall have obtained the number of three judgements it is to be a final issue & determination of such case.

Saving always the liberty of appeal unto his Majesty in Council, as by his Majesties royal charter in that behalf is provided.

Every person appealing or bringing a writ of error is to give sufficient security to prosecute such appeal or writ of error respectively with effect, and upon a writ of error to abide the order of the Court thereupon.

The party appealing is to file a declaration briefly setting fourth the reasons of his appeal in the Clark's office of the Inferiour Court fourteen days before the day of the sitting of y^e Superiour Court of Judicature where such appeal is to be tryed, to the intent that the appealee may have a copy of the same, and make answer thereto (if he think fit); and such declaration is to be transmitted to the said Superiour Court under the seal of the Inferiour Court, with the Clark's certification thereupon of the day when the same was received and filed in his office.

The Superiour Court of Judicature for the whole Province is constituted of a Chief Justice and foure other Justices appointed and commissioned by the Govern^r by and with the advice and consent of the Council, any three of whome make a quorum, and sit in the respective counties at certain days and places assigned by law for that purpose, and have cognisance of all causes, real, personal, or mix't between party and party, and between his Majesty and any of his subjects, brought before them by appeal, review, or writ of error, and when the King is concerned, by an original process, bill, or information. And in tryals by appeal, review, or writ of error, all of the copies of the process, record, verdict, judgement, and the whole proceeding in the former tryall are certified and laid before the Court, and the original deed, bond, or other instrument is called for by the Justices and laid

before the jury when any question is moved requiring the same; and both partys have liberty to offer any new and further plea and evidence either in writing or viva voce promiscuously. And in appeals or reviews the evidences as applicable to the matter in issue are suñd up by the President of the Court unto the jury, who are sent fourth and kept by an officer untill they are agreed on the verdict, and then deliver the same by their foreman in open Court, in manner as in the Inferiour Court, and being received and recorded by y^e Court, judgement is entered up accordingly.

In tryals by writt or error,* the error in points of law being assigned by the p^t, and argued by council on both sides, the determination is by Justices without a jury.

Upon appeals, the former judgement is either reversed and judgement given for the def^t to recover cost, or affirmed in whole or in part, and some times damages encreased, as the jury shall return by their verdict.

In review, the verdict and judgement is either for the def^t to recover costs, if the formar judgem^t appear to be right, or for the pla^t to recover back so much as shall be found by the jury to have been wrongfully given against him in debt or damage by the former verdict and judgem^t and cost of suit.

The Justices of the said several Courts, as well of the Inferiour Courts of Common Pleas as of the Superiour Court of Judicature, respectively, are by law impowered in all causes brought for tryal before them, where the forfeiture of any penal bond or the forfeiture or penalty anexed unto any articles of agreement, covenant, contract, charter-party, or other specialties, or forfeiture of estates on conditions executed by deed of mortgage, or bargain and sale, which defeasance shall be found by verdict of jury or confesion of the obligor, mortgager, or vender, to moderate the rigour of y^e law. And on consideration of such cases, according to equity & good conscience to chancer the for-

* An obvious slip of the pen for "writt of error." — Eds.

fiture and enter up judgement for y^e full debt and damages, and to award execution accordingly.

Only in real actions upon mortgage or bargain and sale with defeasance the judgement to be conditional that the mortgager or vender, or his heires, executors, or administrators, do pay unto the p^t such sum as the Court shall determin to be justly due thereupon, within two months' time after judgement entred up, for discharging of such mortgage or sale, or that the p^t recover possession of the estate sued for, and execution to be awarded for the same.

BOSTON, Dec^r 18th, 1700.

In obedience to the order of the Hon^{ble}, the L^t Governo^r and Counsel of the 18th of November last appointing a Co^mittee to prepare a draught of the method of proceeding in the tryal of all sorts of causes in the several Courts within this Province, the aforegoing is humbly presented to the Board by the s^d Committee.

WAIT WINTHROP.

Province of the
Massachusetts Bay.

BOSTON, Dec^r 19th, 1700.

The before written being drawn up and read in Council, was approved by the Board as an account in particular manner of the method of proceedings upon the tryal of all sorts of causes in the several Courts of Justice within this his Maj^{ty}s Province, to be transmitted unto the R^t Hon^{ble} the Lords Commissioners of the Council for Trade. In obedience to the order of their Excell^{cies} the Lords Justices of England in Council of the 18th of July last.

Is^a ADDINGTON, *Secry*.

SIR HENRY ASHURST TO WAIT WINTHROP.

LONDON, Febr. 5th, 1700[-1].

MUCH HONRD & DEAR S^a,—I had yrs with y^e inclosed bills of exchange for 200^{lb}, to enable me to discharge

y^e service of y^e Conecticott Colony as their agent here. I believe yr kindnesse to me had a great share in causing this trust to be reposed in mee. By y^e inclosed pacquett they will finde that I've done y^e best I could to serve them, and I hope with successe. I much wonder what y^e Governour & Generall Assembly at Boston said to my last letters of 30th of Aprill (to which I've had no answers) in reference to having an agent here under their seal; and also what they thought of gratifying me for y^e many services I have done them. I'm enough assur'd of yr great kindnesse to me. I wish their country do's not suffer by throwing me off, and so incapacitating me any further to serve them. There is no appearing to doe any business for them as their agent. My kind love to you. If my Lord yr Goveneur had been so much concerned for me as in gratitude he was obliged to me, I suppose matters in reference to me had been otherwise managed. I desire yr particular remembrance when you are alone, who am

Yr faithfull friend & servant,

HEN. ASHHURST.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

For the Hon^{ble} John Winthrop, Esq^r, Gov^r of his Maj^{ty} Collony of Conecticott, in New London, these.

BOSTON, Aprill 28th, 1701.

DEAR BROTHER,—I haue yours, and am glad you are like to be able to go to Hartford, and tho' I am not very well able to travell, and our Superior Court sits here the same day with yours, and at Ipswich and Kittery soon after, yet I intend to try to ride towards New Roxbury or Quabauge to morrow or next day if I can. Yesterday came in two ships from London about seven weeks passage, Cap^{tns} Thomas and Rouse, and Robinson came out before them. I had a letter from S^t Henry and a packet

for you, which I send by the post; he says he hops he has don for your gov^{mt} with success. The news thay bring is that the Parliament is siting, the King in his speech desires them to take care for a successor, and that the King of Spain being dead and Europe likely to be in trouble that thay would provide for the safty of the nation. The Parliament thay say has voted pay for forty 1000 saylers, and the whole navy, grate and smale, are fitting with all speed. Adⁿ Benbo was in the Downes with 15 sayle; the French haue taken possession of Namur and most of the strong places in Flanders, som by flattery, others by threats; the K. of Spaine claimes Holland, &c., and tis supposed war is proclaimed before now. Cap^m Thomas told me that just before he sayled out of Marget Road a boat came on bord him, and sayd that the French with ten or 12 regiments endevoured to surprise Ghent, which thay hauing som notice of before it was too late opened their sluces and sent them hom by water, not a man escaping; its a place under the States of Holland. All freinds prety well.

I am yours, W. WINTHROP.

The Portugall ambassadors arived at London the day before Cap^m Thomas came away to put themseleus under the protection of England, as was said. Gillam will sayle to-morrow or next day, by whom intend to write S^r Henry, &c.

WAIT WINTHROP TO SIR HENRY ASHURST.

Boston, April 29th, 1701.

HON^{ble} S^r,—I have yours of y^e 5^t of Feb^{ry} under covert to M^r Sergeant, and a pacquet to my brother, w^o I sent by y^e post y^e next day, w^o will com to them very opportunely against y^r Gen^l Assembly w^{ch} is spedily to meete. What share I had in y^e trouble put upon you in

y^t matter I am senceable was y^e greatest kindness to them, and I have rather cause to aske your pardon for y^e inconvenience I may have bin helpfull to occation you yⁿ to be otherwise taken notice of for it. Som occation calls me this week to be at Hartford, where y^r Assembly is to sitt the next, & intend not to forgett to put them in mind of their farther regards both to your selfe & y^r owne intrest in having a faithfull man to appear in y^r behalfe when occasion serves. About your letters of y^e 30 of Aprill last you may well wonder y^t to this time you have no answer, for many of us do so here. Y^e truth is I was a little surprised to see som alterations in our Gov^{rs} apprehensions (as they seemed to me at least) before he left y^s place & went to N. Yorke y^e last summer, but he has since left us all, w^c doubtless you have notice of before y^s can com to hand; y^rfore shall only tell you y^t at two sessions of our Gen^l Assembly some of us have done all we could to have at least an answer to yours, but could not obtayn it. You know well who has and dose obstruct every thing y^t concerns y^r selfe, besides y^e last year's Speaker, who after y^e example of some others has left y^e ministry which he had begun upon and for wich those y^t were at the charge of his education had desighned him, and is now an attorney;* but we hope our next Assembly, in May, will take better measures. I take you still to be our agent. I know no act of y^e Court y^t ever dismist you, w^{ch} I had occasion to assert at a conference of both Houses before the last session was dissolved. And I hope you will not withdraw from doing what you can for a people who I believe generally respect you (though som may be led asside by misreportes of your enemyes).

* John Leverett, afterward President of Harvard College. He was born in Boston, August 25, 1662, and graduated at Harvard College in 1680. In 1692 he received the degree of Bachelor in Divinity. Subsequently he studied law, and was elected a member of the General Court, and held other public offices. In 1707 he was elected President of the College. He died in this office May 3, 1724. See Sibley's *Harvard Graduates*, vol. iii. pp. 180-198; Quincy's *History of Harvard University*, vol. i. *passim*. — Eds.

When an other Gov^r comes y^o influence you may have in y^t affaire may do y^s people as much service as ever yet you have don them. There is an account designed for you by this oppertunity of y^o management of affairs the last session of our Assembly, to w^o I refer you. I have not rec^d yours of September last w^o you mention, and do not heare whether you have mine of December 12 last, yet I heare y^o ships arrived in w^o were inclosed letters from Conecticott. I pray your remembrance also in your retirement, and am your faithfull humble serv^t.

Indorsed: "Copp^y to S^r Har. Ashurst."

SIR HENRY ASHURST TO WAIT WINTHROP.

For the Hon^{ble} Leftenant Generall Wait Winthrop, Esq^r, at Boston.

KENSINGTON, th 5 of May, 701.

DEARE S^a, — I heer you haue lost y^or laite Gouverner my Lord Belamont and y^r friend M^r D. is makeing interest to be Gouverner. M^r Bl. hath got one Atwood that my Lord Belamont desired might bee Cheife Justice of New Yorke to bee Judg Auocate in yo^r place while I was in the countray.* But I sopus I shall er long get you in the same post againe. I am now so ingaged to hinder a bill passing that takes away the power of electing Gouverners in Connecticut & giueing a power to the King to choose a Gouverner. I haue bin heard at the Lords house upon my petition, & they haue allowed mee to bee heard at thar barr by my counsel against the bill upon Thursday next; and by this you may guess at the resons why thar was complaints against that Colony. Randall told me hee wondered I would concerne my self aboutt New

* William Atwood was appointed Chief Justice of New York in June, 1700. He was a violent partisan, and was finally arrested, but made his escape. See New York Col. Docs. vol. iv. *passim*. — Eds.

England that had turned me of so latly when he could witnes I had ten year serued you as if you had bin my wife and children. I will doe what I can to serue you; and if I had bin y^r agent I had an oppertunity now to haue done itt so as I shal never haue againe. As to yo^r old charter, yo^r charter for the coledge that I could haue got, but I am neither yor agent nor had any mony to gett itt out. My Lord's agent hee sent mee to, said hee had none; tho I doe not care to worke journey worke under my Lord's correspondent. I fear you will feele to yo^r loss the disgrace you haue put one mee after all my seruices, when none of the plantations had a man of my quality to be thar agent. Send this to yo^r brother & beleive me euer to bee

Yo^r true friend & faithfull humble se^{tt},

HEN. ASHHURST.

Excus my hast becaus I am wholly taken up in this seruice.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

For the Hon^{ble} John Winthrop, Esq^r, Gov^r of his Maj^{ty} Collony of Conecticott, in New London, these.

BOSTON, June 16th, 1701.

DEAR BROTHER, — I am glad to heare my cousins are got safe back again. The voyage you mention will no doubt yeild profit if they can goe and return safe, which no doubt they understood well beforehand. I have spoken to Captⁿ Belcher, who is willing you should have that mony for one year, but says he would not willingly be out of it longer, and will keep my bond for it. The sum is 138^{lbs} principle, with interest from such a time, which I cannot tell now, but shall send by the next. The other was the same sum w^{ch} I paid Captⁿ Belcher for them in good New England mony, for which they

ought to allow five and a halfe p^{d} C., which is something under the just difference between the wayght of that mony and the currant mony here, but they shall allow but six pounds for the whole 138^{lbs}, which will make the principle 144^{lbs}, which the Treasurer must allow interest for from the time which I will send you. I could get but twelve pounds ten shill^s at Ashbyes, and Macarte has not yet paid Walworth's note, which will very much incommode if they do not send more from there in a little time. I think the post will carry the miller's hors back. Mingo is gon to Roxbury to get him redy.

Here is a report said to com from Will Wharton * that the Parliament has ordered M^r Blathwait to bring in a bill for annexing Road Island to this Province, and Conecticut to New York, and the Jersyes to Pensilvania, and that M^r Bass is the grate promoter of it; but tis supposed the Parliament will do nothing without grate consideration. If any such thing should be on foot, tis time for your Gov^{mt}, & this too, to have sombody there to speake [for] them.

I am yours,

W. WINTHROP.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

Boston, July 7th, 1701.

DEAR BROTHER,— What I mentioned about the Long Island business was a sudden thing came into my head as I was writing, but if you think it inconvenient thers an end of it. You are gratly mistaken about its being put off till to-morrow; I did all could be don about it, and I think you could haue don no more; he would do nothing till he heard whether the act that made voyd ex-

* Will Wharton was Richard Wharton's son by his first wife, and a lawyer in London. See a letter from him to Fitz-John Winthrop in 6 Mass. Hist. Coll. vol. iii. pp. 288, 289. — Eds.

travagant grants was past or not, which I think is not; if so, it might haue bin well not to haue put it farther off till to-morrow. But I haue now somthing farther to ask your advice about, and I desire you would send me your thoughts as soon as you can. Our Gen^l Court has (almost unanimously) past a vote to send me for England as their agent, which I beleive will be urged upon me much at their next meeting, which will be the 30th of this month, to which time they are adjourned, the Leif^t Gov^r being sick and thay willing to hear from England. I haue bin a little surpris'd about it, being altogether without my expectation, but concluded thay would haue sent their old instruments. If the Leif^t. liues, which nobody expects,* he will do all he can to hinder any body's going; however, the advice of my freinds may prepare me for an answare in case. Letters from Newfoundland say that two men of warr arrived there the 2^d of June and cam from England the 3^d of May, and say there's like to be no warr this summer, which we wish may be true. Cap^{tn} Collwell is going down now, and says if opertunity present he will touch at N. London. Cousin Ann Wharton speaks of giving a vissit when company presents, which makes us stay the hors for her. I haue not got the mony of Macharty yet, which disapoints, and know not what to do; he expects Will Walworth down with sheep. I haue agreed with Daniell Eps about Cous. Read's farm for 350^{lb}.† My servis to every body.

I am yours, W. WINTHROP.

Tis time to think whether to begin with Fitch about Quinabauge at N. London court; I am apt to think he is inclined to an accomodation; if it could be well brought about, it would saue trouble.

* Lieut.-Governor Stoughton died on the day on which this letter was written. — Eds.

† See *ante*, pp. 56, 65. — Eds.

SIR HENRY ASHURST TO WAIT WINTHROP.

*To y^e Hon^{ble} Major Gen [torn] Waite Winthrop, Esq^r., in Boston,
New Engl [torn].*

LOND., July 10, 1701.

MY WORTHY FRIEND, — I have yr very obliging letter of 29th Aprill last, and am glad poor New England hath so wise & so good a man as y^eself to take care of its affaires, and also D^r Cook & M^r Hutchinson. I have in confusion & in hast written to you all four inclosed. I think if ever you will bestirr y^eselves, now is y^e time. If I gett D. out, I propose you to be Leiu^t Governor. Untill there is a Gov^r I will allwayes have especiall regard to you. I perceive by my cousin Sergeant Ben Jackson hath taken up 100^b of Major Brown upon my credit. Pray, S^r, desire him to pay him no more, and read this inclosed letter to Jackson; and gett him to pay it in & interest. If he doe not, yr governm^t ought to doe it for me. D.'s party (y^e whole machine was to gett me out of y^e agency to make him governor & to discourage me), they knew if they did that their business was done. If you knew what enimies you were to y^eselves, you would not doe so much to yr own ruine. I have inclosed a packett to yr brother about their own affaires. The enemy is every where at worke. Pray, S^r, bestirr yrselves; you must come to some speedy resolutions. Excuse my hast.

Yr ever loving friend, HEN. ASHHURST.

Copia. Turne over.

DEAR FRND, — I have yet hopes of puting D. by and of makeng you Left. Gouener; but pray consider and imediatly send y^{or} agent over or comitionat mee under y^{or} seale, with mony & instructions befor itt bee to lait, and use no delay. Itt is not fitt I should take any notice of the goverment untel they answer my leters. I take much pleasur in scrueng you, for I realy loue you. M^r Mather

saith that Col. Phylips is my friend; pray kindly remember me to him. Itt is you I with al maner of assurance confide in. You haue fine aromaticke shrubs & plants; pray send me some for my garden.

SIR HENRY ASHURST TO WAIT WINTHROP AND OTHERS.

LOND., th 10 July, 701.

GENTLEMEN & MY WORTHY FREINDS, — I haue y^{ors} of the 29 of Aprill, w^{ch} hath occasioned mee more trouble then I wold haue engaged in to a haue gott £1000. I haue harassed my body day and night; I know not yet to what purpos, for Dudley was declared gouerner of New England & New Hampshire upon the newes of my Lord Belamont's death. Severall of the great men that war in the Ministrey in the last raynes being his frinds and haue effected itt at present, but I haue yet hope I shall stop itt, but you haue brought itt upon yorselvs by suffering his party to undermine you to turne me out of my agency, for he hath bin at the botome of all the mischeif that hath bin done you; hee produced a leter to the Lord Justices yesterday, ware I appeared against him as soone as I heard he was declared yo^r Gouerner. I was not allowed to haue counsel, but I got all the records & papers I could get, & the best counsell I could get. I was 3 howers debaitng the cause of New England. I produced the records aboutt Leisler's buissnes, when I heard his frnds, and he denyed hee had anything to doe in that triall. I did not intend to haue exposed yo^r leter, but because I thought New England ruined & the Protestant interest if hee came. I haue exposed my self alone to the rage of a party that espouse him, and to his malice; hee put in a memoriall in w^{ch} he denyed his share of Leisler. At the triall he produced this leter, said to be signed by Partridge; he also produced a leter from yor Speaker

that said I was dismissed from my agency two year agoe, and that they had no agent, and what seruice hee and Byfeild had done agenst mee in hindering my receiung any mony since all the countrey was for him, and that the cause of my prosicuting of him was because I was turned out of my agency. I made answer, my quality & condition in the world was such that I had no resn to be proud of the title of yo^r agent unles itt was an oppertunity to doe good; for if I was yo^r agent you had such an one as no plantation had beside you. I said I was the worse by £1000 for atending yo^r affaires, and a gret many other things; my Lord Cutts appering for him, honest M^r Mason & my Cos. Thompson appering with mee aganst him.* I pray thanke them both in a leter. I could not get a copie of his memoriall, itt being last night sent to the King, full of reflections upon mee and his being acceptable to the people. Hee produced an adres signed by seuerall,—young Parteridg & M^r Richards & Waterhouse, & many others, desiring he might be spedily sent away, all w^{ch} leters & papers ar sent away to the King & culd not be wrote out, & the next post I shall send to the King a memorall. If I stop him now, I hope itt will be forever. Hee with Randall brought in a bill into the Lords' house, w^{ch} I opposed wth all my might & interest, w^{ch} would haue taken a way y^{or} present charter & left you wholly at the King's [*illegible*] to gouement that you would only bee gouerned as the other plantations w^{ch} certinly will bee set one foot next sessions of Parliemt. As to the Coledg concerne, if my Lord & you had followed my aduice you might haue had itt confirmed by yo^r law, w^{ch} is beter then any charter, but you & Mr. M. are of another oppin. My Lord directed me to S^r John Stanley for the mony, but he had none to pay, w^{ch} was £500 you gaue my Lord, so thar was no mony to looke

* For an amusing letter of Rev. Godfrey Dellius describing an interview with Lord Cutts on this subject, see 6 Mass. Hist. Coll. vol. iii. pp. 520-523. — Eds.

after itt, and so itt stands. I forgot to tel you that M^r D. told the Lords Justices, that M^r Cooke was aganst the King's gouement & seting up for the old charter, and no wonder he was aganst them. If you will not dy to saue charges, as M^r Mather saith in his inclosed, you must impower yo^r agent & giue him a salery; & hee that serues you faithfully deserues abuv £300 ^ƴ ann, that hath any interest and mony to lay out. Itt cost M^r Pen £200 in defending his pretentions in the Lords house struke at by them. If your enemes perswad you not to part with yo^r mony, you must prepar yo^rselues for what you formerly felt. If I can get any mony of the corporation, I will draw itt upon you for the use of the gouerment, w^{ch} I doe not doubt you will see paid. Ther is one Crayten laity heer that saith Dudly will be uery acceptable to you. You must, gentelmen, looke aboutt you. I thinke yo^r all is in danger. I am almost weary of standing at the sluice alone & fencing aganst frinds and enemes in yo^r cause. Itt is said that M^r Mather desires M^r D., but I hope it is not true, after all he hath wrote and said to mee. I haue inclosed you the copie of his last leter, a copie of my memoriall, a copie of the bill in the Lords house. I shall not write much to my Cosen Serg., particularly, becuse I expect him heer. Pray, S^r, looke aboutt you, as you value any thing that is dear to you.

Yo^r truly affec. frind, H. A.

I send this by a spetiall messenger. Excus my hurry; I send this leter 30 miles ^ƴ a spetiall messenger. If you adress aganst his coming spedily, it may prevent it.

I [*illegible*] that the Lef. Gour. & B., & yo^r Speaker managed the adjournment & desolution of yo^r assembly [*several words illegible*].

I send you, 1, Partridg's leter; 2, M^r Mather's; 3ly, copie of the bill; 4, my memoriall for yo^r Lord Justices.

I forgot to tel you my Lord Cutts said the B. of London recomended him. Excuse my hast.

MEMORIAL OF SIR HENRY ASHURST.

To their Excellencies y^e Lords Justices in Councill, y^e humble Memoriall of S^r H. Ashurst, Bar^t, Sheweth :

THAT having been for many years concern'd for y^e wellfare of New England and understanding that M^r Jos. Dudley was designed for y^e Gover^{mt} of that country, I did make application to severall of y^e Lords of his Majesty's Councill, to acquaint them y^t I thought him y^e most unacceptable to y^t people, upon many accounts, but especially for y^e share he had in y^e tryall and condemnation of M^r Jacob Leslier, sometime Gov^r of New York, and of ——— Milbourne, his Secretary, for a pretended high treason, which judgement for y^e illegalety of it, was revers'd by Act Parlimamet. And being inform'd that he positively deny'd y^t fact, or that he had any thing to doe in y^t prosecution, I most humbly beseech y^{or} Excellencies y^t I may have leave by authentick records to make it appeare before yo^r Excellencies in Councill y^t he not onely advised y^t prosecution, but sate as judge upon y^t triall; and y^t untill I make y^t appeare, no further progress may be made in passing his co^mission. All which is most humbly submitted to yo^r Excellencies great wisdome by

[No date.]

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

BOSTON, July 14th, 1701.

DEAR BROTHER, — Soone after my last was written our Leiftⁿ Gov^r dyed, and is to be intered to-morrow without any millitary solemnity, which we offered once and againe to the executors, who will by no meanes admit of it, he hauing strictly forbid it in his will, as thay say, and tell us if we do, it must be at our own charg; so we haue complied with their inclinations, and there will be only som

guns at the Castle and the scones in town and the gally. I know not what will be farther don when our Court meets, but would pray you to think farther about that matter.* I am very sensible it will be a grate difficulty upon me to undertake, if the supply be never so good, which I shall endeavour to looke to before I resolute on any thing. I beleive there will be no difficulty with respect to their former trustee, he having in a manner dismiss himselfe, because of the unkindness of those that are lately gon and two or thre more here which he knows of, and I beleive would be as ready to assist now as ever he was. And as to the other I as little regard what is said of his coming in that post, as I do his enmity, tho I shall always be cautious of a venomous serpent.† Those with the old wemen aded are little considerations, but there are others more to be look't into.

F.^s vapours about his old deeds there can be nothing in, and notwithstanding his sales to any I beleive he would be glad to comply; if he had bin resolved otherwise, he would not haue intimated to me at N. London any thing tending that way. If you can find any way to dispose of the negro, pray do for what you can get, that she may be no farther trouble. Ann Wharton intends to set out tomorrow or next day with M^r Cristophers and M^r Green and his wife. I haue bin doubtfull about her taking such a jorney this season of the year, but she is set upon it; so hope the wether will prone moderate. M^r Hamblin is here, and says M^r Stanly was at the seaside when he came from Hartford, otherwise thay had drawn up their report, which will be don when he goes back; he says F. is cras'd, he thinks, and has wrot to them as if he were so.

I am yours,

W. WINTHROP.

* The reference is to the proposal that Wait Winthrop should go to England as agent for the Colony. — Eds.

† It is perhaps needless to say that Joseph Dudley is here meant. — Eds.

It will be impossible to get that mony in at present, but if I can go thither shortly will endeavour it, and hope in the mean time Anthony, &c. will be doing.

WAIT WINTHROP TO THE GENERAL COURT OF
MASSACHUSETTS.

BOSTON, August 6th, 1701.

IN answer to the motion of the Great and Gen^l Court now siting, communicated to me by their hon^{ble} comitt^e, desiring me to goe for England to negotiate their affaires there, it is humbly proposed: 1st, That I may haue oportunity to sattsify myselfe with respect to the comission and instructions to be giuen me; 2^{ly}, That the Hon^d Court will please to repose an intire trust and confidence that I will with all faithfullness serue them to the utmost of my ability; 3^d, That care be taken to procure such sums of mony which I may not faile of at my arrivall in England, as may enable me not only to appear there in quality of their Agent, but also effectually to manage their business committed to my care, and that I may not be lyable to render perticular accounts of that betrusement. And for as much as our fathers and predecessors who were the first settlers of this country (som of them more espetially) parted with and spent grate estates for the enjoyment of the pure order of the Gospell which they here set up, and has been ever since practised in the generality of these churches, — if in the judgment of those who are there, freinds to this country and that interest, as well as in my own, there should be a prospect of obtayning a lasting settlement on the same foundations, I would be enabled by credit from this Court to effect the same, let it cost what it will within the compass of their ordinary ability. All which is humbly submitted to the wisdom of this hon^d Court to be considered, and being consented to, I shall apply myselfe to get ready for the

first convenient opportunity, sutable provition being made for my passage, reseruing som convenient time for settling my own affairs here.

WAIT WINTHROP.

Presented 6^o Aug^t 1701, Read in Council and sent down.

Aug^t 6th, 1701, Read in the House of Representatives.

COMMISSION TO WAIT WINTHROP AS CHIEF JUSTICE.

WILLIAM the Third, by the Grace of God of England, Scotland, France, and Ireland, King, Defender of the Faith, &c. To our trusty and wellbeloved Wait Winthrop, Esq., Greeting. WHEREAS, in and by an Act made and passed by the Great and General Court or Assembly of our Province of the Massachusetts Bay in New England at their session begun and held the thirty-first day of May, anno 1699, intituled an Act for the establishing a Superiour Court of Judicature, Court of Assize and General Goale Delivery within this Province, it is enacted that there shall be a Superiour Court of Judicature, Court of Assize and General Goale Delivery over the whole Province, to be held & kept annually at the respective times and places in the s^d Act mentioned & expressed by one Chief Justice and four other Justices, to be appointed and commissioned for the same. Any three of whom to be a quorum, who shall have cognizance of all pleas, real, personal, or mixt, as well all pleas of the Crown, and all matters relating to the conservation of the peace and punishment of offenders as civil causes or actions between party and party, and between us and any of our subjects, whether the same do concern the realty & relate to any right of freehold and inheritance, or whether the same do concern the personalty and relate to matter of debt, contract, damage, or personal injury; and also all mixt actions which concern both realty and personalty, brought before them by appeal, review, & writ of error, or other-

wise, as the law directs, and generally of all other matters as fully and amply to all intents and purposes whatsoever as the Courts of King's Bench, Common Pleas & Exchequer within our Kingdom of England have or ought to have. And in and by s^d Act are also impowered to give judgement therein and award execution thereupon. Wee, therefore reposing special trust & confidence in your loyalty, prudence, and ability, have assigned, constituted, and appointed, and by these presents do assign, constitute, and appoint you the s^d Wait Winthrop to be Chief Justice of our s^d Superiour Court of Judicature, Court of Assize and General Goale Delivery within our Province afores^d. And do authorize and impower you to have, use, exercise, and execute all and singular the powers, authorities, and jurisdictions to the Chief Justice of our s^d Court belonging or in any wise appertaining. And with other our Justices of our s^d Court or any two of them to hear and determin all such causes and matters as are by law cognizable in the s^d Court, and to give judgement therein & award execution thereupon, and to do that which to justice doth appertain according to law. IN TESTIMONY whereof wee have caused the Publick Seal of our Province of the Massachusetts Bay afores^d to be hereunto affixed. WITNESS our Council of our s^d Province at the Council Chamber in Boston, the ninth day of August, in the thirteenth year of our reign, Annoq^e Domini, 1701.

JOHN FOSTER.	JA. RUSSELL.
PETER SERGEANT.	ELISHA COOKE.
JOSEPH LYNDE.	JOHN HATHORNE.
JOHN WALLEY.	W ^m BROWNE.
E ^m HUTCHINSON.	ELISHA HUTCHINSON.
PENN TOWNSEND.	SAM. SEWALL.
BENJA BROWNE.	JONATHAN CORWIN.
BARNABAS LOTHROP.	JOHN HIGGINSON.
JOHN THACHER.	

By the Council.

Is^t ADDINGTON, *Sec̄ry.*

WAIT WINTHROP TO WILLIAM ATWOOD.*

BOSTON, August 11th, 1701.

S^r, — Yours came not to hand untill it was too late to return an answare by the last post, but I must now tell you I am extreemly well sattisfied his Maj^{ty} has bin pleased to appoint a person of such ability and worth as your carактер bespeaks you to succeed in those places you mention, and wish you may find more profit then I haue done, hauing never bin reimbursed halfe the charge I haue bin unavoydably put upon; besides the comission which was sent me from England without my knowledg or expectation. We haue no cause depending in the Court of Admiralty either here or at New Hampshire at present that I know of, but if any such should happen I know you will excuse me if I neglect not my duty to his Maj^{ty} in proceeding according to my comission, untill an other be exhibited to the Govern^{mt} here that may supercede it; which I mention, not for any benefitt like to accrew, but rather to excite you to giue us the happiness of your company here the sooner, where you may expect all the freindship and respect I am capeable to serue you in, who am also a lover of justice and the true Protestant interest, and am, S^r,

Your very humble servant,

W. W.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

BOSTON, August 11th, 1701.

DEAR BROTHER, — I haue yours of the 7th instant. I haue given our Court my answare that if thay will send mony to enable me to doe their business there I will goe, and thay haue voted 500th to be disbursed presently, and 500th more if the Councill shall see it needfull; but I haue

* See note *ante*, p. 84. — Eds.

demured upon it, and told them I cannot expect to do any grate matter for y^m if I am so stinted, and cannot be willing to undertake any thing under 1,000^l there at my arrivall, and an other 1,000 to be sequestred in sombody's hands for that use (if there should be occation), which a comānder in cheife, if one should arriue when I am gon, could not hinder me of, because when any such coms they can do nothing without his consent. The Court being in hast to be gon home, desired thay might be prorogued till the 3^d of Sept^{br} next to look after their harvist, which was accordingly don last Saturday; in the meantime thay expect I will get ready, and I suppose thay will comply therabouts; otherwise I think I shall not goe. However, it will be necessary that I see you here or there, which the time will hardly permit if I should goe, unless you could com hither about a fortnight hence, which all your freinds are very desirous of. I think I must of necessity goe this week to the Island to settle that affair, where I intend not to stay but a few days; however, you may write by the post, and if any vessell coming that way thay may bring your letter hither if I am not there. We haue not farther news from Portroyall, but conclude what I wrote you to be true, but no certainty of warr.

I am yours,

W. WINTHROP.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

For the Hon^{ble} John Winthrop, Esq^r, Gov^r of his Maj^{ty} Collonye of Conecticott, in New London, these.

Boston, Sept^{br} 1st, 1701.

DEAR BROTHER, — I came home from the Island on Fryday last, and haue yours of 14th of August, which I think had bin opened; that way of puting letters in a single paper may easily be lookt into unless the sides be sealed. Cousin Liviston was in such hast as well as I to get out

of town that I could not write by him. I am sorry for the mishap their being over publick has brought them into. M^r Borland procured an apprisement when I was out of town, and has got the goods in his hands, hauing deposited about 120^l as I understand. Capt^a Vetch in his letter to me desires I would call a court of Admiralty as soon as may be, which I intend tomorrow. I know not now what our Court will do which is to meet on Wensday. The news which the Gosper frigate brings, which coms only in a letter to M^r Hutchinson, about M^r D.'s coming Gov^r, may alter y^r minds about the agency, tho their is the same reason as before. When thay meet it will quickly be determined, and I will endeavour to send you an account by Sam. Avery, who says he will go this week. I can say no more about the matter of Plainfeild then you know has been said. Indian testimony as to bounds of their own lands which thay convey must needs be good; all that can be known by the English must be from them, and has hitherto bin so; besides the possession has bin in us ever since the gen^l deed, which was but a giveing possession of what was conveyed before. Walworth has bin here, I understand, but has carried away all his mony.

I am yours,

W. W.

John was with me at the Island. I knew not that his letter was in Mohawk; he thinks you understand all languages, and thought, I suppose, to approve himselfe to y^r liking in order to som preferment.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

*For the Hon^{ble} John Winthrop, Esq^r, Gov^r of his Maj^{ty} Collonye of
Conecticott, in New London, these.*

BOSTON, Oct^{br} 20, 1701.

DEAR BROTHER, — I haue no letter from you by the last post, which cannot but wonder at. Our Court mett

on Wensday last, and were prorogued again on Saturday to the tenth of Decem^{br}; haue only sent an Adress with a memoriall in answare to severall former letters from the King. We are so infatuated for fear of charg and to promote private interests that we shall loose all. The ships are just going to sayle, being fower of them besides Captⁿ Crow. I haue writ to S^r Hennery that your Court was siting, but I doubted their letters would not get hither before these ships were gon. My sister Richards desires you would signe to what she and I haue don on the back of the mortgage for the warehouse, she hauing received the money due on it; M^r Minzee will bring it to you with this. All are well here.

Yours,

W. WINTHROP.

SIR HENRY ASHURST TO WAIT WINTHROP.

LOND., Nov. 2, 701.

DEARE & MUCH HONrd S^r, — I doe not write to you as I would, having reason every ship to expect you. I am sorry you thinke of coming this dangerous season. I wish these were y^r friends that were for sending you out of y^e way to be agent. I am sure they were M^r D.'s friends. For I am makeing interest that you should be Leiu^t Gov^r, and I am opposing M^r D.'s going to y^e utmost of my power. But M^r D. tells his friends with you, I have no interest here. I am sure if you would not lose everything you must get an agent that hath interest here, in so criticall a juncture, to serve you, or else you will feel y^e inconueniency of it when 'tis too late. I have written to my coz. Sergeant, & drawn bills of y^e corporation-mony upon my coz. Sergeant for 250^l with y^e ex[change] at 35^l pr cent. to oppose y^e taking away y^e new charter by Act of Parl. Whoever advised the addressing for y^e old, had a mind, in my humble opinion, to ruine y^{or} countrey; nothing could

further D.'s going more effectually than that. I am, you say, agent; I should expect minutes of all that passed in Councill & in y^e Assembly's, even y^r very debates. Let all that love y^e same & the wellfare of their country postpone their petty differences & unite to save y^e whole.

I am, with much affection & respect,

Y^r reall friend & humble serv^t.

I have wrote very largely to y^r brother Winthrop y^e 5th May & July p^r severall conveyances, & wonder I heare nothing from them.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

For the Hon^{ble} John Winthrop, Esq^r, Gov^r of his Maj^{ty} Collonye of Conecticott, in New London, these.

BOSTON, Nov^{br} 3^d, 1701.

DEAR BROTHER, — The brigantine bound for Holland, which is to touch in England, slipt away the begining of last week before I could get a letter on bord. Here is but one ship more that I can hear of that will goe this winter, and thay say will sayle this week or next. I know not but you may send before she goes. I shall write by her, but what will my writing signifye if nothing goes from your Gover^{mt} or yourselfe to stop any proceeding! What I wrote by the former ships will do little; I could not then write what I might haue don, because I knew not what your Gover^{mt} would do; it will be best not to neglect this oportunity. M^r Atwood is here with a coñission for Judg of the Admiralty, and just now I hear he has held a court this morning, and calls M^r Borland's case over again, and is adjorned till to-morrow. Our Superior Court also meets to-morrow. M^r Minett's was a grate iron stove from Holland, and stood in a chimney; the little iron one that I haue would serue a little room, but it must stand in a chimney too, and som peices of it are wanting,

which I think made a tunnel for Hude's vessell long since, where the bell went. If Harris be not gon, it shall be sent. The post will bring you a pair of Simpson's according to your direction. I intended when the Court was over to haue com that way, but going to visit our neibour Brinsdell (who is ill) last Thurdsday night, his dogg bit thre holes in the small of my legg to the bone, which has bin so angry and painfull to me I haue not bin able to stir since, and I fear will lay me up for all winter, tho' tis a little easier to day. I could not goe to direct the man about the glass, or els it had gon by this post. Minze went no farther then Rhoad Island, and cam back again; one Eustace cam in a brigantine from England last Friday; says Gillan and Robinson, &c. were redy to com, no warr like to be till spring, the Emperor has beaten the French again in Italy, a 100 sayle of English and Duch men of warr gon on an unknown desine, the King not yet com home. M^r. D. not like to com till spring. I think that's all, which, with loue and servis to everybody, is all from

Yours, W. WINTHROP.

Atwood seems a civill, sober man; I suppose he will visit you with his comission as he returns to York. I know not whether it be not best to refer him to your Gen^l Court, who think thay haue that power by their charter; however, if you should find it needfull on any other occation to haue a Gen^l Court, this would be a good excuse to call one; at least you must call a coun-cill for him.

SAMUEL READE TO WAIT WINTHROP.

LOND^o, y^e 30 Nov^r, 1701.

COUSS^r WAITE WINTHROP: S^r, — My last to you was y^e 10 Sept^r. Since have recd yours of y^e 15 Oct^r. Am obliged

to you for your care & paines in disposall of my farmes ; am well satisfied therein, & especially that they passe into the handes of a relation. Have not for a considerable time heard from Couss Epps, w^{ch} I much desire & request you to presse him to it. There are some other acc^{ts} depending betweene him & mee, w^{ch} shall acquaint you with, & then leave matters to your determination as you shall judge convenient & reasonable betweene us. Take notice what you write in reference to returnes, which will bee a difficultie. Our new Parliament is to meete latter end Decb^r, w^{ch} may give discoveries w^{ch} way matters may goe in reference to peace or warr ; y^e most intelligent, considering persons thinke a warr is unavoidable, w^{ch} will make returnes in goods to one place or other hazardous, soe that my present thoughts are to have returnes in bill, exch^g, or specie as meete wth convenient oppertunity. W^t is done in specie may bee in parcells as any friend comes over or by a carefull mast^r. Must leave it to your manidgment to doe as you shall judge necessary as to time & manner, wth which I shall rest satisfied. Possibly some oppertunities may present of returnes by bills or specie in parcells w^{ch} may be favourable. Whatever way you judge most for my advantidge please to make use of it, referring it to your selfe. We had some intimations of your designe of comeing over, w^{ch} would have been very acceptable heere ; you not mentioning it makes us thinke you have altered your resolutions. Returne thanks for your kindnesse in my concernes. If in any thing I may bee servisable heere, please freely to command mee. Wth hearty servise to relations, rest

Y^r affection^t kinsmⁿ & serv^t,

SAM. READE.

Shall write againe ☞ first oppertunity.

PETITION OF WAIT WINTHROP AND OTHERS.

To the King's most Excell^t Maj^{ty}: The humble Petition of Wayt Winthrop, Sam^l Sewall, John Saffin, Francis Brinley, Thomas Deane, William Wharton, and Benjamin Lynde, Esq^r, in behalfe of themselves and the Rest of the Proprietors of a certain Tract of Land in New England called the King's Province, or Narragansett Countrey,*

Sheweth :

That for a long time there have been and still are disputes and differances between your Maj^{ty}s Colonies of Connecticut and Road Island concerning the government of your Maj^{ty}s said Province, each Colony by vertue of their charter pretending a right thereto, and that the said disputes have occasioned many disturbances amongst your Maj^{ty}s subjects within the said Province, and much discouraged the settlement thereof. To the end therefore that your Maj^{ty}s subjects may be freed from those inconveniences which necessarily attend such disputes, and may know what government in New England to submit unto, your pet^{rs} most humbly pray that your Maj^{ty} would graciously please to give such orders and directions therein as your Maj^{ty} in your great wisdom shall think meet and convenient. And yo^r pet^{rs} shall ever pray, &c.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

For the Hon^{ble} John Winthrop, Esq^r, Gov^r of the Collony of Conecticott, in New London, these.

BOSTON, Decem^{br} 9th, 1701.

DEAR BROTHER, — I am sorry for the disasters that haue hap'ned in those parts, and am glad it is no worse. M^r Cambell came home on Satturday last from York by way of Road Island in two or thre days, says thay expect the Lord Cornbury, but his comission was not perfected

[in A]ugust, and that one letter says he was puting in for the gov^{mt} of Barbados, but I perceiue thay h[ave] little certainty of any thing. The Stonington news you wrote proues a mistake. M^r Cambell says he saw Cap^{tn} Veche, and he is going to law about his matters, and has feed atturnyes. M^r Brenly writes to Coll. Hutchinson that he understands there is to be a meeting between Conecticot men and Road Island at Newport, and that M^r Mason and thay haue concerted the matter already between them to out the mortgage men, and Conecticot volunteers to settle it forthwith. I am desired to inform you of it, that nothing may be don to the prejudice of the Proprietors by the Mohauke phlipp drinkers. The ship is not yet gon, but thay speak of sayling to-morrow, and another will goe a week or fortnight after. I haue got M^r Cole to transcribe the adress and instructions, and now your Gover^{mt} ows him fifty shilling, or 3^{lb} at least, which he is in expectation of, and I haue told him will be sent him. It is a shame to send things so unpollished. I haue bin ill with a grate cold and was not out all the last week, and if the man has not don the glass it must stay till next post. The inclosed is said to be of nine weeks to this time.

I am yours, W. WINTHROP.

I send you back the records such as thay are, and haue don as well as I could. M^r Southmeade had the key with him; you send no word in what condition the bald ston hors is, &c.

WAIT WINTHROP TO ———.*

Boston, Feb^r 24th, 170 $\frac{1}{2}$.

S^a,—I haue yours by the post; am much obliged to you for your freindship and care about my brother in his

* This letter, which is without an address, was probably sent to Rev. James Noyes or to Rev. Gurdon Saltonstall. — Eds.

sickness, and am gratly concernd that I haue not bin able be with him, hauing scarce bin out of my chamber since M^r Rogers was here. I well approue of what you write about and haue don accordingly, as you will see. I am doubtful whether drawing his leggs to much may not be prejudiciall; if it could be caried off by taking a little rubila, it would be safer, if he has strength to bare it; I remember M^r Ashbye's leggs were extreemly sweld the last year, and he toke rubila and had releife; tho I am not for his taking any thing that will work much so as to debilitate nature, but rather to fortifye it as much as may be when the fever is a little over; if he would be perswaded to take rubila in such a proportion as would not work with him tho the fever be not over, and to take it every day for som time, it would insensibly and by degrees take away both the swelling and every evill simp-
tom; he may begin with a grain, or halfe a grain, and so increase halfe a grain every day till it begins to make him a little quamish, and then the next time decrease halfe a grain or a grain, and then keep to that propor-
tion; it would certainly be rather a cordiall to him then weaken him, but if he should be costiuie (which he may be for all that), then he must take som lenitiue thing which may not giue him more then one stoole or two at the most in 24 howers; for if he take so much as may purg, it will both weaken and make him costiuie after it. A spoonfull or two of malassas alone, or mixt with a spoonfull of oyle, would be as good as anything. Sister Richards urges much to take rubila in a smale quantity every now and then; she says she has found it always strengthen her when she has taken it, tho it has wroug[t] a little, and I am fully perswaded it would help both his swelling and his faintness; the white cordiall, if he would take it oftener, about a scruple (20 gr.) at a time, might help his faintness. I am apt to think that faintness proceeds from somthing of his old distemper, the gravell; I

think he use to be so before he voyded gravell. I haue sent a little glass of Rulandus his balsam, which, tho it smell not well, I am shure must do him good, both for his fever and faintness. I haue had grate experience of it, both on myselfe and others. I haue taken it the thre last nights thus: I put a little pouder shugar in a spoon, and then dropt about 16 or 20 drops of the balsom on it, then covered it with sugar and took it altogether and held it on my toungue till I took in a mouthfull of beer, and swallowed all together at once and tasted nothing but the sugar. I send also a little bottle of a peculiar sort of oyle of turpentine, which I know is good for him; about the same quantity of drops as of the balsam, and taken in the same maner with sugar; thay may be taken the balsam at night and the other in the morning. There is also a bowle of Elixir Proprietatis. Baum tee is very good for faintness. If it be possible for me I intend to get out this weeke; I desire the continuance of your prayers and am, Sr,

Your humble servant,

WAIT WINTHROP.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

BOSTON, March 23^d, 170 $\frac{1}{2}$.

MY DEAR BROTHER,—I cannot express the trouble I am under that I haue not bin able in this long time of your grate sickness to com to you, but so God has seen good it should be, to whose holy will we ought always patiently to submit. It has bin lithertoo utterly impossible for me to haue held out one halfe day's jorny. I was in hope to haue heard by this post of your being almost, at least, perfectly recovered, but M^r Noyce writes me that you still continue but vnder an ill habit of body, tho' I am glad to hear by M^r Saltonstall's letter that you were then walking about the chamber; pray be not any way dis-

couraged, but trust in God, resigning your selfe and all of us to his mercy in Christ Jesus, who is able to raise you up againe, in whom I trust I shall yet see you before long, if he giue me but strength to ride so far and bare the wether. I got to meeteing in the afternoon yesterday, but before night the wether changed to raine and since to snow, and is now, I think, as cold as any time this winter; otherwise I intended to haue set out this day, but I hope it will not last and shall take the first tollerable day to goe as farr as I can. I send this by the post, not knowing what the wether or my ability may be upon the jorneye. I am sorry you haue not bin perswaded to tak a grain or two of rubila; one vomit with it would take away the cause of that frothy flegm which M^r Noyce speaks of, and two grains cannot hurt you if you are but able to sit up. M^r Cook was with me when the letters came to hand from M^r Noyce and M^r Saltonstall, to whom I communicated them, and haue had his and other advice formerly; he says he wonderfully helpt one who raysed flegm in the same manner, with the balsam of sulfur with a few drops of oyle of anisseeds mixt with it, which I intend to send, tho I hope to be with you before the post. The oyle of turpentine must needs be a good thing sometimes taken, as also the oyle of sulfur, but that must be taken not aboue thre or fower drops at once if it be taken often. It was not worth while to send the chocolata to be changed; M^{rs} Butler, at whose shop it was bought, says she did it her selfe, and that it is very good and nothing but the nut, which she sheld very well; we used som that was bought at the same time of her, which proved very well. I shall bring that and som more with me when I com. I hope the last which I sent for, to M^r Gutterige's coffee house, was liked better. I cōmit you and all of us to the protection of the Almighty, and am

Your affectionate brother,

WAIT WINTHROP.

SIR HENRY ASHURST TO WAIT WINTHROP.

To y^e Hon. Major Gen. Waite Winthrop in New England.

LOND., th 25 March, 702.

MY DEAR & WORTHY FRIND, — My hurries in Parlemt, and the lait loss of our King, and my owne indisposition, and the marradge of my son haue hindered my answering yo^r sooner. I am so abundantly satisfied with yo^r stedy adhering to the true interest of religion & of yo^r countray that haue allways made you very valuable to mee. I had procured you to be Left. Gouverner, if M^r Dudley had not produced leters that said you moued in the Counsel that now thare Gouverner & Lef. Gouverner was dead they might take upon them thar old charter, and stoped itt. Since, M^r D. by a great many methods had attempted to make Byfeild be Lef., but that I haue stopped. If M^r D. doe not pleas you, you may thanke yo^rselves. If either yo^r Counsel or Representatives had addressed against him & sent itt to mee, hee could not haue gon. Itt was esie to see what was intended by yo^r il usage of mee and yo^r throwing mee of when I had deserued every thing from you by standing in the gap almost alone & keeping many evils from you & being indefaticable in yo^r seruice for 12 years together; but let that pass. I pray desire yo^r bro. Col. John Winthrop and yo^r self take car the bill I drew upon my cos. Sergeant be not sent back; itt was taken up for the seruice of Connecticut & New England. I doe not mean that my cosen Sergeant or you shuld pay one penny of itt; but the Corporation being in no want of mony, the bill may stay until I prouide mony for itt. Yo^r brother hath £100 to pay w^{ch} I haue ordered him to pay my cossan Sergeant, & I sopes when my leters come hee will order more to bee paid, and M^r Parteridg told mee hee had ordered £100 to be paid mee by the directin of the Assembly thare. I am so troubled to thinke that so

good a people shuld bee so accesory to thare owne ruine that when thar ancestors with so many hazards planted thare, thar successors shuld sel thar birthright for a mess of pottadge. I wish itt ware in my power to express how much I am

Yo^r indeered frind to serue you, HEN. ASHHURST.

Pray giue yo^r brother or send him as soone as you can this inclosed.

To Major Generall Wait Winthrope.

WAIT WINTHROP TO SIR HENRY ASHURST.

[Extract from a rough draft.]

March —, 1702.

HON^{ble} S^r, — The inclosed is copy of my last by Turin, who sayled the latter end of Decemb^r, since which nothing of moment has occur'd amongst us, only som few began to be puf^t up in expectation their freind M^r Dudleye would speedily be here with co^mission for the Goverment, and say he had been here before now if it had not been for yourselfe & som that wrote from hence who deserve to be hang'd for their pains, & it being co^mon discours that severall are beforehand marked out for displeasure, at least, if not to be *Leisterized*, as they call it; but of late they seem to be more silent. What advice they have I know not; but if men of such tempers have their will, here is like to be no living for honest men that may not be just of their depth of understanding. You hint somthing of dislike about petitioning for the old charter. I hear that it has bin reported to my prejudice that I with others moved in Councill that we might petition his Maj^{ty} for the old charter, & upon occation it has been made use of against me as not to be trusted; for my part, I never made or heard of such a motion, & if M^r Byfield wrote any such thing, or M^r Dudley improv'd it, they were

certainly more my freinds then thay intended, tho' it were by a wrong method; for, as I never thought mysele so much more sufficient than my neibours for publick employment, so I never sought or desired any (much less have used any sinister ways to procure one), but haue, with all the integrity I could, acquitted mysele when any has been cast upon me, to my uery great expence, & he well knows I never had anything to do with the old charter or bare the least office, civill or military, whilst that Gov^{mt} lasted, or had voat in any of their elections; whilst himself (after he had left preaching at Roxbury to become a deputy, or representative, & then an assistant) was one of the idolls to som in that Gov^{mt} until thay began to think thay were not all one man's children, & then, I think, dismiss him* . . .

SAMUEL WILLIS TO WAIT WINTHROP.†

These for the Honourable Major Wait Winthrope, Esq^r, att New London, present.

MUCH HONrd S^r, — I am very glad to heare of you and you^r famalys beinge come into this Colony, and you^r aboude and continuance here will be much desired; and I am perswaded that as affaires are now circumstansed at Boston & in this Colony, you may be in a capacity & instrumentall of doeing much more good and service to God & his people in these parts then in the place from whence you came, as I shall fully demonstrate to you at our next meetinge. The charter w^{ch} your honrd father procured for this Colony, w^{ch} is in its self an excellent instrument of govern^t if well improued, is in the opinion of some prudent men now much managed by a caball of three men, Capt. Fitch, M^r Elliott, and Doctor Hooker, who much influence

* Joseph Dudley was educated for the ministry; but he soon left it for a more congenial field of labor. — Eds.

† See 6 Mass. Hist. Coll. vol. iii. p. 16 n. — Eds.

the affaires of the vper & lower house at the Gen^l Court, with whose quallitys & tempers you are well acquainted. And M^r Fitch, notwithstandinge his continuall makinge his market of the lands of this charter granted by the Kinge to the free men of this Colony, yet he is soe expert in the act of flattery that he makes many of the people beleive that he is the cheife patron of theire charter privelages; thus are this people guld & deceiued by him. And yet, by reason of the Gov^rs sundry times absence in the time of the Gen^l Court & Assistants Court, by reason of his indisposition of body, and the Deputy Gov^r beinge superanuated, M^r Fitch grows the dictator of both those Courts, w^{ch} increaseth the dissatisfactions of the most prudent sort of men in the Colony. But I suppose your Quinabague businesse will call you to the Gen^l Court in May. And some of M^{rs} Daues good freinds att Hartford thinke that there is greate need of M^r Soltinstoll's speedy cominge to Hartford to looke after her rights in M^r Richard's lands in this place & in England. And there is greate need of you and him both to be at the Generall Court to continue some way to aleviate some growinge difficultys, especially if the Gov^r and M^r Woodbridge should be absent, lest the number of Palmits & Holomits* should increase; for vnlesse there may be some men of other spirits then the aboue mentioned that may be impowered in some equitable way to releiue present oppressions w^{ch} sundry lye vnder, and provision of that nature for redresse for the future, it is thought there will be applycation to the Kinge to erect a Court of Appeales in these parts, to redresse the grievances in this and Rode Island goverm^{ts}, by reason of the greate distance from England, w^{ch} is an argunt that will easily induce the Kinge and Council to that w^{ch} they soe redyly inclyne vnto, w^{ch} would much weaken the charter goverm^t. But I know the greate

* Supporters of Edward Palmes and the brothers Hallam. See the Correspondence of Fitz-John Winthrop, 6 Mass. Hist. Coll. vol. iii. pp. 63-66. — Eds.

respect w^{ch} you beare to the people in this Colony will induce you to improve your intrest to promote their prosperity, in w^{ch} I shall always rejoyce. I hope shortly to see you at Hartford.

S^r, I am you^r cordiall freind & servant,

SAMUELL WILLIS.

HARTFORD, Aprill 22, 1702.

My kinde respects to the Gov^r. I am glad to heare that he is in a recovering way. My respects also to M^r Soltinstoll. To both you may please to impart what you thinke fitt in this letter. S^r, if you inclyne to dwell att Hartford, where you will bee very hartly welcome, here is one of the best houses in the towne, where old M^{rs} Gilbert dwelt, to be let or bought att a very reasonable rate. Remember my love also to M^r Witherell & your sonn.

SIR HENRY ASHURST TO WAIT WINTHROP.

For the Hon. Waite Winthrop, Esq^r, att Boston.

DEAR S^r, — I cannot tell how to write to New England and not to addresse to you. I am sure I need not to exhort you to keepe y^r integrity that have allwaies done it. If there be any oppertunity of showing y^r respect to me, I doe not doubt of y^r friendship. I pray send these inclosed to y^r brother; and use y^r interest to procure y^e payment of y^e mony, or else let me not have y^e name of Agent, without knowing upon what termes I am so. I pray, S^r, get me a speedy answer to all y^e inclosed letters. I kept them from an attack that would have cost them money to defend, unless they intend to give up; I pray persuade them to be speedy in their resolutions.

I am y^r most faithfull frd & humble servant,

HEN. ASHHURST.

LOND., th 26 June, 702.

SAMUEL READE TO WAIT WINTHROP.

*To the Honorable Wait Winthrop, Esq., in Boston, in New England,
 & y^e Portsmouth Galley, Q. D. G.*

LONDON, 24th Sep., 1702.

COUSIN WAIT WINTHROP: S^a, — I have received two letters from y^u, both dated y^e 3^d Augst, wth first & third bill for two hundred pounds drawne by M^r W^m Wallis on Mess^{rs} Nathaniell & John Gould, w^{ch} are accepted. I return thanks for y^r care herein. I do approve of returning y^e remainder by M^r Wallis. If y^t should fail, may do it any other way shall see meet; as also y^e other fifty pounds y^u shall receive from Cousin Epps. Do much desire to hear from him. Am glad to hear of yours & Cousin's, your brother's, recovery. My service to relations. Shall write again suddenly; this being to advise y^e receipt of yours. I rest.

Y^e 10 Ap^l, 1703.

S^a, — The foregoing copy of last. Since, have recd yours of y^e 20 Aug^s, wth an inclosed receipte for sixty p^s. $\frac{8}{8}$: 4^s on M^r W^m Wallis, who hath beene arrived a considerable time, but detained in west country, soe have not yet recd y^e mony, but exspect it in a few dayes; shall waite to hear of recovery of remaining fifty poundes from Couss^a Epps. Have not heard from him a long time; desire you will presse him to give answer to y^e severall letters sent him. I am desired by M^{rs} Elizth Barker, daughter to M^r Hugh Peters, to write you in her favour, in reference to a concerne to bee transacted there in recoverie of her father's lands & estate. It hath beene so long delaid already, & if not speedily donne will be shorte of y^e time of your country limitations. Have taken much paines in examining her papers & letters from thence, w^{ch} directed her to send over letter of atturny; was wth her before y^e Lord Major of this citty, where oathe was made of her being y^e reputed daughter of M^r Peters. Some New Eng^d

men were alsoe present to attest & witnesse it wth y^e letter of atturny. I doe not remember all y^e persons' names to whome letter atturny was made; but M^r Sewell was one, who can informe you more perticularly about it. She is a widow, & in low circumstanes. If you can bee servisable to her, it will bee a greate kindnesse & respect to memory of her father soe well knowne in New Eng^d. There is alsoe another concerne that must desire of you; 'tis a case of a widow, Mrs. Haynes. Her husband was Major Hezekia Haynes, formerly was in your countrey, a very worthy person. There are two bonds due from M^r Samuel Willis, who is willing to pay y^e mony (either him selfe or executors, for I know not whether hee bee living). 'Tis desired that the bonds may bee lodged in some hand heere that they are satisfied wth. She hath left them wth mee, w^{ch} shall bee forth comeing when there is occation to deliver them to their order & appointment. Y^e bonds are as followeth, signed by Samuel Willis, of Hartford, in New Eng^d,

Bond for fifty pound, dated y^e first May, 1669.

Bond for twenty-seaven poundes, y^e 20 Oct^r, 1669.

Your favour is desired to signifie to them that they are in my handes. I suppose there is a letter of atturny & advises sent over about it. Shall not further trouble you at present, but give tender of servise to relations; rest, S^r,

Y^r affection^t kinsman & serv^t, SAM. READE.

Shall write againe ☞ next oppertunity shipping.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

For the Hon^{ble} John Winthrop, Esq^r, Gov^r of the Collony of Conecticott, in New London, these. Free.

BOSTON, Sept^{br} 28th, 1702.

DEAR BROTHER, — I got home on Saturday night late, and am a little indisposed after my jorney. I find all our

freinds in health (God be thanked), but it is said to be a sickly time here with the snale pox and fever. Here are seven ships lately from England, but bring little news; the last which was Turin came yesterday, says he came out with a fleet of five hundred sayle of men of warr and transport ships, hauing on bord 15 or 20,000 hors and foote, and abundance of hors furniture besides, with severall Spanish Douns supposed to be bound for Lisbon. The Emperer's army in Italy has done but little since last year, only beseiged Mantua; the confederates in Flanders haue taken a place there, whose name I haue forgot; the King of Sweeden makes a grate stirr in Poland, and would haue them depose their King; this is what Coll. Foster told me last night, and is all I can now write, being grately troubled with my old pain in my temple and side of my head. John told me you were enquiring about goats, and haue ordered the folkes at the Island to send a score by the first vessell that puts in there and will take them on bord, no opertunity offering whilst I was there. I haue not else, but loue and servis to every body.

I am your affectionate brother,

W. WINTHROP.

I haue no letters from England yet, but suppose M^r Sergeant may haue som for me. I cannot get in that 100^{lb} which I put out.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

BOSTON, Nov^{br} 18th, 1702.

DEAR BROTHER, — I haue at last got M^r Horton's papers, and haue given him my bond for the mony to be paid in May or before, which I told him he might expect if mony com in to incourage him, but whence it will com I know not yet. I did not know Horton was to remove, but if I had I could doe no more then I did. I haue bin

ill, and haue not bin yet abroad, and am so still. John is not yet well, and Anna has bin very ill again ever since Sabothday last; and sister Richards not well, nor scarce any body els. My poor vncl^e * has lost all his children: Cousin José and his other daughter, Hoffe, dyed of the small pox since my last to you. I am gratly troubled I haue not bin able to goe to him; pore José sent for me and Cosin Adam, but neither of us could goe. M^r Adams is ill of it there also. Enclosed is the mortgage and Uncas his worn out deed, w^h must be starched on a paper, and six papers more. I am sorry the delay should be any dañage; I saw the deputy the begiñg of the court, but know not whether he has bin there lately; he is removed, I think, to Cape Ann. I think we are resolved to stick to Woodward's old line; I hope Will Latham will performe and out doe S^t Antonia. Two of the Councill were to visit me but now and say thay heard nothing yet about the Albany releife, but that a letter was gon to y^e Gov^r which came by the post, and thay suppose thay may hear to-morrow more of it. I beleive thay will make many excuses here, and if you are not in hast you will haue acc^t about it. Wentworth is here from England, but I haue had little news, and not letter yet. My respects to all.

Yours,

W. WINTHROP.

If Sudance can bundle up John's freise jacket and Min-goe's cloth jacket in an old towell, pray let the post bring them; there is all could be got for the mony.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

BOSTON, Jan^y 12th, 1702 [-3].

DEAR BROTHER, — Here is not a word of news but what coms from York, which I suppose you may haue,

* Deane Winthrop. His son José died Nov. 15. 1702. His daughter Mercy, who died the following day, was the wife of the second Atherton Hough. "M^r Adams" was Eliab Adams, the husband of another daughter. — Eds.

about the arrivall of a vessell from Bristoll last week or before, which contradicts what we heard about the taking of [torn] and that only S^t Marye's is burnt, &c. His Worship is still at Piscataque. Ab[out] ten a'clock last Lord's day night a fire broke out behind the manifesto meeti[nge]-house in Cable's stable and cow house, w[here] was neer sixty loades of hay, which gra[tely] endangered all that part of the town by t[he] Dock; but Prouidence ordered it so that [no] wind was stiring, so it burnt only the stables and little house adjoining wherein Tuckerman lived. We are sorry for Cousin Hañah's illness, but hope by this time she may be got over it; all freinds here are prety well (God be thanked!). The smale pox I think is almost gon through the town, and I hope will quite sease by spring. Young Turfery* that used to write for M^r Addington was buried of it [on] Saturday last, the most ingenuouse penman in this country. It may be a cuping glass or a plaister of black salve might help Cousin Hañah. I shall enquire against next post about the prise of pork and beife for Will. Latham; I know not but it will be in good demand. So with reco[m]mendations to all, I am

Yours,

W. WINTHROP.

My sister and every body would be glad to see you.

SIR HENRY ASHURST TO WAIT WINTHROP.

LOND., th 25 July, 703.

MY DEAR & TRUE FRENDE,—I had y^rs of the 20 of May, w^{ch} was uery welcome to mee. You I haue found in an age of apostacy a true Nathaniell without guile.

* Edward Turfrey. Judge Sewall, in his Diary, writes: "He was a person of great abilities. His death is a great loss to the town and Province; but more especially to Mr. Addington, to whom Mr. Turfrey was extraordinarily serviceable, having liv'd with him above ten years. If real worth and serviceableness and youth wont give a discharge in this warfare, what shall? He is universally lamented." See 5 Mass. Hist. Coll. vol. iii. p. 71. — Eds.

Alas! S^r, I heer nothing of New England but from you; and when you haue a safe conuayence, bee full and particular, w^{ch} will much oblige mee. I am wel satisfide that Hallum's pretences are al ouer knauish; yet they cannot be opposed without yo^r bro. or some other persons appear. Affidauids will not doe, & he is supported I cannot tel for what resson. I beleiue y^{or} Charter will by Act of Parlemt be attempted next sessions; I mean Connecticott, for the car of New England is in other hands. Therfor I pray hasten some persons to bee joint agents with mee. Itt is absolutly necessary some persons shuld bee heer against the sitting of the Parlemt. I thinke some mens subscribing is extreordinary after what they haue writen to me and others. You need not wonder who forged that lie; you may find him out by considering whose interest itt was to tel itt. As to thar laying mee aside, I would not haue them doe itt by sending others heither. Dear S^r, whenever it is in my power you shall know how much I esteeme you, being in great sincerity

Yo^r true frind & se^{tt},

HEN. ASHHURST.

[There are two copies of the foregoing letter in the Winthrop Papers. At the foot of the second copy, which has a few verbal variations from the one here printed, is the following addition.]

JAN. 10, 1703/4.

DEAR S^r, — The aboue was sent you by honest Major Vaughan, who was taken by y^e French, his letters all seized, and hee returned back; and Vsher, y^t went in an other ship, had a prosperous voage. Thus none heard good or euill by any thing before him. Your bro^r Winthrop is much to blame nott to answer my letters; hee sent mee Examinacions by Hallam, butt noe ansuer to any thing I said. Your assuring mee y^t Hallam's pretensions were vnjust ingaged mee to use my vtmost interest

to serue your bro^r. I haue sent all my letters to him to you, y^t you may read them, and wⁿ you haue done to send them by some safe hand, and take care y^t I haue a per-ticular and speedy ansuer, if they haue any regard to the welfare of there country; butt I am discouraged att y^t brother not ansuering mine, but only 2 or 3 lines wth his papers. I haue nott a line from any of y^e affaires of New England. I should bee glad to hear from you att large by some safe hand. My dear loue to you. I am

Y^r true freind and faithfull seru^t,

HEN. ASHHURST.

WAIT WINTHROP TO SIR HENRY ASHURST.

[Extract from a rough draft.]

SEPT. 13, 1703.

. . . WE flattered ourselves with y^e notion of a profound peace with the Eastern Indians, & haue caressed them at a strang rate, notwithstanding their being governed by the French preists, who they always kept amongst them in despite of us, after all our endeouours to haue them dismiss, & at length haue, with the assistance of 20 or 30 French (amongst which were those preists), fallen upon many poor, scattering familys, & barbarously murthered & destroyed men, women, & children, to the number of about 75 persons, and carried away about 90 captives, many of which, no doubt, they will roast & destroy with unheard-of cruelty, as their manner is.* How those poor people cam to be lul'd into such a security, I know not. They had all the reason in the world never to trust an Indian more, if they had remembred the last warr. For my part, after we heard of warr with France, I expected whenever the French comãded them to come upon us they would certainly do it, notwithstanding their

* Several bands of Indians, some of them headed by French officers, fell on the Eastern settlements in August, 1703, and massacred or carried away captive a considerable number of their inhabitants. See Palfrey's History of New England, vol. iv. pp. 259, 260. — EDS.

pretences of peace. The perfidious temper of all Indians, as well among themselves as to the Europeans, no longer keeps their words or promise than they have opportunity to brake them with advantage (it being a maxim in their politicks as well as among the French). I concluded the French, & espetically the preists who live amongst them, would not faile to exhort them to destroy heriticks, & piously assist them in it; besides, the French, by marying or mixing with them, which they frequently do, have a tye upon them beyond anything we can pretend to, and which they value beyond anything else, and which they know an Englishman hates the thoughts of. And that which makes them the more fond of the preists is their being supplied with crusifixes and beads and many fine trinkets & baubles; and they are after a sort prosilized to a crossing themselves, with other fopperys, which, with other things too numerous to write, gave me reason to expect mischief from them, whatever others' sentiments were . . .

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

For the Hon^{ble} John Winthrop, Esq^r, Gov^r of Conecticott, New-London.

BOSTON, Oct^{br} 12th, 1703.

DEAR BROTHER, — I am sorry for your indisposition, but hope it's over before now; if it should continue, you could take nothing better then two grains of rubila in a pill don up with bread, and the next day at night fower grains of black powder. I haue bin very ill since my last, and tooke rubila, and hope I may be able to travell next week, but my coffe still holds me, tho' not so bad. I got abroad this afternoon to enquire news, but can know little till tomorrow; two vessells came in just before night from England, and parted with the mast ships and severall others a few days since. I hear the Gov^r is com home this night, and tis said the Indians haue kil'd one Hony-

well, and about 18 men more at Black Point last Saboth day.* I heard it but now, and possibly it may not be so many, but I doubt the substance is true. That about shiping off Netops† is utterly false, for we can get none but a Conecticot Indian or two, and it was said they should be sent home by water before the Gov^r went eastward, but what order was left about them I know not. If those you mention be of Naraquabin, it may be best they be not let loose, for our safty and their own too. My love and servis to every body.

Yours, W. WINTHROP.

WAIT WINTHROP TO SAMUEL READE.‡

[Extract.]

BOSTON, Feb^r 29th, 1703^¼.

. . . As to what you write about M^{rs} Barker, I am sorry I cannot doe the servis you desire for reasons too long now to be written. I have an acc^t by me of five or six hundred pounds written by my father's own hand, lent to M^r Peters § on severall ocatons in y^e begining of these

* See 3 Mass. Hist. Coll. vol. vi. p. 250. The commander's name was Hunnewell. — Eds.

† Friendly Indians. — Eds.

‡ For the letter to which this is an answer, see *ante*, p. 114. — Eds.

§ Hugh Peters married the widow Reade, mother of Mrs. John Winthrop, Jr. In connection with this allusion to the sums of money advanced by Winthrop to his wife's step-father soon after their emigration to New England, the following memorandum in Winthrop's hand may be of interest:—

“Lent M^r Hugh Peters when the ship called the Pide Cow went to sea to goe to Ireland for provisions:—

For M^r Endecot for him, for the house in part w^{ch} he bought of him at Salem } . . . 40^{lb}.
for S^r Arthur Haselrick }

More to himselfe 5^{lb}.

More to Capt. Underhill for M^r Peters 20^{lb}.

Item to M^r Endecott 20^{lbs}.

It: to M^r Peirse 50^{lbs}.

To M^r Tho. Read 25.

In Adventure in the Pide Cow 150.

In Adventure to Bermudah 50.

To M^r Humphries in potatoes and a coat for some Indian 10.

It: when we lived at Salem, about the glasshouse, and when he built the ship, } . . . [torn].”
and other occasions he had for money }

plantations, besides more then as much more w^{ch} he had of mony belonging to my mother, for w^{ch} he ordered & desired his estate here should make som sattisfaction ; and accordingly I have severall writings under his hand to my father, and his orders to M^r Got, his agent here, to deliver all his estate here to my father, but M^r Got (as is said) had made away and sold most of it before it was lookt after, so that my father, nor any of his, has ever had any of it, except a peice of wilderness out-land not worth five pounds in the time of it, w^{ch} M^r Corwin, who married one of my sisters, had & since his death is sold by my sister for a small matter, I cannot tell the just sum ; but y^o other lands are now considerable, and would have bin som recompence if we had received them ; but my father nor we were not willing to trouble ourselves in the law to get them, and those that had possession would not part wth them, and all things considered we saw cause to let that whole matter alone. However, I think they that enjoy som of those lands have little right to them, and I would rather M^{rs} Barker had them ; but my sister is a poor widow wth many children, and if she be troubled I must indeavour to defend her ; but if they let her alone, I may be helpfull in som other matters. As to y^o other matter of M^{rs} Haynes, I shall be very glad to serve her or any of Maj^r Haynes his family, having perfect remembrance of old Gov^r Haynes and his sons here, and himselfe when I was in England long since. M^r Willis is yet living, and no doubt will be sattisfied to know his bonds are in yo^r hands. I intend a journey to Connecticott this spring, when I hope to speak wth him, but have heard nothing of the letter of attorney you mention.

I am yo^r affec^t kinsman.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

BOSTON, March 4th, 1703-4.

DEAR BROTHER, — I haue yours with the seeds inclosed, but nothing farther about a miller. Since my last, sister Richards was taken very bad with a fever and the yellow jandase, so that we almost dispaired of her life, but (I thank God) she now seems to be a little better, and the distemper, we hope, is broke, and the fever mittigated; but yet she is very weak and low, and has not bin out of her bed this thre days, the wether being very cold. I think I haue never seen her weaker then she has bin this illness; if it please God she be a little better, and the wether perinit, I hope to get away to Tarpolin so as to be back to Plimoth Superior Court the latter end of this month. I but now hear of som assault upon Dearfeild, and that the Gov^r has a letter from Coth Patrick, but know not the contents. Our men haue bin at the Indians Fort at Pigwakit, eastward, but found no Indians, but a large fort with two hundred and fifty good bark wigwams, w^{ch} thay left all standing, being so ordered not to destroy the fort, &c. If your Indians could get into it, and could be supplied, somthing might be don. Som of the same men are gon out again to an other place. The man of warr with about 14 sayle lye at Nantasket for a wind, or for too much wind rather. S^r H. will wonder he hears nothing from you by this fleet. I thought it would be less hazard to put corn on bord there, then venture it about hither, and somthing less charg, besides the certainty of a market. It can not be supposed to yeild two shillings here. Cap^{tn} Belcher told me he had wrote to M^r Chambers to speak with you about it; but if there be trouble in it and it can not be don in time, it must be as it will. Cap^{tn} Belcher will pay down his mony for it if he has it; if you should haue any from Norwich or those

towns, it would saue frait. It were better to remoue the house at the farm then add to it there, but it may serue them well enough where it stands. Fiue load of grass is too little if you could get more ; there is no orchard. I suppose he pays interest for the stock, as you wrote formerly. If William Latham dose not pay mony, but sends pork or any thing hither for a market, let him do it by the first, before it stinks as the last did. What is about about Dearfield was wrote on Saturday, but now it is Monday, March 6th. We hear that fifty seven persons are killed, and about ninty caried away, and thirty of the enemy killed ; this is sayd, but I suppose the Gov^r will be in town today and we shall haue the certainty, which it may be you may haue already from thence. Tis said ours are in persuit of them. M^r Williams, the minister, and his family, are caryed away.* The fleet sayled yesterday from Nantasket. Sister Richards got up yesterday, and, I hope, is a little better to-day, but very faint. Love and respects to every body.

Yours, WAIT WINTHROP.

You sent no pumpions seeds, nor watermillions.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

Boston, March 20th, 1703-4.

DEAR BROTHER, — I hope this will find you returned home from Hartford, where I suppose you will make no long stay. I haue read all the perticulars in yours, and perceive Ant. has bin too hard, but so much for that. Since my last, sister Richards has continued extream weak; and tho' the jandise seem to be gon, yet a slow fever continues, and she takes not suffitient to sustain her life. I pray God prepare her and us for his good pleasure. My

* For a fuller account of the attack on Deerfield, see letter of William Whiting to Fitz-John Winthrop, in 6 Mass. Hist. Coll. vol. iii. pp. 176, 177. — Eds.

poore Uncle Winthrop was well as usuall on Tuesday last, and was taken with a fainting fit at night, and tho he came to himselfe again, yet he went away in a few howers without much pain or sickness,* and we are now going to his funerall, where his children were buried the last year. He was eighty one years old, I think, that day he dyed. If my sister be any thing better, I must goe to Plimoth som time this week, and from thence I think to goe to the island for a day or two. My loue and servis to every body. I am yours,

WAIT WINTHROP.

The trunk will take no hurt till the key coms to it.

ISAAC ADDINGTON TO WAIT WINTHROP.

For the Honorable Wait Winthrop, Esq^r, at New-London.

BOSTON, May 8th, 1704.

S^r, — This accompanys the inclosed directed to the Hono^{ble} Governo^r Winthrop, which comes open for your perusal; after which you'll please to seale and deliver it.†

Your selfe being now in those parts, his Excellency and Council thought fit, considering the part you bear in this Governm^t and the influence which you may probably have upon the gentlemen of Connecticut, to let you understand the import of the inclosed letter and the just arguments wherewith it is enforced, that so you may improve your interest there to bring the matter complained of to a just accommodation, by an immediate release of the prisoners, and puting a stop to all future such illegal and extrajudicial captions and restraints, which will not onely be a reliefe to the present sufferers, but may also prevent

* Deane Winthrop, sixth and last surviving son of Gov. John Winthrop, died March 16, 1704. For an account of his funeral, see Sewall's diary, 5 Mass. Hist. Coll. vol. vi. p. 96. — Eds.

† The letter here referred to is from Joseph Dudley to Fitz-John Winthrop, and is printed in 6 Mass. Hist. Coll. vol. iii. pp. 198, 199. — Eds.

the inconveniences which may otherwise probably come upon that Government by an obstinate persisting in their unjustifiable method of proceeding. I am, with regard,

S^r, your very humble serv^t,

IS^A ADDINGTON.

Please to let the inclosed directed to the prisoners be safely conveyed to them.

WAIT WINTHROP TO ISAAC ADDINGTON.*

NEW-LONDON, May 31st, 1704.

S^r, — I rec^d yours som time since at Hartford, and delivered that inclosed from his Ex^{lly} to the Gov^t as directed, which I understand was co^municated the Gen^l Assembly; but the other I kept, not finding the persons where it was directed, but was told thay would be at the Court of Assistants which was adjorned for about a fortnight (where I also had business), Coll. Patrick and M^r Hawly haing engaged for their appearance; but when y^e Court came nobody answered, and I was informed thay were gon to Boston, so thought it best to send back the inclosed. If thay had bin there, I beleive I might haue bin instrumentall to have composed that matter, but nobody appearing made me uncapable of that servis. I was not prepared to say any thing as to the matter between Gov^rm^{ts} farther then to reenforce the arguments in his Ex^{llys} letter, which I did as well as I could. I had returned an answer sooner, but could not till after Court. Thay seem to reflect on Co^{ts} Patrick and M^r Hawly for not taking notice of them after thay had dismist the two men upon their reputation, which I also indevored to excuse, not knowing what difficultys thay might then be encountering with from the barbarous

* This letter is printed from a rough draft, not signed, preserved by Wait Winthrop.
— Eds.

enimy; but since naming the enemy giues me occasion (notwithstanding all their omissions and commissions, which I think are enough), I can not avoyd doing that justice both to the Gov^{mt} and people as to observe (being at Hart. when the first post came from N. Hampton with the account of w^t was don, and thinking it my duty to apply for assistance to be sent forthwith) that the alarm being given all w^t employed to forward y^e matter; and while orders were preparing for Maj^r Whiting, all the brisk able men as far as Wethersfield, being then in the feilds, left their plows and other occasions and came mounted as volunteires with long arms, and marcht away iñmediatly, and were followed by more from as farr as Midleton and Farmington in 3 or 4 howrs after, or litle more, when we could hardly haue thought thay had yet had notice. I never saw anything more expeditious or don with grater freedom and courage, which, notwithstanding thay came not up with the enemy, ought to be taken notice of. Pray give my humble servis to his Ex^{ty}, &c.

WAIT WINTHROP TO SIR HENRY ASHURST.

NEW LONDON, June, 1704.

HON^{ble} AND WORTHY S^r,— Before I came from Boston to this place I rec^d yours of 10th Jan. $\frac{3}{4}$, with letters inclosed for my brother, which I sent by the next post, and came myselfe hither quickly after and accompanied him to the Gen^l Court of Election at Hartford, hoping to moue them to y^e consideration of what was necessary for their owne safty, as well as the preservation and continuance of the libertyes thay (only, I think of all the English nation) doe by her Maj^{ty}'s favour enjoy; which I was not wanting to observe to them as I had oportunity and prest a compliyanse with what you wrote to them. but thay seem to be cautious of seting annuall stipends least it

prove presedentiall hereafter to oblige them to keep an agent there, which I beleine thay will never be safe without. The truth is, it was not the best time to moue in that affair, thay hauving been at very grate charge in assisting the vper townes upon the river belonging to the Massachusetts Gov^{mt}, which lye about thirty or forty miles about them and haue been assaulted this spring, and one town, Dearfeild, most of them destroyed and caried captiue by the barbarous French and Indians; and while the Court was now siting at Hartford, an assault was made upon an other of those townes, Northhampton, and many women and children destroyed, wherupon there is fower hundred men more which are imployed for the security of those poor people, who indeed are fronteires to their gov^{mt} and would before now in liklihood haue been destroyed without their assistance, Boston being one hundred and thirty or 40 miles from them cross the wilderness, and not capable to send them seasonable releife. Thay sent likewise about a hundred English and freind Indians in the spring from about this place to our assistance at the eastward in the Province of Mayne, and at Piscataque, which are still out, besids 60 more in the uper townes; all this has occasioned a very grate charg upon them, w^{ch} I know not how thay would comport with if the warr should hold long; however, thay haue voted one hundred pounds per annum to be paid to your order at Boston during the time of your agency, which thay hope you will accept till thay may be in better capacity. I also am bold to wish you would continue your favour to them now thay seem to haue most need of it. As to the business with Hallam, every body wonders the cause should not draw costs; the pretence alleaged that the executors did not pay the charg of the reexamination of witnesses is so farr falce as that the exec^r paid the charg of two courts that were called according to her Maj^{ty} directions to reexamine evidences, and would haue paid Hallam's charg

and the evidences he brought if he would haue given in his bill of costs, to be allowed by the Court; but, instead of that, he went to the ex^{or} and demanded many hundred pounds which he pretended he had expended in that matter, which was ordered by nobody, and could not possibly be the meaning of her Maj^{ty} or y^r Lordships, he being all that while in his employment as a seaman and mate of a ship, and stayd there in persuit of a wife, w^{ch} he married and brought over with him, and would haue the ex^{rs} bare the charg of. Your bill of exchange for sixty eight pounds, charged on my brother, payable to M^r Stephen Mason or order, I haue paid upon sight to M^{essrs} Brumfeild and Burroughs, and it is not doubted but when her Maj^{ty} and their Lordships are rightly informed w^t was don here as to costs, order will be given that Hallam shall pay so much as you were out on that account. As to the other business of his complaint in behalfe of the Indians, you will find as greate a peice of knavery in it as in the former, when it coms to be looked into, and nothing but malice and selfe interest has moved him and his complices to appear in that matter. The Court has ordered a coĩttee to enquire into it and make their report to them next October, when I suppose thay will send you a full account of it to be laide before her Maj^{ty}, w^{ch} could not well be don sooner by reason of the warr and many of the Indians being out in that servis. As to the perticular affairs of the Massachusets, I must say but little by this opertunity; this whole country is under very difficult circumstances in many respects, and if the warr continues will be utterly impoverished. The times are so hazardous that I can not giue you account of many things as I would, therefore must be excused.

ISAAC ADDINGTON TO WAIT WINTHROP.

BOSTON, June 12th, 1704.

HONO^{BLE}. S^R.—I received yours by the last post, the hurry's I being then in not allowing me to answer the same, the General Assembly being sitting, and the business relating to the piracy & the affairs of the war taking up my whole time. We are alarm'd from all parts with reports of the enemy's preparations and design'g ag^t us, both in the East and West. Our forces gone eastward under the command of Col^l Church have insulted and laid waste the French settlements as far as Mount Desart, have sent home fourteen or fifteen prisoners, taken considerable booty, and were going over from thence to Port Royal side; being joyned by her Maj^{ties} ships, the Gosport and Jersey. I pray God give them success. We have no intelligence of any action in Europe. I should before have intimated to you your being anew elected of her Maj^{ties} Council within this Province, and shall be glad to see you present again at the Board. I am, with respect, S^r,

Your affectionate humble servant,

IS^A. ADDINGTON.W. Winthrop, Esq^r.

SIR HENRY ASHURST TO WAIT WINTHROP.

LOND^{ON} th 28. Aug. 704.

MUCH ESTEEMED S^R.—I did but just now receive yo^{rs} by M^r Samuell Mulford, who hath bin taken by the French, & hath but an howar time to stay. Seuerall papers ware taken away w^{ch} war directed to mee; however I haue enouge to read y^{or} sinceir kindnes to mee, w^{ch} I shall alwise remember with a gratitud becomeing mee. I am wel contented, considering the condition of the Colony, to accept of £100 ^{per} annum, w^{ch} I will

indeauer to deserue. I can not tel whether my papers and leters came safe to y^{or} hands or to y^{or} brother's, and so know not what in this hurry to say ; yet not knowing whether I may haue so suer an oppertunity, I will write my thoughts to you. I can guesse from what spring all y^{or} troubles come. You needed not haue sent any men to guard yo^r people ; this only is to put mony into y^{or} Gouverner's pockett. I hope to haue things altered in New England, & that God hath reserued mee to defend you from oppresion. I know nothing of New England. Thar is litle couradge amoung you ; if you boldly oppos, D. could doe you no harme ; but if, like true Demos, you are affraid to appear you will haue no comfort in itt. I speake not this in reference to you, for I know you are bold an honest. You judg rite ; if they will not bee at the charge to defend themselues, they will loose thare Charter, w^{ch} by all Halum's trickes is the thing amed att. As to his charges, my oppinion is to let it rest at present ; but thar is no charges ment but the charge of examining interogatiues in order to the second heering ; but howeuer let mee haue all the proufe you can, and I will doe my utmost. Indeed they proued such practices in making the will, whether true or faults, that made some of the Lords cal my integrity in question for appering in so bad a cause. When I say I will take £100, I mean £100 ster. heer. As to the perticulers of Halum's charge of the suite, itt shal come to you. Howeuer I haue not had aboute 100^{lb} ^ƴ annum reconing all the charg since I was concerned for them. I shuld bee glad ^ƴ a safe hand to haue the acco. of all D. proceedings in New England ; for no body sends mee any perticlers. I haue no time to say any thing more, but you will heer soone from mee, but to assure you I am and euer will be, in the gretest sincerity,

Your true frind,

HEN. ASHHURST.

I pray send all the perticlars relating to the charge, to inable me to petition & to make out my petition; but thar shuld be a living witness to proue some things.

I doe hope to see you Leftenant Gouverner in N. England.

The complant of the Indians is all rogerly; if you haue my memoriall to the Lords of the Trade about itt, you would be conuincd. I did what I could; and all thes trickes and contriuences by some greter then Hallum to rob you of yo^r Charter. The £140 bill payable to the Corporation for £100 heer at 4 months after sight I hope you will get accepted & paid.

SIR HENRY ASHURST TO WAIT WINTHROP.

For Maj. Generall Waite Winthrop.

KENSINGTON, 16 Sept. 704.

DEARE & MUCH HONRD S^a, — You will see by what I haue inclosed you how implacable some are to ruine the interest of Connecticott, and how truly you told the people thar that this was the junctur for them to put forth thare whol interest for thar one preseruacion. I haue inclosed you a chois leter of M^r D. son's heer, by w^{ch} you may see how true hee is to the interest of his countray. My last writen to you ^{fr} the worthy gentleman, M^r Mulford, possably will come to you with this. I can say no more to you then what is included in thes 9 papers, only this that I shall alwise retaine a most sincer frindship for you, and shall neuer be easie until I haue made you more then a uerbal acknowledgment for yo^r kindnes to mee, and yo^r loue to yo^r countrey.

Yo^r reall frind to serue you, H. A.

I pray sho Cos. Sergant by my directions, & also M^r Mathers, M^r Dud. leter, and any of the papers, but not my generall leter to yo^r bro.

SIR HENRY ASHURST TO WAIT WINTHROP.

For Maj^r Generall Waite Winthrop, Esq^r, in Boston.

WATERSTOCK, th 7 July, 705.

MY DEER FRENDE, — I haue yo^{rs} of th 21 of March, with the litle scrip inclosed, and you may wel wonder that a common sailer shuld haue such credditt, but the hand of Joab is in itt. Remember good Jacob. All thes things are against me. He did not know that al was for him. You might haue chossen an abler agent, but none shall be more faithfull and zealous for yo^r seruice then my self. If I had thought itt would taken up so much time and so much trouble, I would not haue undertaken itt for £500 ^ƴ annum. You must bee sure to get authentick proufes of all you send aboutt the Indians and aboutt the complant aboutt the ship, and that hee hath giuen no security to pay the charges with you. I pray take care of the inclosures. I haue atended 6 weekes upon petition & complants of the Quakers heer against an act made in Connecticott Colony, and I shall haue worke all the winter. I doe not question I am at worke to serue you, and I alwais remember you with kindnes. When something is done, you shall heer more from

Yo^r sincer frind,

HEN. ASHHURST.

SAMUEL SEWALL TO WAIT WINTHROP.

BOSTON, Sept: 7th, 1705.

SIR, — Tho you have much good company in the Province of Connecticut, yet I presume M^r Easterbrooks will be wellcom to you, and therefore I have sent him to you ^ƴ Mrs. Raymond. The Gen^l Court is sitting; deputies have sent in a vote to be excus'd from answering the Queen's demands till the October sessions; but the Gov^r

sent this morning to the Deputies to urge them to answer presently, that an acc^o may be sent ^{to} the Jersey frigot put in here by a vehement storm, Aug^t 18, Lat. 38, going home from Jamaica. The Governour bound on the business very tort & tight in his speech, w^{ch} I think will not be printed. The building Peñaquid Fort, helping to build Piscataqua Fort, and stating salaries for the Gov^r & Lieut. Gov^r, are the things required. I have sometime heard you mention M^r Doel, of Newbury. He lay speechless many years, died this last su^mer. We are generally in health. My service to the Governour. I rec^d his letter of the ninth of August. I knew not of the messenger's going till just now; she stays, & I can only assure you that I am, Sir, your most humble serv^t,

SAMUEL SEWALL.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

BOSTON, Dec^{br} 10th, 1705.

DEAR BROTHER, — The post came for mony for bringing my portm^{tie}, and told me he had no letter for me; and being then under an extream fit of my old distemper in my temple, I could not write untill he was gon, but afterwards I found your letter at the post-house. There was no need to accept the bill of exchang before the Councill mett, and then the Treasurer should haue excepted it. I reckon thay will play som trick with you and bring mischeife on us at last. We haue searcht the whole town, and can find nothing better then the patternes inclosed; the cloath is 20^s, the frise 8^s, the camlet 5^s the yard; and the camlet but halfe yard wide. I was going to send a coate of the camlet, which would haue served in the spring (for I think you haue better then the other already), but I was doubtfull whether it would please; therefore haue sent the patternes, the camlet lined with a sort of ratteen might look well if you like it (the red

(stripe is only the fagg end); if you like it, send word; if not, here is nothing yet that you will. I meet with nothing for my selfe, so must cover my old ones with my cloake this winter unless any ships com in. If the six load of hay be eaten up, there is 60 more which M^r Ashbyes cattle will eate. The horses were in good likeing when Cap^{tn} Veach went away, and if it be impossible for them to be kept so still, let them be dispatched to saue charges. John Gallup stays for this, so I can write no more. Pray send word about the coate. I remember 3 deer skins severall years agoe, Belknap drest them to the halves; it was very thick corse leather, and I think a pair of briches was made of them which were fitt for nobody but the negro that had them.

Yours,

W. WINTHROP.

SIR HENRY ASHURST TO WAIT WINTHROP.

KENSINGTON, Feb. 2, 1704.

HONNOURED S^a, — I did but 2 hours agoe hear of a safe conveyance to send you this, and to tell you that your long letter is in my counsell's hands, and I have no time to send for it to give a particular account, but refer you to what I have said in my letter to your brother inclosed. I am very sorry that your brother nor you did not send, since Palmes come over, a sufficient person fully instructed with evidences under your great seal. I will do as much for you with all the interest I can possibly make as I can. I hope your cause will appear such as I shall not be ashamed to appear in it. The cause of all your trouble is from M^r D. You may be sure I do not forget my old kindness to you, but I wonder that you take no more care to accept, and punctually to pay my bills drawn on you, w^{ch} I shall desire your care in for the future. I have scarce time to tell you how much I am

Your real friend & faithfull servant,

HEN. ASHHURST.

I do not send the inclosed to your brother, that so you may read it and seal it and send it him. I did expos my self to the hatred of some great men by my zeale for New England & Connecticut; therfor it is hard upon mee for all my expence and trouble that you shuld not pay my bills of expences, w^{ch} are not what I lay out by my being in towne vpon yo^r seruice.

To Major Generall Waite Winthrop.

WAIT WINTHROP TO SIR HENRY ASHURST.*

BOSTON, May 6th, 1706.

HONR^{ble} S^r, — M^r Sergeant sent me yo^r of Feb^r 2^d three or 4 dayes since, and I now hear of this oportunity, but know not whether I shall get this on board before the vessel be gon. I much wonder any body should write any thing discouraging about yo^r bills of exchange; they were accepted wth all readyness, and because they could not procure mony just at y^e time of payment, there was bond given for y^e payment of it, wth interest in y^e mean time, to the satisfaction of Captⁿ Sewall & the gent^l concerned here in the Indian affaire. Their Gen^l Court is now in being, and as they did y^e last Octob^r, as I understood, order the payment of what was then drawne on them, so I doubt not but they will take farther care to pay what shall farther be drawne on them, which is easier for them then to procure mony to send over to you. If those causes be rightly understood, M^r Palmes and those that incourage him here will appear in their coulers, and I hope you will meet with no discredit by appearing in so just a cause. The times are so hazardous & difficult, and no persons sutable to be had, and mony not to be procured almost on any termes in England, that to send any body over to answer in perticuler causes one

* This letter is printed from a draft in the hand of the writer's son John. — Eds.

had as good loose all almost, as be obliged to answer there, unless it be by a friend on y^e place, all which shows farther how much we are obliged to yo^r self for the favour you do us in standing for those that otherwise must needs be oppressed without remedy by the misrepresentations of wicked and desining men. The inclosed cobby was thought to have been gon long since, but finding it here I thought it best to send it, yet hope you have the originall long before now. Connecticut are very sensible who has and still endeavours to hurt them on both sides, but there being a great many good people amongst them, I hope God will preserve them and make their enemies ashamed, and I beleive you will have no cause to repent your being an instrument in it. Here has been great expectation of S^r Charles Hobbye, but this ship brings us little about him. Yo^r letter to Connecticut will com to them in good time for their Gen^l Assembly; but I must not enlarge, but with the tender of my service, I am, S^r,

Yo^r faithfull humble serv^t.

SIR HENRY ASHURST TO WAIT WINTHROP.

To Maj. Generall Waite Winthrop, Esq^r.

LOND., th 21 May, 1706.

DEAR & HONnd S^r,—I haue seene yor name in the company of yo^r frinds this year, wh^{ch} is all the leters I haue had from you. I haue labored in the affaires of Connecticut for 6 months; if I had not they would haue bin in a sad condition by the contrivance of that exelent man whom I heer you haue a great carracter of by the Leftenant Gouverner. I doe hope you will see a new Gouvernour, but you deserue none for being so poor spirited. I shall never forgett to serue you when I can. I hope to haue you restored to yor old employment. I

haue not time to say what I would doe. I pray forward thes letters wth some safe hand; I think you must send a spetiall messenger with them to yor brother, they being of greet moment. I hope I shall not need yor recomending S^r Cha. Hobby; but if you had number would priuatly send to mee under thar hands the greiuances you sustaine that you can cleerly make out under D. gouernment, itt might be a seruice. I am euer, S^r,

Yo^r true frind,

HEN. ASHHURST.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

“LOND^o, 22th of May, 1706.

“BEING come to towne for a few dayes out of Cambredgshire, found S^r Hen. Ashhurst engaged in a very troublesome affaire for the Goverment of the Colloney of Coñecticot, & I was p^{re}sent at two hearcings before the Committee of the Counsell, the one on Friday last & the other yesterday, where there was such things suggested ag^t yo^r Gov^r Dudleye that greatly reflect on him as to his carriage & contrivance ag^t that Colloney, as much lessens him in the opinion of most of the Lords; th^o it plainly appears that he hath many friends about court that shew to me a great inclination to skreen him. Want of legall proof hath p^{re}vented the setting aside & declarcing the comission illegall, but so much was alledged as to the maⁿer & cercumstances of its procurem^t & execution that a stopp is put to it, & there will be another comission to enquire into the matter complained of by y^e Indian sachem, where the comission^{rs} will be persons indifferent & the gov^mt have both time & oppertunity to defend themselves & to make legal proove to be transmitted hither at the returne of the comission. This I perceiue is intended, if y^e sachem* or those who have him in their hands & make vse of his name will prosecute this matter further. The truth is, S^r Hen. Ashhurst hath strangely bestirred himselfe in this matter, & surmounted those difficulties & opossission, that I thought he never would been able to have don, & I may tell y^e he is not without hope of doing

* The sachem referred to was Owaneco, sachem of the Mohegans. For a statement of the grounds of defence against his claims, see 6 Mass. Hist. Coll. vol. iii. pp. 304-310. — Eds.

further services for New Engl^d. I have only this to observe that whatever complaints there may be reason to be made, letters will be of no availe nor suffered to be read here ; but it will be nessecary that matters of fact be proved by oath & attested, & in momentoas matters some able person be sent over wth any such complaints, who may help to sollicite as ocation may require."

This is a cobby of a letter from a gen^t learned in the law, noe manner of way conserved or imploied, only present at the hearing the matter debated, which he writes to his friend in Boston, not imageing any gentlemen of y^e Gov^m^t of Conecticott should ever heare of it.*

I by som meanes had a sight of this letter and procured this cobby, which you may take notice of as you see cause.

W. WINTHROP.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

BOSTON, June 10th, 1706.

DEAR BROTHER, — We had the news of Maj^r Wanton's expedition the day after he got into Rhoad Island ; it was very expeditious and the best thing that ever thay did ; † but I think the honest Maj^r should haue sent his boate ashore to Besters, that the poor man's wife might not haue been frightened so as to raise all the old women in the regiment. We heare that two men were missing at Kittery, who rode out on som occasion and their horses came home bloody the last week. I doubt it is som of the Scatacook Indians that did the mischeife a while since and now too, and tis well if som of the Moheegs be not

* This paragraph is in the handwriting of the copyist. Only the last paragraph is in the hand of Wait Winthrop — Eds.

† Arnold in his History of Rhode Island, vol. ii. p. 25, gives the following account of this expedition: "A sloop loaded with provisions was taken by a French privateer near Block Island. The news reached the Governor the next day. Proclamation for volunteers was forthwith issued, two sloops were taken up for the expedition, and within two hours' time were manned by a hundred and twenty men, under command of Capt. John Wanton, and in less than three hours afterward captured the privateer, retook her prize, and brought them into Newport." — Eds.

out that way hunting. I think thay should make their appearance before som honest man every week or fortnight, that it may be known thay do not ramble. I was the more solicitous about the bills, that we might not loose the little credit we haue in England by their being protested. I wonder after black James his so publik appearing and swareing against the Gov^{mt} as he did at Stonington he should be admited to any place; he will be allways plaguing his neibours under countenance of his magistratship.* Havens greatly mistakes that he is to send any thing hither on his own head at our riske, for so he may send any thing for his own occation; and if it be lost it must be ours, but if it comes safe we may never hear of it. If you consult the lease you'le find that he is to pay so much lawfull mony, &c. at Boston, and in case he sends any of the produce of the island hither by our order, then we are to run the riske and he to pay the frait. It will not be safe for them to keep the woole at the Island; and if it be sent hither it may be taken, or will be seased if it should escape! The cloathiers here haue already bought at Rhoad Island and transport it hither by land, yet I know not but it would fetch eleven pence the pound. I could wish it were here, for I want som of it extreamly, but dare not venture it yet; thay say it is worth much more at York. If Havens would look out som of those merchants would send their mony and take it in at N. London, but its said here the upland people want it much and will bring their mony. I think it will not be best for him or anybody els to trust the Yorkers; finally, if no opertunity for him to make mony of it, it may be secured, and I will treat with som of the clothiers or merchants about it, for I haue a great dependance on the produce of som of it. If Anthony has lam'd the horses, he may dispatch them quite, that they may be

* Major James Fitch was one of the Assistants of Connecticut for many years, and was re-elected in May, 1706. — Eds.

no farther trouble ; but if their legs are fit to bring them, I desire thay may be sent by the post, unless som safer oportunity present in two or 3 days.

Yours, W.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

BOSTON, June 24th, 1706.

DEAR BROTHER, — The great cry here is at present about the Indian traders. Cap^t Veach and Cap^{tn} Rouse were comitted by the House of Representatiues the beginning of the last week ; and M^r Boreland and M^r Lawson, his brother in law, are since comitted by them. On Satturday last thay sent up an impeachment against Cap^t Veach and Rouse for traiterously supplying the French and Indian enemyes with aṃmunition, &c., contrary to the statute, and desire thay may be proceeded against according to law, and tis supposed thay will impeach the others also. Coll. Phillips's son of Charlestown and others are now at the eastw^d trading with the enemy, and the gally and two sloopes are gon to bring them in. Cap^{tn} Cawly of Marblehead, who is one of the House (and was sent to sease the other sloops who put in to Plimoth to leaue their bever, &c., with one Murdoc, a Scotch trader, who dwells there, and brought them in here), is gon with the gally and sloop, and Cap^{tn} Southwick is to follow his orders and doe as he directs. It is said here that Mr. Livingston * is gon on the same desine of trade in a vessell from New Haven, which I hope is not soe, yet people will not beleiue otherwise ; if he be at N. London, let him write to somebody here, that the discours may be stopt. I am sorry for Cap^{tn} Veach and the rest, but know not how to help it.† I had the

* John Livingston, who had married Mary, only daughter of Fitz-John Winthrop. — Eds.

† For a fuller account of the proceedings against Captain Vetch, see a letter from the writer's son to Fitz-John Winthrop, in 6 Mass. Hist. Coll. vol. iii. pp. 333-336. — Eds.

enclosed from M^{rs} Havens and her son; they are to pay their rent here at Boston, but M^r Havens did not suppose to send woole hither, which would be a loss to him, but said he should make more of it elsewhere; he knew it could not conveniently be sent hither as well as we. I can not write to them by this post, but may the next; pray stir up Anthony, for I know not what to do about that matter. I intended to enclose y^r letter, but shall send it when I write to them.


Yours,

W.

John has sent 4 y^{ds} and halfe for jacket and briches, and five and halfe of hollon for lineing; the buttons must be couered with the same, any old button moulds will do; the hollon is thre shill. a yrd, the other six shill. It was taken up at Mr. Savage's, who I think will take a 100^{lb} worth of woole thare if I can agree with him at a price, and I shall send word next post; the stuff will wash well when foule.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

Boston, July 1st, 1706.

DEAR BROTHER, — I haue yours by the Frenchman and by the post; he said nothing to me about his buying woole, but if he would advance for it he might do well. The French minister here* brought two Frenchmen, brothers, whose names are Poyson; one or both are doctors, are going to live at Wethersfeild, and desire to be recomended to you. I told them I would write to you. I forgot to tell you that what button-holes you make in that was sent, must not be don with silk or thred, but must be layed round with an edging of the same sewed down in this mañer  which will look well. John was taken with an agueish fit on Saturday night was sen-

* Rev. Pierre Daillé, minister of the French Protestant church in School Street. — Eds.

nite, and has been very ill ever since, tho he tooke rubila, which wrought well; he was almost overcom with his illness and the heat, which lasted thre days very extream, that has made him very weake, but I hope he is a little better to day. I cannot write to Mrs. Havens now, but shall send an account book thay sent for spedily. I could not speake with Tom Savage about the woole yet. The hors had need be quite well before he travells, for there is no accomodations for lame ones here. The cocoa will be welcom if it scapes the privateers; I hope Anth. will bring hony out of the hollow tree quickly, or els somebody will want sweetening.

Yours,

W.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

BOSTON, Sep^r 17th, 1706.

DEAR BROTHER, — I haue yours with the account of Plainfeild expedition. Most of the Gov^{mt} haue been tardy about that business, and thay foster a snake in their bosoms that would sting them to death if he could. If the co^mittee confirm the bounds the other did, it may be well; if I could haue been there, I should haue given them a little more light. As to Fellows, I wish thay were all such fellows; and as to the widow, as I remember, thay offered fiae pounds when I demanded ten of som of the rest, which was all the promise I made that I know of. Hude is here, but I haue not spoke with him; * I hear he says the Indian business will be refer'd to the Lord Cornbury. The fleet will sayle from Piscatoque about the middle of next month; if your Gov^{mt} do not meet and send by them, thay may yet be ruined; let them not saue their mony to enslaue us all to the malice of thre

* The person here meant was probably Major Edward Palmes. See note in 6 Mass. Hist. Coll. vol. iii p. 255. — ERS.

or fower base fellows. I don't suppose that if you giue them a deed we should goe to each perticular person for the mony, but thay must get it together from all but such as we shall giue notes to favour. The enclosed from S^r Harry came enclosed to the Lady Hobby, and the enclosed bill of exchang M^r Sergeant desired me to send you for acceptance; tis directed to you and Councill; tis best to call the Councill. John is still but weak, and is not able to goe out of the chamber, but is better (God be thanked), and I hope will be able to get abroad before it be too cold. I know not what to doe if Anthony and others faile me.

I am yours,

W.

If the brown hors be not disposed of, I would be glad he were put out to breake; and if he prove well, as I think he may, I would be glad of him.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

BOSTON, Sep^{br} 30th, 1706.

DEAR BROTHER, — I haue spoke with M^r Tayler, and would haue accepted the bill if he would haue taken bond for it with interest after the time of payment; but he says he is only to remit the mony to S^r Harry, and is not willing to concern himselfe in it; however, he will defer writing about it till the next week that he hears from you what can be don about it. I know not you must write him word that you accept the bill, and before the thre months com som way must be found to pay it, for he must send advice if it be accepted or not. I know not why S^r Harry sent not the order of Queen and Councill; possibly he had not time to get it out, or was not willing to be at a needless charge, or might mistake in puting it up, but Hude must shew it if he would haue any thing; no doubt it was som mistake. Its more then a rattle to

haue the Indian judgment set aside, and that you are freed from the 2,500^{lb} action; and his administration is but a rattle, I am certain, only he would make a noise to cover his folly. The cattle that came down last fall were as unmerchantable as the other; and if the overseers at the almshouses had not taken som of it at 1^d the pound, it must haue hung in the slaughter-house all winter to dry, except som part given away, because it would not sell; the butcher would not take them for what was oweing, but rather stayd till it can be got. John was abroad at meeting in the afternoon yesterday, but was almost spent before he got home; but he gets strength a little (I thank God). If he be not able to ride before it be cold, I shall not know what to do.

Yours,

W.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

Boston, Oct^r 7th, 1706.

DEAR BROTHER, — M^r Dyer just now brought me the roule of papers directed to me at Stonington instead of Boston; I shall take all the care I can about them. I am glad thay are ready for this oportunity, thô I hope the ships will stay so long that your Court may write by them, which thay must by no means neglect, but do no other business till that be don. The merchants say thay will not sayle till this month be out, but no doubt there will be time to write by them if thay suffer not other business to divert them. It was next to impossible for S^r Heñery to send the orders of Council, as you will see by the copy of a letter I sent you, which was dated the 22^d of May,* which was the day after the hearing, and I think S^r Heñery's were dated the same day, and you may see by my cousin Read's letter, which I here enclose, that the

* See *ante*, p. 139. — Eds.

hearing was the 21st. You may shew so much of it as concerns your affairs, and it must be returned by the next, if it may be. I think I can procure the originall deed to the thirteen persons, and, if I can, shall get your cobby strengthened by sending an attested one from hence. My son was a little out last week, and got a little cold which discomposed him much, but he is a little better (God be praised). I hope I shall hear from Havens and Eldredg, as you say.

I am yours, W. WINTHROP.

SAMUEL SEWALL TO WAIT WINTHROP.

For the Honorable Wait Winthrop, Esq^r, Boston.

BOSTON, Nov^r 10, 1706.

SIR, — I know not whether I may return from Salem before the Court rises. There are two things of very great moment now before them, viz. : that of Gov^r Bellingham's will,* and whether a bond of administration when sued out ought not to be chancerd. It seems plain to me that it ought; for none else can chancer it, and the party lyes open to the whole sum. *Malum est posse malum*. If the Judge of the Probat be a party, as some would have it, it looks illfavouredly for him also to be judge whether any thing of the rigorous penalty shall be abated or no. I discoursed with Mr. Secretary before I went to Bristol Court, and he was then of the opinion an administration bond ought to be chancerd by the Court; and it was so done in Grigg's case in Boston Inferiour Court, wherein M^r Addington's name was used as Judg

* After the death of Governor Bellingham, Dec. 7, 1672, there was a protracted dispute between his only surviving son, Samuel, and the executors and trustees of his will, which was finally settled by an order of the General Court, Sept. 6, 1676, declaring the will "illegal, and so null and void in law." Governor Bellingham's widow, Penelope, did not die until May 28, 1702; and after her death the dispute was revived, as is here stated by Judge Sewall. See Mass. Coll. Rec. vol. v. pp. 24, 25, 56, 105; 5 Mass. Hist. Coll. vol. vi. pp. 56, 197. See also Winthrop's Hist. of New Eng. vol. ii. p. 43. — Eds.

of the Probat. As to M^r Bellingham's will, M^r Allen seems to insinuat it was written by himself, whereas it is M^r Allen's own hand ; and there is a base reflection upon M^r Sam^l Bellingham, a worthy gent. Indeed I have purchased a small peice of land y^t was Gov^r Bellingham's ; but it is not mentioned in y^e will at all, and I hold it of the heir. However, it would be much more for my interest to have y^e Wiñisimet lands go to settle a minister there than otherwise, thô I should lose my purchase ; and yet I cañot see with what face we can go about now to set up that will, thirty years after its being declared null by the Gen^l Court that then was. That is most certain which by contest, & after contest (*ex dubio*), is made certain. I fear it would be much to the dishonor of God, as things now stand with us, to undo that w^{ch} was done in 1676, when parties and witnesses were alive. It would in probability create a great deal of trouble to the Province, and come to nothing in the end. We should be thought unjustly selfish, unwilling y^e estate should go to persons in England. As to that of y^e administration bond, if y^e Gov^r would condescend, I could be glad there might be a full Council when that is voted. Shall hasten from Salem as fast as may be, and M^r Brattle & his sister may be notified in the mean time. It will be good to guard that bill about ministers, as fond as some are of it. I fear a State-ministry.

Sir, your humble serv^t, SAMUEL SEWALL.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

BOSTON, Nov^{br} 25^t, 1706.

DEAR BROTHER, — I am sorry to hear you are ill, and wish I could be with you. I hope it is gon off without much pain ; if you use fumitary tea, it may giue you ease. If John grow throughly well and I find my selfe hardy when the cold is com, I would endeavor to see you,

unless you could com hither where every body wants to see you. I know not how I could get more of Sabin then he would pay. If I hear of Anthony I will indeaver to perswade him, which is all I am able to doe; and if El-drige coms, he will be welcom. I am doubtfull about the widdow's bargain with Havens, and know not that we shall be ever the more secure unless she will becom bound to us to see his rent paid, for we can demand nothing of her, and I am doubtfull of her leting in her New York man, but I think there is a clause in the lease that thay shall not assigne it without our consent; or at least it is let only to them and their heirs, not to assignes, which was discoursed of and so don because thay should not put in any body that might damnifye us. I haue not seen the watch yet, but shall call presently to see if it be don. And now comes a new story. Hude is here, and has put in a petition to M^r Addington, Judg of the Probate, for administration upon his wife's estate. M^r Addington has advised with the Gov^r and Councill about it; the Gov^r says the Queen's comãds must not be put off, and I beleive thay will grant it. I told them the direction was not to this Gov^{mt}, but to Conecticot Court and the partyes concerned, and that I must not be surpris'd, but must haue time to send to you who are concerned with me, and that you must haue time to send to Hartford, &c., for papers, &c. I know not whether M^r Addington writes to you; it will be best to giue all the delay you can with reasonable excuses; he cannot stay long here, and winter will set in, and I think here is late advice about another coming in the spring, and that he has his comission. I know not what Palms' desine is; tis contrary to our law and practice for adm^r to medle with reall estates, and here was little elce. I beleive we may do somthing with him about the farm at Nahantick, notwithstanding his deed, by the words of it, and I am of the mind to try. I am certain there was a cheat in it; my father would

never haue signed to such nonsense. Pray send a cobby of his deed, that I may take advice upon it ; M^r Witherly can take it out of the records.

Yours, W. WINTHROP.

WAIT WINTHROP AND OTHERS TO FITZ-JOHN WINTHROP.

To the Hon^{ble} John Winthrop, Esq^r, Gov^r of her Maj^{ty} Collony of Connecticut.

Boston, April 30, 1707.

S^r,— Wee wrote you by last post to enforme you that we are obstructed in our affaiers of the Naroganset Country by Rhode Isl^d Gouern^{mt}, in that they do not take effectual care to preserve property w^{ch} they have owned to be in Maj^r Atherton and his associates by an act of their Assembly many years since. But they suffer their towne of Westerly and Warwick men to run lines and divide our lands amongst them selus, by w^{ch} they breake their articles made and agreed on by a com^{it}tee of yo^r Collony & theirs. They have sent prohibitions to forbid their people runing lines ; but y^e people take no notis thereof, but go on as they please, and y^e Govern^{mt} doth not call them to acco^{tt} for such actions. Coth Hutchinson hath a sone now going to England in Cap^t Pitts, by whome y^e propriet^{rs} intend to send complaint against s^d Govern^{mt} of Rhode Island and address her Maj^{ty} for reliefe, as also to persue the report made by Gov^r Cranfield, &c., Com^{issin}rs for enquiry into the claimes boath of govern^{mt} and propriaty of soyle, w^{ch} report was that the Govern^{mt} they apprehended belonged to Connecticut, & the soyle to Maj^r Atherton and his associates. Now, if we can obtaine a confirmation of that report, we hope it may issue our long debates and be of greate benifit to yo^r collony. Therefore if yo^r Gen^l Assembly will be pleased to give instructions to yo^r agent, S^r Hen.

Ashurst, to persue that report with s^d Hutchinson, it's not improbable but it may be obtained. We wil take care to send the report well attested, and get reco^mendations from sum considorable persons here to further the same there, and we know of nothing that can doe yo^r Govern^t greater servis, which is humbly offered by,
S^r, yo^r most humble servants,

WAIT WINTHROP.
ELISHA HUTCHINSON.
J. LEVERETT.

SIR HENRY ASHURST TO WAIT WINTHROP.

LONDON, th. 17 July, 707.

HONR^{ED} S^a,—I haue writen to you ^{Y^r} this shipp, and hoped befor now to haue sent you the newes that M^r D. was dismissed ; but I hope it will not be long first if you continue firme one to another, and neither be flatered or frighted out of yor properties & interest. The next shipp I beleiuie will bring you the newes of his dismitiō ; also that I had drawne one hundred pounds with the exchang, w^{ch} if not expended heer for yo^r us shall be paid you with interest. I doe hope to send you a comitiō to be Leftenant Gouverner. I send you this ^{Y^r} M^r Parteridge, who hath appeared strenniously against M^r D., and hath exposed him self to his rage for so doeing. I pray, S^r, will you countenance and assist him all you [can?], and ingage all yo^r frinds to doe so, that people may not be discouraged to serue thare countrey in time of danger? I haue told the great men heer that you ar my Lord Russel in litle, & that you haue the religion of S^r Mat. Hale. I doe not doe this to flater you, but because I belieue so. I can say no mor, but to assure you have the affection & frindship of

Yo^r sincere frind,

HEN. ASHHURST.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

[Extract.]

BOSTON, Sept^{ber}, 1707.

. . . I HAVE spok with Mountseer* about John, who seems plausible enough about it, but have not com to the matter of difficulty as yet, having but a few minits with him this afternoon. If you would write to him to let him know your approbation of it, & expectation that he will do somthing considerable for her at present, he being of some considerable expectation hereafter, it might be best. Our Port Royall gent^m are this day com hom, & had better never have gon.† All here are well.

Yours,

W. W.

I never wrote in grater hast, having been hindred by the Councill's meeting till post is just going.

SIR HENRY ASHURST TO WAIT WINTHROP.

For the Hon^{ble} Ma^ror Generall Waite Winthrop, Esq., at Boston.

L: th 29 Sep. 707.

DEARE & HONR^{ED} S^r, — I haue but just time to tel you the joyfull newes that I haue, after all my paines, ex-
pence, & labor for so many yeares remoued for-euer from being yo^r oppresieue Gouverner M^r D. I doe hope to send you a new comition to bee Left. Gouverner of New Eng-

* Wait Winthrop's favorite nickname for Gov. Joseph Dudley; had he been a Shakspearian student he would probably in this letter have styled him Capulet, as the passage refers to his son's engagement to Anne Dudley, for particulars of which see 6 Mass. Hist. Coll. vol. iii. pp. 396-398. — Eds.

† The reference is to the disastrous failure of the expedition against Port Royal which sailed from Boston in the preceding May. (See Hutchinson's History of Massachusetts, vol. ii. pp. 165-171.) For letters to Fitz-John Winthrop describing in detail the misfortunes of the soldiers and their return to Boston, see 6 Mass. Hist. Coll. vol. iii. pp. 387-392. — Eds.

land & New Hampshire. Within a month I hope to haue all redie and Dud. dismitiō. The ministers in London haue meet to reioice with me upon a ueneson entertanement. The uiliany against Connecticott was contriued by Belsibub. Itt was time for me to stir, when his agents had got a new comitiō to make my Lord Cornbury & his Counsel to be judges. Itt will be a comfort to mee befor I dy that I haue bin an instrument to deliuer thes poor countreys from such a Hamon;* but the enemies you haue seene to day you will see no more for euer. I pray honor my bill with acceptance, & pay the bill drawne upon M^r Noies, for itt will be expended & much more. I pray send the inclosed to yo^r brother, and belieue mee to bee, in great sincerity,

Yo^r truly affect. frind,

HEN. ASHHURST.

WAIT WINTHROP TO FITZ-JOHN WINTHROP.

BOSTON, Nov^{br} 8th, 1707.

DEAR BROTHER, — I am glad you are better, and that sister Curwen got well there. Those difficultyes you mention against your coming I hope will be removed; if your ability to travell do not hinder you, I see not why the other should; the Gen^l Court may do once without you, and if there be any perticular business that requires your being there, you may pray that it may be defered. There is som in the world that would find business with a neighbour gov^{ment} in time of warr, and haue their charg borne; however, let not that article hinder. What you can want here will be supplied; therefore let not that hinder. It is a seasonable time of year; and when there

* See the Book of Esther. In a letter from Sir Henry Ashurst to the Governor and Council of Connecticut, dated April 24, 1707, he writes: "I mean the two hammonds of each side of you." The original is not in Sir Henry's own hand, but in that of an amanuensis, and is perfectly legible. The comparison in that uncouth spelling is, no doubt, also to the "wicked Haman." — Eds.

will be so convenient an oportunity again I know not, and every body is desirous to see you. It's not much farther then Newhaven; the Councill might advise som business to be concerted with us which might please them at Newhaven. However, let that be as it will, pray com, and let us know by the next when. The Scotch pad has promised every day since the last post about the watch; he had made what was wanting and lost it again. I was with him but now; he says it shall be ready for the post, but I do not beleiue it, for I hear he is gon into the feild, it being training dāy. Madam presents her servis.

I am yours,

W. W.

MARRIAGE SETTLEMENT OF WAIT WINTHROP AND
KATHARINE EYRE.

To all people unto whom this present writeing shall come or may concern, greeting: Know yee that whereas John Eyre, late of Boston in the County of Suffolk in New-England, Esq^r, deċed, in & by his last will & testam^t bearing date the seventeenth day of June, anno Dñi one thousand seven hundred, & one duely proved, approved, & of record, amongst other things therein contained, did give & bequeath in the words following, that is to say: "In token of my dear love & affection unto Katharine, my welbeloved wife, who has ever obliged me by her tender love and care of me & mine, I give & bequeath unto the s^d Katharine my wife y^o sum of one thous^d pounds to imploy and dispose of as she shall thinke fit. Item, I give & bequeath unto each of my children (as well that my wife is now bigg with, as those already borne, namely, Katharine & Bethiah) the sum of one thousand pounds apiece. And if it please God that my child yet unborne should be a son, then I give, devise, & bequeath unto him & his heires (over & above the thou-

sand pounds aforementioned) all that my present dwelling house, messuage, or tenement, with the yard, garden, & accommodations thereto belonging, situate in Boston afores^d. Item, I give unto my niece Martha Ruggles, wife of John Ruggles of Boston, mariner, the sum of one hundred pounds. All the residue & remainder of my estate, as well real as personal & of what nature or kind soever & wheresoever lying or found, I give & bequeath unto my afores^d wife and my three children aforementioned, the same in four parts to be equally divided between them, part and part alike. And I will that my wife do improve the estate during my children's minority to the best profit & advantage that she can, for their good education & maintenance & her own comfortable support; their portions to be paid unto them as they respectively come of age or be marryed, which shall first happen, and in case either of them dye before, the survivour or survivors of my said children equally to have & enjoy the part & portion belonging to y^e child or children that shall decease. Item, I do nominate, make, & constitute Katharine, my s^d dear & loveing wife, the sole executrix of this my s^d last will and testament, very much confiding in her prudence & tender love to & care of my s^d children. And what estate I have in shipping I leave it to her discretion to continue to inploy or to dispose of them, as she shall thinke best"; — as in & by the s^d will or the record thereof, relation being thereto had, will more fully & at large appear. And whereas the aforenamed Katharine Eyre, legatee & sole executrix as afores^d, is ab^t to intermarry with Wait Still Winthrop of Boston afores^d, Esq^r, and being desirous that the will of her s^d late husband should be duely observed & well and faithfully performed in all respects according to the true intent & meaning thereof, also desiring faithfully to discharge the trust in her reposed by her s^d husband wth reference to his children, hath by contract & agreement wth the s^d Wait Still Win-

throp before marriage, and in case the same do take effect, hereby provided for the secureing of the s^d children's portions, and of their good education & maintenance without any diminution of their portions, as also for the securing of the portion, right, and interest of her the s^d Katharine of & in the estate of her s^d late husband, and that she may have & retain in her selfe a power to give, bestow, & dispose of her own full particular part, share, and portion thereof, according to her free will & pleasure, either by her last will and testament, nuncupative or written, or otherwise & in any other manner to have effect at her death, her intermarriage & coverture notwithstanding, without any interruption, contradiction, denial, hinderance, claim, or challenge of the s^d Wait Still Winthrop, his heires, exec^{rs}, or admin^{rs}.

And the s^d Wait Still Winthrop for himselfe, his heires, exec^{rs}, & admin^{rs} doth by these presents consent, covenant, grant, & agree to & wth William Brattle of Cambridge, cler., & Joseph Parson of Boston, merch^t, feoffees in trust to & for the s^d Katharine Eyre, their exec^{rs} & administrators, that she, the s^d Katharine, her intermarriage and coverture notwithstanding, shall have & retain to her own free disposal by her last will all her part, portion, right, & interest of and in the estate of her s^d late husband, John Eyre. And that it shall and may be lawful to and for the s^d Katharine Eyre, and the s^d Katharine shall have full power, liberty, & authority at any time or times during her s^d coverture, and that notwithstanding, to make and publish her last will & testament, by word or writeing, or to execute any act or instrument purporting to be her last will, to have effect at her death, and therein & thereby to imploy, give, dispose, and bestow all her estate herein and hereby intended to be secured and reserved to herselfe (being included in the inventory or schedule annexed) according to her own free will & good pleasure. And that the s^d Wait Still Winthrop shall and will permit & suffer such will, nuncupative or

written, or instrum^t to be by her executed purporting to be her last will, to be duely proved and to have full force & effect in the law, and in case no such will or disposition of her particular estate be by her made, that then the same shall wholly descend, accrue, and come to her children, as the law provides for intestates. And the s^d Wait Still Winthrop for himselfe, his heires, exec^{rs}, & admin^{rs}, doth further covenant, grant, & agree to & wth the s^d William Brattle & Joseph Parson, their exec^{rs} & admin^{rs}, to accompt for, surrender, and deliver up all & singular the whole estate contained & mentioned in a schedule or inventory thereof hereto affixed, amounting to the sum of five thousand three hundred twenty eight pounds twelve shillings & two pence in specie, as therein expressed. And the due & just value of anything that may be disposed of (fire, robbery, & other inevitable casualty excepted) unto the s^d Katharine in case she survive him, or unto her heires, exec^{rs}, or adm^{rs} within the space of six months next after her decease; so much of y^e children's portions as shall before have been paid thereout to them, or either of them, to be discounted. The several parts and portions accruing to the children of the s^d John Eyre out of his estate to be deliver'd & paid unto them respectively as they come of age or be marryed, according to the tenour & direction of the will of their s^d father, the survival of their mother notwithstanding.

To the true and faithful keeping, observance, and performance of all and singular the covenants, grants, articles, & things before herein contain'd, I, the s^d Wait Still Winthrop, do bind & oblige myselfe, my heires, exec^{rs}, & adm^{rs}, unto the s^d William Brattle & Joseph Parson, feoffees in trust as aforesaid, their exec^{rs}, adm^{rs}, & assignes, in the sum of eleven thousand pounds in curr^t lawful money of New-England, to be well & truely paid by virtue of these presents. In witness whereof I, the s^d Wait Still Winthrop, have hereunto set my hand and seal

the thirteenth day of Novem^r, 1707. In the sixth year of the reign of our Sovereign Lady, Queen Anne.

WAIT WINTHROP.

Sign'd, seal'd, & delivrd in presence of us :

WILL^m CLARKE.

MARY CLARKE.

SUFFOLK SS.

BOSTON, 13th Novemb^r, 1707.

This instrum^t of feoffement was acknowledge by Wait Winthrop, Esq^t, therein named, to be his act and deed.

Cor. me. IS^t ADDINGTON, *J. Pac.*

[Schedule Annexed.]

A list of sundry things, &c. : 1 doz. damasque napkins & table cloth, £4; 9 damasque d^o & table cloth, £2.10; 10 fine diaper ditto & table cloth, £3; 1 large damask table cloth, £2.10; 1 fine diaper & one old damask d^o £1.5; 1 large hukkebuck table cloth & 2 doz. napkins & 2 towells, £4.10; common napkins, towells, & table cloths, £3.10; 1 p^r fine holland sheets, £4.10; 1 p^r ditto, £2.10; 3 ditto, £2.10; 16 p^r common sheets, £16; 2 p^r fine pillow-beers, £1.10; 2 p^r ditto, 14^s; 5 p^r ordinary holland d^o, £1.10; 1 suit white callioce curtains & vallens, lac'd, £3; 3 p^r window curtains & vallens, £1.10; 3 suits old white curtains & vallens, £3; 2 white quilts, 1 twilight, £7.10. Total: £65.9.

In y^o chamb^r ov^r the kitchen chamber: 1 bedsted, feath^r bed & bolst^r, £5; 1 suit green large curtains, 1 rugg, 1 p^r blanketts, £6; 1 p^r andirons, 10^s. Total: £11.10.

In the second chamb^r ov^r little room: 1 feath^r bed & bolster, £4.10; 1 rugg, 1 p^r blank^{ts}, coverlid, &c., £3.5. Total: £7.15.

In the hall chamber: 1 feath^r bed & bolster, £7; 1 suit China curtains trim'd wth India silk, & quilt of y^o same, wth bedsted, £20; 1 p^r fine large blank^{ts}, £3; 6 Turkey chairs, £5; 1 eane couch, £2; 1 table & looking glass, £6; 1 olive wood eabonet, £5; brass andirons, tongs, fireshovels, fend^r, bellows, candlest^{ks}, £6; books apprizd at £15. Total: £69.

In the kitchin chamb^r: 1 bedsted, 1 feath^rbed & bolster, £7; 1 suit searge curtains & vallens, £4; 1 quilt, 1 p^r blanketts, £3; 1 chest wth drawers, £7; 7 cane chairs & couch, £6.10; 1 looking glass, andirons, tongs, shovel, £2. Total: £29.10.

In the little chamb^r: 1 bedsted, feath^rbed & bolst^r, £7; 1 suit searge curtains & vallens, £3; 1 p^r blank^{ts} & quilt, £2; 6 Turkey chairs & a table, £2.10; andirons, 5^s. Total: £14.15.

In the entry chamb^r: 1 little bed & bolster, £4; 1 rugg, blank^{ts}, & curtains, £2.10. Total: £6.10.

In the hall: 2 oval tables, £5; 1 doz. cane chairs, 1 great chair, £7; 1 couch & quilt, £2.10; 1 clock, £12; one looking glass, 30^s; brass tongs, shovel, & andirons, £2.5. Total: £30.5.

In y^e little roome: 2 little tables & looking glass, £3.10; 9 cane chairs, tongs & andirons, £3.10. Total: £7.

In the kitchen: 265^{lb} pewter @ 18^d, £19.17.6; candlesticks, andirons, jacks, spitts, guns, kettles, skilletts, &c., £15; Juno, a negro woman, £30. Total: £64.4.6.

Debts: In Jamaica in John Broadstreet's hands, £25.10; William Turner of Boston, £6.5; Dorothy Hawkins, £10.1.4; Eliz^a Powning, £25.10.2; in Engl^d in Taylor's hauds, £30; John Brooker of Plymouth, £167.9; Jeremiah Osburne, £50; John Draper, £7.1.7; Walter Newberry, £14.9.2; John Pynchon, jun^r, £3.7.6; Will^m Crow, £4; Tho^s Smith, £10; David Melvell, £3.18; Duncan Campbel, £6.8.3; Richard Draper, £50; Simon Willard, £7.0.4; Major Walley, £6.9.5; Samuel Prince, £3.6.2. Total: £430.15.11.

Mortgages: Judith Allen, £30; M^{rs} Maccarty, £560, reduc'd to 15 penny w^t is £634.13.8. Total: £664.13.8.

Bonds: James Whippo, £68.10; Nathan^l Byfield, £162; John Thwing, Green, & Odell, £80; David Jeffries & Shepreeve, £500; Joshua Lamb & Alcock, £50; Joshua Stedman, £12; Daniel Epps, £25; Rich^d Procter, £121; Jahleel Brenton, £200, 17 p^{ny} w^t reduc'd to 15, £226.13.4; Edw^d Boylston & Grant, £80; John Hodson, £23.2.10.

Plate, 124½ ounces @ 8/, £169.16; cash, £800; house & ground, £900; warehouse, £300; John Mico, £111.11.11; David Jeffries, £30; M^{rs} Maccarty, £52.19; 4 tons logg-wood & charges, £41.10; oyle, 3 tuns, £54; bills of exchange gone to Engl^d, £150. Total: £3,958.3.1. Grand total: £5,328.12.2.

Accepted as the schedule or inventory of the estate, mentioned & refer^d to in the within instrum^t, amounting to the sum of five thousand three hundred twenty-eight pounds twelve shillings & twopence, which I am by the s^d

instrum^t or writeing to accompt for, surrender and deliver up as in the said instrum^t is express'd. What money is now in hand, or shall be received in of that standing out & lett out again upon good security wth y^e advice of y^e s^d Katharine, such security to be accepted in bonds or mortgages, so given in part of y^e sum I am to be answerable for.

WAIT WINTHROP.

I am content: KATHARINE EYRE.

The writeing on the two other sides of this sheet contains a schedule or inventory of the estate of John Eyre, late of Boston, Esq^r, dece'd, under the administration of Katharine, his relict and executrix, as it stands this day of November, 1707. Ruggles legacy, funeral, and debts being already paid and discharged. The clear estate amounting to five thousand three hundred twenty-eight pounds twelve shillings & twopence. In which is included the particular part, portion, and interest therein accruing to the s^d widow executrix according to the will of the deceased. There is also some money in England, the quantity not exactly known; if the proceeds thereof arrive safe, the amount of the same is to be added to y^e sum of this inventory and to be accompted for. It is likewise to be noted that the estate has suffered three hundred pounds loss by sea this year.

KATHARINE EYRE.*

GURDON SALTONSTALL TO WAIT WINTHROP.†

N. LOND., Decemb^r 9th, 1707.

HONB^l S^r, — I recd yours by the post yesterday, w^e confirms the sorrowfull news of both your and our bereavement.‡ The Lord in mercy support both you & us. I

* In consideration of this settlement and an annuity of £30 during widowhood, or its equivalent in cash, Mrs. Eyre released her dower in Wait Winthrop's estate. — Eds.

† For a notice of Gurdon Saltonstall, see 6 Mass. Hist. Coll. vol. iii. p. 3 n. — Eds.

‡ Gov. Fitz-John Winthrop died in Boston, Nov. 25, 1707, and was buried in the King's

wish I were able to informe the gentlemen left in y^e governm't of your Hon^{rs} inclination to settle in these parts; so I should hope our publique loss would be repaired; for I am truly afraid what will become of us. According to y^r direction I have sent you a copy of the Gov^r's will, w^o I recd from Madam Winthrop, sealed up wth his Hon^{rs} seal. I understand there are 2 later deeds, w^o he has made of Massapeag, & half the neck in town wth y^e houses upon it, & half y^e land y^t Horton lived on, to M^d Winthrop & Levingstone, and I know not of any more; I beleive I may procure copies of them if yr Hon^r desires it. You will find in the Gov^r's papers, a late lett^r of mine, wth an acct of w^t was due to mee frō M^r Liveen's estate; of w^o I had an answer from his Hon^r, who told mee that he had not yet perused y^e acc^{ts} of y^t money, but would do it, and take care of w^t I wrote to him; but Divine Providence has prevented. I desired him to pay 20^{lb} of y^t money to my Ladie Davie. If yr Hon^r please to befriend me so much as to pay her y^t sum, which I must remitt to her, I shall acknowledge it a favour. Nor should I trouble you thus at this time, but that I have a message from her about it. I doubt not but yr Hon^r remembers the settlement of the money remaining for y^e ministry some y^{rs} since by the Gov^r, & therefore need not write about it. Mad. Corwin has a great desire to come down. I tell her I doubt it will be too hard for her; but she still continues her inclination to come down, & Capt Levingston has promised her, when he has dispatched his sloop, to waite upon her, and he hopes it will be in a few days. I have only farther to condole wth yr Hon^r & yr good lady with all y^e branches of yr family, under the afflicting hand of God, to w^o we owe a profound submission, & remain, Hon^{bl} S^r,

Yr most humble serv^t, G. SALTONSTALL.

Chapel graveyard. For a touching letter of condolence from Saltonstall to John Winthrop. see 6 Mass. Hist. Coll. vol. iii. p. 411. — Eds.

GURDON SALTONSTALL TO WAIT WINTHROP.

N. Lond., Dec. 17th, 1707.

HONB^r S^a, — I have been this day to waite upon Mad^m Corwin, whom I find determined to set out for Boston tomorrow. I must confess I am afraid it is too hard a journey for her, & dissuaded from it; but she has too earnest a desire to be prevailed wth to stay till spring. I therefore take this opportunity to signifie the recp^t of y^rs by Mad. Livingstone. wth what you were pleased to send by her, and acknowledge the hon^r you have done mee to reckon mee among the sorrowfull friends of yr deceased broth^r. I have done as you directed to Capt Witherell & M^r Christophers, who went on Munday last to a Gen^l Assembly w^e meets this day at N. Haven. The L^t Gov^r, on y^e news of the Gov^rs death, sent to y^e gentlemen of the Councill here, to attend y^t Assembly, and bring wth y^m y^e lett^{rs} & publique papers lodged in y^e Gov^rs hands; who made the motion to Mad. Winthrop. The caution you gave her about his Hon^rs papers made her loth, & I also acquainted them wth y^e same you wrote to mee; but supposing you might have reference to his private papers only, their opportunity prevailed so far y^t Mad^m Winthrop desired mee to look into y^e Gov^rs closet, where were severall bundles of writings, but none (that I saw) w^e were not concerning the affairs of y^e publique (and I suppose his own papers are by themselves in some other room or trunk). I took and sent to the Assembly 4 antient lett^{rs} from y^e Court, y^t were among the rest, and w^e were all y^e lett^{rs} I could readily find (& I have kept a distinct acct of them). I give you this acct bec. I beleive y^e Government will spedily be urgent for the remaining publique papers, & Madam Winthrop will be at a loss what to do, wth out yr Hon^rs direction. I conclude y^e Governmt. will write for England by the mast fleet, w^e they will not be able to do

wth out perusing the copies of y^t last lett^r. I sent w^t you desired, by the last post, w^o I hope came safe. I only add my humble service to y^r Hon^r & y^r Lady, & prayers that God would support y^r Hon^r (and all of us) in those depths of sorrow into w^o his unerring providence has reduced us, and am, Honb^l S^r,

Your most humble serv^t,

G. SALTONSTALL.

N. LOND., Dec. 22, 1707.

Mad Corwin thought not good to proceed upon her journey to Boston; wherefore I open this to renew what I have mentioned above concerning yr Hon^{rs} direction about y^e publique papers, bec. I understand severall gentlemen of y^e Councill are to be here on Tuesday next sevensight (as I suppose in order to write for England). Mr. Robes, who brings this, has promised mee to bring y^r directions, & he returns this week.

Yr humble s^t,

G. S.

Maj^r Winthrop.

JOSEPH DUDLEY TO WAIT WINTHROP.

To the Honorable Wait Winthrop, Esq^r, Boston.

ROXBURY, Febr. 11, 1707[-8].

S^a, — I have a favour to ask of you. Every body is sensible how I am persued by M^r Mather, and I expect much more of it in England then here. If you will favour mee with a letter to S^r Henry Ashurst, I do not vnderstand that he is engaged in this persuit of mee, & M^r Mather lately told mee that he was quite one with S^r Ch. Hobby. You must needs know that any thing that could be greivous to Governour Winthrop in the business of Connecticut was done by coñmand from her Majesty vnder the Great Seal, of which I knew nothing till it lay upon my table, & which I could not refuse to obey. If

he had lived as I earnestly pray^d, or you would think of dwelling in that country, where I am well assured the Government would be given you, I would repay that supposed injury by all possible means, & I shall not want freinds at Whitehall in a private capacity when her Majestye pleases to direct me to it. S^r Hary would beleive your representation of mee as an honest man. I am [*blotted*] also in your own affayres, taking leave sometimes to talk of them with Mr. Winthrop (for whom I thank you), to advise if possible that you will spend the spring at New London as early as may be, & in the mean time prevent the probate of a supposed will of Governour Winthrop by your letter & challenge to the judge of that court; & since we have not long to live, it is alwayes best to keep a firm authentick will executed by us, so as those that do not love us have a right to make it to the mind of a family.

Your most humble servant, J. DUDLEY.

WAIT WINTHROP TO SAMUEL READE.*

Boston, March 5^t, 1707 $\frac{3}{4}$.

DEAR COUSIN, — I haue rec^d yours of the last of Aprill and 10th of June, and rejoyce in your continued health and prosperity. It has pleased God to bring great changes in a little time on us here. I haue lived a widower many years, and my son and daughter being grown up, I haue upon good consideration altered my condition, and am marryed to one M^{rs} Eyre, a virtuous and religious woman, whose former husband was a merchant of note in this place.† My son was also married a little after to our Gov^{rs} daughter;‡ and while these matters were depending,

* This letter is printed from a copy in the handwriting of Wait Winthrop's son. — Eds.

† Wait Winthrop was married to Katharine Eyre, Nov. 13, 1707. — Eds.

‡ John Winthrop was married to Anne Dudley, Dec. 16, 1707. — Eds.

my brother, who had not been here in 8 or nine years, came to visit his freinds, and being ready to return was taken with a cold and paine in his brest and side, and a fever followed which left him not untill he dyed, which was the 25^t of Nov^{br}. I hope he is gon to rest. The Lord prepare us also, that we may be ready when he shall call for us, and help us to submit to his good pleasure in all things. I haue been greatly perplexed that I haue not been able to send you the fifty pounds I rec^d of Cousin Eps. I must confess I co^mmitted a mistake. The Province bills I rec^d used to go currant as peices of 8, at 17^d waight the peice for six shill. ; but our merchants, in spite of the law (which says peices of 8 shall go at that rate still), haue brought all mony to goe at 8 shillings the ounce, or peices of 8 at 15 peny wait for six shillings, which is upward of 13 ^q cent difference ; and I doubt I shall not perswad my cousin Eps to rectifye my mistake. But that was not the reason I haue not sent it all this while, but merely want of opertunity to invest it in somthing that you might not loose by it. As for bills of exchang, thay are at upward of 50 per cent, but I could get none ; and for other returnes here is so many merchants and factors clutching at them that I could get nothing but what would proue wors then bills ; so that, understanding by your letter that you are concerned in the Corporation for the Indian affair, I am advised by som of the merchants here to advise you, as your best way, to take mony of that corporation on the best terms you can (thay hauing occation to remit mony hither), and draw bills on me here, which if you please to do for that fifty pounds your mony lyes ready here, and your bills shall be well paid ; and becaus I co^mmitted an error your mony shall be made good at 17^d waight for six shillings. If I can perswade Cousin Eps to rectify it, I will ; however I am not willing you should lose under my management. S^r Henry Ashurst has been so kind as to propose the place of

Leiftenant Gov^t for me here, w^{ch} will be a charge and no profit if a Gov^t be here also; if I am fit for that, I am as fit for y^e other, if the charge of procuring it be not over great. I haue wrot to him my thoughts about it. My son desires the books mention'd in the inclosed note, w^{ch} shews where they are to be had. If they could be procured and sent by the first, in case you draw upon me, please to draw so much the more, w^{ch} shall farther oblige

Yo^r aff^t kinsman and humbl^e serv^t.

Please to give my service to all my dear relations, who I should be glad to see if it were possible.

JOSEPH DUDLEY TO THE GENERAL COURT OF
MASSACHUSETTS.*

PORTSMOUTH, 6 May, 1708.

GENTLEMEN, — The winter is past without any inconvenience from the enemy, unles it be that it has made us more careless of danger, & some of our people thereupon presume to neglect their watches & caution, which must be reformed every where, least we be surpris'd into some great mischeife. The officers & soldiers in the last years service should have been provided for before this time, & a fund set for their payment; but it must be no longer delayed, & the other debts of the Province shall be layd before you by the Treasurer. I desire & expect that the gentlemen of the House of Representatives will take care that we be just in our payments, that we may obtayn the favour of God, & maintain her Majestyes honour and our just reputation, & prevent the complaints of any of her Majestyes subjects to whom we are indebted. We are alwayes during the warr in necessity to rayse men for our defence, & we must take care there be that in the

* This letter is printed from a rough draft, in Dudley's hand, found among the papers of his son-in-law, John Winthrop. — Eds.

treasury that will support us. I shall do my duty in placing so many men at the fort as are necessary for the present service, & we must have a small party for a distant scout and discovery, & there must be provisions for them, and you must not forget your agent that you have lately sent hence. I desire the gentlemen of the Representatives that they will proceed herein with all good agreement, and as soon as they may; the session need not be long. I have alwayes seen so much freindship and unanimity in the Assembly of this Province that I doubt not of your doing your duty herein, & the good providence of Almighty God will still protect us, & I shall not fayle at all times to represent you well to her Majestyes protection & favour.

JOSEPH DUDLEY TO WAIT WINTHROP.*

ROXBURY, 24 May, 1708.

S^r, — I alwayes expected yo^r stay would necessarily be longer then at first you thought, you having been so long absent from yo^r affairs. I am sorrey you have any difficulty in the settlement of any estate belonging to Govern^r Winthrop, yo^r father; it is so contrary to what I have a long time been assured was allwayes by yo^r brother intended to be kept intire & inviolate for the heir of yo^r family. It is thirty years I have heard him frequently say that the estate of his father should never be divided, that he did but desire to eate there, & his brother might afterwards do as he pleased. And last of all, when he did me the honour to speak to mee about the marriage of his nephew, he told me he was y^e best heir in these Provinces, and that all that he had, as well as what his father had, was for him; he must be content to let him have his life

* For an affidavit to the same purport as this letter, but sworn to in October, 1710, see 6 Mass. Hist. Coll. vol. iii. pp. 419, 420. See also the will of Fitz-John Winthrop in the same volume, pp. 413-417. — Eds.

& it was his owne, & that he desired to rayse a family. And once more perticularly told mee that when M^r John Winthrop was sick last year he was fearfull of his death, and then in his own mind he determined to send for his kinsman, Maj^r Adam Winthrop, & give him all his lands to bear up y^e name of the family. These things and many like he said to mee in his last two monthes conversation. I pretend to know Gov^r Winthrop, yo^r brother, as much as any body but yo^r selfe, & I know very well this was his constant, steady resolution; and in the last week of his life he inveyed against y^e division of an estate near us as the ruin of the estate & family. And am therefore the more surprized that any good divines should labour to perswade any body that he was ever, in health, of any other mind; but if by there perswation, and the fitt of a feavo^r, he ever projected an other thing so contrary to the whole tenour of his life, you are to be thankfull that it was done by an instrument in law w^{ch} will not dispose of one penny of an estate in joynt tenancy if the text of the law be true. I heartily wish yo^r health, & yo^r dear son I pray you to regard him above any thing, and we will be patrons; my daughter offers her duty to her father & husband, and I am, S^r,

Yo^r very humb^l serv^t,

J. DUDLEY.

To the Honorable Wait Winthrop, Esq^r, New-London.

JOHN LEVERETT TO WAIT WINTHROP.

Boston, May 24, 1708.

S^r, — The Governm^t of Rhode Island has at last invaded the Narraganset countrey with an Act of their Assembly w^{ch} will prove fatal to the interest of the Propriet^{rs} of that countrey if not timously & vigorously repulsed. The Co^mittee appointed the last Octob^r for a survey have made their return to the Session now just

past this moneth, and in the survey they have not onely taken the mortgage-lands, but the surplusage-lands too, as they are call^d. You being at Coñecticot, you wil have opportunity to engage that Governm^t to enter into y^e affair, in securing property, w^{ch} is a main article in the agreem^t between the two Colonys. Your own interest is doubly concerned, and we hope you will be vigourous in asserting it; and this will advance, or at least put some check to, w^t may be destructive to the coñmon interest. We pray you to exert yo^rself, and this is what is needfull at present from, S^r,

Yo^r humble serv^{ts}, J. LEVERETT.*

JOSEPH DUDLEY TO GURDON SALTONSTALL†

[MAY, 1708.]

S^a, — I want Maj^r Generall Winthrop's assistance here in o^r affaires, and am surprized to hear of any difficulty referring to Gov^r Winthrop's estate (y^e first Gov^r), w^{ch} I perceive, by his will & y^e purchas of y^e two brothers, was alwayes in joynt tenancy; & it is y^e text of y^e law that no such estate, nor any part of it, is devisable by any joynt tenant, all such will & disposition is voyd of it self. I am very loath to hear any reflections upon y^e late Gov^r Winthrop, who has often said to me, and lastly upon his treaty of marriage in my family, that whatsoever belonged to his father, himself, & his brother was for his nephew, & in case his nephew had dyed last year he declared freely y^t if he had been alive he would have sent for Adam Winthrop & given him all. However his will will prevaile no farther then his owne separate estate; and by my best guess, when

* A blank space is left for other signatures; but the letter is in the handwriting of Leverett, who, after having been Speaker of the House of Representatives and a Judge, had then recently been made President of Harvard College. — Eds.

† This letter is a copy without date, but it was probably written at the same time as the letter from Dudley to Winthrop which precedes it. — Eds.

y^t has paid his funerall & debts, wth out any consideration of y^e halfe rents due to his brother for thirty years past, I can tell what will be left for his legacies. S^r, you will give me leave to tell you that is y^e first family in this Province, and more then y^e first in yo^r Collony, and if a stranger shall hamp^r & hurt y^t estate it will be no honour to Connecticut Govern^t, & y^e poorest gound in y^e Temple will do their business at home. We are some of us English gentlemen, & such is yo^r owne family; & we should labo^r to support such famalyes because truly we want them. You will pardon my freedom, because I know this matter must needs be und^r yo^r influence, & because I am, S^r,

Yo^r very humble serv^t,

J. DUDLEY.

To Gov^r Saltonstall, N. London.

SAMUEL READE TO WAIT WINTHROP.

LOND^o, 15 in July, 1708.

Cousin WAIT WINTHROP, — I rec^d y^r two letters, both of y^e 5th March past, wth y^e inclosed to S^r Henry Asshurst, w^{ch} were delivered; doe heartily condole y^e death of my dear cousin y^r bro^r, wth whome I may say I had acquaintance wth from my youthe, while he was wth my father in Scotland, & for whome had a reall respect; and as Providence hath directed you to a new settlement, I do congratulate you thereon, as also in disposall of cousin y^r son; doe wish success & satisfaction to both on all acc^{ts}. My eldest son is at present beyond y^e seas. He went last May to Holland & Flanders; there in comp. wth him M^r Walker, who came from y^r partes last year. They returne, I suppose, wthin a monthe; then shall take care to provide those books you desire for cousin y^r son, & may goe over wth M^r Walker, who designes to return home y^e latter end of y^e year. I find you could not procure

returnes for Cousin Epps mony; could wish it had beene donne from thence, either in p̄te or any way, for do not find any probability of doing it from hence but at much disadvantage. Y^e Corporation met yesterday, but find nothing can be donne y^t way, having remitted more then they are like to be in cash for some time; soe must consult some other way & shall write you further about it. Since I began this letter there is just come to hand a letter from you to S^r Henry Asshurst, w^{ch} have forwarded to him, being at Tunbridge, whether I designe to goe in few days, to spend a month at y^e waters. Shall not at present inlarge; designing to write again suddenly; wth tender of service to y^r self & all relations, I desire you would advise w^t years y^r bro. was of when departed.

Y^e 12 Octobr, 1708.

S^r, — The foregoeing is cobby of my last ^{3^d} ship Neptune, who hath waited for convoy longer then expected, & is but lately departed. My sonne after his returne from Holland made inquiry after bookes you desired. Y^e person you mention that did collect those bookes hath been dead many yeares, & none hath succeeded him in that curiosity; y^e bookes almost out of printe, & upon inquiry of severall bookesellers cannot heare of but very few, & those of soe considerable value that thinke it not worthe while to send any wthout further order; doe not find above 4 to be procured. Have had noe meeting of y^e Corporation since last wrot you, but as I intimated to you, have noe expectation from thence. Soe must leave it to you to make returnes of Coussⁿ Eppes monyes in your handes according as you find conveniencie & oppertunity either in p̄te or y^e whole, as you judge for my advantage; if have oppertunity, may write again this season, wth due remembrance to relations rest in hast, S^r,

Yr affection^t kinsmⁿ & serv^t,

SAM. READE.

JOHN BOULT TO WAIT WINTHROP.

LONDON, August the 23th, 1708.

HONOURED S^a,—With hope of your good health I salluet you and yo^r beloued ladey, euer wishing youre health and hapines. Oure departure from Nantasket the 18 of March. Oure ship Swallow prise toke 2 French marchant men laden with salt, brandie, & French winds, berthen betwen 2 & 3 hund tuns, the first 12 guns & 55 men, the other 18 guns and 85 men. This last one the 26 of Aprill; haueing persude her all the afternond, being almost out of sight of the fleet, the comadore turnd back without making any signall. We persude our chase, & abought 10 at night came up with her. After the firing 5 guns, became ours, but neuer after had any sight of the fleet; soe the Swallow prise & this her last prise by the good hand of God, in 8 weeks, one the 18 day of May, got safe into Plymouth harbor. I wayted here 7 weeks, hoping to haue a pasage by water, but at last was forst to make the best of my way by land in a coach 200 miles. I tould the cap^t he was to deliuer my mony in London, soe he tould me he would if I would stay till he came there, but he had order to goe a cruesing & soe might lose y^e ship & mony to; soe I was forst to take the mony and rune y^e risk ouer land. All the fleet got wel into Kings sayle in Ireland; & abought my coming away I herd thay were all comming into Plymouth. Here Spanish mony would not bring aboue 5 shilling p ounc. I had not bene longe in London before I was taken extreamly ill, soe that it was concluded by all that I was a dead man; but blesed be God I am yet alieue, and hope I shall [y]it liue to see Glocester shore. I here my sister is [y]it alieue. My cozen Robart Ollif is dead, to whome I think I ordered you to direct; but he hath left a sone in his place. You may direct to mee, to be left

with M^r John Ollif, coachmaker in Alldersgate Street nere the 3 Tups. S^r, I haue but a littl receipt for that mony I left with you; & I know you will not pay it without that receipt. Now what if it should be lost by the way? I pray consider of it, & own it before sum persons, & let me here of it by yo^r first. I cannot find out any way at present how to haue it returnd, and am sorry I cannot answer your somns expectation. Pray let the mony I had of him be paid to him out of that mony I left in yo^r hand, haueing no order to leaue his wth any person. Humbly crauing leaue to subscribe my selfe yours in all humble saruis to command,

JOHN BOULT.

S^r, I deliuerd yo^r letters wth my own hand. Pray ples to send this I haue inclosed.

SIR HENRY ASHURST TO WAIT WINTHIROP.

*To the Hon^{ble} Wait Winthrop, Esq^r, at Boston in New England. Copie.
The originall sent by Lord Lovelace.*

LONDON, August 24, 1708.

MUCH HONrd & DEAR S^r,—I had great reason to hope that ere this I should have sent you a co^mission to be Leiu^t Gov^r, with the power & authority of a Governour; but am strangely disappointed. After all my expensive journeys to Windsor and back and my attendance, it is yet delayed; but I hope it will not be long before I shall sende you the wellcome newes. For if the Lord spare my life, I doe not despaire of doing it. The removing him will stop yr complaints; and in some little time things will come right again. But there is not one stone he hath left unturn'd to keepe him in. He is a person of such insinuation, such parts, that only Satan himself hath greater. If mony, if persons sent hither of both sexes, if lies & letters to great persons. A certain great Duke

hath told me he hath had severall letters, but would never take notice of one from him. By these methods he keeps in. Believe it, S^r, ever since I knew N. England I have had the highest value for you. I confesse, yr son's marrying D.'s daughter did coole & startle me; but yr letter hath fully satisfied me. And when I looke home in the marriage of my own children, I am very silent. I have sent you my wife's funerall sermon. I have seen the immortall print of M^r Sewall, which showes him to be an honest as well as a wise man. It is an amazing thing to me that yr Councill should agree to call a petition scandalous & wicked, supported with so many allegations upon oath. Will ever any after such a precedent be concern'd to save you from ruine? Is there no courage left? The fearfull in the Revelations are the first named that goe to Hell. You know somthing of what he hath done on yr side, but not half the villany that I have known, and at great expences prevented. He is continually by his agents contriving mischief, and I am as often detecting him. I have drawn 100^{lb} which I receiv'd here towards the expence and paying for your patent. I have not had a shilling for all the money I've laid out in the service of the Massachusetts. I believe he had obtain'd a Court of Chancery & destroy'd yr Charter, if it had not been for me. I desire some that are concern'd for the good of New England will meet together to pay that bill. It is not reasonable that I should serve a great body of people at my own expence. I hope to effect every thing you desire. I doe not need to desire you to promote the payment of my bills allready drawn on Connecticutt, which I have paid out of my own purse, and been hindered from my family so many summers, and taken so much paines, and done them service for so little. I consider how they have been exhausted, and I have but 100^{lb} pr añ for all my trouble these two last yeares in their service for all the service I have done them,

which is very considerable. You may be sure out of love to your person I will doe you as much service as if I were your father. And if you had sent yr son to me, he should have lived in my family, and I would have married him to a godly & handsome woman, that hath 3,000^{lb} estate. S^r Charles Hobby is coming over. If you love New England, treat him well. I know his faults, but the earth must helpe the woman. If you joyne with him, you will finde him serviceable in order to yr deliverance. This I reco^mend to M^r Cook, to M^r Mather, to all my friends. I perceive my coz. Sergeant is gone off.* I say nothing of him. The Lord blesse you & yrs. I'm satisfied I serve a good God in a good cause. Therefore I give not over. You may be sure I will watch all oppertunities to serve New England, & you in particular.

I am with great sincerity & respect yr most reall friend
& faithfull servant,

HEN. ASHHURST.

I doe with the greatest sincerity condole with you for the death of yr excellent brother, who was a true descendant from Romulus, yr renowned grandfather, the founder of Connecticut & my true friend. New England has a losse, & I have a losse. Oh that we could prepare to follow him! I hope you will soone heer of another Governer, w^{ch} may bee yor self. Let none of D. friends se my leters. I had 4 to dine with me to-day. Com^{rs} from the Kirke of Scotland tel mee hee will not be long in his Gouer: thes among others I haue imployed about yo^r busines.

GURDON SALTONSTALL TO WAIT WINTHROP.

N. LOND., Nov. 5th, 1708.

HONB^l S^s, — I reed y^r Hon^{rs}, with y^e enclosed petition to y^e Gen^l Assembly, relating to the action wherein

* This was probably a brother of Peter Sergeant, who is several times mentioned by Ashurst as cousin, and who did not die until Feb. 8, 1713-14. — Eds.

y^r farm is concerned at the suit of this town, while I was at N. Haven. The petition was considered at both Houses; y^e Judge of our County Court certified y^t y^r was no judgment entred in y^t case, nor could be till next sessions, in June, 1709, by w^e time it was thought y^r Hon^r would have time to inspect that affair. This was all y^t was done in it, or w^e I could get done at N. Haven. For y^e new plantation above Plainfield, y^r is nothing more done than when you were here. I believe they will urge hard for a pattent; and I could wish y^r Hon^r had settled that affair at our last Gen^l Assembly. There will be great objection if a pattent be denied; but I shall endeavour, so far as I may be concernd in it, that no wrong be done to any, & particularly none to y^r Hon^r. As for N. London case, I could wish to see y^r Hon^r here, & that you would let the contenders understand how y^t money yy pretend to has been drawn from you. I am as much a stranger to y^r counsell & managem^t in y^t affair as y^r Hon^r is. I am well satisfied y^t neither y^r Hon^r nor Gov^r Winthrop's estate ought to answer for a quarter so much money as they have recovered, if all y^t ever you recd were still in y^r hands. I am heartily sorry for the noise this action makes; and if I had known the least of it, before commenc'd, they should have had my counsell agt such a project. I have, S^r, you know, my self been too much concerned in y^t action ever to be a judge in it. And therefore as I am not otherwise ingaged, so am free to be retain'd on y^r Hon^{rs} side, if there be occasion; and I have a great deall more reason for it, on one account especially; for I think, if y^r Hon^r does not find a way for mee to have y^e just recompence of my labour in recovering the whole money, w^e they pretend to (& w^e was all along promised mee by Gov^r Winthrop, & now when he was last at Boston, by lett^r und^r his hand, upon my sending to him my acct^s of time & charge in y^t service), I shall certainly loose it. If I should loose it, I dare

assure y^r Hon^r it shall be no fault of mine ; which is one reason of my mentioning it now to y^r Hon^r, who know, as well as any man, that the trouble of saving that money was mine, tho y^e profit was y^e Gov^r's, and that therefore I ought to be satisfied for it. I believe your Hon^r will easily put an end to y^t case & controversy upon y^r coming hither, which I hope will be speedily. I am, Honb^l S^r, with a very sincere regard,

Yr very humble serv^t, G. SALTONSTALL.

The post is too much in hast for me to write to M^r Winthrop, y^r son. I ask y^r Hon^r to give him my service & thanks for his lett^r. I shall observe the contents, & give order y^t y^e negro come by y^e first.

GURDON SALTONSTALL TO WAIT WINTHROP.

For the Honb^l Wait Winthrop, Esq^r.

N. LOND., Nov. 26th, 1708.

HONB^l S^r, — I should be heartily glad if the season would permitt y^r journey hither, as you mention in y^r lett^r of y^e 13th curreant, when I doubt not y^r Hon^r might soon put an end to the action commenced by this town for y^e recovery of their money (as they call it) given by M^r Liveen to y^e ministry of this town. But at present it's likely to make more trouble. I told y^r Hon^r formerly, y^t Cap^t Witherell informd y^e Gen^l Assembly that judgment was not entred agt you, living out of y^e Colony, nor could be entred, till y^e next session of y^t court y^t had y^e action. But, a few days since, he came to mee to confess he was mistaken, and pleads y^t he was not judge in y^t case, but took his information from Cap^t Ely, who was judge in it. The agents for y^e town, as Cap^t Witherell informs mee, press the Clerk for an execution, & threaten to sue him if he will not grant it. Cap^t Witherell desires my advice.

I could not but find fault wth y^e Court for entring judgment. If y^e action was commenc'd agt y^r Hon^r (for as yet I have never seen y^e originall writt), and tho' according to practice here, execution cant be denied when demanded, after judgment, I gave my advice ag^t the execution. I know not what service it will do; and cant but observe to y^r Hon^r that there is such a temper at y^e head of this management as renders it very unlikely that they will have any regard to my advice, which never has been, by the town or their agents, so much as once desired. I believe one reason of it is bec. they think they should not very well like it, if it were given. And for my part, if I hant as mean an esteem of it as they y^t decline it, yet I am loth to make it cheaper still, by forcing it upon them; especially considering they may be so fond of their own opinion as not to be brought off from it till they have made the experiment. I do not as yet see reason to conclude y^t y^e town has any action agt y^r Hon^r or any body else for y^e recovering of y^t money, w^e they sue for, and therefore cannot but esteem the process voidable. For this reason, among others, I gave advice to Cap^t Witherell about y^e execution as above; but that is a reason w^e y^r Hon^r must conclude will never take wth the plaintiffs. A lett^r from y^r Hon^r to Cap^t Witherell, & perhaps to y^e town, might possibly abate their vigour. For my own part I should be willing to serve you in this affair, & shall as opportunity presents; but I meet with y^e common fortune of almost all concerned for y^e publike. And tho I did, at y^e town's desire, recover y^e money for them, after they had tried themselves in vain; yet my very doing this has, I think, made them jealous of so much as asking my opinion upon their present attempt to possess themselves of it; principally, to keep themselves at a greater distance (for ought I can see) from being concerned in the satisfaction y^t has been engaged & ought to be made mee. I thought it proper

to let y^r Hon^r understand thus much, that you may not expect I should have a greater influence in this affaire than is likely. For the other of Quinibaug, I wish y^r Hon^r had moved it effectually at y^e last Gen^l Court. I believe there will be hard urging for a patent. Patents have been in some former times so easily obtained y^t it will be thought a hardship to delay it in this case. I shall be very unwilling that y^r Hon^r should suffer y^e least wrong by any concern that I have in that affair, and will carefully avoid it. I did defere a patent till y^e last Gen^l Assembly, at y^e motion of Plainfield select men; but yy neglected to prosecute their caution there; and as I am well satisfied y^e Gen^l Assembly never imagined their graunt of a township in y^t part of y^e Government would be any prejudice to y^r right, so I shall, in the best method I can, take care that it prove not so in y^e issue.

I am, y^r Hon^{rs} very humble serv^t,

G. SALTONSTALL.

There is no opportunity to send Lillee, & I doubt y^r will be none this winter. Capt. Livingstone is not yet returned from N. York.

WAIT WINTHROP TO SIR HENRY ASHURST.*

MARCH 22^d, 1708.

HON^{BLE} S^r, — I wrote you by the last shipp, but had then scarce time to looke over your letter by S^r Charles Hobby, w^{ch} came to hand just as I was sending mine away, and could only obserue to you the rec^t of it; and though it be severall months since the Lord Lovelace arrived at N. York, yet I had not the originall you hinted to be sent by him untill a few days since, in which was the sermon you ware pleased to favour me with, w^{ch} I read with a

* This letter is printed from the writer's original rough draft. — Eds.

sincere simpathy with you in so great a losse (which I hartily condole), as also with an inward sattisfaction in the choyce character there giuen of so noble and excellent a lady.* And because you know where tis said, Not many noble, &c., give me leave to remind you what cause you haue to rejoyce in the salvation of God, that he has chosen her to be one of that Not many; and doubtless it has been and will be a comforting consideration to you that you shall at length meet her again in a better place. I pray God we may be all likewise ready.

As to other concernes you write about, I am in the first place thankfully to acknowledg your great kindness yet continued for me, and can only wish I wear able to return a sutable resentment of it, which if that matter be accomplished, I may be in a better capacity to performe; in the mean time I must refer you to what I wrote this time twelue month as to that affair, and hope you will beleive me to be the same man you haue supposed me formerly. Though I dare not pretend to com within any degrees of y^e perfection of y^e great examples you haue sometimes been pleased to name to me, I hope and pray y^t God will never leade me into the temptation of apostacy for any worldly interest whatsoever. If I had taken the method som others haue don, instead of spending a considerable estate to serue my country I might haue gotten many thousands. I beleiue, as you say, that no stone has been left unturned, &c., and you haue a right apprehension therof in what you expresse as to that of the petition. You had, as I remember, in my former letters what I could say about it, which I think was suffitient for my selfe; I cannot answare for others. I could not haue thought what I dayly see som men do in severall respects. I am wholly ignorant as to the affairs of Conecticott since my brother left them, but hope thay will do what thay ought. I haue not been mistaken hitherto in any that

* The reference is to the recent death of Lady Ashurst, wife of Sir Henry Ashurst.—EDS.

have left the ministry for other preferment. I haue not seen or heard of the bill of exchang you mention, or know who it is charged upon ; but the persons you recomēd to me to help to pay it, tho thay may be more able, yet I beleue will be much more unwilling to advance any thing towards it then myselfe ; and for others I know not where to find them, unless there were an alteration ; then it may be som would fall in. However, I should be loath your bill should not be honoured tho' I borrow the mony for it, being ashured you would not let me suffer by it ; but if the affair you haue been pleased to propose be accomplished, that matter will be easy. But I must tell you that som here that you haue made acquainted with that affair (who haue been and I beleue are my good freinds in other respects) are, I doubt, still desining another interest, which thay be as much deseived in as formerly, and will not take here according to their expectation ; most people, tho' desirous of a chang, seming to be satisfied that it has not happened as som here did expect. I am afraid you are mistaken in som you think your good freinds, who haue spoken very slightly of the interest you haue there to do any considerable thing for us, and tho', as you say, the earth must help the woman, yet the man may be left with his faults still. In a former letter I desired your or any of your freinds recomendation of me to the Lord Lovelace, which may be a kindness to me if I should haue oportunity to see him. I also prayed you would let me know whether your last bill of exchang charged on my brother, which I paid to M^r Tayler, were not wholly on the acc^t of M^r Leveen's business for defending that, because Maj^r Palmes did not complaine of my brother in the other cause of administration last time he was in England, but of the Gover^{mt} for not granting him administration according to the order of the Queen in Councill, w^{ch} my brother did not hinder them in ; and yet those concerned in that mony of M^r Leveen's will not allow me

for that bill of exchange, so that I have paid it in my own wrong, unless you please to clear it up for me, which I desire you would do by the first opportunity. The former bill of exchange some years since of sixty eight pounds, which I also paid to M^{rs} Broomfield and Burroughs, was only on the account of Leveen's business when Hallam was in England, there being nothing about M^r Palmes' administration on foot than this last bill, being here the same sum, I judge was all on the same account. What you hint to me about exposing your letters you need not fear my doing it to any, much less to those you mention, and hope you will use the same caution as to mine where it may be inconvenient. I am, with greatest sincerity, &c.,

Yours, &c.

WILLIAM WILLIAMS TO JOHN WINTHROP.*

NEW LONDON, April 7th, 1709.

SIR,—I remember my promise to write to you from hence, but you'll be surpriz'd to find my letter of so late a date here, if you computed for us as we did for ourselves, till I tell you of our hindrances by the weather, &c. Tuesday, when we parted from you, we reached Seaconck; from thence to Updicks on Wednesday. Thursday it snow'd and rain'd till 2 or 3 of the clock, P. M. Friday we reach'd Stonington; were kept there on Saturday

* This letter and the one which immediately follows were addressed to Wait Winthrop's son; but as they relate mainly to the movements of the father and to the differences between him and Livingston, it has been thought best to insert them here. Rev. William Williams, of Hatfield, was one of the best known clergymen of his time in New England, and many of his sermons are in print. Jonathan Edwards speaks of him as a man of uncommon ability and distinguished learning. See Sibley's *Harvard Graduates*, vol. iii. p. 263. He was a particular friend of the Winthrop family, and accompanied Wait Winthrop on this journey to New York, whither the latter went partly on public business, and partly to arrange some complicated matters connected with the settlement of his brother's estate. The "Cap^t Livingston" mentioned was John Livingston, Fitz-John Winthrop's son-in-law. For a biographical notice and letters from him, see *6 Mass. Hist. Coll.* vol. iii. pp. 263, 297, 321 n. — Eds.

by a N. E. storm. We kept Sabbath there, where my service was possibly acceptable to the people, M^r Noyes being absent. Monday being fair weather, we set out for N. London; stop'd at Ashby's, where we din'd. Honest Anthony made us a thousand cringes, was exceeding glad to see his good landlord, and the more for that Cap^t Levingstone had taken the opp^t of a special court, call'd by some other psons here in the Colony design^d to sue him and I can't tell who others of the tenants. I hope the Maj^r Gen^l's being here so seasonably may prevent it. The Court was to have sat on Tuesday; but the countrey justices were neglecting to come, that the Court was not open'd & jewry empanel'd till just night, and then soon adjourn'd till Thursday morning, 8 of the clock, it being publ. fast on Wednesday. Cap^t L. had got M^r Reed for his lawyer. On Tuesday Gov^r Saltonstal, M^r Leverett, & M^r Reed were endeav'g to bring the Maj^r Gen^l & Cap^t L. to a good agreem^t, but the matter was not effected. They were further concocting it the last night, and 'twas hop'd it would be effectuell. The Maj^r Gen^l went to see Madam Winthrop & M^{rs} Levingst^a. M^r Leverett was drawing up some further articles that were to be proposed & discoursed this morning, which I hope Cap^t L. will be so wise as to comply with, tho' all the world here, as they say, think he has right on his side and a sufficient title to what he claims by vertue of Gov^r Winthrop's will, because they understand no better.

We are designing onward this morning. The gentlemen would fain have gone over to the Island, but there is no boat can be had to carry us and o^f eleven horses. Maj^r Winthrop has had his health well, saving somew^t troubled with his pain in his temple; and we are all, thro' Divine favour, in comfortable health, have had good entertainm^t. But 'tis time for me now to think of Seneca's rule that the epistle sh^d not *manum legentis implere*, and I fear I have transgress'd it already; therefore

conclude with my humble service to y^rself and Mad^m Winthrop, and all good friends y^t enq^{re} of o^r welfare.

I am, S^r, y^r very humble serv^t,

W^m WILLIAMS.

Please to give my humble duty to his Excell^{cy}. Pray pardon my hasty writinge.

WILLIAM WILLIAMS TO JOHN WINTHROP.

To M^r John Winthrop, in Boston.

N. YORK, April 25th, 1709.

S^a, — I take this opp^{ty}, w^{ch} is the last I shall have from this city, humbly to thank you for y^{rs} of the 11th ins^t, and to ask your pardon that I troubled you last week to pay for a bare superscriptⁿ of a lett^r. Shall now, by Maj^r Winthrop's leave, inclose this in the pacq^t to his Excell^{cy}, and, as you have intimated to me, give you a particul^r but short acc^t of o^r journey, which I had not a minute's time to do when I wrote my last. The last acc^t bro't us to N. London, and I think I acquainted you of the fast w^{ch} hindred us of travelling (Apr. 5th). Thursday morning Maj^r Winthrop & y^e gentⁿ & M^r Levingstⁿ conferr'd together about an agreem^t; M^r L. was very placid and handsom. There were such articles drawn up w^{ch} both sign'd, and all papers and instrum^{ts} referring thereto to be p^rfect^d at Maj^r Winthrop's return from hence. Aft^r that, o^r horses were got ready; and as we were mounting, Cap^t Prentice's boat, which was large and sufficient to carry us all over to L. Island, came up y^e river; whereupon the gentⁿ tho't best, and were advised by every body, to tarry till next morning for a north^{ly} wind, w^{ch} thay usually have there at that season of the year, and so sh^d redeem o^r lost time by y^e much better travelling upon y^e island; so our horses were put out. That night Cap^t L. treated y^e whole comp^{ny}, Gov. Saltonst^l, M^r Adams,

&c., with a handsome supper. Next morning, y^e wind failing, were forc'd to stand along upon the main; reach'd Guildford that day. Satturday came to Milford, where we kept Sabbath, where I preach'd one part of the day for M^r Andrew. Monday, y^e poor people came flocking to Maj^r W. at o^r lodgings like y^e poor cripples to y^e Pool of Bethesda, that 'twas pretty late before we sat out, and had Stratford ferry to pass, yet reach'd Fairfield little after 12, where we din'd. Twas pretty late when we rose from table, and there not being any lodging and entertainm^t further on so convenient for o^rselves and horses, 'twas concluded to tarry that night. Next day we reach'd Rye; Wednesday came to N. York between 7 & 8 in y^e evening.

S^r, I ask y^r pardon for this scribble; 'tis like Campbell continuing the journall of the siege of L'Isle lett^r wⁿ we have heard y^e city is taken. I think I intimated to you in my last * that, the gentⁿ having obtained liberty, I preach'd at French ch^h in y^e afternoon last Lord's day, having in the forenoon heard M^r Veazy; went to ch^h aft^r service was over, entertained us with a very good sermon. Last week Dom Du Bois, y^e Dutch minist^r, asked me to preach for him (for most of his Dutch congregation understand English); so in y^e forenoon we went to see M^r Du Bois preach. In the afternoon the ch^h was full as it could hold (as we say) of English, French, & Dutch, to hear a young Presbyterian preacher; what their resentm^{ts} were I cant tell, but hope they remember something of what they heard.

The people here have been very free and generous. L^d Lovelace, L^d Cornbury, M^r Mayor Wilson, Cap^t Provoost, Cap^t Theobald, the Dutch Dom^{ie}, haue treated us very generously, besides Col. Redknap, M^r Glencross, M^r Wendall, &c. My L^d Lovelace continues very much indisposed, w^{ch} has much retarded the affair of the gentⁿ

* The intermediate letter is missing. — EDS.

commiss^{rs}, but they are designing to set out to-morrow (*Deo aspirante*). I shall be very glad to go by N. London to wait upon Maj^r Winthrop, who has been very free and friendly and generous to me, and whom I shall always honour and his family. I never haue receiv'd y^e letter w^{ch} you acq^t me, in y^{rs} of y^e 11th, y^t you had wrote y^e post before; must be patient of my misfortune; hope to meet with one from you by the next post on the road. Must only add my humble service to Mad^m Winthrop & Mad^m Anne, and everybody so friendly as to enq^{re} concern^e me, and am, S^r,

Y^r most oblidged humble serv^t,

W^m. WILLIAMS.

P. S. S^r, please to give my humble duty to his Excell^{cy}. Sh^d have said before, M^r Andrew and M^r Pierpont give their humble service to him. M^r Buckingham of Seabrook was buried y^t week we came to N. London. M^r Jeffries and Prescott offer their humble service to you, y^r lady, & M^{rs} Anne. Pray M^{rs} Winthrop to kiss her little bird for me.

Id^m qui prid. W. W.

JOHN WINTHROP TO WAIT WINTHROP.

*The Honourable Maj^r Gen^l Wait Winthrop, Esq^r, att New York.
If come away, to be returned.*

[MAY, 1709.]

HON^{ABLE} S^r, — I writt to you by y^e last post, w^{ch} I hope met you on y^e roade. Since y^t here is y^e Dragon frigott from England in 7 weekes passage, who brings Coll. Nicollson, y^e late Gov^r of Virginia, hither, and Coll. Veach, with 20 officers more, upon an expedition to reduce Canady.* Veach is Adjutant Generall, Coll. Nicollson is only a volunteer in this unexpected expedition, w^{ch} is a mis-

* The Dragon arrived at Nantasket, April 29, 1709. See Sewall's diary in 5 Mass. Hist. Coll. vol. vi. p. 254. — Eds.

tery to every body. There is certainly more in y^e wind yⁿ wee yet know of. Y^e ship has brought all sorts of warlike stores for y^e people y^t are to be raised in these provinces; y^e officers are all N. Brittans. They say there was an other frigott to saile 10 dayes after this, for fear of miscarriage, & a fortnight after that 8 saile of men of warr, & tenders, &c. Y^e fleet amounts to 40 saile, bringing 3,000 land-souldiers, &c., to be under Brigadeer Mackartney as Command^r in cheife. Cap^t Collwell, who married y^e Lady Bellomont, to be y^e flagg-ship; they are every day expected. Coll. Nicollson askt after you severall times. He tells me M^r Higginson* dy'd a very poor man in England last Novemb^r, a month before his father, & left 90 thousand pounds in money; so there's an end of M^r I. & C. M.'s designes about him, w^{ch} I understand y^e last fleet was full of. M^r I. & C. M. wth M^r Bridge din'd at y^or house y^e last Thursday. Will Wharton is also dead. M^r Walker's son is come passenger, but no letters, nor them things o^r kinsman Read writt about. M^r Vaughn, y^e agent of N. Hampshire, is returned, and has finished his business about New Hampshire. He was to see me on Saturday, and told me he had bad newes for me; y^t y^e Duke Hambleton was sending an attorney over in y^e fleet to demand his pretensions to o^r estate in perticuler. M^r Belcher, M^r Dyer's son, M^r Walley, & M^r Bill, who is to have Coll. Alford's kinswoman, are come passengers; but I heare no newes of y^e old Bolt, who carried my small venter, nor no letters for you from anybody. M^r Belcher & severall others have brought new cloathes for themselves. S^r Charles Hobby & M^r Nellson are listed volunteers in y^e expedition. This frigott was designed to N. York wⁿ they came out, and was sent over to wait on Coll. Veach; but y^e N. England passengers perswaded to put in here

* Nathaniel Higginson, a son of Rev. John Higginson, afterward Governor of Fort St. George, Madras, died in London, of small-pox, November, 1708. See Savage's Gen. Dict. vol. ii. p. 414. Judge Sewall and others had been desirous of his appointment as Governor of Massachusetts. — Eds.

as y^e center of business. They sent posts away immediately upon y^r arrivall to y^e severall Governments. Coll. Nicollson, Veach, and most of y^e officers are this day gon to Hampton; but no mortall knows y^e meening of it. They go no farther, but returne on Thursday. Munday next they design to New London, and then to N. York, and then hither againe. The sooner you conclude y^{or} business there y^e better, for I know not what bad counsells may be given in a day or two. What y^e issue of these great & unexpected things will be God only knows, or if they may end in peace & quiet to this poor country, and advantage to us in p^rticuler. It will be safe sending anything by y^e coasters, & y^e sooner everything is sent y^e better. Y^e God of heaven keep you in y^{or} absence, and give us occasion of publick rejoycing on y^{or} account.

Y^{or} Hono^{rs} dutifull son & humble serv^t, J. W.

This goes inclosed to M^r Adams, least you should not be there yet. I shall be glad to know wether you receiv'd my letter by y^e last post, & this. Yo^r letters will come sooner & safer if they are directed to my mother or me. My service to M^r Williams; I hope he will not leave you till yo^r business is over. I am in such hast y^t I must be excused writing to him by this conveyance. Coll. Nicollson put 5 guineas into y^e contribution at y^r church last Lord's day, M^r Belcher one into o^{rs}. M^r Russell, of Charlestowne,* was buryed last Saturday. Campbell prints no more newes.

JOHN WINTHROP TO WAIT WINTHROP.

To the Hon^{ble} Maj^r Gener^l Wait Winthrop, Esq^r, att New London.

[BOSTON], May y^e 18th, 1709.

HONR^{BLE} S^r, — I haue yo^r letter by M^r Leverett, and am glad you are well return'd from N. York; hope yo^r stay

* Hon. James Russell, of Charlestown, died April 28, 1709. See Savage's Gen. Dict. vol. iii. p. 590. — Eds.

at Hartford will be short, and this meet you at N. London. Y^e last letter I sent to New York was return'd by reason of yo^r being come away, and I had no opportunity to salute you at Hartford. The great God keep you in yo^r absence, give a happy issue in yo^r affairs, and returne you safe to us againe. I writt you by y^e last post, and enclosed it to M^r Adams; then gave you an account of y^e arrivall of y^e frigott from England, &c. Since y^t we hear of y^e melancholy news of y^e Lord Lovelace's death. It is very unhappy for y^e poor gentleman to bury himselfe & son so soone after his coming. Y^e last print we have had gave us his speech to y^e Assembly, w^{ch} is generous & brave; it raised y^e expectation of everybody y^t he would have been a patron to all good men and y^e best interests, but Death has put his period. *Sic voluit sapiens superi regnator Olympi.* M^r Bridge was wth me t'other day, and told me he had writt to a gentleman in y^e Jerseys to wait on you wth some samples of minerals, w^{ch} he says is of value. I have taken a reem of Corporation paper, w^{ch} proves but badly. M^r Dennis has left about 17£ wth me for you from Yeomans. Domestick news is of such variety y^t I know not where to begin. S^r Charles is reconcil'd to y^e Gov^r, and is going one of y^e Coll^s to Canady. M^{rs} Russell of Charlestowne is also dead, & M^r Spencer, y^e gunsmith. M^r Loyd has buryed an other of his children. My uncle Browne lodged at o^r house last week. Here is a pamphlet lately come from England, y^e title I have inclosed, wth Coll. Vetch's proclamation. Coll. Nicollson bid me present his service to you w^h he learnt you were out of towne. Cap^t Belcher has been very ill, but is something better. It is sickly in towne; yo^r man Ben has had a bad feavour, but is getting up againe, & his brother y^t lived wth Belknap y^e joiner is dead. M^r Sergeant is gott into his old-new house, and M^r Stoddard is to be marry'd next week. Sam Browne's wife has brought him an other son. O^r poor baby has gott a bad cough, and my mother

has been ill wth a cold, but is pretty well againe. We hear y^t M^r L. [Livingston] is going to Canady; it is best to finish wth him before he goes. W^t you have to send will be best to come by y^e first sloop. O^f maide is gon home, and we have no body, nor can't get help for mony. I hope you will not forgett the things y^t are mention'd in y^e little paper I gave you; M^r Coe will put them on board any vessel y^t is bound hither. It will be safe sending by reason of y^e man of war sloop, gally & friggott's being out; one of y^e fishing vessels has brought in a prize. Y^e Gov^r came home from Piscataqua yesterday. M^r Campbell's not printing his news now makes me thus perticuler & tedious. My service to Coll. Alford, M^r Adams, &c.; and bless me also, oh my father!

Yo^r most obedient son,

J. W.

Capt. Sewall went to keep Court this day at Ipswich. The Rhoad Islanders has play'd a fine trick about y^e Narraganset lands. I have a letter directed to you & M^r Levrett from M^r Adolph Philips, at N. York, wth is to informe you of y^e Lord Lovelace's death, & to acquaint you he intends to spend y^e mony you left wth him wth their Leift. Gov^r comes to towne, and he says by that time Coll. Nicollson & Vetch will be there, whome he shall ask to y^e spending of it.

WAIT WINTHROP TO HIS SON JOHN.

For M^r John Winthrop, in Boston.

NEW LONDON, June 2^d, 1709.

MY DEAR SON, — I haue had all the letters you mention; am glad to hear you are all well, and that God has preserved you all in the sickly time we hear has been at Boston. I pray he may still continue his preservations and blessings on you all. I shall do what I can to get every thing right here; it's strang there is no letters from

S^r H. M^r Christophers and Saxton's new brigantine and a new sloop who went hence for the West Indies above a week since are taken by a privateer, who has taken thirteen in all between Virginia and this. They haue carried M^r Christophers' son and Prentis, who were the masters, and som others away, and put the rest with Peter Christophers in the boat out of sight of land, who is got hither two days since; thay say thre or fower more from Martineco were bound on this coast. Reccommend me sutably to every body. I hear nothing from your sister nor little Mary. I pray God to bless and keep you all.

Your loving father,

W. WINTHROP.

SIR HENRY ASHURST TO THE GOVERNOR AND COUNCIL
OF CONNECTICUT.

*To the Hon^{ble} Garden Saltingstall, Govr, and to y^e Deputy Govr and
Councill of Connecticott Colony.*

LONDON, 24th June, 709.

GENTLEMEN & HONND S^{NS},—Yors of y^e 20 of Jan^{ry} came lately to my hand, being y^e first lettr y^t I have rec^d from you since y^e death of yor worthy Govr Winthrop; and seeing a copy from New England of a funerall sermon preached upon y^e occasion of his death, y^t I may doe honr to his memory, I have printed at my own charg, and have written an epistle dedicatory to it, directed to my Lady Russell, mothr to y^e present Duke of Bedford, to y^e Dutches of Devonshire, and to Marchionesse of Granby, to whom I have presented this sermon, and doe by this conveyance send one to y^e Govr & Deputy Govr and to y^e Conncell.* I send twenty of them.

* The reference is to Cotton Mather's sermon at the funeral of Fitz-John Winthrop. A copy of the London reprint is in the library of the Historical Society. In his dedication to Lady Rachel Russell, Sir Henry Ashurst describes the late Governor as "an honourable person . . . who filled up that place with great reputation to himself, and honour to his country, and loyalty to our most gracious Queen . . . at a time when a design was formed by a neighbour Governour, with great art and cunning, to destroy their most valuable

I am very glad you have mine of y^e 25 of Aug. by my Lord Lovelace.* I hope he will carry it wth all kindness & respect to you; if he doth otherwise, I desire to be inform'd. I advised you to present him wth something w^{ch} I think it much yor intrest to do; if you will follow my advice, I hope while I live to keep you safe and easie, wth y^e blessing of y^e great God upon my endeavr; and desire you wou'd recomend me to yor severall ministrs y^t I may have their prayrs, not for ostentation, but y^t I may succeed in my endeavr in yor service. Y^e second designe upon yor liberties by setting up yor Indian prince I hope I have at present stop'd; but if I am labouring to preserve you and you will give up yor own liberties, none will pittty you; and if you will not thro a little ovr board to preserve y^e whole cargoe, you are very unwise. I am strangly surpris'd when you are at 6,000^{lb} charge to support yorselve against y^e Indians and French; is this charge necessary for yor preservation, and did you do it wth yor own consent? for by yor chartr you have powr of yor own militia, and you are not to march out of yor own country without y^r own consent. Yet I would have you carry it wth all dutyfull respect to yor Queen, who is so gracious y^t she wou'd have all her subjects in y^e most remote parts of her dominions easie and happy; but if you give up yor Chartr previlidges, yor children will have cause to curse you. And while I am speaking this, I cannot forbear putting you in mind y^t you do not considr how much y^e state of things are alter'd from yor first settlement; and if you value yor Chartr you must make yor Governm^t bear a greatr figure yⁿ hee doth. You cannot

priviledges, granted by our most gracious Queen's royal predecessor, King Charles the Second," and who "was instrumental, not long before his death, to rescue them from utmost ruin." — Eds.

* The letter here referred to is not among the Winthrop Papers; but a letter to Wait Winthrop, dated August 24, 1708, was sent by the same hand. Lord Lovelace was appointed Governor of New York in March, 1708, but did not arrive until December. He died May 6, 1709, having filled the office less than five months. See N Y. Col. Docs. vol. v pp. 33, 67, 80. — Eds.

give yor Govr less than 200^{lb} ^ꝛ anñum and yor Leiftenant Govr 100^{lb}, and you must give persons incouragment to leave there private affaires to attend y^e publicke. I think this advice absolutely necessary to yor being a Chartr Governm^t. I will assure you I nevr had y^e least hint of this matt^r from yor present worthy Govr., but out of pure conscience and duty I give you this advice. As to y^e payment of my bills you cannot possibly believe y^t I would give my self so much trouble in my declining age, and be at charge for 100^{lb} a year, but y^t I take pleasure in y^e worke in serving so great a numbr of Protestants, and do hope you will take care y^t my bills drawn on you be punctually comply'd wth. I have deliverd myself yor lettr to y^e Lords of y^e Trade and also y^t to y^e Comitirs of y^e Costome. You were short in both yor lettrs, not to tell y^e Lords of y^e Trade in yor two lettrs to y^m and y^t to y^e Comitirs of y^e Customs y^t I did you y^e honr to be yor publicke agent; and if they had any complaints by any persons against yor Governm^t I was ready to make answns to y^m. While I waited on y^e Comitirs of y^e Customs, they told me they had reēd a lettr from Coll. Quarry complaining much of you; and they were so sincer to me to ord^r one of y^e Comitirs to waite on me wth Coll. Quarry's lettr of complaint, who allow'd me to transcribe it, and I here inclose it to you. I told y^m y^t you being a charter govrment had many enimies, and I pray'd them that you might not be condemned unhear'd, and I assur'd them I would give you notice what this Coll. Quarry said against you, and I did not doubt but you would give mee a satisfactory answr, w^{ch} I pray do. I have sent you both his lettrs at large transcribed,* because I did not know but what he said of othr places might be of advantage to you. And now, Gentlemen, I shall give my thoughts about y^e paprs sent to me in relation to yor

* One of the two letters here referred to was probably the report on the trade of the Colonies, printed in 2 Proceedings, vol. iv. pp. 149-155. The other letter has not been found. — Eds.

boundaries wth y^e Massicusetts. I have bin at all y^e offices, and I did not finde y^t there is y^e least word from D. about it, and therefore I did not think fitt to stirr in it untill he is remov'd; because if I did y^e Councell wou'd, I am sure, do nothing untill they had sent to Govr. Dudley for his opinion. You have sent me some tooles to work with, and when there is occasion I will serve you to y^e best of my skill. I have nothing more to add, but once againe to tell you y^e Cannanite is in y^e land & watches for yor halting. If you act wthin y^e compasse of y^e Chartr, and y^e enemy have nothing to say to you but only in y^e matt^r of yor God, I hope I shall have courage and intrest to support you. What relates to my Lord Lovelace and M^r Cockerill I referr you to my fornr lettrs. I am with much respect and sincerity, Gentlemen and much hon'd S^{rs},

Yor faithfull and affect. serv^t,

HEN. ASHHURST.

Let not Quarry know I sent you both his lettrs, but only what relates to his complaints against you.

To y^e Hon^{ble} Goarden Saltingstall Govr and to y^e Deputy Gov^r and Councell of Connecticutt Colony.

SIR HENRY ASHURST TO GURDON SALTONSTALL.*

To y^e Hon^{ble} Gordon Saltonstall, Esqr, Govr of Conecticott Colony.

LOND., June 27, 1709.

MUCH HON^{ble} S^r, — I had yrs of 21 Feb., 28 Feb. 1708, 30 of Sept., 16th March, all to be for me to returne answws to, besides that of 28 Jan. from the Councill, unto which I have written a large answer, and sent it by this conveyance by my Ld Lovelace. I hope my letter to y^e Councill

* There are two copies of this letter in the Winthrop Papers, with slight variations. They were probably made from a rough draft not easily deciphered, and were sent by different ships. See *post*, p. 198. — Eds.

will be satisfactory to you. And now what concerns yourself; I immediately sent yrs inclos'd to M^r Horsey, which was delive'd by my servant into his own hands. In answer to yrs of 21 of Feb., I am glad that what I have done in yr service meets with yr approbation. I have serv'd you with all my heart. As to y^e particulars about y^e boundaries, they are come safe to my hands. In my letter to you & the Councill I give you my reasons why I think not fit to stirr in it at present. As to Quarry, you will perceive, by the letter I sent to y^e Councill, the malice of y^e man. He is one of D.'s creatures, and he setts him on. Besides, he is in his own temper a hater of religion. I came with y^e Governm^ts letter very oppertunely to hinder the Com̄issr's representing you to y^e Queen & Councill, which might have occasion'd you new vexations. I did acquaint the Com̄issrs of y^e Customes that you only desir'd to see his com̄ission by which he was impower'd to make officers; but they refused it. This I omitted to write in y^e generall letter, because they said nothing to me about it; but only in yr particular letter to me. You are in the right. My Lord Treasurer should grant comitions, but he hath by warrant authoriz'd the Com̄issrs of y^e Customes to doe it; but I don't finde that y^e Com̄issrs have given any such comission. I shall inclose in this another letter about yr naval officers, before I seale it up. Yrs of 16th March requires no answer, being a short letter to tell me you had by M^r Holland sent me the roll; which was deliver'd me. Now to yrs of 28 Feb. You need not so much as mention any services I can doe you in yr own particular about yr land, or any thing else in my power. I really esteeme you, and should have more pleasure in serving you than you would have in receiving service from me. I pray let no discouragem^ts suffer you to entertaine a thought of leaving y^e goverum^t God hath call'd you to. By what I have heard there are none to supply yr room. I am sure yr country is undone; if they thinke their libities worth

any thing, they can never answer it to God or their consciences to discourage any in their service. I will be bold to say, you had been in a worse condition than any of her Majesty's plantations, if God had not stirred me up to be an instrument to preserve you; and you will never be safe so long as one man is so near you. As to yr liberties & schooles, I would willingly be a benefactor, when I see a publick spirit amongst you to support yr own liberties, which cannot be taken from you but by cowardice. Those that tell you y^e charge is too great are the persons that would have you give up your liberties, and be slaves to some oppressing gov^{rn} to flay you at their pleasure. I would send M^r Baxter's practicall volumes, which are a whole library of practicall divinity, if they would be acceptable to you. But really Boston University by D.'s managem^t is perverting y^t Colledge, bringing up a strange generation there, that I am not willing to doe any thing untill I see a better spirit among you. I believe M^r Winthrop hath but little influence upon D. But I have told his agents that if he had left Coñecticott alone, I had not endeavor'd his being turn'd out so vigorously; and y^t stopped him. Palmes was instigated by D. When he doth not animate him, he hath nothing to say. I thanke you for yr kind sympathizing with me for y^e losse of my wife. I have writt a short letter to yr Deputy Govr inclos'd with 20 sermons that I sent, which I thought would be a service to you, and ingage these great persons to yr protection; or else I would not have been at the charge of printing it. Besides, it doth honour to y^e memory of yr late Governour. I shall take it kindly if you will ingage y^e ministers of yr severall parishes to pray particularly for me, that I may be supported under my bodily infirmities, and more usefull in yr service, and may be ripening for Heaven; that my children may not forsake the way of y^e worships of their fathers. I am, with much affection and esteem,

Yr reall friend & servant,

H. A.

SIR HENRY ASHURST TO NATHAN GOLD.

To y^e Hon^{re} Nathan Gold, Esq^r, Deputy Govern^r of Connecticut.

LONDON, 27 June, 709.

HONND S^a, — Tho I have not y^e hon^r to know you, yet, understanding you are Deputy Govern^r and I being yor publick agent, I think it my duty to present you wth my affect. service, and perticlarly to recomend w^t I have said in my publick lettr and in my private one to your Governor, haveing said nothing but what I sincerely think is for y^e good of y^e Colony. I have printed a sermon preached at Boston, and printed thereat at y^e funerall of yor late Govern^r I have added a preface to it, and I present you wth one inclos'd. I thought it for y^e service of yo^r country so to do. I am, with respect,

Yor affect. friend and serv^t,

HEN. ASHHURST.

GURDON SALTONSTALL TO WAIT WINTHROP.

N. LOND., Sept. 5, 1709.

HON^{BT} S^a, — I find our select men are at last disposed to come to a ballance of accounts with mee, so that I shall have occasion for the recpts of money in yr hands. I therefore desire y^e favour only of a copy of that of 25^{lb} with 8^{lb} to M^r Coite indorsed. They tell me they have in their accounts wth yr Hon^r allowed you the whole three years interest of M^r Liveen's money, as paid to mee, which is 4^{lb} more than I recd, and w^e I shall consider in making up my accounts with them; but I think if they have allowed y^e whole to yr Hon^r, I ought to have the receipt up which I gave yr Hon^{rs} broth^r, Gov^r Winthrop, and pray yr Hon^r to inclose it by the post, when he returns next; for I would not be unprovided to meet them on so good a design as that of making up their accounts with mee.

We are under y^e greatest sorrow here, for y^e disappointment of the fleet,* but hope you will take sufficient care of Port Royall this fall. I am, wth all possible respect to yr Hon^r & Lady,

Yr very humble serv^t,

G. SALTONSTALL.

SIR HENRY ASHURST TO GURDON SALTONSTALL.

LONDON, Oct. 10, 1709.

HON^{BLE} S^r, — Yrs of 20th Jan. from yr self, Councill, & Assembly, I receiv'd. Yrs of Nov. 21 & 28 Feb. and of 16th March all came safe to my hands. Unto all which by two severall conveyances of 27 June I returned answer, which I hope you have long since receiv'd; and hope what I then said do's not only shew my zeal & faithfullnesse in yr service, but how much I desire y^e prosperity of yr country, and doubt not but you'l observe the wholesome advice I there gave you; for as the Apostle sayes, none can harme you if you be followers of that which is good. So you, if you stand upon y^e foundation of yr Charter, by which you enjoy many priviledges, which all men envy you, and will doe all in their power to deprive you of. But so long as you resolve to support yrselves under it, and avoid faction & parties, and the craft of designing men, you are sure to enjoy, yea, you can't be ruin'd in yr dear priviledges, unless you betray them yrselves. You may thanke yrselves if you are ruin'd; which I don't say it boastingly but humbly, you had effectually been if it had not been for mee. I send this by way of N. York, to acquaint you that there is a very worthy person appointed to be Gov^r there; his name is

* Early in 1709 a plan was formed for the conquest of New France, but in consequence of the failure of the help expected from England the proposed expedition came to naught. In the following year it was renewed, and the whole of Nova Scotia fell into the hands of the English and the Provincial troops. See Palfrey's History of New England, vol. iv. pp. 275-278. — EDS.

Col. Hunter, my particular friend.* I have already recommended you to his kindnesse & the Colony. You'll finde him a good neighbour. You need not feare Col. Quarry. I believe there will be no measures taken to yr prejudice, till I am acquainted with it. I sende you at large his letter of complaint against you to y^e Com̄iss's of y^e Customes, to which in y^e next you will inclose an answer. I doubt not yr justice in paying y^e bills that are drawn on you, and I am

Yr reall friend & servant,

HEN. ASHHURST.

To the Hon^{ble} Gorden Saltingstall, Esq.

SIR HENRY ASHURST TO INCREASE MATHER.†

LONDON, Oct. 10, 1709.

REVEREND S^r, — I have of 24th June written you at large by severall conveyances, unto which I referr you. I send this by way of N. York, to tell you that if I can believe those y^t have power, yr Gov^r has but a short time to reigne. I heare S^r Ch—— H—— is come into his interest. As for his being Generall of y^e Army, when I was told of the design upon Nova Scotia & Quebeck, it was I that mov'd y^t he whom I knew to be a man of courage should be appointed Generall, viz. Wait Winthrop. I take all my measures from you & yr son in reference to N. England, and you may be sure I'll doe all in my power for the good of that country. It is much upon my spirit, what you hinted to me about yr University; and when ever you have a new Gov^r I hope you will use yr endeavors by an Act of yr Assembly to settle y^t University upon so sure a foundation y^t it shall not be in the power of any

* Robert Hunter was appointed Governor of New York and New Jersey in September, 1709; but he did not arrive in New York until June, 1710. See N. Y. Col. Docs. vol. v. pp. 91, 165. — Eds.

† Printed from an original or copy found among the Winthrop Papers. — Eds.

succeeding Gov^r to defeate y^e religious designs of founders & benefactors, but that it may be a nursery of religion & godlinesse. The finishing of this noble work will well become you, as the last act of yr life; and if the Lord spare me my life, I shall make it my businesse to gett it confirm'd here. I intend to reprint yr meditations on Death here; and I have some thoughts of dedicating it to the Queen. I doe not doubt but you will keepe yr integrity, and not by any flatteries or threats come into any interest with M^r D—— against yr country. Here is one M^r Emerson, minister of New Castle in N. England, but has no letters of re^comendation from you or yr son to me; * if he had I would have shown him more respect. He goes about co^mending y^e Gov^r, and is one of those that signed y^e Adresse to the Queen to pray for his continuance. Yr son in my country is not so kind as to come to mee, tho' I have very often invited him.† But I heare he is marryed to a rich widow, and I heartily wish him & you joy. I hope when you are alone you will remember me particularly in yr prayers; and likewise re^comend me & my family to yr congregation. Rev^d & dear Sr, whenever it is in my power to serve you, you may require it with as much freedom as if you were my father. Being with much respect & affection, in all places and at all times, dear Sr,

Yr faithfull friend & servant,

H. A.

To D^r Increase Mather.

* Rev. John Emerson was a son of Rev. John Emerson of Gloucester, and was born May 14, 1670. He graduated at Harvard College in 1689, and preached for a few years at Manchester. In 1704 he was ordained as the first minister in Newcastle, N. H. In 1708 he went to England for the benefit of his health. Subsequently he was for sixteen years minister of the South Church in Portsmouth, N. H. He died June 21, 1732. See Sibley's *Harvard Graduates*, vol. iii. pp. 418-421. — Eds.

† Probably Rev. Samuel Mather, third son of Increase Mather. He was born in 1674, graduated in 1690, and went to England, where he died. Almost nothing is known about him. — Eds.

WAIT WINTHROP TO SAMUEL READE.*

BOSTON IN NEW ENGLAND, Oct: 22^d, 1709

Sⁿ, — I haue yours of 23^d of June last under covert of M^r Samuell Sewall, which he brought to me a few days since, and shewed me your bill of exchange drawn on me for fifty five pounds two shill^{es} sixpence, which I readily accepted, and told him it should haue been drawn upon sight and not at thre months, your mony hauing been by me a great while, and that when he pleased to call for it he should haue it, which he has not yet don. I am sorry it has layn so long here, it was no advantage to me; but the delay has been only for want of oportunity to invest it in somthing that might haue been to your advantage. I advised with those that haue been used to make returns from hence, but could not hear of anything but what there would haue been more losse upon than by bills the way you haue taken, besides the adventure by sending from hence. I received a smale matter of it of Cousin Eps in the runing cash here; the rest was in Province bills, which use to goe equall to peicess of eight of seventeen penny waight for six shillings; but a little before that time the merchants, who govern the vallue of mony and everything elce contrary to our express law here, had forced the mony to pass at fifteen penny waight for six shillings, and would receive it so of the shopkeepers, and that brought everybody to pass it so, which is two penny waight ods in six shillings, and Province bills fell accordingly. All which I was not so well aware of, notwithstanding I had got waighty mony, and intended to ship it for your account on bord the man of warr, Cap^{tn} Kiddle, commander, who lay at Piscataque with the mast ships; but he going in another vessell from hence would

* This letter is printed from a draft indorsed by Wait Winthrop: "Substance of my letter to Cous. Read., Oct., 1709." — Eds.

make all who shiped mony by him stand to the hazard from this place to Piscataque, which I was advised not to do, that hazard being as much at that time as all the rest of the voyage; and finding in your letter that you would send farther about it, which I expected spedily, I was advised not to send untill I heard farther, which was the reason it went not with him. There will be fiue pou[nds] two shill. and six pence at seventeen penny waight for six shilling due to me. I haue not heard from you a considerable while, neither haue I written lately, hauing been at N. L., 120 miles frōm hence, all the last sūmer with my wife and most of my family, my occations there hauing been more then ordinary, the greatest part of my estate being therabout.

WAIT WINTHROP TO GURDON SALTONSTALL.

BOSTON, Jan^y 23^d, 17th 88.

HON^{BLE} S^R, — Yours came not to my hand in time for me to acknowledg it by the last post. As to M^r Leviston, it is not my fault there has not been an agrement.* I declared before the Court of Probate, I was then ready to comply with, and make good on my part, what was then written in the paper in your hands, a cōpy of which taken by M^r Leviston (which is now in my hands), was there shewed. He said he was willing to comply, provided your selfe and M^r Leveret might interpret the sence of it or to that purpose. I found no clause in it that did oblige me beyond what was written, and I knew well what I set my hand to when I did it, though I knew not then what sence your Hon^r and M^r Leveret might haue

* Col. John Livingston had married Mary, daughter of Fitz-John Winthrop, and was one of the executors of his will, with Wait Winthrop, Gurdon Saltonstall, and others. Fitz-John and Wait Winthrop owned a large quantity of real estate in common, and after the decease of the former, disputes arose between his brother and his son-in-law in regard to the settlement of the estate. — Eds.

of it; but I know neither of you can say that I ever offered to dispose of the homstead or neck to him, or any body else. My circumstances are not altogether as they were then, so that I know not whether I am so capable of complying with that writing now as I was then if I were now willing; but however, I am yet willing to com to any reasonable compliance, and that it was not don before was his fault and not mine, and though I would haue made som proposalls if he had seen me again as he promised, yet he could not haue finished with me unless the consent of his wife and mother had been obtayned, which could not be don here. I know not what he would haue; as to the debts, there are none considerable besides what is owing to myselfe, not one hundred pound in all to any body else, and he has one hundred pounds he rec^d of the treasurer, due to my brother, which he has inventoryed, besides one hundred pounds in mony lent him, which I haue his letter to my brother to shew for, besides horses and other things he has disposed of to a considerable value. I am told by one and another of his calling a court to sue the tenants if they were lyable to be sued by him, which I know no law of your Goverment makes them; yet calling such courts is altogether unaccountable, and your Hon^r and the judges know it is directly contrary both to the common laws and statute laws of England. I know no law of your Gov^{mt} that alters the nature of joint tenancy. I think your law allows an ex^r to inventory the estate; and if he dose it not, the townsmen, as I take it, may do the same. I know no power it giues to medle with lands belonging to me or the rents. I beleieve it is highly incumbent upon your Hon^r, as you are Gov^r, as well as the judges, to consider whether the intention of the law for calling spetiall courts be not with respect to strangers in extraordinary cases, and no way intended that any inhabitant should be surprised and taken from the ordinary stated courts and course of the law. I am

certain if som that care not for your Gov^{mt} should haue cause to complaine of any such cours, it would be thought an intollerable greivance on the subject, as it was in England, in old time, when the courts were uncertain untill the statutes made them certain. Every body here knows it is much in your Hon^{rs} power to compose this matter.

GURDON SALTONSTALL TO SIR HENRY ASHURST.*

NEW LONDON, Jan. 30, 170₁⁸.

HON^{BLE} S^r, — Yrs of 25th August, 1708, I answer'd by the mast fleet, which sailed from Piscataqua in March last; and therewith I sent yr Hon^r a memoriall relating to the controversy between this Governm^t and the Massachusetts, about the dividend line between us. Since which I had the favour of another letter from you, of May 18, 1709, directed also to y^e Councill & Generall Assembly. But because you mention in it nothing concerning that memoriall, I conclude y^e mast fleet was not yet arriv'd, as it did soon afterwards; so that I hope y^e pacquett I sent you, including y^t memoriall, came safe to yr hands, as I conclude a duplicate of it did, which I directed to M^r Cockerill, at New York, according to yr Hon^{rs} advice, and which (I conclude) came to you by y^e man-of-war which carryed back my Lady Lovelace, and which arrived safe some time, as I suppose, before the last mast fleet came out from England.

This made it a surprize to me that I should not have any account from yr Hon^r concerning y^t affair of y^e line, which has cost us very much trouble, and which we hoped would without much difficulty have been brought to a speedy issue by an order from her Majesty, for the run-

* Neither this letter nor the letter of the same date which immediately follows is in Saltonstall's handwriting; but each is indorsed "Copy from the Gov^r & Council of Connecticut to S^r Henry Ashurst." The copies were no doubt sent by Governor Saltonstall to Wm Winthrop for his information. — Eds.

ning & stating of it by some skillfull & disinterested artists. I confesse this made me feare y^t yr Hon^r's sicknesse, if not worse & more to be feared by us, was y^e true reason of my not receiving a line from you by that oppertunity; but my feares were suppressed when I consider'd that y^e news of so sad a providence as that (the death of gentleman of so hon^{ble} a figure, and so well known in N. England) must needs have been brought to us by that fleet, had any such thing happen'd; upon w^{ch} I flatter'd myself that some other accident might prevent yr sending us an account of that affair, and that y^e next ships would assure us of yr health & good successe in that concern for this Governm^t; which I still expect & hope for.

The copy of my answer to yr Hon^r's foremention'd letter of 25th Aug. happens at this time to be lodged in the Secretary's office, 50 miles distance from me; so that I cannot exactly tell the severalls contained in it, and I have not time to send for it soon enough to be ready for the mast fleet, which as I am informed intends to saile in a few days.

I recollect as well as I can, and believe yr Hon^r will finde, that I had accepted yr bill of 160^{lbs} N. E. money, payable to Samuell Sewall, Esqr., at Boston; and 20^{lbs} to M^r Noyes, besides y^e exchange. That to M. Noyes (it being to be paid in this Colony) was soon done, and I am very much concern'd that, all y^e paines I have taken, I must tell yr Hon^r that to M^r Sewall is not yet discharg'd, tho the Generall Assembly in May last (which was y^e next after my receipt of it) did readily confirme my acceptance of it; and the treasurer had orders to pay it. But yr Hon^r will consider how hard it is to make money in this country; and more especially the extraordinary occasions of last summer, and the vast charge we were obliged to be at (as y^e brief memoriall herewith annexed will informe yr Honour) I hope will be some excuse for that omission. I am still pressing (in the midst of other

vast payments) to have that bill answer'd, and am not without hope speedily to accomplish it.

Yr Hon^r's other letter of May 18, 1709, giving an account of another bill for 147^{lbs} N. E. money, payable to y^e same gent. (a copy of which I also receiv'd from him at the same time, or soon after), I co^municated to the Generall Assembly in October last, just at y^e time when we were lamenting our great disappointm^t in y^e expedition against Canada (which y^e annex'd memoriall mentions) and were taking care for our broken troops, many of which dyed, and more were dangerously ill. We then could give some guesse at y^e charge that fruitlesse expedition would stand us in, and which still increasing by y^e great numbers of our sick men. Upon which, and considering, moreover, y^t y^e treasurer's accounts of what been paid yr Hon^r since yr agency for us, were then at Hartford, and could not be laid before the Assembly, the Assembly thought in a manner necessary to referr the consideration of that bill of 147^{lbs} to their next sessions, which will be at Hartford in May next; when I shall not faile to press them upon that head.

I cannot but upon this occasion call to minde (what you had oftentimes given us reason to conclude) that your generous undertaking to improve yr intrest at Court to the advantage & benefit of this poor Colony, was chiefly owing to yr own vertuous inclination to doe good (which we must alwayes mention with honour), and not to any prospect you could have of other gain; and tho I am very far from thinking that this should excuse us from any retribution within the compasse of our ability, yet I have y^e satisfaction from thence to believe that yr Hon^r will y^e more easily dispence with our not so speedily answering what you might expect, in y^e foremention'd letters w^{ch} you wrote to us; especially considering the vast trouble and charge in which we have been involv'd, soon after the first of them came to our hands.

I shall not need to presse yr Hon^r, on y^e behalf of this Governm^t, that you would be solicitous for us; and particularly in the controversy already mentioned, about y^e line between us and y^e Massachusett's Governm^t, if her Majesty's order be n't obtain'd before this arrives; as also upon some particulars which yr Hon^r will take notice of in the annexed memoriall. You will greatly increase the obligations you have formerly laid upon us; which will ever be acknowledg'd by the Councill & the Assembly here (as I doe now in their names & by their direction), as well as by

Yr Hon^r's very humble servant,

G. SALTONSTALL.

I inclose 2 letters, one to my Lord Sunderland (a duplicate of which I have also sent to Col. Nicholson, who carryed y^e addresse), and another to the Lords of y^e Co^m-itee of Trade; both open for y^r perusall.

S^r Henry Ashhurst.

GURDON SALTONSTALL TO SIR HENRY ASHURST.*

NEW LONDON, Jan. 30, 17¹⁰/₅.

S^a, — My letter to y^r Hon^r of the same date with this mentions a memoriall annexed to it relating to y^e affaires of this Government; and I could not but judge it for the interest of y^e Governm^t that you who have so long done us the honour to be our agent, should be acquainted with them. This is the reason why I send y^r Hon^r the brief account that follows.

If I remember right, I gave y^r Hon^r account by the mast fleet that sailed towards the latter end of March last from Piscataqua to Great Britain, of an expedition w^{ch} we were obliged to make the summer before into the county of Hampshire, in the Colony of the Massachusets.

* See note, *ante*, p. 204. — Eds.

It was occasion'd by the certain intelligence we had of a great number of French & Indians that were design'd to make a descent, either upon that county, or some of the northern towns of this Colony, which lie exposed to their insults.

We had but a very little warning; yet besides the care we were oblig'd to take of our own frontiers, we marched into that county in less than 3 dayes time 1,000 men, under the command of Colonel William Whiting.

It pleas'd God to prevent y^e designs of the enemy; so that but one party of them of 160 fell upon Haverill, in the Massachusetts Province, about 100 miles to the eastward of y^e county of Hampshire, so that our troops returned under the disappointm^t of not meeting with them. The suddenness of this expedition made it to be the more chargeable to us; and tho' it did not last very long, yet it cost us severall 1,000 pounds; but because I have not the computation by me, I will not be positive as to the charge.

We were but just gott clear of this, when we received, the beginning of May last, her Majesty's orders by the Hon^{ble} Col. Francis Nicholson and Col. Sam^l Vetch, to joyne the neighbour-Governments with a stated quota of our men, in an expedition against Canada, which her Majesty had been pleas'd to order the Assembly.

The Assembly mett in a few days after, viz., on May the 12th, and being very sensible of her Majesty's tender regard to these Provinces, in designing the removall of y^e French in Canada & Nova Scotia from their neighbourhood, ordered an Adresse to her Majesty on that occasion, which Col. Vetch took care of & inclosed in his pacquett to the Right Hon^{ble} y^e Earl of Sunderland. They also at the same time took all possible care that their quota of men, and every thing else in their part of y^e expedition should be provided according to her Majesty's instructions communicated to us by these gentlemen.

When this was done, I was obliged to leave y^e Assembly and goe post to New York, there to concert with y^e L^t Gov^r, Col. Richard Ingoldsby (my L^d Lovelace, to the great losse of that Province, and generall sorrow of the neighbouring Governm^{ts}, being dead a few days before), and Col. Nicholson & Vetch, what might be proper for the said expedition; our forces being expressly ordered to joyne with those of New York & Jersey's and Pensilvania, and march to Canada by way of the Lake.

There it was agreed Col. Nicholson should have the generall command of those troops that were to march that way; which he discharg'd with great honour. And severall other things were agreed for the forwarding of y^e expedition. I returned from New York and met the Assembly at New Haven; which I could not avoid the convening of, there being severall things concerted at New York which required their resolves.

We made all possible hast to have our troops upon their march to the generall rendezvous at Albany, in y^e Province of New York, where we were as soon (and before) the rest of the Governm^{ts} concerned with us, with our full quota & some over. This hast was occasioned by y^e expectation of y^e fleet which her Majesty proposed to send to Boston, and to goe from thence to Quebeck. And before we could be ready for that, we were to march 80 miles north of Albany, build a fort at a place call'd Woodcreek (a creek that leades into y^e lake passable with canoes), store-houses, make canoes & battoes to transport our men over the lake, and to carry up all y^e provision necessary for our troops to carry over with them into y^e enemies country. This was indeed a very hard & difficult service; but the troops surmounted it, and waited with great impatience for the arrival of y^e fleet, which never came. Hereupon the forts which they had erected (in the fall of the year) were demolished, y^e canoes destroyed, the remaining stores brought down to Albany.

Tho' before this such a generall sicknesse had seised the troops that many of them dyed, and the rest so very weak that they were putt to great difficulty in bringing off these stores.

Of our 350 effective men, and officers, makeing up 400 (as near as I can compute), above 70 dyed at the camp at Wood Creek in their march home, and since their return; many more continuing ill a long time after they reached home.

This was a very sorrowfull conclusion of the summer expedition on our part; and besides the losse of our men, it has involved us in such a vast charge that I know not when we shall gett out of it.

I am not able to account to you the severall wayes by which y^e charge rises so high; these accounts being now under the consideration of a committee to adjust them. But one way was the additionall wages which our Assembly gave their troops for their encouragem^t to y^t hard service; advancing the pay of a private sentinell 6^t pr diem more than ever they had given formerly, and the pay of the officers in proportion. We easily saw this would increase our charge, but were willing to straine ourselves to y^e utmost that we might be ready with the first in obeying her Majesty's orders. We were also obliged to procure stores and some other necessaries for the expedition at Boston; and for y^t end ship'd our grain for that port, to purchase us what we wanted, most of which was taken by the enemy. The transporting of our pork & bread, &c., from Albany to the Wood Creek, after we had been at the charge of carrying it a 100 leagues from this Governm^t to Albany was so very great, that it's thought it stands us not in lesse than the first cost of it. The horses necessarily imploy'd (kill'd) lost in y^e service, is another great article. All which (with severall other particulars of charge, which I cannot now call to mind) it is generally thought by those who have had the most advantage to

make a conjecture upon it, will not amount to lesse than 20,000^{lb}. We shall in a little time have y^e acc^t stated; but I rather thinke it will exceed than come behind that su^me.

It has been thought that since the Govern^{mt} hath been at this whole charge upon her Majesty's positive orders to them, her Majesty will be graciously pleased to consider them; and I am pretty well assured y^t our neighbor-Governments will ask her Majesty's favour in that kind.

I doubt not but this hint to y^r Hon^r will be sufficient to induce you, if a favourable oppertunity presents, to adresse her Majesty for us on that behalf, since you cannot be unsensible how hard it will be for us to raise so great a su^me.

In the beginning of October last, at y^e desire of Col. Vetch, and pursuant to her Majesty's instructions to us, I met Gov^r Dudley, Col. Cranston, Gov^r of Rhoad-Island, Col. Moody, appointed to be Gov^r of Newfoundland, with Col. Nicholson & Vetch at Rehoboth in the Massachusetts Province, to consider what might be proper for us to doe under the disappointm^{ts} we had met with. At which Congresse we had, by a packett from my Lord Sunderland to Col. Vetch, advice that the fleet designed for the expedition against Canada had been otherwise ordered.

At which Congresse an Adresse was drawn up to her Majesty; the substance of which was to intreate her Majesty's favour with relation to the vast charge we had been at, and to pray that if a peace should happen to be made this winter, the French might be obliged to surrender Canada & Nova Scotia to her Majesty; or if the war continued, that those countreyes might be recovered by her Majesty's armes next summer.

This Adresse I signed with Col^e Dudley, Cranston, and Moody; and Col. Nicholson went directly from Rehoboth to Boston, where in a little time after he took passage for

England, being desired at the Congresse to present y^e Adresse drawn up there to her Majesty.

I return'd from that Congresse to an Assembly at New Haven then sitting, who desir'd me to goe over with Col. Nicholson on y^e same errand; but he made such hast from Boston that there was no overtaking him; and some other things fell out to prevent my takeing that voyage. I unhappily missed thereby y^e oppertunity of paying my respects to yr Hon^r in person, which I should have imbraced with all possible chearfullnesse to acknowledge y^e great favour you have shewn this poor Colony. Being thus disappointed, I could not omitt to serve my country by giving you in this short memoriall the state I should have left it in if I had come over, as I was desired & intended; which is the most I can doe to inable y^r Hon^r to pursue the ends which were proposed in my coming over.

It will not be too late, perhaps, after this comes to yr hands, to ask her Majesty's favour relating to y^e great charge we have been at in obedience to her Majesty's commands. But as for y^e other branches of the forecited Adresse, viz^t the having of Canada and Nova Scotia to be surrendered on the peace, or if no peace this winter, then to have those countreys reduced by reviving y^e expedition against them next spring, I conclude this will not come soon enough to you to afford you any oppertunity to be concerned in them.

I must acquiesce in submitting this important affair to the conduct of Divine Providence; and under that to yr Hon^{rs} care and prudent managem^t, who am well assured that y^r zeal for the weal of N. England in generall, & this Colony in particular, will not overlook any good oppertunity of promoteing them, and in that confidence remaine

Y^r Hon^r very humble servant,

G. SALTONSTALL.

SIR HENRY ASHURST TO GURDON SALTONSTALL.*

To Gordon Saltonstall, Esq^r, Gov^r of Connecticut.

LONDON, Feb. 17, 1709[-10].

HON^{BLE} S^r, — I have written so many letters to you so fully & so particularly of all yr affaires, that I have nothing more to add now but my surprise that I have not had a line from you these 9 months, tho' severall ships are come in. Sure you are not weary of yr publick servant. You are not influenc'd, I hope, by M^r Dudley to use me ill. The Governm^t in their letter writt to me they had order'd their Treasurer to pay my bills of 160^{lb} & 32^{lb} to M^r Noyes; but by a letter from M^r Sewall of 27 Oct. last, he writes me word it is not yet paid; which is a strange surprize to me. I sent you some funerall sermons preached at yr late Gov^r's interment. I have inclosed you some news. I am impatient untill I heare from you. In y^e mean time I am with much respect & sincerity,

Yr true friend & servant,

HEN. ASHURST.

I pray let not Col. Nichol's character passe for truth with you.

SIR HENRY ASHURST TO WAIT WINTHROP.

For Major Gen. Wait Winthrop.

LOND., Feb. 17, 1709-10.

MOST HONRD S^r, — I had yrs with the inclos'd letter from M^r Letchmore * to his brother, which I deliver'd with

* This letter is printed from an original or duplicate found among the Winthrop Papers. — Eds.

* Thomas Lechmere, subsequently Surveyor-General of Customs at Boston, who, in November, 1709, had married the only daughter of Wait Winthrop. He was a younger son of Edmund Lechmere, Esq., of Hanley Castle, and a grandson of Sir Nicholas Lechmere, a distinguished Judge. One of his elder brothers became Attorney-General of England, and was raised to the peerage as Lord Lechmere in 1721. — Eds.

my own hands; but being one of y^e managers, and y^e most considerable, against D^r Sacherevell impeach'd in Parliament, he cannot say any thing till that is over. For my own part I have been a faithfull labourer in y^e service of N. E. 20 years; and when I have lost my health, goe into y^e country to retrieve it; and when I have a little recovered come to town, and then am a cit. again. I am not disappointed either in Nicholson or y^e K——.* But really, when letters miscarry, I am discourag'd from writeing to you. To doe honour to y^e name & memory of yr brother, I reprinted M^r Cotton Mather's sermon preached at his funerall; but it seems they have miscarryed. I sende you this by way of N. York under cover of y^e Gov^rs, who is my friend, and a worthy man; I have recomēded him to you as a man worthy of yr acquaintance. I have also inclos'd some of y^e funerall sermons. I wonder much I heare not from Coñecticott, and from y^e Gov^r there, about y^e accepting and paying my bills; which he promised to doe. If you have no interest in him, I pray write to those that have in y^t Governm^t to pay it. If there is any alteration, 'tis from y^e cunning of M^r D——. Assure yrself I am as true to you as if you were my father; and will not give it over but with my life. I doe not know how soon I may send you good tydings that I have more interest than Col. Nicholson would allow me. I am in hast going out of town, at y^e request of y^e Duke of Marlborow & L^d Treasurer. I doe it to serve N. E. You cannot imagine, nor I dare write, y^e wayes y^t D—— takes to keepe in y^e Governm^t. I have done with yr S^r Ch——.

I am sincerely yr affectionate friend & servant,

H. A.

* The reference here, at the end of this letter and in the next letter, is probably to Sir Charles Hobby. — Eds.

SIR HENRY ASHURST TO INCREASE MATHER.*

LONDON, Feb. 17, 1709[-10].

DEAR & RV^d S^r,—I am so much troubled that my many letters to you, with the Deplorable Condition of N. E. and an Epistle to the Earl of Sunderland, never came to yr hands, that I am discourag'd from writing to you any more, especially not knowing whom to trust. It seems yr speciall K—— † hath gott into D.'s interest. I sent a great many copies of y^e Deplorable Condition of N. England; and M^r Harris, who printed them, sent 200, according to his direction, with an Epistle to my Lord Sunderland. I also reprinted yr son's sermon, and paid for y^e whole impression. I dedicated it to my Lady Russell, y^e late L^d Russell's widow, of blessed memory; and y^e Duke's mother. But none is come to yr hands; I cannot write to you the reasons why D. is kept in. I could have blamed y^e L^d Tr——, y^e L^d Sun——, y^e L^d Som——; ‡ but money & something else kept him in, which I dare not write you. What if y^e Whig Lords doe it? I wish I could see you over, that you might live and dye with me. I am every day (almost) attending to serve New England. When I've lost my health, I goe into y^e country to recruite; and then I am at it again. It's 20 years y^t I have been a faithfull labourer for N. England; never started at any thing for y^e good of New England, or the Colony, since he has been in the Governm^t. I have sent yr blessed son a few of y^e complaints, and of y^e sermons of yr son. You will doe me justice, and be kind to N. E. to write to Gov^r Saltonstall to accept my bills; and to send the money to Boston, that I have drawn on them, and they promis'd to pay. I have had severall short letters from you; especially yr last of y^e

* Printed from an original or duplicate found among the Winthrop Papers. — Eds.

† See note, *ante*, p. 214. — Eds.

‡ Lords Godolphin, Sunderland, and Somers. — Eds.

5th Decemb. When it pleases God to remove him, I doe not doubt there will be such an account of him as will keepe him for ever from doing you any hurt. I am in hast, going into the country to serve N. E. I send this by way of N. York under the Gov^r's cover. Pray dearly remember me to yr son. Tell him I have not receiv'd a line from him these 9 months. I cannot say any thing more than what I have said. When yr D. is out, you will heare enough from me. Pray desire him (yr son) to be so just to me as particularly to remember me in his prayers, who am day & night serving New England.

Yr dearly loving friend,

HEN. ASHHURST.

Yr son hath a handsome good woman, and a considerable fortune.* I went to see them on purpose, to Waterstock.

D^r Increase Mather.

SIR HENRY ASHURST TO INCREASE MATHER.

LONDON, May 10th, 1710.

REV^d & DEAR S^r, — I have very little to write to either of you apart, only that your son is so angry that he writes nothing to me, when you, dear Sr, have written severall letters this year; and this will containe an answer to most of them. By this inclosed paper † you will see what packetts were carryed into France, and among the rest were yrs & yr son's packetts. There is not one thing you complaine of in reference to myself that I am not innocent of. It is a very small thing to be accused & condemned unheard by man's judgment, when one hath y^o consolation that he shall be acquitted above. You may

* See note, *ante*, p. 200. — Eds.

† My agents account (who sometimes do's businesse for me), Mr Clark's brother of N. England. — Note by Sir Henry Ashurst.

see by y^e books y^t are now sent, as well as by y^e last y^t were taken by the French, that y^e manuscript was printed of N. England's Complaints; * and y^e Epistle to my L^d Sunderland, written by a friend of yrs, that all was well so farr. I own I wrote y^e Epistle to y^r son's sermons, † and paid for the printing of them, and sent a great many, but they all miscarried. I am glad the affaires of N. E. by publick authority are putt into better hands, while I for 20 years laboured in the fire, without reward, without authority. I send you these under Srimpshire's care, who has promised to gett them convey'd. Inclosed you have yr son's sermons and N. E. Complaints (or Depl. St. ‡), so many as I could gett; but there were 200 of them sent before. And now, rev^d father & son, I doe solemnly professe in the presence of Him who must be my judge, that if I might have 2,000^l pr an. inheritance to have spent 20 years of my life in, as I have done in y^e service of N. E., with y^e neglect of my family & my health, attending by the houres at great men's levies, and in antichambers, in which I have made myself mean.

But I have y^e consolation that alone I have saved you from being worse slaves than they in Turkey, and many times broken the chains laid for you. And as S^r D. Diggs said in Parl^{mt}, he that will faithfully serve God & his country, must expect his reward above; and it is well if he be not called knave here. As to N. E. affaires I allwayes took my measures from you & yr son, and followed yr directions with an implicit faith. And if I had received my bread from you, I could not have more honour'd you, and been more true to yr name & interest. Time will show what I say is a reall truth. Now to my particular charge :

* It was printed under the title of "The Deplorable State of New England," and it was the opinion of Dr. Palfrey that Cotton Mather was concerned in its preparation. See Palfrey's History of New England, vol. iv. pp. 304-310. It is reprinted in 5 Mass. Hist. Coll. vol. vi. — Eds.

† The sermon on the death of Fitz-John Winthrop. — Eds.

‡ 10 with dedications, & 10 without dedic., and six funerall sermons. — Note by Sir Henry Ashurst.

first, you say, seing Nichol. & y^e Kn——* said y^t D—— had been out if I had not solicited against him. I answer, D—— had been out if y^e Duke of Devonshire had liv'd. My L^d Sund—— & L^d Trea—— promised me it; and that I should name whom I pleased to succeed. But before this I took yr Kn—— upon yr credit, and did what I could to make him Gov^r, untill I found y^t Wharton, y^e known enemy to N. E., Blathw. spy & tool, was his great favorite & confident. And the great men my friends to bring y^e Kn—— to y^e Councill of Trade; and to y^e Cap^t that was condemned & fined for misdemeanors, for trading with y^e French, to charge D—— home upon that matter. He promised me he would; but having consulted Wharton, he perswaded him not to appeare, and so lost y^t oppertunity. And my great men took it so ill that they would not heare of him. Then Partr—— † came to me & offer'd 1,000^l to be Gov^r, which might have been; not that I should have gott a shilling, but yr Kn—— & his Councill wrote a letter to my great man, charging Partr—— with felony; and what a reflection it would be on his lordship, when it was known, to recomēd so scandalous a person; and thereby they did what they could to lessen me in the opinion of that great man. And so truly by his pedantick garb & foolish managem^t he putt it out of my power to serve him. But to y^e last charge, in yr last letter, of personall wickednesse, that I charge you, as a minister of y^e gospell, to let me know y^e particulars, and who it is y^t writes it over, that I may not be murdered in y^e dark by any malicious reports. My reputation is dearer to me than my life. I thanke my God, by whose grace it is in Christ y^t I stand, I cannot accuse myself of any enormous crimes, but only of sins of infirmity. There is one with you would murder me every way if he could. Consider, Sr, what incouragement I have

* Sir Charles Hobby. See note, *ante*, p. 214. — Eds.

† William Partridge, Lieutenant-Governor of New Hampshire from 1697 to 1704. — Eds.

had to serve you. The body of y^e ministers signed an addresse what a good Gov^r he is, and pray his continuance. I am alone in my complaints against him. You sent one Em̄erson lately, that has been all over England, com̄ending him for an excellent Governour.* No complaints against him. Every body thinks him an excellent Gov^r but S^r H. A. We have been so busie about D^r Sachererill † you approve of, and yet I doe not despaire of succeſſe when this is over. Tis vain to repeate y^e many services I have done. By some they are reputed crimes. I have inclosed some copies of letters formerly sent you. My dear love to you both. Pray in yr prayers forgett not yr own & N. England's friend & humble servant,

HEN. ASHURST.

I have sent you 40 memorialls, & 30 sermons under M^r Scrimshire cover.

Also more of each by another conveyance.

SIR HENRY ASHURST TO WAIT WINTHROP.

For Major Generall Wait Winthrop, at Boston, in New England.

LONDON, May 10, 1710.

DEAR & MUCH HONRD S^r, — I have severall of yr letters to make answer to, which I shall endeavor to doe by this oppertunity, tho' I have very little time. You may believe I am as sincerely in your interest as I can be; having long honour'd & loved you. The Knight was as free with yr reputation as with mine. Tis a small thing to be judged of men, if one will acquitt us above. Yr Generall

* See note, *ante*, p. 200. — Eds.

† Apparently some words are missing here, as there is a large blank in the original. Probably Sir Henry Ashurst's copyist could not decipher the missing words. There are two fragments of this letter in the Winthrop Papers. One, which we suppose was from the original, ends abruptly with the words "The body of your." The other, which we suppose was from a duplicate sent by another conveyance, gives the last part of the letter, beginning "a 1,000^l to be Gov^r." — Eds.

Nicholson, who hath so mean an opinion of me, will finde I am not so dangerous nor despicable as he makes me. I am labouring all I can in yr service. I have received all the letters that you writt to me, and the duplicates, with yr two letters to M^r Letchmore, which I gave him myself. But you cannot believe what a hurricane we have been in about D^r Sacherevill. M^r Letchmore was one of the managers against him; and my Lord Wharton makes so great a figure in the Lord's House, that he could attend no other businesse. I pressed both my Lord & Letchmore as much as I could. He promised me when he had leasure he would doe his utmost. As soon as the Parliam^t was adjourned, M^r Letchmore went into y^e country, and my Lord Wharton to his goverment in Ireland. I am told by M^r M——r strange stories from the Kn——: that I was to gett a 1,000^{lb} by M^r Partr—— to make him Gov^r; that there are other letters that speake horrid reflections on me. To both these false accusations I have answer'd fully; better men than I have been reproached. But this I say again to you: that if the Queen would give me 2,000^{lb} pr an. to spend 20 years of my life from my family, from my estate, attending the great men's levyes, &c., (to disappoint the designs of one person, who would have made N. England worse than the Turk's government,) I would not accept it. The particulars one time or other may be made publick. I'm sure your Kn—— was the cause of D.'s continuance. I am glad you have chosen so good an agent. But I'm sure I would never have been agent under the direction of that major. I don't yet despaire of doing what you would have, if the Lord spare my health, allmost worn out in yr service. Yet after all my services & expences, to be reflected on for my paines, this is extraordinary. But as the great S^r Dudley Diggs said in Parliam^t, He that would serve his country faithfully must expect his reward in heaven; and it is well if he be not called knave here.

I have so intire a satisfaction in you, that it is much my unhappinesse that I have not done what I would for you. But as for y^e Governor, could I believe that ever I should see such letters as I have here inclosed to you from him? Is thy servant a dog that he should doe so? that Jehosaphat is consulting with Ahab? that 26,000^{lb} was spent in one yeare? Col. Nicholson, their agent, a man trusted by King James, to the ruine of their civill & religious interest? After what I had done for them, my bills are not accepted, the other not paid. I may say they had now had no Charter, no property, if it had not been for me. I desire you will make a journey thither; and pity yr poor country, and for shame gett my bills accepted, and the other bill they have accepted, paid. They had their Charter, their militia, at their own disposall. It was charity in them to goe out of their own country. But all their privileges, I know not how or why, are given up. He cannot accept my bills. There is 26,000^{lb} this year, and as much the last. What was procured them by yr blessed grandfather you may finde by this inclosed sermon printed and dedicated to my Lady Russell. Doe not delay doing right to me and your poor country. All my advice, w^{ch} you will finde pertinent, honest, & serious, is in vain. Let them pay this money laid out, and it shall be the last I will ever trouble them about. While some body is major, I will not concerne myself. By reading his letters to me, and my answers, you will see my faithfullnesse to their interest. Now I have written all this, I will send them to yr Cousin Reed. I know not what safe conveyance I have. If I have yet any friends in N. England, remember me to them. I thinke I have a treasure in yr friendship. As long as I live you shall alwayes finde me

Yr true friend,

HEN. ASHHURST.

Postscript, May 17, 1710.

Since the above I have met with Schrimshire, who saith he will convey these to you. I have had also a great deal of discourse with Mr. Letchmore. He is of opinion that it must be done by Parliament, if facts could be proved here from N. England, and the merchants petition; but I hope it will be much sooner done. He saith he hath writt to you. I have also inclosed you a letter open to y^e Governor of Conecticott. I hope in time to heare of somebody Gov^r of both. My dear love to you is the rest, but that I have sent with this 30 of yr brother's funerall sermons, and 30 Deplorable States of N. England (so called).

Yr dearly loving friend.

I am night & day soliciting. I came home from court near twelve at night, and made bloody water.

Vera Copia.

SIR HENRY ASHURST TO GURDON SALTONSTALL.*

LOND., May 16, 1710.

MUCH HONRD S^R,—After yr long silence, I had y^e favour of yrs of Jan. 30 last, by which I perceive you have receiv'd severall of mine. I'm very much surpriz'd to heare that after I had been an instrument to retrieve you from utmost ruine, and y^t you still employ'd me, and oblig'd me to spend my time & money in yr service; and y^t y^e bill accepted two years agoe is not yet paid, and my last bills not accepted. I wish you much joy of yr new agent, Cap^t Nichol., who hath made me very vile & contemptible every where. But if I live, you will finde me not so dangerous nor so despicable. The letters to my L^d Sunderland and to y^e Councill of Trade came by Cap^t Nichol. some months before y^e duplicates to me, so y^t I

* This is apparently a copy sent to Wait Winthrop. — EDS.

did not deliver them. I perceive you follow new counsells, and the old safe advices I gave, yr country doth not approve of. I doe not thinke fit to passe my judgment upon yr proceedings. I reade in my Bible y^t it had like to have cost Jehosaphat his life for joyning with Ahab. You knew I was against taking any step about yr boundaries so long as D. was Gov^r. I suppose you know y^t Cap^t Nicholson was intrusted by King James, and what he did at New York & N. England. You are trusted with y^e precious cargo of y^e liberties of yr country. If once they are betray'd, they are not to be recovered. These two bills being y^e last I shall draw on you, I take it as an act of justice y^t y^e country pay them. I am & have been to y^rself & y^e country

A very faithfull, humble servant,

H. A.

To G. Saltonstall, Esq^r, Gov^r of Coñecticott.

WAIT WINTHROP TO HIS SON JOHN.

NEW HAVEN, Oct^{br} 7th, 1710.

DEAR SON, — I haue yours by the post yesterday, and I desire to be very thankfull to God for his great mercy to us in our health in such a measure. I am sorry for your Aunt Curwin; let every body visit her with all the comfort and kindness thay can. I wrote you in my last of the ronguery of the Islanders; thay haue engaged to pay him the rent during the lease, and he has engaged to bare them harmles. I know not how to com at them unless I could go to New York, and the season is so farr advanced that I am afraid of the wether. The lease has a condition of reentry in case of any faileur. I want advice whether that is ever don without a process in law, by geting in and holding by force; if it must be by law, we must apply to New York. Leviston has lost his action against Anthony at this court, but the atturnys haue

reweived to the court at Hartford next May. What is about was intended to be sent by one after the post was gon, but that oportunity fayled; it is now the 11th of Oct^{br}, and the York post is expected to day to go from hence to Saybrook. I wrote you before how there was a collusion between the Islanders and Leviston, and that thay had withdrawen their appeale; you may advise with the Gov^r what method I had best to take with them, after you haue given my servis to him. I would haue wrote to him, but am surprised by the post's coming sooner then usuall. I expect to hear from you by his return from Saybrook tomorrow or next day. I know not whether I shall get from hence before the end of next week; remember me to your brother and sister Leechmere, I haue not time to write to them now, but do not forget to pray for them. I cannot write to Lizee now, but shall think of it when I com to New London; reo^mend me to your wife and the dear babes, with your aunts and cousins. I am

Your loving father,

W. WINTHROP.

WAIT WINTHROP TO HIS SON JOHN.

NEW LONDON, 8^{br} 26th, 1710.

DEAR SON, — I have your letters by the two last posts, and I bless God for the continuance of health amongst us all, and pray it may still be so. I am like to mete with a great deale of trouble with those varlets at the Island. The season is so farr advanced that I find a difficulty every way; here is so many things to be done in a short time that puts me to great difficulty. I must do what I can and leave the rest till the spring, when you may be here, if it please God. I have not time to write much now. I am glad to hear we lost no more men at Port Royall, and that Cousin Elliston is like to please her-

selfe. Tell Cousin Lize I would write to her of severall things if I had but time, and that M^r Lines was extraordinary kind to me at Saybrook, and told me the story of the Tomson's Island expedition with a great deale of complacency; but say nothing to anybody els. Send what is stirring by the next; Cambell writes 12^d upon every letter, supposing there may be a little noate in it; he sends me the News-Letter every post. I very much bewaile M^r Macantoshes loss; if the younger man at North Britain remembers to put forward the old one, &c., it may prevent Jerremiah, tho it do nothing els, which you may hint to him (not from me), but let nobody know it. I shall take care that the mare be well look^t after. Tis said here that the Mohauk * is gone to Cañada; it may be there will be the same correspondence with them as formerly. I must be excused to your brother and sister Leechmeer, who I always remember, tho I cannot write. I want Buckstone's Lexicon for one of the words; M^r Shakmaple, the collector, who lodges here, was desirous of the news, so I began with *ἀπάντων*, and he thought I was conjuring. Give my servis to the Gov^t and everybody.

Your loving father, W. WINTHROP.

For M^r John Winthrop, Boston.

SIR HENRY ASHURST TO WAIT WINTHROP.

*For the Hon^{ble} Major Genr. Waite Winthrop, att his home in Boston,
New England.*

LONDON, Nov. 17, 1710.

MUCH HONRD & DEAR S^r, — Yrs of the 16th September, under cover to my agent, M^r Clarkson, which came by the way of Londonderry, I have receiv'd about two dayes agoe, which, tho it cost half crown, is the best of way of

* The Mohawk was a nickname given to John Livingston by Wait Winthrop. — Eds.

conveyance. And altho' I have laid many a pound in yr service, I'm satisfy'd 'tis for the good of N. England, and that I serve an honest & worthy gentleman; and if my success don't answer my desires and endeavors, I hope you will be so kind to yrself & me as to accept of what is in my power. The letter that I have inclos'd to M^r Cotton Mather is in answer to a strange letter which I receiv'd from him; partly that you might read what I write, and partly to save charges of postage; which letter when you have read it, putt into a fresh paper, and seale it with some strange seal, and superscribe it with some other hand, that may not know it was sent open to you. I have been so often disappointed [*torn*] of great men, that I will say nothing of the affaires relating to N. England [*torn*] yrself, 'till something is actually done. I am afraid it will be very difficult to get you into that post I desire for you, unless you were present upon the place; but I will doe all I can, and venture my reputation at Court, that you will answer the character that I have given you. That worthy gentleman that is brother to yr son-in-law, M^r L——, can doe nothing to serve yr interest, the whole ministry at Court being changed, and his patron my Lord Wharton being dismiss'd from his government of Ireland. I thanke you for yr care of my bills which were accepted at Connecticut, & for yr promise to use yr endeavors to gett them paid. They are monsters of ingratitude if they doe not, having preserv'd their very being, especially this being the last I shall trouble them with while this man is mayor. I hope by yr postscript my pacquett by [*torn*] come to yr hands, wherein you will see most of my mind. I should write to you a great many things which now I have not time to doe, nor conveyances to my mind. I wonder at nothing you say about yr expeditions, when I consider who & what ——. The person you mention to me is in such circumstances that I don't wonder at his going under the person you mention. He must goe as a

soldier of fortune ; when they have taken Port Royall he hopes to be governor of that place, and his generall to be governor of N. E. I have forgott to tell you that the bills accepted & not accepted upon Coñecticut are either in that worthy gentleman's hands, M^r Sewall, to whom present my humble service, or in my cousin Peter Sergeant's. And I would no more had desir'd any credit from them than I would have borrow'd fifty pounds of them to be paid me here, if I had not been assur'd by Gov^r Saltonstall that my bills drawn upon that governin^t were accepted and would be punctually paid at the time, which if they had exactly comply'd with, they would have had money in their hands a twelvemonth before my bills became due. I have no friend but you that can make an end of this affair. I pray acquaint the gentleman to whom I owe the mony with what I write. I don't wonder that S^r W. A.* refus'd the agency: he knew too well my pains and expences for these twenty years. I told a great Duke at Court within this fortnight, if the Queen would give me two thousand pounds pr an. of inheritance, I would not spend 20 yeares of my life with the neglect of my health, my family, & private affaires as I have done. As to the young gentleman you mention, I am of the same opinion that you are, for I have found him to be a false & intriguing fellow ; I was too kind to him befor I found him out. If you had sent yr son when he came over, I would have help'd him to a godly fine young gentlewoman that would have been worth twelve thousand pounds. Pray remember in your prayers, and as long as I live you shall ever finde me

Yr affectionate & faithfull friend & servant.

For the Hon^{ble} Wait Winthrop, Esq^r, New England.

By way of addition to my long leter I thinke fitt to acquaint you I did with difficulty get thes artickles that

* Sir William Ashurst, brother of the writer. He declined the agency of Massachusetts on the ground of ill health. See Palfrey's History of New England, vol. iv. p. 279. — Eds.

are putt in against you, and I desire to haue by the first yo^r lawes, and how much of thes accusations are true, that I may fence as wel as I can. I haue preualed not to haue them yet deliuered against yo^r Colony, but itt hath cost mee mony w^{ch} I haue not reckoned. I cannot serue you to giue you perticulars of my expences. I thinke you will doe wel to get the clamor of the Quakers of you, who are an united great body, and haue a great purce, and will atack you soorly. I am affraid all thes instruments of the diuile will, if they preuaile, ruine religion amoung you. Thar is a Quaker weoman that they complane hath bin hardly delt with. Let me ¶ some trusty messenger heer from you by the first conueniency. The Lord protect you. Yo^r all is at stake.

JEREMIAH DUMMER, JR., TO WAIT WINTHROP.*

LOND^s, 10 March, 1710[-11].

S^a, — I wrote to you some time since, at the desire of your kinsman, M^r Reade, about M^r Wharton's will. What I haue now to trouble you with is that the Duke of Hamilton has often of late, & particularly this very morning, told me that he intended now to doe something about his lands in New England. He claims by pattent a good part of Conetticut, & Fisher's Island, & all islands & isletts within five leagues of Connecticut. He also claims a good part of Narraghansett, & ten thousand acres to the eastward of Sagadehoc. The latter I would encourage him to settle, because I believe it would be a service to the countrey; yet I shall wait for instructions before I doe any thing in it. But for the other, I

* Jeremiah Dummer, Jr. (Harv. Coll. 1699) was a lawyer, and in November, 1710, was chosen Agent for Massachusetts in London, where he is stated to have become intimate with the celebrated Lord Bolingbroke. He was elder brother of Lieutenant Governor William Dummer, and died in England, May 19, 1739. See Savage's Gen. Diet. vol. ii. p. 79, and Sewall's diary, *passim*. — Eps.

haue told him that particular persons haue purchas'd it & settled it, & that it will be fruitless for his Grace to think of it. But he can't bear it, & as he is a Privy Counsell^r & has a good interest, intends speedily to make a motion about it. I should be glad of your directions in this matter, that I may be able to serve you when the Ministers have this matter before 'em. And in any other matters I shall be glad to receive your commands, for I am very truly, S^r,

Y^r most humble & most obed^t serv^t,

JER. DUMMER, JUN^r.

I beg you'll give your good lady and M^r Winthrop my most humble service.

GURDON SALTONSTALL TO WAIT WINTHROP.

N. LOND., Ap^r 23^d, 1711.

HONB^{ts} S^a, — I unhappily miss'd the opportunity, by the last post, of acknowledging the favour of the 16th current, which inclosed Maj^r Livingstone's open letter to his lady, wth the proper instructions he gives her, upon occasion of the good agreement yr Hon^r has come to with him. I went over with it to Madam Winthrop, who promised me to send it to her daughter, and I dare say they do both of them very much rejoyce at the settlement you have made, and at the good understanding between yr Hon^r & them which will be the happy consequent of it.

I am extremely pleased at the hope yr letter gives us of yr Hours company in this melancholy place, which is not like to be otherwise to me till yr coming. But I dare not fix the time for it so early as yr letter does; however, I shall begin my reckoning upon it from this time, and hope it will be reduced to a shorter date than heretofore. I shall be obliged on Munday next to go from hence to

y^e Court of Assistants at Hartford, when I shall remember Maj^r Livingstone's orders about Ashby's cause, and shall be very glad if in any thing I may be serviceable to you, who am with all regard

Yr Hon^{rs} very humble servant,

G. SALTONSTALL.

To the Hon^{ble} Wait Winthrop, at Boston.

SAMUEL SEWALL TO WAIT WINTHROP.

BOSTON, June 4, 1711.

HONORABLE SIR, — These are to salute you after your long absence, and to present you with our elections, May y^e 30th. No. of voters was 97, and you had them all. Col. Hutchinson 96, w^{ch} was all he could have, himself being one of the number. Col. Hathorne and S. S. had 95 apiece. But 17 were chosen at first. Col. Noyes had 41; Jn^o Clark, Esq^r, 39; Jn^o Wally, Esq^r, 34; Sam^l Appleton, Esq^r, 28. 2^d stroke, voters 92; of which Noyes had 43, Walley 34. 3^d stroke, voters 91; Noyes had 48, Walley 38.

At large, voters 84, — Major Walley had 70, Nathan^l Norden 46, S. Appleton 33. The election is the same as last year, save y^t Col. Thomas Noyes, of Newbury, is put in the room of Col. Foster. This day, in the Artillery, Capt. Habijah Savage is chosen captain; Capt. Winslow, lieutenant; M^r Edward Hutchinson, ensign; Tho. Salter, Procter, Lowder, Walley, sergeants. Mr. Walter preach'd an excellent sermon from these words, Lest ye be found fighters against God. Tis very sinfull & dangerous to fight ag^t God.

Your country man Paddon is here with his prizers. He told me at diⁿer to-day that the Gov^r mortally wounded is a French Gov^r of y^e French part of Hispaniola. He was going home & carrying the embalmed corps of his lady with him. Ab^t 4 days after y^e wounds, he was set ashoar

at the Havanah. One of the prizes being called the Prophet Elijah, calls to mind great accomplishments that are now justly expected. Many are ready to conclude we shall have an expedition this summer; and yet I do not know y^t y^e Gov^r has one line of it, tho' I have seen none of his letters. I have seen one from Gov^r A. to Dr. M. wherein are words to this purpose: "We have had so great a change here amongst our great ones, and such an unhappy turn is given to all affairs, that it makes all good peoples hearts very heavy. I pray God prevent the effects which are feared. There are endeavours making for a new Governour; but the person talked of is no ways fit for your purpose. And I think you are much better as you are at the present. For as things are here now, we cannot expect any change for the better." Gov^r Dudley has rec^d a letter from Sir W^m A.

They print for and against the new and old Ministry with the greatest sharpness imaginable.

I have seen y^e title of a book set forth the last winter. The author sets forth the power of y^e Christian clergy, and proves that the laity have no power, *jure divino*, to chuse their pastors.

You know partly the valetudinarious state of my family. My daughter Hirst is still at my house; I hope she recovers, yet slowly. I am glad M^r Winthrop came not to a funeral. I saw your lady at the sermon to-day. M^r Niles is ordain^d at South-Braintree. I wish you may be succeeded in your business; and that we may quickly enjoy your good company again much wanted, especially in the General Court. With my humble service to your Honor, Gov^r Saltonstall, M^r Noyes, I take leave, who am,

Sir, your most humble serv^t,

SAMUEL SEWALL.

JOHN WINTHROP TO WAIT WINTHROP.

BOSTON, June y^e -, 1711.*

Past nine at night.

HONrd S^a, — I am very glad to understand by yo^r letter y^e gentlemen are all wth you. I hope they have concluded y^e business according to yo^r mind; it happens best for them to finish before y^e expedition intervenes. Coll. Nicholson arrived here on Fryday, as y^e news paper (w^{ch} I suppose Campbell sends you) will inform. Vetch is sent for, & is to command y^e 1000 men to be raised in this province, N. Hampshire, & Rhode Island. These men are to goe wth y^e rest of y^e forces w^{ch} are dayly expected, viz.: 4,000 land-souldiers & 7 sayle of men of warr. Coll. Nicholson is to command y^e 2,000 y^t are to be raised at Connecticott, New York, Jerseys, Pensilvania, and are to march up to Wood Creek in order to make a discent on Mount Royall. Brigadeer Hill, who is in y^e expected fleet, commands y^e whole by sea & land. The flag of truce from Placentia is not like to goe back this year. Roberton & severall of y^e officers here last expedition are come agen. Coll. Taylor, who went home wth y^e generall, bigg wth expectations of his doing for him, is said to be cashiered, & is coming back in a private capacity in one of y^e merchant ships. It's said that all is peace & quiet at home; pray God it may continue so. The Queen has ordered a Congress of y^e severall Gov^{rs} from N. Hampshire to Pensilvania to be at N. London. Coll. Nicholson & this Gov^r set out on Wednesday or Thursday, and Gov^r Dudley w^d have me ride in the chariott wth him, and if my poor family continues in health I intend to come wth him. He talks of riding in y^e chariott to Rhode Island, and the

* The writer omitted the exact date of this letter, which was written about the middle of the month. Nicholson arrived at Boston June 8; Dudley left home June 18; the Congress of Governors, which lasted three days, opened either on the 20th or the 21st of June; and Governor Dudley reached Roxbury on his return on the 25th of June. See 5 Mass. Hist. Coll. vol. vi. pp. 313, 315; The Boston News Letter, June 25 to July 2, 1711. — Eds.

galley to meet him there to carry us to New London. I tell him he may ride in the calash all the way by land, but I think he inclines to come by Rhode Island. Shall get some of the troopers to lead my horse wth us. Here is a man and his wife, w^{ch} are at Roxbury, w^d gladly come up & keep both mill & house, if you think best; they are honest people and w^d doe well. I pray God to bless us in every thing & prosper o^r health, give us a joyfull meeting, and lett us hear good news from every corner. If I come it will be best not to write to me by y^e post. Begging yo^r prayers, I commend you to God, and am

Yo^r most obedient humble serv^t J. W.

If you make any remarks upon w^t news is stirring, it is best to be private in y^m

WAIT WINTHROP TO HIS SON JOHN.

NEW LONDON, July 12^t, 1711.

MY DEAR SON, — I had yours by Will. Latham, and that now by the post. I think I had been with you last week or this if I had not been hindred; I stay here to no purpose unless you were here. I know not what loss it can be if I be at Boston and com with you when you com, which will not be this month yet or more, I doubt. I am greatly thoughtfull how you will get hither. I would by no means haue you venture by water, tho it were in the gally; a Martineco privateer sloop or two would take her, and this is the time of year we may expect them. I am afraid you should venture all the books and papers; thay are not safe here if a privatere should com in, as also all the best of your things at once. How you will bring the pore children, if I am not with you, I know not; your mother says she hears you are coming hither, and that I stay till then, but because you haue sayd nothing and I haue not writ of it, she knows not whether it

be so. It is best to let her know; it would haue been best, if time would permit, to haue taken leaue at Salem also. If som mony could be had, then it would ease every thing. Write by the next how you propose to com and when, and send it out of the bagg that I may mete it on the road, if I should happen to com. Bennit has promised to com to whitewash tomorrow; the garden and orchard is grown into a swamp, and I can not get an Indian or English to clear it, all being imployed in the expedition. Deacon Plum, that should suruay every thing, is so eaten up with country imploy^{mt} under his Worship that I can get nothing dun, but I hope it will be over now his worship is gon to New Haven. Reco^mend me to your sister and every body; I pray God to keep and bless you all.

Your affectionate father,

W. WINTHROP.

WAIT WINTHROP TO HIS SON JOHN.

NEW LONDON, July 19th, 1711.

MY DEAR SON, — I was contriving to set out this week, but was willing to see the post first. I did not think you could have been ready so soon; I shall now expect your coming, and shall send the coach-horses to the ferry at Boston Neck, and Anthony may go over at Rhoad Island with my hors to Bristoll, and will be there on Thursday night or Fryday, as you say. If the coach can be got over to Narraganset, it may be best; I think we can find a coach-way from Saxtons quite hither. Bennit has not been at work yet, but hope he will have don it this week. You speak of the gally who was at York a few days since and is expected here every hower to convoy the store sloops that are here to Boston; a little privateer, I doubt, would deale with Carver. I wish Mingo would com, he should be no looser by it. Here is not a hand to be had

on any termes. If you have forgot to send candles you must do it still, elce you'll have no light till towards winter nor perhaps then neither; tis best to send a box. I have encouraged your mother to com, and it will be best; then I shall stay with you the longer, and she will be satisfied with the diversion of the country. Its best to send a thousand or two of board, shingle, & clabord nayles, so many of each sort; here will be need enough of them; they may be paid for after a while, if you can not do otherwise. Here will want a lock or two more, but I suppose you have som. I pray God to bless, guide, and keep us all.

Your affectionate father,

W. WINTHROP.

Your poor sister will be left alone. Bring a pair of ordinary white specticles, in a wooden case, for old Sam^l Bebe, which I have promised him; they cost but about a shilling, — let them be of the oldest sight you can get, be shure.

WAIT WINTHROP TO HIS SON JOHN.

GROTON, July 24th, 1711.

DEAR SON, — Since I wrote by the post I am very doubtfull about bringing the coach over to Narraganset, and whether it be possible to get it along, and if any thing should break, espetically a wheele or axeltre, remote from any habitation, what would becom of the poore children, how would thay be got hither? However, I haue sent Anthony with the horses, that are poorer by halfe then when thay came hither. Also a spare hors for your mother, supposing you haue brought sidesadle or pillion, or must beg or borrow, for I can get none here. Anthonye's hors is very sober, and goes easy. If Brill driues the coach, he must see that the wheels and axeltre be well greased, least it heat and burn off. You must be

sure that every thing be sound, and that the coachman be not in drink. However, if it be a fair wind and a likely oportunity, its best to advise whether it be not best to com in the vessell; if the vessell be not here as soon or before you, I know not what you will do for entertainment. If I could hear you com by land, I would meet you on the roade; pray be very carfull and considerate, and be advised by those that may know. I pray God be with you, blesse, preserue, and keep you all. If you com not in the coach, the harness may go back in it.

Your loving father,

W. WINTHROP.

WAIT WINTHROP TO HIS SON JOHN.

NEW LONDON, July 26th, 1711.

DEAR SON,—I haue yours; am glad to hear all are well, and that your aunt is got to Waymouth, but know not but she would have been better here. Anthony was on horsback, and got halfe way up the hill yesterday with the coach-horses; but on second thoughts, I concluded it best to stay him till the post cam with your letter, which was not till this morning, so haue stayed him now till next week, and intend he shall set out on Tuesday; he will leaue the horses at Boston Neck, and go with his own hors over to Rhoad Island, and so till he meets you at Bristoll or Seconk; but unless Latrup with the man of warr be com away, so as to be sure to meet you at Bristoll, it will be a sort of madness to com away. I know not what you will all do here before your things com, so much as for one day or night; I know not how you will all com in the Gov^{rs} coach, and if a wheele or axeltre brake in the woods, how will the children get to any shelter? There had need haue been two coaches; I am afraid of the axeltre of our coach. Whatever coms must be veiued well in all parts, and the wheelles well gresed,

least the axeltre burn off with the constant motion, and when all is said and don, if the wind and season be fair so that you may get here in one day, it may be best to advise whether it be not safest to com in the gally or sloop from Road Island, for it must needs be difficult for the coach to get hither, tho it may be possible; and if you depend upon these two horses to com alone from Boston Neck, thay will never do it, tho thay will help with those you bring; I never saw them so poor as now. If the Gov^rs coach coms hither, it must not stay till your mother goes back; he will want it before that. Its best to advise with your mother about everything. If the coach coms over, and the wind should make it difficult to get round Canonicut Island to com to Boston Neck, it may be landed at M^r Vpdick's, or Coales harbour, and our horses be feched thither; the way is as good from there. As for Mingos keeping the mill, I doubt much about his skill at present, but shall be glad to haue him learn and introduce him by degrees, least the people be disgusted for want of a good miller; but if thay will com, I shall provide for them to their content. As to the stone house, I doubt it will be difficult to get it cleared unless I can purchase it; thay speak of doing something to it, and I doubt the woman desines to keep it for a retreat. However, here is house room enough for Mingo, &c. for the present. If it be possible, you must bring a barrill of good pork, or you cannot subsist; here's none to be had here on any termes. Here will be nothing but mutton, and for a family to liue wholly on that will be difficult. Bennit has deceived me every day for a month almost, and will do so still; but here is one Dunbar, of Groton, I think, will do it better by the midle of next week. He has don M^r Cristophers house this week very well. Advise with your mother about every thing; if Kate com, it may be well, if there be room. I haue preserved the feed in the Neck as much as I could, and we must get a cow or two of

Anthony and Yeomans. I suppose the gally is at Boston before this. Don Quicksot is just mounted, and gon with his wife to New Haven, and so to *Our Mannor* and Albany. My servis to every body.

Your louing father,

W. WINTHROP.

WAIT WINTHROP TO HIS SON JOHN.

GROTON, Augst 1st, 1711.

DEAR SON, — I am greatly distressed about your getting safe hither, and see almost an impossibility for a coach to get hither with children, or indeed without. I thought the Gov^r had com as farr as Saxstons in the calash, but am told he com on horsback, which I haue forgot, tho' we mett him beyond Pacatuck River. Thay tell me the coach cannot get over the wadeing place between Boston Neck and Petaquomscut at low water without being wett, which Anthony will enquire as he goes over there. If Blackstons River be very low, it had been far less difficulty to haue com that way. I know of no bad place between Seconk road and M^r Vpdickes. There is good going over Patuxet River at the wares one mile aboue Staffords, and was the way we always went formerly, espetially when the river was up, and is a great cart-road without bankes of either side, or hills to goe up or down; and if Blackstons be low, that is. But the great difficulty will be a little on this side Greenmans, nere Point Jude ponds and between Jo. Stantons and Pacatuck River, and from thence hither; and if any thing should break, what can be don with the children? It will be difficult to bring them on horsback, if there were men and horses ready. If the gally convoys Latrup and meets you at Bristoll or Rhoad Island, it would be best to com that way, if the coast be clear and thay stay for a fair opertunity; and as I wrote before, I know not what you can do here with-

out your things. If Carver convoys the sloop, I look at all to be in hazard if a privateer should meet them. About a fortnight since one Roulstone was chased on shoar about East Hampton on Long Island by a brigantine; but we hear since it was a brigantine that is com into Road Island that he was afraid of, which Anthony will enquire into as he goes. If you com by land, thay must alight out of the coach at all difficult places, and you must get some good pilate that knows the cart-ways well. I pray God to direct you for the best, and bless and keepe you all.

Your loving father,

W. WINTHROP.

If your mother be with you, be carefull of her and hear her advice.

Postscript. What is on the other side I had written for Anthony to carry; but the great raine yesterday hindered him, and the post came this way last night with your letter, and put me out of the fear I was in that you were on the road in the raine. It will certainly be best to com in the gally from Rhoad Island, if the coast be clear; it will be next to impossible to get the coach hither, and uncertaine whether the vessell will exactly meet you here at your coming; two horses will never bring our coach along, if thay goe but ten miles a day, and I am very doubtfull of the axeltre, whether it do not want clouts and be not already hurt by too many nailes in the clouts, which must be well examined, and if new clouts put on thay must be thicker, to fill the boxes in the wheles, which are bigger then those in the old wheles, so that the wheles haue too much room to play, which must be fited or else twill easily breake, and if it be left at Bristoll my horses will never get it home [*torn*], I doubt, unless we go very slow; but you must do that which will be best. The house was don last Tuesday, and is dry in one day. I thought of wood before; there

is som redy cut at Alwife Brook, if I can get it brought down. Its best you obserue the manner of the sash windows, how thay are balanced with waights, and where the waights and lines go; these are shattered with lifting up and down and shoaring them up. I would know certainly what you conclude on by the next post; if you resolute and are shuer of the gally, I need not send the coach horses. I would know also whether your mother resolute to com, because Anthony may bring a hors if she care not to go by water. I would know too wither Mingo coms. I pray God direct, bless, and keep you all; remember me to your brother and sister and all freinds.

Your louing father,

W. WINTHROP.

Augst 2^d. Get some wafers; send the enclosed presently.

JOHN WINTHROP TO WAIT WINTHROP.

Munday afternoone, August y^e 7th, 1711.

HONnd S^a, — We are yet here, thõ we haue been sometime ready for o^r journey towards you and wait only for y^e convoy. As for y^e gally, we are disapointed in her, for as soon as she came in, the Admirall tooke all her men & put them into y^e transports bound for Canada, put out Cap^t Pickering and put in Cap^t Southack, and she is hal'd up to put another deck & fitt, & is to goe first to Port Royall to take in 500 barrels of powder, & yⁿ to follow y^e fleet to Canada. And here is nothing but y^e sloop left, and she has but ten men yet; thõ she is ordered to sayle this day between y^e capes to get her number of men among y^e fishermen, &c., and to enquire after y^e truth of the story about a small vessel that is said to have been lately among y^e fishermen at Cape Sables. And as to y^e safe coming of o^rselves & goods, my trust & dependance is more upon God yⁿ to all y^e guard-ships in y^e world.

And as to o^r going part of y^e way by water in y^e gally, Carver has near as good accommodations in y^e sloop as y^e gally had. She has ten guns, and will have by y^e latter end of this week 60 men, w^{ch} is able to deale wth a small vessell, and for a large vessell y^e gally was not a sufficient match. What can't be helpt must be endured. The Gov^r says she shall be ready to sayle wth Lathrop y^e begining of next week, and y^t day they sayle we will sett out o^rselves. My mother is resolv'd to come, and has gott every thing ready for y^e journey, w^{ch} I am glad of. I have gott every thing viewed & new fitted about yo^r coach, and Mingo drives her wth 4 horses y^e Gov^r has hired of Lyon at Roxbury. Lyon also comes wth us himselve, wth an axe, if there should be any bows in y^e way. Yet I would have yo^r horses come to Boston Neck wth Anthony some time next week, that if we should ferry over from Rhode Island to Boston Neck we may have sometimes y^e use of them. And I don't know any one brook or river, from Boston Neck to Saxtons, but Narraganset River, w^{ch} has a good bridge over it, and Pawcatuck River, w^{ch} is easily gott over at low water. And, as I observ'd, y^e way it is very good from Boston Neck ferry to Thompsons; and I think y^e ways from thence to you is not more difficult than Roxbury hill. We shall have guides to direct us y^e best way, if we come all y^e way by land; but wether we shall or no I can not tell until we get to Rhode Island. The Gov^r has writt Gov^r Cranston to send out y^e vessell on y^e rumour of y^e privateer from Placentia; and if she meets Carver round y^e Cape, it will do well. We purpose to sett out y^e begining of next week if y^e vessells sayle, w^{ch} in an ordinary way they will. I hope you will not be impatient, nor too much concern'd, for wth God's blessing we hope to gett well to you in a little time. Pray for us, and bestow yo^r blessing on

Yo^r most obedient son,

J. W.

We shall doe everything y^t is easiest & best.

WAIT WINTHROP TO HIS SON JOHN.

GROTON, Augst 9th, 1711.

DEAR SON,—I am greatly surprised to hear the gally is going another way, when your letter said she was fitting to com this way this week. I desire to depend upon Gods gracious protection and not on men of warr; but yet we are bound to be in the use of all lawfull means, and not to run headlong into apparent danger and expect to be preserved by miracle; but let us be found in the way of our duty, and then let our relyance be on God, who will saue those that trust in him. You know of what concern it is to us; therefore all prudent caution should be had, and then leaue the rest to him who disposes of us and all we haue, and I hope will preserue from all evill events at this time also. I can scarce sattisfy myselfe that I did not go to Boston a month or six weekes since. These raines we haue had every week haue so raised the waters that I doubt the coach will not goe over Wadeing River; if you take the lower way to Rehoboth, the way turns off just before you com to the bridg, and the river must be past two or three times before you get to Seconk, which must be known; you may see how deep it is at the bridg, but its deeper and bigger lower down; if deep, you must go by Woodcocks, tho it be stony. About two miles before you com to Billings the coach way turns off to the left hand; the Gov^t Bellamont went that way, and I think t' other is hardly passable. If you go by Woodcocks, you must all get out at the Barbers Bason, being a bad side hill a little on this side westward of Wadeing River house, and at all other very difficult places. You must write by the post, that I may be at a certainty about sending the horses. I sñpose Thursday morning may be as soon as thay need sett out. Let your letters not be in the bagg. Remember me to your poor sister and to her husband.

I pray God to bless and keep you all; remember me to every body.

Your affectionate father,

W. WINTHROP.

Send the enclos^d pres^{ntly}.

WAIT WINTHROP TO JOSEPH DUDLEY.

GROTON, Augst 9th, 1711.

S^r, — I am favour'd with your Excellencys letter by the post. It seems strang all should be ordered to Canada. A less force then is gon in Mason would reduce that place, unless any extraordinary Providence happen, and then more might not doe. There was a vessell chaste a shoar on Long Island about three weeks since, one Roulston, but we hear nothing more of the vessell that put her on shoar, but in likelihood the coast will not be clear long if there be any now. Picket, who sayled last night (and has all the stores for Conecticott) will fall into their hands unless thay put into Rhoad Island. I thank your Excellencys care about the children, and hope God will bring them safe. I pray your Excell^{ys} continued direction to them. Its best thay contriue not to be long at Bristoll or Rhoad Island before the vessell get there. I giue my servis to your lady and family. Am, S^r,

Your Excell^{ys} very humble servant,

W. WINTHROP.

I pray Brill may convay the enclosed.

THOMAS LECHMERE TO WAIT WINTHROP.

Boston, August 27th, 1711.

HON^{RED} S^r, — Wee can't both but with uttmost expressions of joy acknowledge y^e receipt of yo^{rs} & my bro^{rs} letters to us p Capt. Williams, w^{ch} wee this day recēd, & can't but with uttmost thanks to y^e Almighty rejoyce with

you in his safe conducting my mother & family to you, where I am sensible she found you in perfect health, which were very glad to understand, & hope in his goodness will continue you all so & return you home in his good time & in safety to us, w^{ch} when you have resolved upon, wee by your advice may give you y^e meeting some part of the way, hope^s it will not be long 'ere that come; for the time is now really tedious & irksome by reason of our being left, as I may say, alone. Wee thank God Lucy is well recovered of her sickness & wee are all in health.

On Saturday, y^e 25th, Capt. Matthews arrived here from y^e fleet, & left them 10 days since at y^e mouth of Canada River with a fair gale up, where hope by God's assist^{ce} they may have done their business by this time, y^e issue whereof wee impatiently wait to hear, tho' wee hear they have planted 100 cannon against us, but hope by the superiority of our forces the matter will not be so very difficult. Capt. Matthews on this coast mett with two menn of warr bound in here from N: f: land, one to cruise here, the other to be a station ship at Annapolis Royall, which will be a strengthening to that place. On Saturday night arrived here letters from England p packett boat from New Yorke; do not yett hear of any for you; if any appear shall in due time take care to forward them to you. The people of the town and country are pretty much afflicted wth a vomitt^s & flux, & apply themselves to my wife, as now the only relict, for some pills & cordiall powder; she therefore desires from you a new supply of all. Just now came an account from Weymouth of Mad^m Corwin's & M^r Thatcher's being taken ill of a feaver and ague, & that her old distemp^r follows her still. Here is not else worth yo^r observation; w^{ch} with tender of both our dutys to self & mother, with kind respects to bro^r & sisters, &^{ca}, is what offers, from, honrd S^r,

Your obed^t & dutifull son,

THO^s LECHMERE.

I have not time to write my bro^r now. M^r & Mad^m Mico are well. M^r Mico desires me to acquaint my mother that he hath sent a bottle of brandy by the post for her.*

Juno hath been & is somewhat out of order. Patience is here, & desires a love letter from M^r Mingo.

SAMUEL SEWALL TO WAIT WINTHROP.

For the Honorable Wait Winthrop, Esq^r, at New-London, Connecticut.

BOSTON, 7: 10, 1711.

HON^{BLE} SIR, — M^r John Dixwell is return'd from England with some degree of light in his countenance. He left a packet at my house, which I found to be a large parchment deed. The Company have purchased Martha's Vineyard and Elizabeth's Islands of my Lord Lymerick, excepting several grants. They gave five hundred and fifty pounds sterling, money of England. In the deed there is a letter of attorney to give livery and seisin; and the Company have made a letter of attorney to several of the Comissioners to take it: you are one of those. The Lientenant Gov^r is y^e first witness of the deed, and brings one of the three with him. He and M^r David Stoddard are in Cap^t Studley, coming hither by way of Lisbon.

That I may draw Major Walley along with me, I have staid late before I set out for Bristol, and am hurried. My humble service to your good lady & family.

I am, Sir, your most humble serv^t,

SAMUEL SEWALL.

* John Mico was a merchant in Boston. He was married to a sister of Wait Winthrop's wife, the youngest daughter of Thomas Brattle, in August, 1689, and died in October, 1718. He is frequently mentioned in Sewall's diary. — Eds.

THOMAS LECHMERE TO WAIT WINTHROP.

BOSTON, Sept^r 18th, 1711.

HONRD S^R, — The inclosed was wrote & should have been sent ^Ƴ last post, but was too late for it & M^r Campbell would not take care of it, so send it ^Ƴ this, by which I am to informe you of our wellfare, my wife being through God's mercy recovered. Wee have y^e dismall & awfull acco^t of our fleet's miscarriage in Canada River, 8 English transports being foundred, & by the computation they sent us have lost 800 or 1,000 menn, amongst whom (lett mee condole with M^{rs} Bethia y^e loss of her reputed amour) Coll^l Barton. He was since found on y^e beach dead, — a dreadfull story to us, but pleasant to our enemys, & be sure they will make an improvem^t by this our sadd disappointment. They are returned from y^t expedition, & by what wee can gather, proceeded to Placentia, hoping to hear a better acco^t of them from thence; but if wee do not, 'twill be no wonder, for y^e gentleman was, I understand, at Guadalupa where his main mast was of more vallue yⁿ the whole island. So it has been by Canada, & may, wee fear, be so by Placentia; * but wee must leave all to Providence, hoping he will protect those poor creatures gone by land, for whom y^e whole town is much concerned, not knowing of what ill consequence it may be to them, beleiving Gen^l Nichollson may be gott too farr to be recalled in any time. For further perticulars be pleased to be referred to y^e Gen^{ls} & Adm^{ls} letters to yo^r Gov^r; so begg leave to subscribe ourselves, with humble duty to self & moth^r, with kind respects to all,

Honrd S^r, yo^r most dutifull son,THO^S LECHMERE.

* The expedition against Canada, which was under the command of General Hill, brother of Mrs. Masham, Queen Anne's favorite, left Boston July 30, and resulted in a miserable failure. Ten or eleven ships were lost, and nearly a thousand persons were drowned. The attempt against Placentia was given up. See Palfrey's History of New England, vol. iv. pp. 283, 284. — Eds.

I suppose you have had ere this y^e acco^{tt} of y^e shipp fitted out from hence haveing taken & sent in hither y^e privateer that hath infested us so long, which was very accept^o to us.

JOSEPH DUDLEY TO JOHN WINTHROP.

Boston, 24 Sept^m, 1711.

S^a,—You have before now the sorrowful disaster of the fleet in the river of Canada, sixty leagues short of Quebeck, where they run upon the north shoar and lost seven transports, 884 men, & amongst them L^t Col. Barton, & are returned down the river, & considering of any further service, I suppose, Placentia. The ill consequences of this loss will be many and great to these provinces. I pray you to give my service to your father & mother & Governour Saltinstal & Mr. Adams.

I am, S^r, your affectionate

J. DUDLEY.

I pray a line some times, that I may be informed of the health of your wife & the children, who I hope I remember alwayes as I ought.

THOMAS LECHMERE TO WAIT WINTHROP.

Boston, Oct. 1, 1711.

HONRD S^a,—This morning I recēd yo^r favour wth y^e packett of powder & letter for my wife, as allso that from my moth^r to M^{rs} Alden, which was accordingly delivered. Are very glad to receive y^e wellcome news of y^e recoverys of all yo^r healths. May y^e Almighty continue it to us all. The unwelcome news of our Canada affair increases dayly. Our forces are arrived, & most of them landed in good health. Last night another man of warr from Ireland arrived here with new recruits for

Canada, & some say more expected. She is now stopped here, & I believe will carry Coll^l Nichollson home to give an acco^{ts} of y^e whole affair. Here are various reports about y^e Admirall* concerning his management of this expedition, which indeed by all acco^{ts} proves very dismal. I wish it does not fall out so to this country in y^e conclusion. Last night also came in here a galley from Lisbon, that came out with y^e mast fleet bound hither, on board whom is our Lieutn^t Gov^r (Coll. Tayler), whom we may hourly expect. There was no news; neither is there any thing further here worth observation. All friends are pretty well in health & tender their due respects to yo^rself & my mother, as likewise doth

Yo^r obed^t & dutifull son,

THO^s LECHMERE.

My wife & child are both well, & give you both their dutys, wth kind remembrances to all yo^r family. I thank my bro^r for his letter; have not time to answer it now, but shall by next. M^r Mico gives his respects to you. There is arrived a man of warr to convoy y^e fishery.

THOMAS LECHMERE TO WAIT WINTHROP.

BOSTON, Oct^r 8th, 1711.

HONnd S^a,— Am now to advise y^e receipt of my bro^r letter, w^{ch} should now have answered, but thought it my more im^mediate duty to acquaint you of a dreadfull accident that happened last weeke, viz.: on 2^d inst^t, in y^e evening about 7 or 8 of y^e clock, a terrible fire broke forth, beginning in Capt. E. Savage's back buildings. It was so rageing y^t it has consumed all y^e houses on both sides of y^e way as farr as M^r Pemberton's (y^e minst^r),

* The Admiral was Sir Hovenden Walker. The pilots were ignorant of the navigation of the St. Lawrence, and served unwillingly; but they laid the blame for the loss of the ships on the Admiral and the captains.— Eds.

down to M^r Clarke's, & Mann's y^e brazier's, & in King Street, so low as M^r Palmer's house, all y^e houses are down to y^e ground; y^e old church & town house are allso burnt. M^r Dudley's house is likewise down. Surely 'tis a most miserable prospect; but it hath pleased y^e Almighty in y^e midst of his fire to preserve us and both our houses, tho' both in iminent danger & forced to remove (yo^r house have^s catched once or twice), for which we cannot but be thankfull. Several poor souls, to y^e number of 6 or 7, in their attempts to save y^e houses have lost their lives, & more that wee hear not of as yett, as we fear. Three sailers endeavouring to save y^e bell of y^e old church were consumed in y^e fire. All things are again settled allmost in our houses, & I hope without y^e loss of much, if any. Indeed, I can't but say, y^e middle of y^e town lyes now in ashes. Some people are beginning to build again, as Capt. Pitts, Walker, & some others. I thank God wee are in health, tho' our spiritts are damped at y^e such an awfull desolation by fire; hoping to see you quickly here, do conclude with tender of our dutys to yo^rselves & respects to bro^r & sist^r, &c^a, remaining, S^r,

Yo^r obed^t & dutifull son,

THO^s LECHMERE.

The mast fleet arrived this weeke wth our Lieut^{nt} Gov^r, Coll. Tailer, & was sworne. They saw y^e fire 10 leagues to y^e eastw^d of Cape Ann, and 'twas their land fall.

THOMAS LECHMERE TO WAIT WINTHROP.

Boston, Oct^r 15th, 1711.

HONnd S^r, — Yo^r favour of y^e 11th wee have recēd, and are somewhat sensible how amazeing our late dreadfull conflagration hath been to you, & what a distinguishing mercy of y^e Almighty it hath been towards us & ours in preserveing us from it. As for a perticular acco^{tt} relate-

ing to Mad^m Endicott & Corwine, they are through God's mercy in indifferent health. Mad^m Corwine, since y^e fire & y^e disturbance it occasion'd, hath been somewhat disordered & growes worse dayly. Yo^r presence, which wee hope will now be quickly, will somewhat revive her. She is at M^r Walley's wth M^{rs} Gwinn. M^{rs} Endicott is now at M^r Edwards's (he hath taken M^r Davenport's house at y^e South End), and are all well, and opened their new shop there. This comes Ɔ y^e postman, who will deliver it you if on y^e road; if not will forward it, but hope it may meet you. I have not seen Coll^m Smith as yett, tho' he left y^e letter wth my wife, I not being at home; but shall take an oppertunity to see him if can. Wee should be glad to know y^e time of yo^r come^s into town, for would gladly give you y^e meeting some part of y^e way; if my wife cannot, I shall be waiting for you at Billingsly's one night, if can possibly. Have not else, only y^e tender of mine & wives most humble duty, not forgett^s Lucy's, to you both. Wee remaine

Yo^r obed^{tt} & dutifull son, THO^s LECHMERE.

Coll. Vetch, S^r Cha^s Hobby, & our N. England troops are yesterday arrived here from Annapolis Royall.

THOMAS LECHMERE TO JOHN WINTHROP.

BOSTON, Nov^r 5th 1711.

DEAR BRO^r, — After a tedious journey concluded, my fath^r, &c.* supped at home on Sunday evening, comeing from Dedham after meeting, & in y^e evening I gave them the meeting as farr as two miles beyond M^r Newell's, where I mett them on y^e road, & was very glad to find them in good health, as they thro' mercy do continue, &

* For a particular journall of their voy^s, I refer^r you to my father's letter, suppose he'le write to you, & acquaint you of their arrivall. M^{rs} Uplike sent us a cheese for a present. — *Note by Lechmere.*

are very wellcome to us all. I have often been with Mr Down's respecting y^e chairs, &c. He say's he now hath them, & they shall quickly be done; but what dependance there is to be putt upon his word I know not, they forfeiting it so often; but he shall not want of being put in mind of it, & when have reced them, shall be forwarded to you w^h first oppertunity. As for news, publick or private, little or none worth yo^r notice is stirring, only in our late storme a privateer from Placentia was happily cast away in Cape Codd, y^e men were taken prisoners & bro^{tt} hither on Saturday morning; there is also a report y^e Indians & French are formeing a descent against Annapolis, whither all our grand segniors are repaireing wth all speed. If this poor information be of any service to you, am glad of it, so take leave; with tend^r our best respects to all, I am, in haste,

Yo^r. affect^e bro^r & hum. serv^t,

THO^s LECHMERE.

I went to Billingsly's to meet y^m on Fryday morn^e & stayed till Saturday there, but was disappointed. My wife says she intends to bespeake you for her butter woman for y^e future.

WAIT WINTHROP TO HIS SON JOHN.

BOSTON, 9^{br} 16th, 1711. Fryday noon.

DEAR SON, — I haue your letter, and rejoyce in God's goodness to you and all of us, and desire to be thankfull for his many mercys and preservations we haue been the subjects of, and you and yours in perticular. I haue been affected with what you wrote; but let us haue a care not only to say or write so, but be carfull that our hearts are right, and that we endever to show it in an answarable conversation, that God may be indeed glorified by us; and if we can at last remoue to an inheritance incorruptable,

it will not be much matter what remoues or how many we make here. I haue been ill of a loosness ever since I came hither, but am now well again (I thank God). M^r Ashby was very ill of it most of the last week, and Mingo also, and took pills for it and are pretty well. I could not look out for any thing for a coate last week or any thing else; and Maj^r Wally's wife lyes now dead in his house, that I can see nothing there; but Louder has a good cloath which will not be dere, which I think to send you with a warm lining, with leather briches; but thay will not be don for Anthony, he hauing so much mourning to make for Maj^r Wally and your landlord Clark, whose wife lies dead also.* (M^r Poole also was buried on Saturday last.) Those things I could get at Clarks I send by Anthony; a pitchfork you must get made there; here are non but what the smiths make, and there is an iron maule at the mill which will serue you and them. There is a M of nailes more, as in the acc^t inclosed; the other things must be sent som other time. I haue sent four yards of very good duffalls at 5^s 3^d, and twelue yards blew cotton at 3^s 6^d, least the servants should want clothing to keep them warm night or day. Since I wrote that on the other side M^r Ashby has been detained by the wether, &c.; but I could not get your coat and briches don, but he says thay shall be ready for the next post. I haue wrapt the smale things in som of the black bays that covered the coach, which will make the boy and girl under clothing. The enclosed from M^r Phillips you must take care to answare by the first opertunity, and send him a cobby of Coll. Dongan's release, which you will find among the papers there; and do not neglect it. I cannot write to him now. My hors must be kept well, who will draw the cart if gently put to it; but I haue sent

* Sarah, wife of John Walley, died Nov. 10, 1711; and on that day Judge Sewall records the death of "Mrs. Rebe-kah Clark, Mr. Elliott's granddaughter." On the same day he was a bearer at the funeral of Mr. John Pole, who died November 7. See 5 Mass. Hist. Coll. vol. vi. pp. 325, 326. — Eds.

the great hors. It will be best to kill what beife you do before it fall away. Anthony says the cow at his farm is good; the Gov^r says his miller's brother will com to you if I can agree with him after he comes from Tanton; but its best not to lisp any thing about it till you hear farther. I hear nothing of the Mohauk. Coll. Nickelson is got aboard before the storm, and I suppose gon out to day. Its better not to mind the insolency you meet with till another opertunity. I doubt Lathams will not be able to perform what you write, but I leaue it to you; only see thay do not make a market of the wood, but reserve liberty to cut off what we please or digg stone. I haue not time to send toys to the children; I pray God to blesse and keep you all. I send loue to my daughter and the poor babes, and servis to freinds, and am

Your affectionate father,

W. WINTHROP.

Every body sends loue and servis to you all. Your poor Ant Corwin I thought would not haue lived till now, but God be thanked seems a little revived, but extrem low. Send the key of the drawers of the scrutore. Anthony has one of the leather halters. I wrote a word or two by the post before last and paid the postage, which may be the reason you had it not.

WAIT WINTHROP TO HIS SON JOHN.

BOSTON, 10^{br} 3^d, 1711.

DEAR SON, — I wrote a few words by the last post, with one pair of little shoose for Nañe, which was what I could then get. I haue now little time to write. God has been pleased to remoue your poor Aunt Corwin out of all her pains and troubles into a blessed state (I trust), which calls upon us all to be prepared also; she dyed on Fryday morning about four aclock, and is to be intered

this afternoon; there is no doing anything more than what is decent of necessity. I make nothing but what is by me, and thay all provide for themselues; if you haue any thing black you will ware it, at least on publick days. Cous. Lise undertakes the rest.* I haue sent a wastcoate cut out; I knew not whether you would haue sleeues to it, but haue sent them and shoose for the children; the almanacks I sent were new ones for 1712. Maj^r Wally's daughter Hannah was buried on Satterday last, A. M.; her sister Chancy lyes very ill. You haue not sent the right key; it fits none of the locks. I shall contriue about the news-papers if I can. The Gov^r will see for a Frenchman, but he must be sent again when there is an exchang. I doubt he will get none to be willing; thay are all at Cambrige. The miller is not yet com back. My agrement with Atwell was for halfe the tole of all grain but wheate; he sayd the last year when he ground most wheat thay allowed him a bushell or two. I tould him I should not stand for a bush. or two, if he ground much wheat; he was to dress and repair when the coggs, &c., broke; its best to keep fair with him till a better opertunity that I may speak with this man, as also with Anthony, &c. Every body is well; my loue to my daughter and the children.

Your louing father, W. WINTHROP.

JAMES PIERPONT TO JOHN WINTHROP.†

N. HAV., Dec. 24, 1711.

WORTHY S^r, — I have often design'd, but have been p^rvented, & theref^r hav^s so fair an opportunity p^r M^r Ol-

* Under date of Dec. 3, 1711, Judge Sewall records: "Mrs. Margaret Corwin, Mr. Jn^o Corwin's widow, maiden name Winthrop, is buried in Gov^r Winthrop's Tomb." He was one of the bearers. See 5 Mass. Hist. Coll. vol. vi. pp. 327, 328.—EDS.

† For a biographical notice of Rev. James Pierpont, and letters from him to Fitz-John Winthrop, see 6 Mass. Hist. Coll. vol. iii. pp. 266, 267.—EDS.

ford, may not omit most heartily to congratulate yo^r self & lady with the family's arrival in o^r colony and upon yo^r own estate. It's very pleasing to o^r people that y^e honn^{ble} name of Winthrop, unto w^{ch} we owe perpetual honn^r & gratitude, should be preserved amongst us, and found in so fair an inheritance ; w^{ch} will advantage yo^rself to continue the good services in many respects wherein yo^r progenit^{rs} haue made themselues justly renowned in o^r country. May y^e blessing of yo^r forefathers come down plentifully on yo^r self & whole family, w^{ch} will be a great rejoycing to o^r people, and to none more than him who shall always thankfully embrace opportunities of expressing how much I am, S^r,

Yo^r unfeigned friend & humble serv^t,

JAM^s PIERPONT.

WAIT WINTHROP TO SAMUEL READE.

[Extract.]

BOSTON, Jan. 10th, 17 $\frac{1}{2}$.

I SHOULD have been very glad of an oportunity to have seen you and my freinds there, but, old age coming on, Providence seems to deny that favour ; notwithstanding, hope to continue that correspondance which becoms so nere a relation. I was most of the last summer at New London, where my son is gon to reside with his family ; so mist oportunities of writing, being encombred with the affairs there. . . . I am sorry to hear my good freind S^r H. Ashurst is dead.*

* Under date of April 16, 1711, Samuel Reade had written Wait Winthrop: "I suppose you will hear from other handes of y^e death of S^r Henry Asshurst"; and on the 19th of June, in the same year, Judge Sewall mentions "reports that Sir Henry Ashurst is dead." See 5 Mass. Hist. Coll. vol. vi. p. 315. He probably died early in April, 1711. — Ebs.

THOMAS LECHMERE TO JOHN WINTHROP.

BOSTON, Feb^y 11th, 171 $\frac{1}{2}$.

DEAR BROTH^r,—I come now to acknowledge my self in yo^r debt 2 letters, & now to discharge them both at once. I thank you for y^e credit you have given me in trusting me so long before you dunned me for an answer to y^e first. I hope you will 'ere long give me a full discharge for them both. I intend to wait upon my fath^r & you this spring, & then take yo^r acquittance for y^e debt. Am sorry for y^e loss of so many (& as yo^r parsons say, usefull) men out of yo^r parts by the infection now amongst you; hope you may keep clear of it. On Friday, y^e moon being in y^e Dragon's taill (an ill omen), wee had something to do in Boston Co^mon,—two of our sparks (officers), Mess^{rs} Douglas & Alexander, had a mind to shew their manhood. Alexander (like y^e Great of old) gave y^e challenge. Douglas in honour could not refuse it, so very lovingly tooke their departure from Boston into ye Co^mon; there they bravely gave y^e word draw; out they pulled spado, to it they went, & manfully engaged each other, & like two brave heroes gave each other a mortall wound. Douglas reced his wound in y^e belly; Alexander through y^e shoulder & out at y^e back, & 'tis doubtfull whither either will recover. This being y^e substance of the story or tragedy, I could not but acquaint you as a lover & admirer of such Hectors.*

M^r James Oliver was lately married to M^{rs} Rebecca Loyd, & live in M^r Serjeant's house (Sudbury Street).

* The duel was fought, February 8, on the Common near the burial-ground, between Lieut. James Douglas and Lieut. James Alexander. The latter died on the 16th of February, and warrants were immediately issued for the arrest of Douglas, who, it was reported, had gone to Annapolis. See 5 Mass. Hist. Coll. vol. vi. pp. 334, 335. Wait Winthrop, writing to his son March 17, 1711-12, says: "A vessel just now from Annapolis brings word that Douglas, the North Brittain that made his escape, is got thither, and like to be well of his wound, and that S^r Charles Hobby's eldest son was kil'd with a gun, as he and another were a guning in a canue, which by som means or other went off as it lay in the canue."—EDS.

This is all the news I can tell you, & hardly worth yo^r notice. I am now to beg one favour of you, that you secure for me all the bayberry wax you can possibly lay yo^r hands on; what charge you shall be at in securing it shall be thankfully repaid you or yo^r order upon receipt of; you must take care they do not putt too much tallow among it, being a custome & cheat they have gott. Pray be mindfull of it, & at any time till I forbid it, secure me what you can. We are through mercy all in good health. I am wth due respects to all in generall,

S^r, yo^r very hum. serv^t, THO^s LECHMERE.

Pray an answer if can procure any wax or not; they tell mother best place is off yo^r islands. Horses are now in demand; if have any good ones, would sell indifferent well.

JOSEPH DUDLEY TO GURDON SALTONSTALL.

ROXBURY, 20 May, 1712.

S^r, — Inclosed is a joynt letter from Collonel Vetch & my self, in w^{ch} I earnestly ask yo^r friendship to that family w^{ch} has been long y^e first & most serviceable family in y^e Collony of Connecticott, & assisted in their first establishment, & untill yo^r own entrance upon y^e gover^{mt}. And no person living shall ever perswade me y^t Govern^r Saltonstall dos not desire & will not be glad of their peaceable & quiet possession of their estate. You will pardon me to be sollicitous for their ease & repose, wth whom my father had a near affinity, and now I have my self the hono^r to have a daughter in their house. If you please to concern yo^r self in y^e matter now so troublesom to them, I will endeavour to deserve it by any service to you & yo^r^s in my power. I am, S^r,

Yo^r very humb^l serv^t, J. DUDLEY.*

* This letter is a copy in the handwriting of John Winthrop; and on the same sheet he has copied the joint letter to Saltonstall from Dudley and Vetch, which recites at length the

GURDON SALTONSTALL TO JOSEPH DUDLEY.

N. Lond., May 29, 1712.

S^a,— Upon my return from Hartford hither, on Monday last, I rec'd y^r Excellency's lett^r of y^e 20th currant, wth that of the 16th of the same month, wherein you joyu wth Col. Vetch. And must confess I have y^e vanity to believe y^t y^e arguments y^r Excel^t makes use of could not have a greater force upon any man than they have with me ; and dare profess a most sincere desire to do any service in my power both to y^r Excell^t & a family which I have always had so just a respect for.

I discours'd yesterday wth Maj^r Gen^l Winthrop & M^r Merrit together, & brought M^r Merrit to be willing to surrender immediately, or in a few days, the Island, & that part of the stock which he owns he ought to yield up, there being some part of it which he said was lost by murrein, thô y^t is not much. There is also some controversy about the remaining rent, & damage by moose, which I perswade them to issue by the judgment of indifferent men ; or if they cant do so, to let y^e law decide it. I haue prevailed wth M^r Merrit to believe it unreasonable to withhold what he saies he is willing to surrender, merely upon acc^t of a controversy about the rent, &c. And Maj^r Winthrop is willing to receive according to this proposall, which I take to be the first best step y^t I can bring the tenants to, towards issuing the whole controversy. M^{rs} Raymond keeps out of the way for fear of an arrest ; but I am promised to see her to-morrow, and doubt not she will comply.

There is one great article in y^e debate concerning y^e rent, which seems to be y^e most difficult. The lease

annoyances received by Wait Winthrop from certain tenants on Fisher's Island, who had made the absence of John Livingston (one of the executors), a pretext to delay delivery of lands and stock formerly the joint property of Fitz-John and Wait Winthrop. Colonel Vetch joined in this remonstrance, because he was the brother-in-law and intimate friend of Livingston. Dudley's rough draft of it is also among the Winthrop Papers. — Eds.

expresses it to be £200, currant money of N. England. This y^e lessor reckons at 17^{dw.} 12^{gr.} for 6 shillings. The lessees take it to intend 15^{dw.} for 6 shilling, because silver passed so when the lease was made; y^e statute setting y^e former rate was made since the commencing of the lease. M^r Merrit gaue me yesterday a copy of one of Maj^r Winthrop's recp^{ts} (which I have transcribed and inclosed), by w^{ch} he pretends y^e Maj^r has himself determined the true intent & meaning of y^t clause in y^e lease.

I acquaint y^r Excell^y wth this because I believe y^r advice upon it would do the most towards determining that controversy. I have communicated the joynt lett^r to M^r Merrit, & shall to M^{rs} Raymond when I see her. There is no point in it that I can dissent from, but only y^r opinion of the tenants hearkning to my advice. They pretend to council at N. York; but I have ventured to assure M^r Merrit upon my discourse wth him that he mistakes their opinion, for he only lets me know it by word of mouth. I firmly believe M^r Livingston has no thought of countenancing the tenants in this matter. If I have any advantage upon them, it must be by declaring positively ag^t w^t they pretend to be the opinion of lawyers at N. York, which I have done; and M^r Merrit has upon it yielded so far as to agree to surrender, as I have said before. I beg y^r Excell^{ys} favour to give my service to Colo. Vetch, and to be assured that I will bear the blame if any endeavours of mine be wanting to promote the good service you have desired of me.

I will ask leave to be so free wth y^r Excellency alone as to tell you that I doubt Maj^r Winthrop has been ready to suspect me of being council for y^e tenants ag^t him, which I protest is perfectly wrong. I cant imagine any occasion he has for such a thought, unless it be a small article of account refering to y^e late Gov^r Winthrop's estate, wherein I believe he may at last be convinced I was in y^e right. I

have often expressed my mind freely to him upon it, and now again upon this occasion, only to assure him that I would despise the thought of its standing in the way of any service I could do him, thô the article were a thousand times more considerable than it is. But you know, S^r, how little good any proposall of mine is like to do, if it bent thought cordially. And for y^t reason I have given you the trouble of so long an epistle, that if you approve of the project I have set on foot for a present delivery of the Island, &c., as above expressed, you may recommend it as safe & proper. I am, with all possible respect,

Y^r Excellencies most obed^t humble servant,

G. SALTONSTALL.

EBENEZER PEMBERTON TO JOHN WINTHROP.*

BOSTON, Octob. 5, 1712.

DEAR S^r,—I was obliged and pleased to the last degree with your kind letter by Mad^m Winthrop. You may be assured that I account myself under strict obligation to bear you and your's on my heart in my most serious hours, & desire to bless God that he has spared your family in time of great mortality round about you. And may God go on to preserve and bless your vine, and continue and encrease your olive branches round your table, and may they all be true plants of righteousness! I heartily wish your dear spouse thrô the difficult hour before her; I trust that God, who has appeared in her past mom'ts of difficulty, will still work salvation for her; give my tender regards to her. God has been pleased to carry my dear Molly thrô that perilous hour, and bless us with another son; our experiences should strengthen my dam's faith, for (I doubt not but) she has chosen the same God for her refuge.

* Rev. Ebenezer Pemberton, at that time minister of the Old South Church, and Fellow of Harvard College. See Savage's Gen. Dict. vol. iii. p. 387. — Eds.

I know you will now expect news from me, for on Tuesday last we had a ship from G. Britt. ; I shall hint at a few passages. The British troops certainly took possession of Dunkirk on the 7th of July last ; and Brigad^r Hill, whom we have the honour to know, is made Govern^r of it. The peace between England and France was agreed on, but was not to be proclaimed till the 4th of Sept., that the rest of the allies might have opportunity to come into it. The D. of Ormond did actually withdraw his troops from Pr. Eugene in a critical season, since which it is s^d that the Confederates have lost 10,000 men. The Earl of Albemarle, the Dutch general, was taken prisoner, and there is a report viâ Newfoundland that, by later advices, Douay is retaken by y^e French. My L^d Privy Seal at Utrecht declared to the Allyes that her Majesty was free from all further engagem^{ts} to y^m, which the Dutch has resented in a close letter to y^e Queen.

Things look dark at home. D^r Fleethood, Bishop of S^t Asaph, writ a preface to four sermons, in which he justifies the Revoluc^õn, dos honour to the memory of K. W^m and Q. Mary, asserts his good will to the House of Hanover and his enmity to tyranny and oppression, and speaks honourably of the former ministry, the Duke of Marl^b., and represents the dark prospect from the present posture of affairs ; but this was soon burnt by order of the House of Commons. What will be y^e issue of affairs God only knows, and all the satisfaction a thinking person can have in so dark a day is that Christ is on the throne, who will make the wrath of man to praise him, &c. Give my dutifull regards to your honourable father, service to M^r Adams, and allow me, dear S^r, to be numbered among the

Most affectionate of your friends,

EB. PEMBERTON.

THOMAS LECHMERE TO WAIT WINTHROP.

BOSTON, Oct^r 27th, 1712.

HONRD S^R, — Not being favoured with any lines from you by the last post, but hearing from my sist^r of yo^r well-fare & of yo^r being gone to y^e Island, by her letter to my mo^r, I can't but rejoyce with you therein; may y^e Almighty continue it to you & yo^{rs}, he haveing among all other his mercies further added a blessing to me by giving me a son on Thursday morning, who (God be thanked) with his mother are very well, as can be expected. I haveing none among all my relations of my name have called him so; but had there been any live^s, or any likelihood of any, I should have done myself & him y^e honour (with yo^r permission) to have named him otherwise. Give me leave to reco^mend him & ours to yo^r wonted care & favour, begging yo^r prayers for us all, hopeing 'twill not be long 'ere wee shall be so happy as to see you here, which wth y^e tender of all dutys to yo^rself, wth kind love & service to bro^r & sister is what offers from, S^r,

Yo^r most dutifull son,THO^S LECHMERE.

As for news lett me referr you to my mo^rs letter to Sist^r Winthrop. I shall only say wee have this day had a proclamation read for y^e cessation of arms by sea & land, y^e gunns being fired.

My wife is in mighty distress for a good cow; could my bro^r procure me one, & send by Apley y^e ferryman, I would gladly pay him for her. He or his partner Rogers, yo^r neighbour, are frequently comeing to town wth cattle. If he procures me a good one, lett him send me her markes & colour.

QUEEN ANNE'S MOOSE.

AT a Council held at the Council-chamber in Boston, upon Thursday, the 13th of November, 1712, present: his Excellency Joseph Dudley, Esq^r, Gov^r; the Hon^{ble} William Tailer, Esq^r, Lieut. Gov^r; & of y^e Councill, Elisha Hutchinson, Peter Sergeant, Penn Townsend, Joseph Lynde, Andrew Belcher, El^m Hutchinson, Isaac Addington, Esq^{rs}; present, also, the Hon^{ble} Govern^r Saltonstall, of Connecticut; Captain Elford, of the Hector man of war.

His Excellency acquainted the gentlemen that he had yesterday received a letter from Captain Elford, importing that he was commanded by the Lords of the Admiralty to transport to Great Britain, in her Majesty's ship Hector under his command, three moose deer that are upon Fisher's Island, and that the ship is at New Yorke, fifty leagues distant from the said island.

Captain Elford then further acquainted the gentlemen present that it is impracticable at this season of the year to bring the Queen's ship around from New Yorke to Fisher's Island, to take in the said moose deer, without utmost hazard of her Majesty's said ship. Governour Saltonstall informed that the stag moose was lately killed by his own unruliness, but that the dam and the young stag were well and fit to be transported.

It's concluded that there is no method for transporting the said moose to New Yorke but in a large open boat, of which there are numbers at New Yorke; and that his Excellency Governour Hunter be desired forthwith to send one such boat, well man'd, for that purpose, and an officer to oversee and take care of their transportation to New Yorke, Governour Saltonstall declaring there is no open boat within his government capable of that service; that the Honourable Governour Saltonstall be desired to direct Captain John Prentice, of New London, whome he

named for that end, to take such assistance as he shall think necessary to see the said moose deer well ship'd off, with the advice of Governour Hunter's officer and one officer from Captain Elford, and that Governour Saltonstall shall furnish hay & oates necessary for their passage; that a letter, with a copy of this agreement and resolve, be sent to Major Winthrop, or his son, at New London, to be ready to deliver the said moose accordingly; and another copy be sent to Governour Hunter, and copys of the same be given to Governour Saltonstall and Captain Elford by the Secretary; that the matter may be effected with all care possible.*

Is^a ADDINGTON, *Sec'ry.*

KATHARINE WINTHROP TO WAIT WINTHROP.†

For the Honourable Wait Winthrop, Esq', at N. L.

BOSTON, Feb. y^e 9th, 171³.

MY DEAR SOUL, — I have yours by the post. Am
always revived when I hear from you; should be much

* The united efforts of three provincial Governors failed in delivering these moose on board the Hector, as shown by a letter without address, dated April 1, 1714, and signed by J. Burchett, Secretary of the Admiralty. He recites the failure of Captain Elford to bring home three moose deer "procured by Gen^l Nicholson for the Queen, and kept on an island in New England belonging to Major Gen^l Wait Winthrop"; and he directs his correspondent (evidently the captain of another man of war) to notify Major-General Winthrop and the Governor of Connecticut that a fresh attempt must be made to ship them, or such of them as after so long an interval may be still living. The following reference to them occurs in a letter to Wait Winthrop from his son, dated New London, August 20, 1713: "Deacon Plum came just now to tell me y^t Havens and Latham, &c., was terrified by y^e buck mooses running at them y^e last Sabbath day, and they drove them into y^e water, and chast them about wth a canoe till they tyred them, and then wth a saw cut off y^e buck's hornes; and he immediately gott ashore and dyed in a moment. This is y^r story. They are a company of base, distracted fellows, and I doubt, it being a very hott day, that they surfetted y^e poor creature, or else kill'd him wth clubs. And I am afraid they did it because the creature had bitt some of y^r corne, and to get ridd of them. They kil'd y^e other y^e last year after such a mad, imprudent manner. And if y^e Queen should send a ship on purpose for them, what should we doe? Doubtless Nicholson will have some orders about them. It is a great misfortune to us to have them come to such an end after all y^e noyse has been made about them." — EDS.

† There are nineteen letters of this lady among the Winthrop Papers, all essentially domestic, but giving a pleasant impression of her affectionate and unselfish character. For a circumstantial narration by Chief Justice Sewall of his persistent but unsuccessful attempts to marry her after Wait Winthrop's death, see 5 Mass. Hist. Coll. vol. vii. *passim*. — EDS.

more so could I see the, my dear. It cant be long in an ordinary way that we can expect to live, and to be so long assunder is very greivous as well as dishonourable for us. I send a couple of shirts; live in hopes you'll bring them back again as soon as possible. I did not wright by M^r S., but sent two letters by him from Doc^r C. Mather, one for you and one for your son; suppose you have them.* We are weary with sending to M^r Dosset for the shoes, &c., which are not yet done, but says by the next post they shall be ready. Coll. Hutchinson buryed his wife last Saturday.† Doc. Cook's wife is very ill. Our children and friends send duty, love, and service to you and M^r Winthrop. Pray give mine to everybody, and remember

Your poor wife, KATHARINE WINTHROP.

I have a great cold and pain in my head, and cant write.

KATHARINE WINTHROP TO WAIT WINTHROP.

For the Hon^{ab^{le}} Wait Winthrop, Esqu^r., att New London.

BOSTON, May y^e 4th, 1713.

MY DEAR HUSBAND, — I have your's, and am greatly refreshed to hear your cough is moderated and that you are better. Pray that God would confirme your health. My dear, I never thought any difficulty to great if I might be helpfull to you any ways, tho should be glad your return would prevent such a journey. I have inqr'd for news. Cap^t Sewall says if y^r be any worth sending you shall have it. Our children and friends are well; send duty, love, and service. Thyah gives her duty, and

* Numerous letters from Cotton Matber to Wait Winthrop and to John Winthrop were found among the Winthrop Papers, and, by permission of Hon. Robert C. Winthrop, were included in the Society's volume of Matber Papers (4 Mass. Hist. Coll. vol. viii.) published in 1868. — Eds.

† Elizabeth, second wife of Elisha Hutchinson, died suddenly, Feb. 3, 1712-13. See 5 Mass. Hist. Coll. vol. vi. p. 369. — Eds.

sends a piec of sittone. She says it will be good on the road; we had no more. If you will have any thing for your journey, send word and it shall be done. My dear soull, I pray God to bless and keep thee; hope it wont be long before I shall see thee. I long for the time, and hope you allways remember

Your poor affectionate wife,

KATHARINE WINTHROP.

KATHARINE WINTHROP TO JOHN WINTHROP.

For M^r John Winthrop, att New London.

BOSTON, June y^e 1st, 1713.

MY DEAR SON,—I thank you for yours, and for the respect and sympathy you express toward me in this time of affliction which our Heavenly Father, that dos all things well, has brought upon me.* May he that has sent this rod sanctify it to me for spirituall advantage. I desire to bless God that I have had such a brother, and for the honour that God put upon him in qualifying him for, and imploying him in, service for his people; and for the good hopes we have that he is reaping the fruite of his labours and is at rest in the armes of his Redemer. May we all be prepared for our change, is the prayer of

Your sorrowfull friend, &c.,

KATHARINE WINTHROP.

Give myne and my children's love to M^{rs} Winthrop and all the dear children.

* The writer's elder brother, Thomas Brattle, long Treasurer of Harvard College and one of the founders of Brattle Street Church, died May 18, 1713. See Savage's Gen. Dict. vol. i. p. 239. — Eds.

JOSEPH DUDLEY TO WAIT WINTHROP.

To the Honorable Wait Winthrop, Esq^r, New London.

BOSTON, 8 June, 1713.

Sⁿ, — I am glad of your restored health & intention to see us again, but am greatly troubled at the disrespect of the General Assembly in their election of Councillours; * & I ask your pardon to move you in your own great affayres where you are, for that it proceeds of a sincere & good affection to your person & family, that you will please before your coming away to settle your affayres so that M^r Winthrop your son may know what you would have him do, referring to M^r Livingston, who is now here, as well as others your debtors & creditors, who can not possibly be at ease untill your troublesom affayres are ended. It would be much better, in my opinion, that you would sell some wild lands that are of no benefit or income, which would now sell well in peace, & leave no incumbrance upon your children.

The English saying is, No wise man dyes without a will. I am sure it is much more true in our country, where courts please themselves often to destroy intestate estates by tearing them to pieces. I heartily wish prosperity to your person, family, & affayrs, & again ask your pardon, & am, S^r,

Your most faithfull humble servant,

J. DUDLEY.

* After a service of twenty-one years in the Executive Council of Massachusetts Wait Winthrop was left out at the election of 1713, though reinstated a few months later. Judge Sewall described this defeat in his diary as follows: "Tis to be lamented that Maj^r Gen^l Winthrop had but 46, and was left out. He was the great stay and ornament of the Council, a very pious, prudent, couragious New England man. Some spread it among the Deputies that he was out of the province and not like to return. (Has been absent ever since April, 1712, but through sickness.) Lieut. Gov^r said he was a non-resident. . . . Thus M^r Winthrop is sent into shade and retirem^t, while I am left in the whirling dust and scorching sun.

So falls that stately cedar! whilst it stood
It was the truest glory of the wood."

NATHANIEL WILLIAMS TO WAIT WINTHROP.*

To the Hon^{ble} Wait Winthrop, Esq^r, at N. London.

BOSTON, June 29, 1713.

HON^r S^a, — We are in hopes, from the grounds given from your self, that these lines may find you upon your journey home ; but lest that sh^d be prevented, wherever they find you, they come of an important thô unwelcome errand, to let you understand Madam Winthrop's illness. She was first attacked with a cold 4 days since, which has raised a great disturbance in the whole mass of the fluids, together with great pains in all the solid parts, & very troublesome hysterⁿ passions. The spirits are low & very much discomposed. Her nights are restless, with little or no sleep. Last night and this morning I found a high fever. All symptoms are very uncomfortable, and call speedily for your much desired presence and advice. Madam's illness excuses your receiving a letter from her more welcome hand, and hath call'd for these lines from

Y^r Hon^{rs} very humble serv^t,

N. WILLIAMS.

*Haec mea si, conjux, mireris epistola quare
Alterius digitis scripta sit, agra fui.*

Indorsed: "M^r Nathan! Williams, Rector of Free Schoole at Boston."

WAIT WINTHROP TO HIS SON JOIN.

BOSTON, July 13th, 1713.

DEAR SON, — I haue yours ; I thank God you got well home ; hope you found the children all well. Your

* Nathaniel Williams was born in Boston Aug. 25, 1675, graduated at Harvard College in 1693, and in 1698 was ordained as an evangelist for one of the West India Islands. In August, 1708, he was appointed head master of the Boston Latin School, which office he held until 1734, when he resigned, on account of "age and infirmities." He died Jan. 10, 1737-8. See Eliot's Biographical Dictionary, pp. 494, 495. — Eds.

mother has had the ague and fever every other day, but more easy I hope every time ; she sits up on the well day, but is but weake, but I hope mends. I haue not been able to get hatt, shoos, &c., hauing been confined by reason of your mother's illness. M^r Dosset promises to haue a pair or two for the next post, and hope shall by that get somthing for the children. The Gov^r went last week to Piscataque. Mess^{rs} Sewall, Townsend, and Belcher went this morning in a sloop. Your brother Lechmere and som others went this morning by land ; every body else prety well ; shall take advice here about every thing as soon as I can. I leaue the matter about Yeomans and Brown with you. I cannot want as good as thay are against an other year, if thay are unreasonable. I hope to be there again by the fall. Get the milston don as soon as may be ; hope M^r Havens will not fayle about that matter. Cañell had 18^d for your letter. I haue agreed with Jordan by the quarter to be paid here for all little bundles, such as we use to make up for our letters ; for bigg bundles must pay besides, so you must make a little thing with every letter, and not let it com to Cañells hand. I haue got the goune made for aunt and send it herewith, also two peices of lining Scotch cloth for the children, and a primer for Nañe, a hornbook for Kate, and a catechise for Mary ; her thimble, &c., must com next post ; shall see for shirting for you against the next. M^r Rogers of Ipswich very ill ; sent for M^r Leveret and wife last Fryday ;* haue not heard since. Remember me to your wife and the children with every body.

Your louing father,

W. WINTHROP.

* John Leverett, at that time President of Harvard College, had married a sister of Rev. John Rogers, of Ipswich. — Eds.

WAIT WINTHROP TO HIS SON JOHN.

[Extracts.]

BOSTON, August 12, 1713.

DEAR SON, — I wrote by the post, and put it in the bundle of valens with a handker^{er}. M^r Plum told me he would go tomorrow morning. Its now nine at night, and must send it to his logging, so can say but little. I am just now com from Cousin Winthrop's youngest son's buriall, about 7 months old. I heard not of his being ill untill thay were ready to go to the burying. The Gov^r says Madam Dudley will set out for N. London next Munday com sennit. I think all the way by land. I suppose thay will advise you about it. . . . As soon as M^r Dudley coms home shall get that writing don and send it, and shall advise about the other business. M^r Havens must have a care of what bills he takes at Road Island; its sayd som of their bills are counterfited by a woman that takes the impression som way or other by pining a paper over them, and can scarse be deserned but by holding them against the light, which discovers the pinholes nere the edges. Som of our bills, espetially of 20^s, have been counterfited; the letters and seale on top are grosser, as if cut in wood, not copper. Som of Conecticott bills are altered in the sums and in the figures, as thre and 4 shillings into forty, &c. Its best to say nothing but to Havens, least the good ones he gets be alike scrupelled. I have put two white chamber pots on bord with the still; I see som sorry little compasses, but the nedle flies over the card as that dose which you have in the ivory tunn, and are not halfe so good as that, so shall see farther before I give 5 shillings for it. M^r Plum says the Gov^r was very angry with Merrit about the boat, and says thay had no bill of sale for her when they had her of him. I pray God to bless and keep you all.

Your loving

W. WINTHROP.

WAIT WINTHROP TO HIS SON JOHN.

BOSTON, 7th 7th, 1713.

DEAR SON,—I had yours on Saturday night. I herewith send you the Commissioners' letter, which must be sealed before it be delivered, and not delivered but at the Court. Their mony falls so short at present that thay are not willing to send from hence, the charg will be so great, but are willing to allow M^r Edwards what may be in any reason, he hauing been apprised of the matter when Cap^m Avery was at Court in May, and would haue me, or you for me, agre with M^r Edwards, or any other if he fayle; and you may promise thay shall be sattisfied for it. I should not care to venture at present aboue five pounds; but it may be thay would take up with much less, espetically if thay haue other business at the Court. It may be best to advise with M^r Pitkin about the whole matter, but not to let him know you haue the letter for the Court, least the Gov^r com to understand it beforehand. Cap^m Avery and the Indians must prepare to go to New-haven; if he could be a deputy, it would be well. The gent^m seem resolved to write to the Corporation about it, if nothing be don for their releife; but thay presume the Court will consider so plain a case. The Mohauk is here, and railes as he use to do; I suppose he is agreed with S^r Hude to do all he can at New York, or at least try to scare us into somthing. The Gov^r told me he was with him, with a story if I did not clear him of his bonds at New York, he would get a decree in chancery against the Island; but its all rogerly, and I think thay can't hurt me. I wanted the complaint the Indians put in at Hartford very much for the gent^m to see. I suppose it was left at the Court; Cap^r Avery can tell. Its best that a cobby of it be taken for them to send for England if need be. Let not the Indians be

baffled again for want of giving notice to the selectmen. I think it was said the Court ordered Groton representatives to give them notice, but I doubt whether there be any entry of it; therefore tis best it be don in form, which M^r Pitkin can direct, or any that knows y^r methods. Cap^m Sewall is at Bristoll Court, elce I would haue sent you the Comissioners orders as entered in their books, but may by the next. M^r Dudley is there also. I question whether Maddam Dudley will com to you this bout, but know not.

The 50 pound for the logg house is in the account Leviston gaue me; but instead of allowing that, thay ought to pay damage for not repairing the house thay burnt, according to their lease. I know not what to do about a lawyer; M^r Dudley will be at home this week, and shall then see if he will undertake it or engage som other. I herewith send you a letter of atturnye *cum potestate substituendo* and larg in all respects, so that you may make or substitute other atturneys if need be. I would haue you earfull how you run your selfe and me into any inconvenience; but in anything of consequence send for advise. If that be scrupled which was sent, it being worded as the release I signed to them, those other things which were incerted (and there was not time to write it again) may be left out, but I see no inconvenience to her; however I would haue it as she pleases, and no harm must com to her. M^r Havens will halfe ruine us if that matter faile, and sending Parks may be the greatest hazard in the world; if he should loose them, or otherwise, what restitution can he make? That matter must not faile, whatever com on it. The post is almost ready, and I hope M^r Dosset will be with shoose; if not, thay must com next time. I can not devise what I can send M^{rs} E.; you must hint next time. I send all the Indian papers, with a copy to be shewen at the court, under M^r Secretary's hand, of the order of 6^t May 164[6];* it may be thay would

* See Mass. Col. Records, vol. ii. pp. 160, 161. — Eds.

question the other. Tis said Coll. N. is com to Placentia. Your mother is better, and was at meting yesterday in the afternoon, but has som smale remembrance of her fit every other night. I pray God to bless and keepe us all here and there. Remember me to your aunt, your wife, and the poor children. Your sister and all are prety well.

Your louing father

W. WINTHROP.

Cap^t Sewall sends you his thoughts, and would be glad if you would convey one of them to M^r Peirpont at N. H. as from yourselfe. Mr Dosset has not quite don, and it is sunset, so thay must com by the next.

SAMUEL SEWALL TO JOHN WINTHROP.

REHOBOTH, 7: 12, 1713.

M^a JOHN WINTHROP: S^a, — The Commissioners for the Indian Affairs have written to the General Court of Connecticut in behalf of the Pequots inhabiting in that part of New London which is now Groton. And their desire is that you would assist M^r Edwards, or any other who may plead their cause. In doing this I hope you will do a good deed, and will oblige the Commissioners. My hastening to Bristol Court hindred my writing from Boston, which is the cause of my writing from hence in my return. M^r Sparhawk * has a son, born the first of September. I am, S^r,

Your humble serv^t,

SAMUEL SEWALL.

* Rev. John Sparhawk, of Bristol. His son John, here referred to, graduated at Harvard College in 1731, was ordained minister of the First Church, Salem, in 1736, and died April 30, 1755. See Savage's Genealogical Dictionary, vol. iv. p. 144; Upham's Dedication Sermon, p. 56. — Eds.

SAMUEL SEWALL TO GURDON SALTONSTALL.

Boston, May 16th, 1713.

HONOURABLE S^r, — The Commissioners of the Comp^t for propagating of y^e Gospell in New England & parts adjacent in America, have commanded me to wait upon yo^r Honour with this adress, on behalf of a number of Pequot Indians inhabiting in a place in y^r Govern^t now called Grotton. These Indians complain y^t they are disturbed & ousted of places where they have long dwelt, & y^t by good right, places very necessary for their subsistence, affording them y^e conveniency of fishing & planting. The Comissioners have ordered M^r Experience Mayhew to give y^e Pequits & Mohegins a visit, & to offer y^e Gospell to them; but tis feared y^e scandell of thrusting them out of their earthly possessions may imbitter their spirits & render them unapt to receive these glad tidings. Y^e Commissioners therefore pray yo^r Honour & y^e Honorable Council & Representatives y^t in yo^r great wisdom & compassion you would effectually provide for y^e releif & succour of this distressed remnant. They have for more then 70 years absolutely submitted to y^e English & depended on their protection. It's humbly conceived 'twil be for y^e honour of y^e English to treat them with all kindness & candor. At their desire their greivances are reported to y^e Commissioners by y^e Hon^{ble} Wait Winthrop, Esq^r, who is one of them who may be able more fully to open this matter, if his health & continuance with you admitt of it. I humbly pray y^t these aboriginal natives may fare y^e better for this intercession, w^{ch} will much oblige y^e Commissioners, well wishers to yo^r Govern^t. I am

Your Honours most humble & obedient servant,

SAM^l SEWALL, Sec^{ry}.*Verte.*

To y^e Hon^{ble} Gurdon Saltonstall, Esq^r, Governour of her Majesty's Colony of Connecticut, & to y^e Honourable y^e Council & Representatives assembled in General Court at New Haven, y^e 8 Oct^r, 1713.

MAY IT PLEASE Y^H HONOURS, — Y^e foregoing is copy of what was sent by y^e Commissioners for y^e Indean Affairs, w^{ch} it is supposed might come too late for y^e Court y^t sat at Hartford May last, & therefore crave leave humbly to offer it to this Court in their present sessions, being y^e rather encouraged thereunto because of an ancient record of y^e Massachusetts Govern^t, dated May 6, 1646, appointing y^e Pequot Indeans land, to their good liking & satisfaction, on y^e east side of y^e river by way of compensation of y^e town platt of New London by them resigned to y^e English & since come to their hands. The Commissioners have also seen an order of y^e new town of Grotton for y^e dividing & laying out of y^e Indean land called Nawayonek to y^e English inhabitants, w^{ch} is actually done notwthstanding y^e agreem^t made by y^e English inhabitants of New London wth y^e Indeans in y^e year 1651. The Commissioners therefore humbly pray y^r interposition of y^e authority of y^e Hon^{ble} Court for y^e releif of these distressed natives, who are not acquainted wth y^e English law, & are uncapable of befreinding themselves by it; w^{ch} will very much oblige y^e s^d Comm^{rs} & be very acceptable to y^e Hon^{ble} Corporation for propagating y^e Gospell in N. England & parts adjacent in America.

By order of y^e Commissioners,

SAM^l SEWALL, *Sec^{ry}*.*

* These two letters are printed from a copy on one sheet, found among Wait Winthrop's papers. The subject is referred to in a long letter to him from his son, dated Sept. 10, 1713, and containing a message to Sewall. — Eds.

WAIT WINTHROP TO HIS SON JOHN.

BOSTON, 9th 16th, 1713.

DEAR SON, — I haue your letter this week. I thank God for his mercy in restoring health to us all, and pray that we may haue hearts to liue to his glory. I haue been hindered this afternoon, and the post is ready to go, that I haue no time to consider of M^r Williams' motion about Quaquetange, but must advise upon it a little. Its well that matter is over, it must be acknowledged also. Its now just dark, and the post will be gon. The bridgroom* has been bad with the measells, but is siting up again. M^r Mather buried his wife † and his maid the last week, and his eldest daughter and the young twins thay say not like to liue; aboundans haue the measels. I pray God restore health to his people. I will endeavour to get a lawman to com to you if I can. I wonder thay haue sent us nothing from the Island yet. You must peruse the inclosed and take som care about it. If the measeles coms amongst you, its best to giue sage and baum tea, with a little safron, and keep warm and let nature haue time to work without too much forcing; not too much snake roote, a little if thay strike in. The Gov^r shewed me M^r Nicols' letter; if he speaks of 500, no doubt its worth thre or fower times as much. Remember me to your wife and the children. I pray God bless and keep you all.

Your louing father,

W. WINTHROP.

If Goit has given no bill of sale for the boat, its best to get one of him before the Court.

* Probably Joseph Sewall. — Eds.

† Elizabeth, second wife of Rev. Cotton Mather, and mother of six of his children, died Nov. 8, 1713. — Eds.

JAMES PIERPONT TO JOHN WINTHROP.

N. Hav., Dec. 14, 1713.

WORTHY & DEAR S^r, — I heartily (as y^e whole country ought) condole with you y^e desolations made by y^e meazels in Boston in D^r Math^r's family, & by other distempers in o^r Colony; especially in y^e hasty removal of 3 so valuable men, M^r Bulkly, Haynes, Russel. Surely it's not unfitt, in such a critical juncture, when so many cedars fall, to cry, Ah, Lord! wilt thou make a full end? Ah, help, Lord, for y^e godly man ceaseth! & again, By whom shall Jacob arise? Truly o^r deep humiliations must be before, & then our hope may safely be reposed in the Living God, & blessed be that Rock of o^r refuge & strength!

I congratulate your self & lady upon y^e recovery of yo^r honn^{ble} parent & dear posterity, & pray that his old age may be made long, easy, fruitful, & blessed, & their tender blooming age made betimes to receiv, in plentiful showers, the rich blessings of y^r famous, wise, pious, publick-spirited, very serviceable, & theref^r honn^{ble} progenit's, & y^t y^e blessings of y^e Everlasting Hills may be evidently seen on the heads & branches of yo^r family so farr separated from y^r oth^r relations. Yo^r books yett in reversion I thankfully expect, & wth rec^d, shall carefully peruse & return. Pleas in yo^r next, & by this bearer, M^r Whiting, my fast friend, if yo^r leisure will allow, in a few lines send mee those many secret articles of intelligence w^{ch} in yo^r former you conceal'd. I'll be yo^r security they shall not expose you. Pleas to lett me know whether it be thought Doct^r Whiston's Proposals are design'd for y^e revival of his Arianism, & whether his finding of longitude be a reality, or a mockery put upon him; & how Doct^r Mather came by his Fellows^p & w^{ch} of y^e Doct^r's has y^e honn^r, & whether y^e good understdg between his Excellency & the Doct^r continues & flourisheth; wheth^r y^e mon-

strous birth was born alive & one yett living, as well as w^t conjectures are made thereupon.

As I have alwayes highly valued & honnrd y^e families from whence yo^rself & lady sprang, so must make yo^r selves intituled to y^e like regards; but confess for myself & country o^r retaliations are barren & ungrateful. It will be a fruit of yo^r greatness, as well as goodness, notwithstanding to persevere in doing us all the good you can, so yo^r rewards shall be great in a better world. With humble service to yo^r lady, to his Honn^t & lady, I am, S^r,

Yo^r assured friend & humble serv^t,

JAM^s PIERPONT.

WAIT WINTHROP TO HIS SON JOHN.

For M^r John Winthrop, att New-London.

BOSTON, 10^{br} 28th, at night, 1713.

DEAR SON, — I haue the little bundle this post, with the contents. I haue been at the townhouse this afternoon, and am shortened for time to write. The Gen^{ll} has been there with the Gov^r, &c., about dispatching severall accounts of things to be enquired into, and I beleive the fraude about the Indian Cap^{tn} and his muster-roule will be look't into. The Mohawk was at the Councill Chamber last Saturday, and the Gen^{ll} ask't him what day he and his company came to Anapolis; he answered he could not tell, he kept no jornall, it was not his business, which I perceiue did not recomēd him at all; but no more of that at present. I haue not time to look over the perticulars of your long letters about the proceeding at Court, &c., but shall as soon as may be. As to building a mill it shall be don, I hope, as soon as may be; but it may be best to propose to them whether they would not rather haue it at Jordan River, if we find it capable; that, I beleive, will please most of our greatest enemys, and thay must secure that river to

me with liberty of daẽning, &c. Alewife Brook is our own already, and thay cannot medle with that; wheras if we build there first, it will not sattisfy, but thay will be for another there, most of the enemy liuing that way, and I think it would not cost so much there as at Alewife; but you may say to them that I am resolved on it, and hope to be there early to contriue for the best about it, that it may answare the end. You may gain that snake in the grass by proposing of it to him, it being neer him, and will be a great conveniency to him and advance the price of his land; at least, it may hinder him from biting like a snake at present, if you can haue the patience and art to be discreet with him. You may tell them I hope to see them agen, and will borrow 3. 6^d for them that thay may not loose by me; but you must learn to bare greater matters then these. As to the ox-pasture, thay can do nothing; we haue possessed it ever since the beginning; however, tis best to say little about it, and get it fenced as soon as may possible. Your grandfather, that had the order from hence to lay out the lotts for the inhabitants, took that, &c., for himselfe and had it then fenced by the Bebes that liued with him and Thomas Roch, &c., whose evidences are upon record. Abram and Isaac (and I think Jacob) Watterhouse can remember we haue possessed it; the two former, who liue at Saybrook and Lime, can say from the beginning, who are honest men. By all means get the fence don between M^r Adams and at the head of the hom lotts. I think Stephen Prentis had a vote last year about Jordan, but he said he would relinquish if we would build a mill y^r; if his wife had the Monseieur, he would make as good a miller as the old negro that dyed in the mill, but would hardly deserue so much wages as 12th ¶ an. and boarded to boote. I took M^r Ely to be an honest man; I gave him a letter

and order that defended him against Saybrook mens suit for taking shingles, as I remember. Write to Smith of Plainfeild, and let him know I depend upon him to look after my concernes there. I hope to see them again. Your taylor has brought me a note of 5th od mony; he is making a coate of an extraordinary good drab, which he says shall be don by nine a'clock; and if the post dose not go before, it will be sent with six yards of callico for frocks for the children, and halfe a yard of muslin for Cous. Lisse. I likewise send an Almanack and the Importance of Duncark, which is worth reading if you go through; it is M^r Lechmers brothers, and must be sent again, and then you may haue more. I hope your little chimney is warm and caryes smoke well. M^r Williams brother has not been with me severall days, but suppose he will be here again quickly, as he said. I perceiue thay haue a desine to buy Hemsteds lot, and therefore are earnest to haue the twenty rods against it. I will saue it if I can; you may ask Hemsteed what he values his att, and what quantity it is, and send word. If Ingram and Leads, &c., would get together and get sombody to draw up a remonstrance about their business, and present it to the Gen^l with the Indians' also, I belieue thay might get their mony again. He said to day he would haue them sworn and enquire into it. I know not what writing y^t is you mention that M^r Dudley is witness to with others in this Gover^{mt}. M^r Pitkin is now here, and intends hom with Monseieur if he coms that way. Would it not be best to get her to acknowledgedg that again, seing M^r Haynes is dead; I think he may be trusted. The bell rings, and Lowder has not sent the coat yet; but I hope the post will not be gon. I am sorry for poor M^{rs} Havens; I hope she is better and will continue. My loue and servis to everybody. Forget not to prepare for the flanders seed in

time, or, let it be sown at the Island or the farm, it will be good for nothing.

Your louing father, W. WINTHROP.

I pray God to bless and keep you all; I want to see the poor children.

WAIT WINTHROP TO SAMUEL READE.*

BOSTON, Feb⁷, 171³ $\frac{1}{4}$.

DEAR COUSIN,— . . . In my last I mentioned to you M^r Abiall Wally, who went to Virginia the begining of winter, and intended from thence for Great Britain and Holland on a trading voyage. He married one of my sister Curwins daughters, and is a sober, well disposed man. His freinds liue in this place. When he arives he will waite on you ; he is capable to give account of all our circumstances and affairs here. Your countenance and advice to him in his trading concernes may be of use to him, and will be taken as a favour by his freinds here. Not long before my sickness I heard of the death of S^r Henery Ashhurst, which I much bewailed, not only as hauing lost a great and good freind myselfe, but as a publick loss to all the good people of this whole country, he hauing been a faithfull agent for many years ; first for this Government, and then for Conecticott. While he lived he was pleased to favour me with his letters, and somtimes to offer his endevours to procure som place for me here ; which I answered with that acknowlegment and respect due to one of his character and quality, and withall let him know that, as I could not suppose myselfe so circumstanced for publick business as som others might be, so I desired no place here, hauing been not a little impaired in my estate by being concernd in our publick affairs for many years. . . . I took

* Extracts from a long draft indorsed by the writer: "I sent only a part of this in another letter." — Eds.

the first oportunity to write to S^r Henery to let him know that as I desired no place, so more especially not the place he mentioned in his letter, which would put me to charg to stand as a cipher, without any mañer of advantage to myselfe or the people here. For, by the Charter, a Leiftenant Governer has nothing to do in the Gover^{mt} unless the Governer be out of the Province (which may rarely happen, and but for a short time) or should dye, and thay that wait for such shoose may go barefoot. Here is not any salery for that place ; he is not so much as one of the Councill, unless at the election he be chose to it, as sometimes has been don. And indeed I know not of any place here that an honest man can make any advantage by ; if any haue considerably, it's well if thay haue not made shipwrack of somthing elce. To this effect I wrote, and had letters from him again while he lived, whereby I perceived that he expected her Maj^{ty} would make som alterations here, and hoped then to do somthing for me, which has not happened. I was much obliged to S^r Henery for his good will and kindness to me expressed in his letters, and I know if he had lived he would haue don somthing that might haue been of value to me, or remitted the mony to me again as in his letter.* I never had any dealing with him, nor ever had anything from him but his kind letters. I paid his bill purely in honour to him, & least the business of the Indian affairs here might be disapointed. . . . I doubt not but those he has left the managment of his estate with will, in honour to him as well as justice to me, see that I may be reimbursed either there or here, according to the bill and his promise in his letter. I had wrote sooner, but his letter with the bill was so mislaid that I thought thay had been lost, and by reason of my long sickness so farr from home I could not make that enquiry about them ; but thay came to hand

* The reference is to a bill of Ashurst for £100, accepted by Wait Winthrop, and paid on account of the Corporation for propagating the Gospel in New England, which Ashurst died without having re-imbursed. — Eds.

not long since. The great fire which hap'ned here turn'd all things upside down; and thõ our house nere the midst of it (and I from home at that time) was, by the good providence of God, preserved, yet what was in it was remoued, and somthings lost. Not knowing who S^r Henery has left his affairs with, I must desire the favour of you to speak with such as may be concerned, and let them understand that I have written. S^r William Ashhurst is a person of honour, and may influence any concerned to do what is right, if there should be any hesitancy about it.

JOSEPH DUDLEY TO JOHN WINTHROP.

To John Winthrop, Esq^r, at his house in N. London.

ROXBURY, Febr. 5, 1713[-14].

DEAR S^a,—I am glad I can send you the good news that your father has sold his farm at Stonington, to Williams, for eleven hundred pounds. It remayns that you thank him heartily, & pray him that he will please with that money to put himself out of debt, & that he will execute a will and keep it always by him, that your growing family may so farr be safe as that will make you; & that he will make some end with his tenants,—the older that debt growes, the worse it is,—& he must also get thrõ with M^r Levingston. Thõ it is all loss, there is no help for it. There is no living with such men, & that that is greivous to you now will be much more so when your father leaves you, which must be shortly. Write of these things to your father, with all submission & earnestness, till you obtayn them, that you may live with joy with your father's family that he leaves behind him; & the Lord bless you & build you a house & a name in the family of your good ancestors, which is now brought low in number. This & all that I can say proceeds of a

true affection that I bear to you as to my own, being
always, S^r,

Your most affectionate J. DUDLEY.

Soder with your neighbours, that they may love you.*

PAUL DUDLEY TO MRS. JOHN WINTHROP.†

To M^{rs} Ann Winthrop, at New London, Connecticut.

BOSTON, 8th Feb, 1713[-14].

DEAR SISTER, — I received your sorrowfull letter, and heartily pity you under your present distress. Am very much surpris'd to think, what I am very loath yet to believe, that Gov^r S. should decline to serve you and yours, at least so far as justice amounts to, whatever might be his friendship.‡ As to the land in the Neck that has been so ridiculously as well as illegally seized on for Gov^r Winthrop's debt,§ I wish M^r Winthrop had followed the rule, Of two evils choose the least, and laid down the money for the present, to prevent further charge and great inconveniencye; tho I suppose it may be had at any time within a year, paying the debt and charges. As to the matter about the horses, we shall have time to think and advise; in the mean time I suppose Father Winthrop will be looking your way in the

* An unfinished letter from John Winthrop to Cotton Mather, dated a few weeks later, shows that he did not take properly to heart this injunction of his astute father-in-law. It displays much irritation toward some of his Connecticut neighbors, who, as he alleged, were trying to take advantage of him. — Eds.

† For a short biographical notice of Paul Dudley, with some extracts from his correspondence, see 6 Mass. Hist. Coll. vol. iii. pp. 517-524. At the period of the present letter he was Attorney-General of Massachusetts. — Eds.

‡ The alleged lukewarmness of Saltonstall may not improbably be ascribed to John Winthrop's want of tact. In one of the numerous letters of Wait Winthrop to his son which it has not been convenient to print for lack of space, he writes, under date of Feb. 22, 1713-14: "The Gov. [Dudley] and his son are apt to think that if you would treat his Worship [Saltonstall] mildly, he would be more apt to serve our interest. No man can serve contrary interests. I know him *intus et cute*." — Eds.

§ This attachment was levied by a man who claimed never to have been paid for a quantity of shingles supplied to Fitz-John Winthrop many years before. — Eds.

spring. I find you will want a great deal of patience, discretion, & submission to God, all which I pray God to grant you, and his gracious deliverance in due time. If I thought I could serve you and yours by coming to you to-morrow, I would doe it; but at present I cant see either the necessity or advantage of it. I hope your last daie will be your best. In the mean time we must endeavour to make the best use of God's providence to us, that so he may prove us, and doe us good in our latter end. My father and Major Winthrop, I suppose, write you by this conveyance. I am

Your affectionate brother,

PAUL DUDLEY.

My best service to M^r Winthrop & M^r Adams.

JOSEPH DUDLEY TO JOHN WINTHROP.

To John Winthrop, Esq^r, in New London.

BOSTON, 8 March, 171 $\frac{1}{4}$.

DEAR S^r,—I should have written the last post upon your letters to your father, my self, & M^r Dudley, but upon conference with them they both wrot & excused mee. I am sorry for your afflictions & hurryes, & I hope they will have an end, & nothing disturb your peace & repose. Use all propper means to have peace with your neighbours & gentlemen of the Province where your ancestors have been loved & honored, as they justly deserved. I pray to God for your health & family. I wish one of your daughters here, if you please to trust granmother with the care of it. I am

Your most affectionate

J. DUDLEY.

This morning dyed my dear little Lucy Dudley.

PAUL DUDLEY TO WAIT WINTHROP.

To the Hono^{ble} Wait Winthrop, Esq.

[No date ; probably March, 1714.]

SIR,—I have perused the grant of New London to your father referring to mills, and it is my opinion that until such time as upon demand you shall refuse to supply said town with mills sufficient to grind their corn, they can not justify giving or granting the liberty of setting up a mill, or mills, to any other ; and if they do, a good action lyes against them for breach of covenant, and you will recover damages of the town.

As to the horses, &c., that were taken away from off Fisher's Island, my opinion is that if it were done in a cover'd, clandestine, thievish manner, it amounts to felony of theft, or a felonious taking y^m away, &c. ; for as to tolling the creatures afterwards, it no ways salves the matter at all ; for at that rate a highway man, after he has robbed one on the road of a horse or any other creature, shall go to the next town and get him branded and tolled, & turn himself into an honest man & acquire a property in my horse. The question is, first, who was possessed of the creatures when they were taken away ; for tho I or my friend may pretend a right to a horse that my neighbour has in his keeping, yet if I take him privately away out of his stable, or the like, it is in the law stealing, & therefore, secondly, the manner of taking must govern & determine the matter of theft.

As to replevying Yeomans's stock that was arrested by the sheriff, I look upon it to be very illegal, because when once any thing is in the custody of the law nothing but a judgm^t of law can remove it. But, however, he that has replevy'd 'em has either given bond or he has not ; if he has given bond, why then at the Court the creatures, or the value, will be produced, or else his bond

will be forfeited. If he has not given bond, then the Justice must answer it, for by law he is to grant no replevyn without taking bond. And, besides, when the Court comes, the replevyn must drop thro, of course, if there was no bond taken, and so the first arrest must stand as it did.

If Yeomans has got into possession again of the house & farm, I should incline to take a couple of witnesses to give him notice that, in case he presume to stay upon that farm this year, he must & should pay £100 for the rent of it; & let the witnesses make a memorandum of it in writing & sign it. This is what occurs to me at present in your affairs. I am, S^r,

Your humble servant,

PAUL DUDLEY.

WAIT WINTHROP TO HIS SON JOHN.

For M^r John Winthrop, New London.

BOSTON, April 5^t, 1714.

DEAR SON, — I haue your letter and the bottle, and haue sent it again with what you sent for. It is not full, because that will last as long as if it were full, to be opened so often, and its better to haue it fresh. The bellows, with the other things I wrote you, are on bord Hamblin, who is not yet gon. There is a smale cask of nayles, 3^m of bord, 4^m of clabord, 4^m of shingle, and 4 pounds of great nayles for the mill or other use. Thar is two spades, one rather like a shovell. We thought y^t had been stuff for all fower; if not, send word. M^r Dudley is com home, but haue had no time with him yet. The inclosed is what the Gov^r will needs haue me do; its all a mistery, but seing it looks like a kindness, its best to acknowledge it. It may be he is willing to be at peace outwardly at least; if there be *anguis in herba*, it may sting him at last. If you haue that mony by you, go to

him with as much respect as you can with it, and take his rec^t for so much he paid. It's best to take him his own way. If I had any by me, I would haue paid it here; if you should be out, you need not let him know I ordered you to do it, but will do it here; but I am quite out till Williams his time coms. He is in place and may do one an ill turn; all things considered, its best to sooth him in his own way and overcom yourselfe. Vetch went privately away, to every bodys admiration, tho' the Gen^l told the Gov^r and Councill he would run away aboue a month since, and had a writ served on M^r Willises house and land in the Comon for the Queen's servis, which he had bought and was building there. I shewed the Gen^l what you wrote, who seems much disturbed at his reception there, and laughs at the officiousness of cavalcade through the meetinghouse; he is not going to Placentia, but hopes every day to hear from Britaine before he goes to Rhoad Island, &c. He says if those mens evidences are taken it may be the better; thay will be made to tell the whole truth, if thay haue not don it already; its best not for you to say his excellent Adjutanship is run away. All will be known, tho you be silent. The post com so late and is going just now, so can write no more. Seale the letter with the little gold seale and deliver it. Old M^{rs} Mather dyed on Sabothday morning before day.*

WAIT WINTHROP TO GURDON SALTONSTALL.

Boston, April y^e 5th, 1714.

S^r, — The Gov^r the other day shewed me two of yo^r letters referring to an action brought against M^r Leviston by some of Saybrook for shingles for my brother in his life-time, and judgment thereupon, and that the cunsta-

* Maria, daughter of Rev. John Cotton, and wife of Rev. Increase Mather, died April 4, 1714. — Eds.

ble of N. London had levied the execution upon part of the Neck where my son is, notwithstanding he was assured that land was mine and not M^r Levistons, against whom the judgment was obtayned contrary to advice given by yo^rselfe as well as others, and that farther you were pleased to interpose and pay thereupon ten pounds odd money in sattisfaction of the judgment as of record. I believe no man of law will justify that whole proceeding, and I hold myselfe the more obliged for yo^r interposition and friendship therein, and shall make payment of so much to yo^r order when you please, or order my son to reimburse you there, and shall endeavor to find my remedy against those that have don that wrong. This is one of many hardships I dayly suffer from ill-persons that forget the good servisses don to the Collony of Coñecticott, and to the towne of New-London in perticuler, by my father, my brother, and my selfe, w^{ch} their fathers would have acknowledged. I hope it may be better for the future, when I may obtayne the justice of the courts against such as will run over all bounds of law to disturb me and my family in o^r just rights and possessions. I take this matter to be but one article of yo^r friendship, and pray you will be assured that I am

Yo^r obliged and very humble serv^t,

W. WINTHROP.

I give my hearty service to yo^r good lady.

WAIT WINTHROP TO HIS SON JOHN.

[Extract.]

BOSTON, Aprill 12th, 1714, Munday.

. . . It has been such a busy week with M^r Dudley at the Inferiour Court that I have had no time with him, but now I hope it will be over. Major Franck Wainwright's eldest daughter died suddainly last week, and is to be

buried tomorrow; I think well and dead in 24 howers or less, and the youngest has been very bad of a fever at M^r Dudlys sountime; I haue not heard to day of her, but she has been very dangerouse. M^r Dallie, the French minister, was married to M^r Daniell Epps his eldest daughter Martha, the last week or the weeke before, at Salem. . . . I could not go out to tell the Gen^l about his Adjutantship today; his clark was going off, but the Gen^l fetcht him back and has sworn him to severall things, so the ship is gon for Britain and he has lost his passage. There was an action against Vetch this week for thirty thousand pound in behalfe of the Queen. I hope to send soon brittle ware by Willson. I pray God to bless and keep you all.

Your loving father, W. WINTHROP.

WAIT WINTHROP TO RICHARD EDWARDS.*

To M^r Richard Edwards, at Hartford, these.

BOSTON, May 3^d, 1714.

M^{rs} RICHARD EDWARDS, — I have formerly had experience of yo^r candor, skill, and integrity in the affairs of the law in yo^r courts. I am therefore encourag'd to crave yo^r help at the next Court at New Londⁿ the first of June. There are severall cases of concernment, and I would pray you would not deny me, having an entire trust & dependance on you, and what you will please to say for yo^r satisfaction shall be complied with. I intend if possible to be at New-London by the day of the Court; however, my son has a generall letter of attorney from me, and has all

* Richard Edwards, of Hartford, Conn., was the only son of William Edwards, and was born in May, 1647. He frequently acted as an attorney before the General Assembly, and in 1708 was regularly admitted to the bar. His first wife was a daughter of William Tuttle, of New Haven, to whom he was married in 1667. He was divorced from her in October, 1691, and subsequently was married to a daughter of Hon. John Talcott. He died April 20, 1718. See Savage's Genealogical Dictionary, vol. ii. pp. 105, 106; Connecticut Colonial Records, 1689-1706, *passim*. — Eds.

the papers and can procure the evidences needfull. If you can goe, w^{ch} I will not doubt, I desire you would be at my son's a fortnight before the Court, that you may have the better information of all things needfull. I shall willingly allow to yo^r utmost content. You not being at N. Haven the last Gen^rl Court, the gent^m of y^e Indian affairs here wrote to M^r Laws, who then appeared in behalfe of the poor Indians, and will doe the same at the next Court at Hartford. If you are then there, and please to assist in that matter, the gent^m, I beleieve, will not be ungratefull. I desire you would not let it be known that you go to New London untill you go. That matter about the Indians is abominable; I hear som have said that I concern myself for them for my owne advantage, w^{ch} is utterly fals. It were better for me in all respects if it were in M^r Smith & Yeomans hands, my tennants complaining of great dammage every year by its lying open, there being nothing but a shallow cove between the best of their mowing ground and corne fields, whereby the horses and cattle do them great dammage. I have knowne it to be the Indians right for threscore years, and I hope the Court will not be deluded by two or three men who have layd a plott to engross it. S^r, yo^r kind answer to my request will allwayes oblige me to serve you in what I am capable, who am

Yo^r friend and servt,

W. WINTHROP.

SAMUEL SEWALL TO JONATHAN LAW.*

BOSTON, May 3, 1714.

M^r JONATHAN LAW: S^r, — My last to you was dated the 8th of March, und^r covert of M^r Pierpont. I am lately informed that the ord^r of the Generall Court has not been

* Printed from a copy in the handwriting of John Winthrop. Jonathan Law was afterward Chief Justice and Governor of Connecticut. — Eds.

well observed, but the Indians have been molested in their improvement on Newayonck. I earnestly desire you will do all you can to vindicate them whereinsoever they are injured. And I hope that thõ the natives are at present so thin'd as to become like two or three berries in the top of the uppermost bough, yet God will hasten the time of their reformation and increase, and, therefore, with this prospect the Hon^{ble} General Court will preserve for them entire all that is already assign'd them, and make further additions as the matter may require. I cannot now add to what I have formerly written to his Honor Govern^r Saltonstal and to the Hon^{ble} Court. I leave all to yo^r prudent solicitation and pleading. Please, after the Court, to lett me know the issue, and what may be further necessary for yo^r satisfaction. I am, S^r,

Yo^r friend & serv^t,

SAMUELL SEWALL, *Sec^y*.

RICHARD EDWARDS TO JOHN WINTHROP.

To John Winthrope, Esqui^r, in New London.

HARTFORD, May 19th, 1714.

HONOUR^d S^r,—I reëd by Capt. Avery a letter from your honourable father, & also one from your selfe, relating to the Pequot Indians complaint, also some papers from M^r Law, concerning the same afaire; & according to the best of my abillity have laid the matter before y^e Gen^l Assembly, & have used all the skill & intrest y^t I could possibly do in their behalf, but to very little purpose, as Capt. Avery will more fully inform you. I do intend, as soon as I can, to send you a cotype of the Court Act, such as it is. Upon your desire I had fully intended to wate upon you y^e next week at New London, but Providence seems to put a stop to my intended jurny, my wife being exceeding sick & like to dye. I fear she will

not live many dayes, & my selfe so ill that I can hardly hold y^e pen to write. I should have been very glad to have served you if not prevented by Providence; which, with my humble service, is all at p^rsent from, S^r,

Your most humble serv^t,

RICH^d EDWARDS.

PAUL DUDLEY TO MRS. JOHN WINTHROP.

Boston, 24th May, 1714.

DEAR SISTER,—I am very much surprized and troubled at your letters to my father and to me. I have never, that I know of, been guilty of any unkindness, much less injustice, to you or M^r Winthrop. I have, ever since the death of my dear daughter, told your father Winthrop that I should not be able to goe to New London, and advised him to secure somebody else; and accordingly he has been in treaty with M^r Newton first, and then with M^r Remington, but without success, tho finally he has prevailed upon Cap^t Fullam, who, I believe, will be able to do M^r Winthrop as much service in your New London courts as I could doe myself, and more too, for he can accomodate himself to these sort of men better than some others. He is a very worthy, sensible man, and you may depend on his integrity.* You seem to be sorry that I don't come, but I am much more so that your father Winthrop does not think it his duty and interest to be there himself.

* In a letter to his son, May 14, Wait Winthrop thus describes the difficulty he had met with in securing competent counsel: "I am strangely baulkt about a lawyer. M^r Remington is chosen a Deputy, and Turner was in town last week, but I saw him not. M^r Dudley saw him and says he intends to be at N. London Court about his own business; if he be, its best to give him a retayning fee to keep him from doing hurt. The Watertown man I can not come at; I think he is a Deputy too. M^r Newton is with me now, drawing a writ for Rogers, and would com if he were able, but is troubled with gravell. M^r Dudley is gone this morning to Ipswich Court. M^r Valentine is at Kittery Court and Ipswich, and Hern is at Ipswich. If M^r Edwards coms not, you must improve M^r Turner as well as you can if I should not be able to ride, which I am doubtfull of, having a sort of strangury with pain, as I wrote you." — Eds.

If you were but sensible of my poor state of health at present, and the sorrows that my wife and I yet labour under, you would hardly ask me to undertake such a journey so soon ; but if you did, I dare not do it. I shold be very glad those you contend with would find good security and referr their matters to arbitration. But if not, and you think yourselves wronged by any judm^t of this court, you must appeal to your Superior Court. After all, I can't be of opinion that your all, or anything like it, lyes at stake. However, tis too much to loose. I pray God to give a good issue to all your fears and troubles ; but you must expect to meet with a great many in an evil world. Tell M^r Winthrop I shall this week receive thirty pounds for him of D^r Cutler, as he is administrator to Cap^t Boults estate ; let me have your order what to do with it. I am glad to hear of your life and health, & of your children. God in mercy continue them to you ! I am

Your affectionate brother,

PAUL DUDLEY.

WAIT WINTHROP TO THE GENERAL COURT OF
MASSACHUSETTS.

To his Excellency Joseph Dudley, Esq^r, Captain General and Governour in chief of her Majesty's Province of the Massachusetts Bay in New England, the Hon^{ble} her Majesty's Council, and Representatives in General Court assembled, May 26th, 1714, the humble address of Wait Winthrop, son of John Winthrop, some time Governour of Connecticut, deceased, Sheweth :

That the said John Winthrop, in the year 1644, Octob^r 30th, had leave to purchase land about Tantiousques, where the Black Lead Mine is, as is of record in the Book of this Province ; which was also given under the seal of the late Corporation of the Massachusett, signed John Endicot, Governour ; which grant and allowance to purchase he pursued to effect the same year, as by deeds doth appear more particularly : one deed dated the 6th Octo^r,

1644, signed Webuskhum, and a confirmation on the 11th November, 1644, signed Nodowahunt; also another deed of confirmation signed Nascomy, son and heir to Webuskhum, dated 1st March, 1658. Accordingly improvements were made at said Tantiousques for many years since, now since discontinued by reason of the war. By all which it doth appear your petitioner has a just right to ten miles square round the said Black Lead Hill, and is now desirous that Cap^t Chandler may be impowered to survey the said tract of ten miles square to be to your petitioner and his heirs, and the place may be of record, that any new grant may not be laid upon the same land.

And your petitioner shall pray, &c.

WAIT WINTHROP.

June 23, 1714. In Council, read and recommended.

SAMUEL SEWALL TO JOHN WINTHROP.

For John Winthrop, Esq^r, at New-London.

MONT-REAL, JUNE 1, 1714.

SIR, — . . . I think the time here very long. There has been a great mortality of children, by a cold attended with a terrible cough. As for my self, it is the pleasure of an holy God to exercise me with sorrow upon sorrow. It was not till Hartford election-day that I could see my child. And she is yet obstinately resolved to live and dye here, and will not so much as give me one pleasant look. It's beyond my ability, in the contents of a letter, to make you understand how ours here are besotted. We are like to be very unsuccessful. We take all the best methods we can, and put on all the patience we have; but the English are so naturalized to the customs and manners of the French and Indians, and have forgotten the English tongue, and are so many of them married, or gotten into nunneries, &c., that I think it would be far easier to gain twice the number of French and Indians to go with us than English. Governour Vaudrel continues very courteous to us. I beg your prayers. . . . We need all your prayers.

JOHN WILLIAMS.

BOSTON, July 17, 1714.

SIR, — The above-written is extract of M^r William's letter to me, lately brought over the lake.* You have the pity of a father, and therefore I comunicat it to you. I congratulate you on the account of the increase of your family. If your children are all of one sex, the sovereignty of God is therein to be seen and adored. May all your five daughters be espoused to Christ, who is alive and was dead, and behold He lives for evermore, Amen, and has the keys.

We have had several refreshing showers of late, and yet we are still under the affliction of a parching drought. Yesterday we had an extraordinary flash of lightening and loud clap of thunder. The smartness and suddenness of it rendred it the more awfull. It was single, without any precedent or subsequent noise. 2 P. M. Col. Vetch's newly purchased house, y^t is transforming, was smitten with it, the kitchen-part that points towards Pollard's. The principal rafter next the end of the building was split from the top to the purloin. Some clapboards were stricken off, and most of the others loosened; the cieling of the end-wall was in several places ploughd off. A sash window at that end was lift up, and one square broken. Two boys were knockd down by the dresser. It must be the more sad to Madam Vetch, because she is just removing thither, tho' the work be not finished. You will assist me in blessing God, in that I have so often heard His terrible voice in the thunder, and yet am still breathing!

M^r Nick. Roberts undertook a voyage to Carthagea, and not finding the Spanish Governour there, was forced

* Rev. John Williams, minister of Deerfield, and author of "The Redeemed Captive," was carried a prisoner to Montreal in February, 1704, and was released in October, 1706. The daughter, Eunice, referred to in his letter became a Roman Catholic, and was finally married to an Indian husband. See Palfrey's History of New England, vol. iv. pp. 262-264. For a letter from Mr. Williams to Mrs. John Livingston, written while he was in captivity, see 6 Mass. Hist. Coll. vol. iii. p. 296. — Eds.

thence to Jamaica with loss (his flower sowering upon his hands), and there died the 24th of May last.

Benjamin Larnell, a jun^r sophister, is in the vacancy at my house. He is now sick of a fever. If any thing occurs, pray send me word how the election was managed at Cambridge in the year 1637, and at what time Henry Vane, Esq^r went off to England. It began to rain here (July 19) about 11 last night, and rained throughout the night, as I am informed. It is a great mercy after so sore a drought. With my service to Madam Winthrop, I take leave, who am, Sir,

Your friend & humble serv^t,

SAMUEL SEWALL.

My son, M^r Joseph Sewall, presents his service to you, with thankfull acknowledgment of your respectfull remembrance of him.

M^r. John Winthrop.

WAIT WINTHROP TO THE GENERAL COURT OF
MASSACHUSETTS.*

[August, 1714?]

To, &c.

THE memoriall and representation of W. Winthrop humbly sheweth that in the year 1644 your memorialist's father had liberty from the Gen^l Court of the late Massachusetts Collony to purchase lands at the black-lead mines at a place called Tantiusque, about 60 miles westward from this place, and accordingly he made purchase (of the known Indian Sachem & confirmed after his death by his son) of ten miles every way from s^d mine in the year above s^d, and soon after made considerable improvment there by opening s^d mine and building and keping considerable stock there, the remains of two stone buildings

* Printed from a rough draft, with many interlineations, and probably unfinished. It is not signed. — Eds.

being yet standing there, which, by reason of the long warr and trouble from the Indians, haue gon to decay, and all improuments haue been discontinued there ; and whereas your memorialist's father, in the years 1661-2 - and 3, when he was in England to procure Conecticott Charter, not hauing credit from said Collony that would passe there, was forced to take up mony by mortgaging his own land for a considerable value, amongst which was the land about the lead-mine, — all which your memorialist has been forced to redeem to a great value, not doubting but that he had a good title, as well by his deeds purchased by the approbation of the Government and more than 60 years possession, as also strengthened by confirmation of the present Royall Charter ; and wheras your memorialist some time since, understanding that there were severall grants from this Court of lands to be layd out, did petition this Hon^{ble} Court that they would appoint a surveyer to run the bounds of these lands at Tantiusque before those other grants were layd out, that so they might not enterfere on sayd lands, and the Honorable House of Representatives being pleased so farr to favour your memorialist as to admitt him to be heard on his petition before them, when amongst other discours he said he did not desire to ingross all that land to himselfe, but should be willing that som good people should haue it that the wilderness might be setled the sooner (as he had done for N. Roxbury and other places), but that he should be desirous to keep about six miles square, which would make a small plantation or township which he would endeavour the settlement of himself as soon as he could. Upon this concession they were pleased to pass a voat that a surveyer should lay out to him fowr miles square, including the lead-mine (which the Upper Hous were pleased to pass also) ; and although it was short of my proposall, and but a smale thing with respect to the contents of the purchase, which is ten miles every way from the mines, yet I

ordered a survey to be made accordingly which has cost me nere twenty pounds. I was in hopes thay would haue found the land next Quinabaug River (which is not very far eastward of the mine) and the Collony line (which is not very far southward of the mine) to haue been good or tollerably good land, and haue laid it out there; but upon their view they found nothing between the mine and the river, as also between the mine & the Collony line nothing but mountains & rox, not improuable and scarce worth anything; wherupon thay layd it out in a sort of a triangular square, that they might take in som good land with a great deale of bad, and thought as long as it tooke no more then the quantity of fowr miles square, it might answare the intencion, it being all within the said purchase and granted to nobody else, — which survey was laid before this Hon^{ab^{le}} Court, the survayer and chainmen being under oath, your memorialist hoping it would haue been satisfactory to the Hon^{ble} Court; but the House of Representatives were pleased not to be satisfied with it, inasmuch as it was not laid in a square. The Representative of Springfield also supposing it to com within the three miles which they desired this Court to ad to the eight miles to inlarg their new plantation of Brimfield, your memorialist supposes might be som consideration with the Court to defer their approbation of that matter.

WAIT WINTHROP TO HIS SON JOHN.

BOSTON, Sept^r 13th, 1714.

DEAR SON, — The great and good God, and in Jesus Christ our mercyfull and Hevenly Father, commands us to be still and know that he is God. This wonderfull Jehovah, who gaue you and us the sweet babe that came to smile upon us, has been pleased to take it to himselfe again to those eternall mantions of glory which eye hath

not seen nor ear heard, neither hath it entered into the heart of man to conceive of.* And now let us with humble submission be silent under the soverain good plesure of that God who does every thing for the best. Let us not say, if this had been avoyded, or that had been don, it might haue been otherwise. No; God's holy will is reueled; therefore let us say with him, The Lord giues and the Lord takes away, and blessed be his name. And let us be thankfull that he has spared any of us when in any danger. He has yet left you fower sweet babes, and I pray and hope for his blessing on them. The circumstances of every thing can not be written now. It left us yesterday, about fiue of the clock in the afternoon, at the Gov'nours. I would fain haue had it home when I wrote to you, but every body thought it would be safer to stay a day or two, and then it was not safe to remoue it. You may be sattisfyed nothing has been wanting that could be don for it night or day. Your mother and I haue been almost allways with it. Your wife and I came hither with the Gov^r in his coach but just now, and the babe came in our coach with Madam Dudly and your mother. It is intended to be layd into the tomb tomorrow about this time, as decently as may be.† We knew you could not leaue the rest to com to us; every body thought it best not to send for you. We shall all meet in Heaven at last, I hope; I can say nothing now about anything elce. We had D^r Clark and Noyce with it

* Mrs. John Winthrop had gone on a visit to her father, Governor Dudley, at Roxbury, taking with her her youngest child, Elizabeth, then about five months old. The death of this infant, after a short illness, is here communicated to its father in New London. His sorrowful answer is omitted. — Eds.

† This refers to the Winthrop tomb in King's Chapel graveyard, for which see 6 Mass. Hist. Coll. vol. iii. p. 410. In it had been buried, a few weeks before, Nicholas Winthrop Lechmere, an infant son of Thomas Lechmere, as mentioned in one of Wait Winthrop's omitted letters. John Winthrop, who had a pronounced taste for versifying, took the occasion of this second interment to send home the two following lines, which are less insipid than most of his productions: —

“ Rest then, dear babe, in thy Forefathers' Urn ;
When Christ comes back, thou wilt with Him return ! ”

— Eds.

severall times; D^r Noyce stay^d with us yesterday till it departed. I pray God prepare us also.

Your louing and sorrowfull father,

W. WINTHROP.

WAIT WINTHROP TO HIS SON JOHN.

For M^r John Winthrop, New London.

BOSTON, 8^{br} 11th, 1714.

DEAR SON, — Capt. Fullam came to me last Thursday with your letter and the papers, and I haue that by the post. I thank God for his continued favour to you all there and here. I haue been very full of pain since my last, but am better now, I bless God. It rains hard now, and I doubt the wether will grow cold, so that I doubt much whether I shall be able to bare a jorny before winter, and it seems to be late in the year to go by water, so that if you can com, the sooner the better, if you can leaue the family with safty.

I haue at last met with a miller, which I hope will proue extraordinary for that and anything else about the house; he must be treated not as an ordinary servant, but as one that deserues well, which, if I mistake not, he will do, if you be not rash and angry on every little occation, but overlook little mistakes, if any. He came in a Bristoll ship with severall other servants; I give 15^{lbs} for him for 4 years; his indenters are assigned to me and to you. There is an other miller, a young fellow, and severall other likly fellows, one smith, som husbandmen, a fuller, a carpenter, a tayler, and som young lads. I think to take an other, or two of them; if I do, I can have them 20 or 40 shillings cheaper. His name is Thomas Bram; he has bin with me som days, seems to be a sober, considerate fellow, is between 30 and 40 years. He says there are som on bord will make very good servants. I am at a

loss how to get him thither; here is Wyar's sloop will go in about a week, but I had rather he should go by land if I could find a hors for him; if I get any other, thay must go by water. There is no wemen aboard. I think Hedge is gon, and I mist puting any thing on bord him, but shall put 4 or 5 barrill of our salt, a firkin with cocoa, &c., and som other things on bord him, as a little wine, a long brush your wife left. In the firkin is 27^{lbs} of cocoanuts and nine cakes made up which your wife left also, six pounds raysons, 4 of currants, 2 of figgs. You say Salmon speaks of bathing with power of amber; should it not be with spirit or oyle of amber? If you com you'l bring the watch or send it by som carfull hand; the man has glasses to put in it. Here is an Irish ship with servants; shall enquire about a woman, if your mayd dont do well. I am troubled about Lisse. Let her not want anything. If M^r Havens or any body want servant, here is choyse at present. I had but little time with Cap^{tn} Fulam, but shall consider that whole matter. I long to see the poor children. Loue to every body.

Your loving father, W. WINTHROP.

Why will not M^r Havens or som of them com to me; they 'l send no butter till late.

JOHN BULKLEY TO JOHN WINTHROP.*

To the Worshipth John Winthrop, Esq^r, deliv^r.

COLCHESTER, JANR. 10, 1714-15.

WORSHIPth S^r, — These come to bring my best regards to y^rself & lady, & withall to acquaint you how impatient I am under my long absence from you, whose conversation

* Rev. John Bulkley (Harv. Coll., 1699), first minister of Colchester, Conn., was a younger son of Rev. Gershom Bulkley, of Glastonbury, and a grandson of Rev. Peter Bulkley, of Concord, Mass. See Savage's Gen. Dict. vol. i. p. 290. — Eds.

I cant but esteem & honour. I have endured a long confinement here in y^e wilderness, secluded (I had almost said) from y^e company of mankind ; y^e reason of w^{ch} has been a want of y^t necessary engine, I mean an horse, or rather my inability to get one. I did before winter flatter myself with hopes of waiting upon you here, but begin now to despair of y^t, or indeed of ever seeing you unless at y^r own house, being lately informed y^t such is y^r retirement from y^e world y^t you are rarely to be seen elsewhere. However, under y^a infelicity I comfort myself wth these assurances, viz., that y^r great retirement is not for naught, & y^t it will produce some noble discoveries in y^e Arcana of y^e chymists, w^{ch} I promise myself y^r candour will oblige you to communicate when I shall be so happy as to see you again. S^r, it is now neer y^e eleventh hour of y^e night ; I may not add, but with service to y^rself & lady, I am

Y^r very humble serv^t,

JN^o BULKLEY.

COMMISSION OF WAIT WINTHROP AS CHIEF JUSTICE.*

SEAL. GEORGE, by the Grace of God of Great Britain, France, and Ireland, King, Defender of the Faith. To our trusty and welbeloved Wait Winthrop, Esq^r, Greeting. WHEREAS, in and by an Act made and

* Wait Winthrop was first appointed Chief Justice of the Superior Court in August, 1701, but served only one year. He was appointed again to the same post in February, 1707-8, and continued in office until his death, his commission having been renewed several times. The commission here printed was issued after the appointment of Colonel Burgess, who never came over, and a few months after the death of Queen Anne. After the arrival of Governor Shute a new commission was issued, signed by him as "Captain General and Governour in Chief in and over our said Province at Boston, the twenty-sixth day of December, in the third year of our reign, Anno^q Dom. 1716," and attested "By command of his Excellency, by and with the advice and consent of the Council, Jos. Marion, Dep^t Sec^r." This was probably done to set at rest any doubt as to the legality of the action of the Lieutenant Governor and Council in issuing the former commission. In the later commission the words which we have printed in italics are omitted. They were evidently a careless repetition by the original draftsman. — Eds.

passed by the Great and General Court or Assembly of our Province of the Massachusetts Bay in New England, at their session begun and held the thirty first day of May, anno 1699, intituled an Act for the establishing a Superiour Court of Judicature, Court of Assize, and General Goale Delivery within this Province, it is enacted that there shall be a Superiour Court of Judicature, Court of Assize, and General Goal Delivery over the whole Province, to be held and kept annually at the respective times and places in the said Act mentioned and expressed, by one Chief Justice and four other Justices, to be appointed and commissioned for the same. Any three of whom to be a quorum, who shall have cognizance of all pleas, real, personal, or mixt, as well all pleas of the Crown, and all matters relating to the conservation of the peace and punishment of offenders, as civil causes or actions between party and party, and between us and any of our subjects, whether the same do concern the realty and relate to any right of free hold and inheritance, or whether the same do concern the personalty and relate to matter of debt, contract, damage, or personal injury; and also all mixt actions which concern both realty and personalty, *and relate to matter of debt, contract, damage, or personal injury, and also all mixt actions which concern both realty and personalty* brought before them by appeal, review, writ of error, or otherwise, as the law directs, and generally of all other matters as fully and amply to all intents and purposes whatsoever as the Courts of King's Bench, Common Pleas, and Exchequer within our Kingdom of Great Britain have, or ought to have, and in and by said Act are also empowered to give judgement therein and award execution thereupon. Wee, therefore, reposing special trust and confidence in your loyalty, prudence, and ability, have assigned, constituted, and appointed, and by these presents do assigne, constitute, and appoint you, the said Wait Winthrop, to be Chief Justice of our said Superiour Court of Judicature, Court of

Assize, and General Goal Delivery within our Province aforesaid ; and do authorize and impower you to have, use, exercise, and execute all and singular the powers, authorities, and jurisdictions to the Chief Justice of our said Court belonging or in any wise appertaining. And with other our Justices of our said Courts, or with any two of them, to hear and determine all such causes and matters as are by law cognizeable in the said Courts, and to give judgement therein and award execution thereupon, and to do that which to justice doth appertain according to law. IN TESTIMONY whereof, wee have caused the Publick Seal of our Province of the Massachusetts Bay aforesaid to be hereunto affixed. WITNESS our Council of our said Province at the Council Chamber in Boston, the eighteenth day of February, in the first year of our reign, Anno que Domini, 1714.

	THOMAS NOYES.	ELISHA HUTCHINSON.
WM. TAILER.	BENJ ^A LYNDE.	SAMUEL SEWALL.
	JOHN CLARK.	JOSEPH LYNDE.
	J. DAVENPORT.	E ^D W HUTCHINSON.
	THO ^S HUTCHINSON.	PENN TOWNSEND.
		JOHN HIGGINSON.
		AND ^S BELCHER.
		E ^D W BROMFIELD.
		SAMUEL APPLETON.
		JOHN CUSHING.
		NATH ^{LL} NORDEN.
		JN ^O OTIS.
		JOHN WHEELWRIGHT.

By order of the Council.

IS^A ADDINGTON.

THOMAS LECHMERE TO WAIT WINTHROP.

LOND^o, May 14th, 1715.

HON^{ED} S^R, — In five weeks & some days (God be thanked), wee arrived safe here, though haveing had terrible weather in our passage, and likewise had the misfortune of haveing our cabbin windows broke in by y^e violence of the sea, & one of the dead lights was near doeing some mischeif to me, the sea forceing it with so much violence against the bulkhead of y^e cabbin that it was splitt thereby from topp to y^e bottom within a foot of my head, but thro' mercy I escaped. I have been to wait upon S^r Henry Ashhurst, son & heir of the late S^r Henry, & have delivered him yo^r letter; but I can't perceive he as yett inclines to pay y^e mony back by reason his fath^r's books are down in y^e country, & he now in the Parliament House, w^{ch} is now sitting; but I shall again sollicite him for it, & if possible urge him to pay it, concerning which I must begg another letter to him on the said head, w^{ch} if you please to forward to me I shall take care to forward or deliver to him. I have not delivered yo^r letter as yett to my bro^r, neither y^e papers concerning the mortgage lands, w^{ch} I am now somewhat satisfied may be procured, because I am assured no man in Eng^d has the like interest at Court as he has. He does not only aske for anything, but he im̄ediately has it, so hope this may y^e easier be obtained; but however I don't see why I should spend my time & my interest here to serve those other gentⁿ for nothing; therefore should you hint such a thing to them, perhaps may not be amiss, but I leave it wholly to you to act as you please therein. I desire, S^r, you would be pleased to speake to M^r Mico to send every body's acco^{ts} & ballances, by reason I am very apprehensive of falling into abundance of trouble for want thereof, which I should have brought with me; but he persisting

in his old way neglected them, & so I am forced to stand the brunt of all for his sake, tho' I thank God they seem to have a better opinion of me then him, or that I should wrong them of any thing. But this by y^e by. Pray, S^r, faill not of following him hereabout, for I know not of any other fr^d to stand by me here but yo^r good self. I can't write you any news now by reason of the disturbance of my mind concerning this affair. 'Tis now late at night & the shipp's bagg goeing away, I can't enlarge as otherwise I would. *Interim*, I remain, S^r,

Yo^r most obed^{tt} & dutifull son,

THO^s LECHMERE.

You have heard of our new Gov^r 'cre now.* He is a fine gent, as they say. I am to wait on him tomorrow, not haveing seen him as yett since my arrivall. All friends present their hum. service to you. I hope to give you an acco^{tt} in a little time of some progress I make for my own advantage. Here are severall shipps bound for New England. I shall write you anything offerrs.

THOMAS LECHMERE TO WAIT WINTHROP.

*To the Hon^{ble} Maj^r Gen^l Wait Winthrop, Esq^r, in Boston,
New England.*

LOND^o, June 7th, 1715.

HON^{RED} S^s, — I wrote you a few lines some days agoe, then adviseing you of our safe arrivall here, as allso of the reception I had from y^e gentlemⁿ M^r Mico & self were concerned; since which I have appeased them as farr as lyes in my power, & till further advice from M^r Mico of their acco^{tt}s & effects being in some readiness to be transmitted home; since which nothing materiall has happened worth

* Col. Elisæus (or Elisha) Burgess was appointed Governor of Massachusetts in March, 1715, but did not come over, and finally sold out to Samuel Shute. — Eds.

yo^r notice. What now chiefly offerrs is, I have delivered the papers concerning y^e Narra^t lands to my bro^r for him to peruse, but have not as yett had any oppertunity of discourse with him concerning it, by reason he is so much hurried in the publick affairs that he has hardly time to converse with any, but has promised me to overlooke them & do what lyes in his power for us, which I am in great hopes he will procure so soon the affair of this Secrett Co^mittee, or examination into y^e managem^t of affairs by y^e late ministry, of w^{ch} co^mittee he is one, be fully compleated, which, as tis reported, if they run upon impeachments of the great men, will continue some time before concluded, because the debates on both sides will be so warme. I wish that y^e gentlemⁿ concerned on both partys don't carry their disputes so high as to occasion mischeif among us, w^{ch} should be sorry to see; nay, indeed, 'tis very much feared among us. The mobbs are on any publick occasion ready to insult y^e government, for which reason the malitia are then allways obliged to be in arms in order to suppress them if any insurrection, of w^{ch} I have had a sufficient proof since my comeing; for on the King's birthday at night mobbs on both partys arose, & had not y^e soldiers interposed there might have great mischeif been done. Severall indeed are sent to Newgate (as 'tis supposed) for treason, & 'tis said it will go hard with them. I have some time agoe delivered yo^r letter to S^r Henry Ashhurst, who seemed thereupon to be somewhat uneasie, & answered me that he did not know any thing about the matter, & further that he expected there was mony due to him (as heir to S^r Henry deceased), from N. England; upon w^{ch} I answered him you were not accountable for other people's debts. S^r, says he, I have not any of my father's books here; they are in the country, so can't say any thing further to it as yett. I have talked with M^r Read hereabout; who has been so kind as to go with me to S^r W^m Ashhurst on said acco^t, but not finding

him at home have appointed another time. I shall leave no stone unturned whereby I may be in any likelyhood of recovering it, of which I shall advise you. All friends here are very well, & give their due respects to you, & are very angry with me that I did not bring my wife along with me, whom they are extreamly desireous of seeing, as allso the little ones, but I have acquainted them with y^e reason why I did not ; * but I have very often such hard expressions from them for not doeing it. I should be very glad to hear of all yo^r welfare. Pray, S^r, forgett not to urge M^r Mico to compleat all affairs depend^t with our principles here, for they are now better satisfied upon the words I have given them, & fully depend thereon for their acco^{ts}, &c^a, & should they now be again dissappointed my character would be entirely lost, w^{ch} (I thank God) I have pretty well recovered, considering how farr 'twas lost. I shall now endeavour to maintain it for y^e future. I am with y^e tend^r of my most hum. duty to yo^r self & lady, begging yo^r prayers for us, Honrd S^r,

Yo^r most obed^t & dutifull son,

THO^s LECHMERE.

It is not fully known what great men will be impeached, but by private discourse I hear there are 9 in number. Since aforewritten y^e above co^mittee have delivered in their report, & it has passed y^e House of Co^mons, & by y^e votes thereof wee are informed that y^e L^{ds} of Oxford & Bollinbrooke are impeached for high treason, &c^a, & severall others are taken into custody, on the acco^{tt} of which you shall have a more full acco^{tt} in my next.

* Lechmere was in a condition of pecuniary embarrassment, and had gone to England hoping to secure some appointment through his brother's influence. — Eds.

WAIT WINTHROP TO HIS SON JOHN.

AUGUST 1st, 1715.

I HAD yours of July 21st; am glad you got well home. I am much as I was when you went from hence. I made a shift to get to Cambridg Court last week in the coach, and on Thursday our sister Brattle dyed there after about a fortnights illness, and was buried on Satturday.* I expect John Weeks this week, and cannot get from hence before I speak with him. I do not forget the things in the note you left. Molle went to Roxbury with the Gov^r on Satturday, and came with him to-day; she is well and brisk, and goes to dancing, &c.† You say not who you sent the wheat by, or w^t quantity. Cap^t Fullam is here; he says he would have M^r Newton draw the writs, and he will goe when the Court coms; M^r Newton may draw them best. The Gov^r is not yet com; I shall not stay for him. I shall see for those gines you mention. If I can get amber pills, shall send som. Molle sends her duty and loue.

Your louing father, W. WINTHROP.

Your mother is not yet com from Cambridge; cannot send the amber pills, not knowing the directions about them.

WAIT WINTHROP TO HIS SON JOHN.

BOSTON, 7th 19, 1715.

DEAR SON, — Jordan left the little bundle with Camell, so could not get it till now. Haue perused the Lanthorn Hill plat; shall endeuer to do all about it. This coms by

* Elizabeth Hayman, wife of Rev. William Brattle, died July 28, 1715. See Paige's History of Cambridge, p. 499. — Eds.

† Mary, eldest daughter of John Winthrop, then seven years old; afterward the wife of Gov. Joseph Wanton, of Rhode Island, many of whose letters are among the later Winthrop papers. — Eds.

one that came with M^r Goit's son Saterdag last. I am fitting the coach to get to you, if possible. I sent the jugg of Canary last week by M^r Mulford's son,* with whom went M^{rs} Chauncy, and I got her to put a looking-glass into her trunk for you; it's something too good for the island apartment, it cost 20^s. Other things will com as soon as may be. Its best not to neglect going about the lead-mine business, tho I should not be got to you before; if any great cedar swamp lyes in the best land, tis best to take it in. M^r Jefferys and young Belcher and Doctor Noyce's wife gon for England last week. John Weeks was here; brought me a little, and has given me 1,000^{lb}. bond for the rest and this growing yeare. All friends well. Your sister had a letter from her husband; the man that brought it told her his brother was Atturny Gen^l and to be Lord Chancellor. Mary is well and brisk; sends duty and love; keeps to scoole. I hope Hamblin will put in to you; shall get M^r Newton to finish writs this week. The smale pox has been kept from us by God's good Providence hitherto. A negro that came in a vessell from Barbados was taken at the North End, but order was taken presently to remove her to Aple Island. All elce have been well ever since. I must not enlarge, least I loose the opertunity. M^r Duñier buried his wife last week.† I assisted at her funerall. I cannot speak with him to send word by this, but shall take first opertunity; I believe it may be that man you write of. Its best to be wary if you should see him, which I know not any advantage in.

Your loving father,

W. WINTHROP.

* There is not infrequent mention of these juggs of Canary; but on one occasion the writer sends his son "a great jugg of rich Passado, which with a sutable mixture of green wine will make better Canary than any to be had here." — Eds.

† This was Ann, daughter of Joshua Atwater, and wife of Jeremiah Dummer, father of Jeremy and William Dummer. She died Sept. 16, 1715. Her son William married, April 20, 1714, Katharine, one of the daughters of Joseph Dudley, and a younger sister of Ann, wife of John Winthrop. See Savage's Genealogical Dictionary, vol. i. p. 77; vol. ii. p. 76; also *post*, p. 327. — Eds.

WAIT WINTHROP TO HIS SON JOHN.

BOSTON, 7^{br} 26th, 1715.

DEAR SON,—The inclosed was intended by one who said he would again, but mist. I have been very uneasy the last week that could not go about any business, but (I bless the Lord) am much easier now.* I was almost discouraged then about my getting to you this fall; hope now, if the wether be good, to try what I can be able to do, and will not delay farther then a week or two, if I can help it. M^r Newton promised to com to me last week, but failed; so I intend to go to him tomorrow. I was at M^r Pims, who has bin ill, and this morning he came to me for a does of s^t, and desired I would com this afternoon to try that instrument on his wharfe, which I intend. I hope he will lend it for a while; if not, I must do as he will, or treat with the other blade for one of his. The soldiers coats are all gon. I could not goe out the last week for others, but intend it now. The ginnes are all gon but these I send you, with two rings, and some sets of shirt buttons, which look too well for them. Tis best to keep the green ones. I send herewith the Courts order about the land at Tantiusques. You must not faile, if health will permit, to agree with Chandler and go with him about that land. Our Gen^l Court will sit towards the latter end of October, when the return with the platt of it is to be made. Its must be incerted on the platt that the survayor and chainmen were sworn before a justice, before it be return'd. Thay always allow in surveying for the unevenness of the land so many rod to a mile, and where its mountainous a great deale in proportion, which the men must understand. Its best to include the pond just before the mine to the eastward of it. Thay say there is a man lives within two or thre mile of the mine in the rhoad

* In a letter of a few weeks before he had described himself as "very much relieved by a strong minerall water out of a well here, that I think is better than Linn Spring, or any of the rest." — Eds.

that goes from N. Roxbury to Springfeild or Enfeild or that way, where you may lodg when you take a veiv of the land ; its like he can tell you where the best of the land lyes, or swamps or ponds or rivers. Its said he bought of Maj^r Fitch, but doubts his title. Its best to encourage him, if he will be servisable and he fall within us. If you go by Plainfeild, you'le not get over Quinabauge River without a canoo. Its best to get M^r Smith with you if you can ; but its better to send him word to meet you then to go so farr out of the way ; and it will be best to keep close to Chandler and go with him ; and you may return by Plainfeild, and speake with them about the other matter. Let them know I hope to be at N. London, and must see them there. I send the Duchman's paper, but say nothing to him till I com, if he will not be gon. Thers a difficulty about the profe of it ; but he'le redily own it to me, therfore speak freindly to him. You have Fullers agrement about Tarpolin Cove, which you must send now. The other things you wrote for I'le get as soon as may be.

Her's a secretary com, one Woodard, says the Gov^r was to sayle in a month ; he brought a coïssion for Tayler, who presently demanded the Gov^{ment}, but cant haue it unless the Gov^r com. The Secretary says thay were apprehensive about the Pretender, and severall regements raised. Your sister had a letter, her husband coms not this winter ; the banck like to be established. Mary sends her duty and loue, is brisk and easy. Her's no infection (God be thanked), but a gen^l healthy time. M^r Bridg the minister dyed this day,* as I just now heard ; he has lain severall days in a sort of an apoplexy. I pray God to keep and bless you all, and us also.

Your louing father,

WAIT WINTHROP.

Send a little rubila.

* Rev. Thomas Bridge, minister of the First Church. — Eds.

HEZEKIAH USHER TO JOHN WINTHROP.*

To M^r John Winthrop, Present, New London.

WORSHIPFULL S^a, — If I had any thing till now, I should have wrote an answer to your kind letter. Before now I had nothing; now I have, I do suppose you will say tis good for nothing. Two or three ships is come from old England, and they say old Lewis is dead; † the Duke of Orleans is Regent; that is, I suppose he is to govern as we interprete it among us at the Bay. The new king is but six year old. They have dayly had expectation of the Pretender landing in England, and have fitted 60 sail of men of war and an army to receive him when he comes. They say he is to come by the way of Spain, and not from France.

Oxford was to be tryed a few days after they saild. Ormond, Strafford, Leeds, Peterborough was run away to there old master; but they arrived just soon enough for his funerall.

There is a bill of attainder past ags^t Ormond & Bolingbroke. The N. E. Bank is confirmed, they say. The Governour they think will not be here this year. Coll^o Byfeild has lost his place. The agents write that there is great danger of loosing all y^e American charters, especially Cone——t & Road Island. I suppose your Gov^r —— can inform you more of this affair. I have no more to add save that your worship's friends here are in pritty good condition, as is

Yo^r hearty well wisher,

HEZEKIAH USHER.

Monday, 8^{br}. 11, 1715.

* Hezekiah Usher (third of that name in Boston) was second son of Col. John Usher, Treasurer of New England under Sir Edmund Andros, and subsequently Lieutenant-Governor of New Hampshire. See Savage's Gen. Dict. vol. iv. p. 363. — Eds.

† Louis XIV. died Sept. 1, 1715. — Eds.

WAIT WINTHROP TO HIS SON JOHN.

BOSTON, May 14th, 1716.

DEAR SON, — I rec^d your letters in the box, with the welcom news of your wife being delivered of a son,* and I bless God for his mercy and goodness therin that he has heard our prayers in that matter and remembered us in our low estate, because his compations faile not, but his mercy endureth forever. Now the God of Abraham, the God of Isaac, and the God of Jacob, yea, the God of our Fathers, who followed the Lord Jesus Christ into this remote wilderness to set up his kingdom here, even our own God, bless the lad with all the blessings of heven and earth, but espetially with the blessings of the new and everlasting covenant, that he may grow up to do worthily in his generation and promote the kingdom of the Lord Jesus Christ, and serue him in sincerity, — yea, the Lord bless him and he shall be blessed. And now what shall we render unto the Lord for all his goodness and mercy to us? Let us giue up ourselues and ours to the Lord, not only in word but in deed and in truth. I haue been much indisposed with my usuall pains, which makes me fearfull least I should not be able to get to you by the time of the Court, and if not, all our business there will com to nothing. Cap^{tn} Fullam was here last week, and will be with you towards the end of this month, and, if possible, I hope to see you also. The writs that are drawn about the rent for Yeomans, his holding the farm ovar his time, will not do, nor that about the horses, therefore haue sent now only that about the cattle. Thay were not halfe the stock mentioned in Yeomans former lease, but halfe we^b I saw cause to have let him and Brown haue on an other lease which he flew

* John Winthrop had previously had five daughters born to him, and the arrival of this long-desired son moved him to write his father a most enthusiastic letter, too long to print, as it contains no less than thirty-two texts from Scripture. — Eds.

off from; therefore not the same taken notice of in the execution. The writ must be serued in time. Freinds all well. I pray God to preserue and keep you all.

Your louing father,

W. WINTHROP.

The post will bring you a coat, &c., for little John Winthrop.

LUCY LECHMERE* TO WAIT WINTHROP.

*This for y^e Hon^r:^d Generall Winthrop, at his house in Boston,
New England.*

MAY 24th, 1716.

S^a,—I hope y^a wth y^r son will find you well, notwithstanding y^e reports here concerning y^r health. I rec^d y^e favor of y^r leter by my son, & must joyne wth you in giving God thanks y^t he has blest my son and da. with such fine children. S^r, you may believe I was very glade to see my son, but much more should I have been had he come over wth his affairs in a good posture, & his accounts so settled wth M^r Mico that he might have attended those gentlemen wth whom he (wth M^r Mico) was concern'd; but to appear in London wthout being able to give them any satisfaction in their busyness has so blasted Thom's credit y^t twill be a difficult matter to revive it. Sure M^r Mico little vallevs his own or partner's reputation, that he has acted so long for men & will not let y^m see y^e accounts, to sattisfie them how their goods & monys are dispos'd of for so many years as I have heard complaints for want of them. S^r, I hear M^r Mico pays all due regard to y^a; therfor I hope you'l so concern y^rself in this matter as to prevaile on M^r Mico imeadiatly to settle y^e accounts, & let them be sent over wth all speede, that all doubts &

* Widow of Edmund Lechmere, and daughter of Sir Anthony Hungerford, of Farleigh Castle. For some account of her see "Hanley and the House of Lechmere. London: Pickering & Co. 1883."—Ems.

suspitions may be removed, w^{ch} now ly greatly to y^e prejudis of y^r son, & M^r Mico not free from sensure, but he's rich & vallews it not; but what will become of y^r son & his famely if he dos not settle to busyness wth prudent industry & diligence becoming a man once in good reputation among his corespondants!

S^r, I am sure Thom was sett out into y^e world in as good circumstances as most younger bro^s, & plac'd in a house of as good busyness; therefor his parents are not to be blam'd, & I hope he dos not want capassity; therefor I hope he'l now endeavor to get into busyness again. His famely now is not very few, & in all probability may increase, & tis his duty to take care to provide for y^m (w^{ch} I don't see how y^t can be dun in y^e way Thom has liv'd for some years), & all unnecessary expences must be avoyded. Fine horses quickly eat out their heads, & are only fitt for men of great estates; therfor not proper for Thom, I fear. I understand, S^r, what fortune you design'd for your da^r is still in y^r own hands, & y^t you have bin pleased to give y^r son & da. an iland (doubtless a thing of vallew), & I hope in your own life time you'l so settle y^s iland on y^m that there may be noe roome for disputes when you are gon, for by y^e laws of Old England all land falls to y^e son & none to da^r; but what y^r laws are I know not, but tis good to leave things wthout dispute. S^r, if what I have writ dos not agree wth y^r sentiments, I beseeche you excuse me, for it all proseeds from a true care for my son & his famely, & as you are so neere y^m it lys on y^u to give what advise & assistance y^u see necessary, & it shall be my harty prayer to God Almighty to bless y^m & all endeavors for their welfare. I am, wth all respect, S^r,

Y^r very humble servant,

L. LECHMERE.

Indorsed by Wait Winthrop: "Madam Lechmere, rec'd 7^{br} 25. 16; enclosed in the other of July 25. 16." This other of July 25 is not now in existence. — EDS.

WAIT WINTHROP TO HIS SON JOHN.

For Mr John Winthrop, att New London.

BOSTON, May 28th, 1716.

DEAR SON, — I wrote you Munday last by one Ward of Newtown,* and since by Cap^{tn} Fullam, who I suppose might get thither on Saturday. My pains haue been such that I haue not been able to venture, otherwise might haue seen you before this. I seem to be much better at present, but it will be impossible for me to get thither before the Court if I should attempt it; therefore must content myselfe a little longer, and hope God will giue me oportunity and ability to travell in a little time. As to our cases, Cap^{tn} Fullam will advise so that nothing may be proceeded on but what may be likly to be gained by good evidence; and as to Yeom's actions about stone-wall, I was so farr from ordering or agreing with him about any, that I never knew there was a rod of stone-walle on the whole Neck before I was last there, except a few rods on the other side the creek against the house, which was single stone scarce two foot high, which I suppose was made to secure that little feild of corn which grew there, and could not cost halfe so much as an ordinary hedg, the stones being all at hand. And for the cross wall a little about the house, which was made when I was there, after M^r Brown and he had agreed about the farm when I was last there, I

* In a letter of the previous week he writes: "Here was one Mr Ward, of Cambridge village, with me on Satturday, who says he and Mr Trusdale his neighbour intends by way of New Roxbury to go to New London and see the country as thay go. So he comes to me to desire I would write to you to show them such places as we have that are free. I perceive thay haue an eye to part of Pequannett; but I told him I could not tell how that was at present, but that thay might see Alewife Brook or the Mill pond, or that between Lanthorn hill and the Cedar swamp, &c., web would make a brave farm. Thay go, I suppose, partly to visit som freinds and to see the country. If thay would take up with either of those places, it might do well. Its best to treat them civily, and if thay would see the farm it might not be amiss that the tennants might see we should not be at a loss if thay were weary of it." — EDS.

never knew of his doing of it untill it was almost don, and would not haue had it set there, but understood he did it all by agrement with M^r Brown to divide betwene them one part from the other, and he took upon him to make that himselfe, because he had not left the outside fence in any repair, according to his lease; but M^r Brown must make it in a manner all new, which was thre times as much as the dividing line betwene them where that wall is made, as thay informed me, and most if not all the stonewall cost him but a pot of cider a rod, and was made most of it by Indians, Joseph and others, liuing there, and are my own ser- uants. These things the naibours all know; and if a tennant or others shall build houses or walls on my land without my approbation, it is so far from being to be paid for or set of in the rent, that an accion of wast or trespas lyes against them; and certainly if I had agreed for this stonewalle I should haue appointed the place to set it in; but the greatest part, if not all of this walle, is where I would not haue it, but must haue it removed, and most of it not worth the pot of cider with halfe water it might cost him. But if this be the way of making book debts without prouing the agrement, every body may be brought into debt before thay know of it. As to the other, against Leviston as exe^r, its a peice of knavery between them, as that of Tayler was, as I hope the Court will easily see; and if it had been a just debt to Tayler, the Court ought not to haue ordered execution against my estate, but against the exe^r, for what lands I haue that my brother had interest in is not lyable to his debts, we being joint tennants; but if it were otherwise, he giues it by his will, and accordingly the exec^r has conveyed it to me by agrement and has made himselfe lyable to the payment. How far he may bring anything on me afterwards by my agrement to allow such a part of the debts is another thing,

and is between him and me, if he please. I understand these were begun at an adjourned Court, and can any man imagine that those who are out of the Govern^{mt} can tell what time the Courts will adjourn to; besides the action against the exec^r is out by the law of the Province, and tho' the exec^r should purposely not appear, yet the Court is of counsell for the defendant so as to admit of nothing contrary to the letter of the law, if any freind of the Court shall turn them to the law. As for the other executors being named that haue not taken the executorship upon them, our not appering can be no fault. I hope the Court, where thay are informed of such collusie contrivance, will discountenance all such things that are contrary to law. Providence hinders me from being at the Court, and I suppose we may appeale if cast, which must be don. However, if thay will not admit of an apeale, you must not let them haue an inch of that land at the ferry, but rather pay the mony untill we may haue a releise otherwise. If you sue upon Yeomans receipt of so many cattle, thay w^r not the stock mentioned in the lease, neither for kind, number, or value; thay w^r of as much more value, and he sold them or many of them so. Thay were such stocke as I then saw cause to deuide to that part of the farm which he promised to take a new lease of, performing such things as was agreed on, which he never did, neither would signe the lease, but had the improument of all that year, and has neither returned the stock according to his engagment, nor paid any rent for it, besides his pulling down the howseing and leting them be utterly lost, which will not be made good for more then two hundred pounds as when he received them, besides more then one hundred pounds worth in hors kind he has conveyed away from the farm. I send your wife's shoose, &c., with two p^r for the children and an bottle of Elixer Proprietatis. I pray

God to bless and keep you all. All here are well ; haue sent no wine yet.

Your louing father, W. WINTHROP.

WAIT WINTHROP TO HIS SON JOHN.

BOSTON, June 25th, 1716.

DEAR SON,—I had your letter with the bills and papers by Cap^{tn} Fullam, and the letter by the last post. I haue been in great pain at times since my last, and am almost confirmed it may be caused by a stone in the blader, yet notwithstanding, am contriuing to get to you as soon as may be, and I hope I shall be able to go by land ; if not, here are vessels will go in a little time. Its strange the Court should so strangely drop. I hope to hear from you by this post. All freinds here prety well. Molly cannot yet sute her mother's case. I send herewith a pair of shows for one of the children. Molly intends to write to her mother when she has learnt a little better, and giue her duty and loue under her own hand. I am glad Stancliffe has got the stones for your grandmother. The place she lyes in is just by the south side of M^r Stones monum^t, within thre or fower feet, as I remember, of that. I am not yet resolved what shall be written on the stone. My grandfather Reade was of Wickford in Essex ; his name was either Edward or Edmond ; I think the first, but shall enquire and send to Cousin Read about it.* I hope you haue a return from Eg. Our Gov^r, its said, will not be here till 7^{br} or 8^{br}. Your brother is yet in the country,

* Elizabeth Reade, second wife of John Winthrop, Jr., and the mother of his children, had died in Hartford more than forty years before. Those who are familiar with the letters of Roger Williams will remember the affection with which he regarded her, and how, on one occasion, in passing the spring named after her (a stopping-place between Connecticut and Massachusetts) he exclaims, "Here is the spring, say I (with a sigh), but where is Elizabeth ? My charity answers, she is gone to the Eternal Spring and Fountain of Living Waters." The town of Wickford, Rhode Island, received its name in compliment to her English home. See also 6 Mass. Hist. Coll. vol. iii. pp. 471, 472.—Eds.

which is all we can heer. I pray God to bless and keep you all.

Your louing father,

W. WINTHROP.

SAMUEL SEWALL TO WAIT WINTHROP.

For the Hon^{ble} Wait Winthrop, Esq^r, Boston.

BOSTON, July 11th, 1716.

HON^{BLE} SIR, — I very thankfully acknowledge your perseverance in ariving to save my daughter Hirst's life; and hope your symphonising prayers have prevaıld to advance her to a better.* As for Zebulun Thorp, he being coñmitted by the Sessions of Barnstable for a capital crime, I doubt the justices of the Superiour Court can't admit him to bail. The Sessions upon hearing may know a great deal. I see no affidavit in Thorp's favour.

If I had time to speak to the case of the Eastern Indians, I would say that 'tis very convenient that they should have ample accomodations of land bounded out to them by rivers and rocks and mountains, to be held by them free from all encroachment. I can't see how it can be otherwise. My daughter's interment is intended, God willing, next Friday; after that I hope to have an opportunity of conference with you upon the mentioned heads, and upon what you shew'd me from Judge Menzies. With my humble service to your self & good lady, I take leave, who am,

Sir, your sorrowfull friend and humble serv^t,

SAMUEL SEWALL.

* Judge Sewall's daughter Elizabeth, wife of Grove Hirst, died on the 10th of July, 1716. In his diary Judge Sewall describes her as "a very desirable child, not full thirty-five years old. She liv'd desir'd, and died lamented." See Mass. Hist. Coll. vol. vii. p. 91. — Eds.

WAIT WINTHROP TO HIS SON JOHN.

For M^r John Winthrop, in New London.

BOSTON, August 20th, —16.

DEAR SON, — I had yours by last post, and gaue your sister her letter. I hope your wife is well after the rubila. I haue sent little John a p^r of shoose, which hope will fitt. I condole with M^r Hemstedd the losse of his good wife. What has hapened by the wickedness of Allyn is to be bewayled; I knew his father, and his granfather and grandmother were very good and religious folkes counted when I was a boy, but thay could not infuse grace to their posterity. I hope Pelton will liue and be bettered by his affliction and pain, and that Allin may liue to repent of his wickedness. The story about Pelton's arm is strang. I remember one Courset, who was the cryer here a long time, and had lost one of his leggs, would often cry out of pain in his lost legg or toes against chang of wether, as was co^monly sayd; it seems very much to countenance the doctrine of curing by simptheticall medicine to be no imposture, as som would haue it. The meteors you mention seem to be strang; and though many things of like nature haue been seen of late years, as well as formerly, and by many are counted but co^mon and ordinary effects of Nature, yet we who profess to be Cristians should adore the wisdom and power of God, who governs Nature in all its causes and is able to shew us his almighty power by working by or contrary to naturall causes as it pleaseth him. Christ has told us of signes in the heavens, &c., Math. 24 : 29 — Mark 13 — Luke 21 : 25. Coft Quinzy told me the other day, that on the same evening, viz. the 2^d instant, as he and others were riding home towards Brantry thay saw a more then ordinary meteor w^{ch} gaue a considerable light, but was not just in the form you describe. And though we should not be dismayed at these

things, yet by all God's providencies we should learn virtuousness and endeavour by faith and repentance to lay hold on the covenant of grace as offered in the Gospel, that we may be partakers of Christ's body and blood according to his institution, and be ready for his coming. I am yet not redy to get away, but shall endeavour as fast as may be. I am now a little better then I have been (I bless God). Send word what price salt is sold at there; I intend to send som of our salt and som boyld salt for butter. Here's no news but in these prints. I pray God to bless and keep you all. Mary is well, and sends duty and loue.

Your louing father,

W. WINTHROP.

You write nothing of old Johns return.

JOHN WINTHROP TO THE COUNTY COURT OF
NEW LONDON.

NEW LONDON, August y^e 21st, 1716.

GENTLEMEN, — I am notify'd by the County Sheriff, wth an order from yo^r selves as a Special Court, to answer before you to a very wrong complaint; and you will excuse me if I refuse so to doe according to the said summons or warrant, beleiving you (according to yo^r owne Collony Laws) to be an illegal court. For *Leges posteriores priores abrogant*. I am not ignorant that heretofore yo^r law allow'd the establisht judge of y^e County Court on extraordinary occasions to hold a Special Court. And the true intent of those former Special Courts were to benefitt strangers living out of the Collony that could not rationally be supposed to wait on charges till the stated annual sessions did commence, and not inhabitants, settled towne & county dwellers, that were not immediately going out of y^e Collony to reside. But the General Court, seeing y^e inconveniency of those Courts (by the

unreasonable liberty many restless, troublesom humours took many times to the great damage & disadvantage of y^e defend^{ts}), was pleased lately to repeal the law, and call in the powers for continuing & holding any more such Speciall Courts. *Vide* y^e Collony Book of Laws, new printed, fol. 168, as follows: "*Anno Regni Annæ Reginae decimo*, . . . And it is further enacted by the authority afore said that the County or Inferiour Courts within this Colony shall be holden annually at the times & places hereafter mentioned, viz.: the County or Inferiour Court within and for the county of New London shall be holden in New London on the first Tuesday in June and on the fourth Tuesday in November. . . . And all Acts or clauses in any Acts providing for the holding of Inferiour Courts at any other times or in any other places than those expressed in this Act shall after the last day of June next be of no force, and are hereby from and after the said last day of June next declared to be repealed."

It is now, I think, about seaven years since these Special Courts have been null & voide; and if the abolisht law for calling & holding of Special Courts may yet be valid, then all other repealed Acts of the Government are in force. I am informed this is an adjournement of a Special Court lately called to grattefy some friends & neighbours, but never sett to doe any business at the time appointed. Now, if y^e judge had power to call such a Special Court before the last day of June past, it must be on an extraordinary occasion, and it must have been then held and finisht when it was first called and before the expiration of the aforesaid time limited by law, or elce no notice is taken of y^e aforementioned Act of the General Assembly, w^{ch} expressly forbids any such court to be held from and after the last day of June long since past, and also contradicts the very notion & design of a Special Court, w^{ch} was i^mmediately & without delay to accommodate such persons as the law at first intended

thereby to bennefitt. If it is legall for such a court to sett after the expiration of the aforesaid time, and then (out of I know not what pretence) actually omit holding of it (only wth a designe to adjourne it, that such a sort of court might be kept in being to serve perticuler interests), and y^e adjournment may now lawfully sett & be of force, notwithstanding the repeal, then this Special Court by the same rule may still farther adjourne itselfe *in die ad diem usq. in aeternum*. For if it had power to sett and to adjourne itselfe once (after y^e repeal takes place) it may five hundred, and so ten thousand times. And so y^e more contentious persons in y^e country may never want a Special Court to disturb y^r neighbours at!

I am of opinion that when the very being and foundations of such a Court is by a firme law taken away, there can be no continuing any part of it, or acting afterwards by adjournment, nor building anew on the old ruins. When the soul (w^{ch} is the life) is gon, the body remains dead, and the members cannot performe any act without the virtue & powers of a new resurrection. *Ratio est anima Legis*; and it is a noted maxim in the law, *Cessante causa cessat effectus*, and *Ipsi jam fontes sitiunt, flumina profuere non possunt*. Gentlemen, I thought it necessary to observe to you what has been mentioned, as a friend to y^{or} Collony, least *uno absurdo dato, infinita sequuntur*; and *non morbus in plerisq., sed morbi neglecta curatio, corpus interfecit*. Indeed, *melius est recurrere quam malè currere*. Some of you gentlemen that compose this yo^r Special Court are strangers to me, and I designe no affront or contempt to yo^r persons; but as I think I am cited before an illegall sessions, I would offer my advice & opinion. But if what I have now spoken is an offence to you, yo^r law provides for such delinquency in y^e 4th page of yo^r new edition. I w^d not forgett to say one thing more: that at the stated annuall court expected should have been held the first Tuesday in June, the year currant, my honoured father

was at a great charge & trouble to send a special attorney from Boston with papers & evidences to answer the unreasonable & unjust writts of the present plaintiff; and after he had waited here a considerable time was forc't to returne home without having the liberty and priviledge Magna Charta allows to all the subjects throughout his Majesties dominions, viz., to receive impartiall justice *libera, plena, atq. ecleris. Quia dilatio est quaedam negatio.*

J. WINTHROP.

WAIT WINTHROP TO HIS SON JOHN.

For M^r John Winthrop, in New London.

Boston, 8^{br} 1st, 1716.

DEAR SON, — I had yours by the post, and what you mentioned in it. I sent M^r Adams his letters as soon as I receiv^d them. I hope the children are well again (I pray God to blesse them and you all). Cap^{tn} Mulford and M^r Picket brought the hors in good condition. I hope the sloop is now arrived. We are in hourly expectation of Gov^r Shute. A ship came in, about a week since, that had five weeks passage, w^{thin} came Jacob Wendall, says the Gov^r came out fifteen days before them, and M^r Lechmere was with him. Thay say your brother Will^m Du^mer is Leif^{tn} Gov^r and he is com to town to take his post when the Gov^r brings his comission. I beleieve Mumford will hardly giue his new boate for his place without considerable boote. You must get all you can of all the tennants as soon as may be. I haue had nothing from Weekes, nor he coms not at me. I doubt the sawy^r will deceiue us; if there be no prospect that he is likely to use that rounding saw I would haue it sent hither, unless you think it may be farther usefull; and as for the other edgtooles, it is best to lay them up safe there, so that the edges be not hurt; it may be thay may be of use. I know not what

to say about Tantusques, whether it be not better that you make another survay that may be square and take in the mine and as much of the best land as it will, and to do it as soon as may be and your occations will permit, or defer it awhile. If something be not don while I am with you, it will all be lost; consider what may be best about it. I cannot get away before the Gov^r arriues. I should think 2 or 3 days at Tantusques would finish a new plat, now you know where the best land is; but I leaue it wholly to you to think what may be best. I haue got the coach well fitted, and hope I shall be able to goe in it. I haue taken your oyster weed of late, and am much better for it, tho somtimes in pain; I desire you would get a quantity more of it before it be too late and cold, and let it be dried and laid up. When the ship coms in we shall haue a better acc^t of every thing. I hear thay are not over-forward to part with 1,500 pounds. I hope to get Cap^m Fullam. If things should happen so that you must com hither before I get away, you must bring all the paper mony you haue by you or can get. I am glad to hear little John thriues apace, and I pray God to blesse him. Mary is well. Her granfather carryed her to Roxbury last Thursday; she was well this morning, and will be here to-night.

Your louing father, W. WINTHROP.

WAIT WINTHROP TO HIS SON JOHN.

For Mr John Winthrop, att New London.

BOSTON, 8th 6th, 1716.

DEAR SON, — On Thursday evening our Gov^r arived at Nantasket, and M^r Lechmere came home about ten a'clock, and yesterday morning som of us that were apointed by the Gen^l Assembly went down to congratulate his arrivall and conduct him ashore, where he was received very han-

somly. Our news was such by severall ways about two wrecks at the Isle of Sable, that it was concluded by many it must be them; but God has preserued them (may it prove for his servis and glory and their good). The last night Bethya Wally was delivered of a son. Will^m Walworth is here, and stays for this, by whom I send Robin with your hors. Will. says you want him, and I can hyre a pair here as cheap as keep him; you must not take too much notice of Robins fault, but use him gently, and it may be you may at length reclaim him; his going is sudain, else he should haue been in a little better equipage. Will Walworth says Yeomans speak[s] of laying his execution at Ashbys, the trouble of reduceeding of which will be more then the mony is worth twice over, if we should do it as last; if he should do so, I would haue the mony tendred to him (before the time the law prescribes to make a title after executions are served); if you do it by som other hand it may be best, and to be don for me in my behalf, and there must be suffitient witness of it; and I must find som other way to get it back again. Cap^{tn} Fullam is here; he doubts there is not yet evidence suffitient about the horse case, there being only Wells which speaks up to the matter, and not two to the same thing. Ashby, or som of his folks, it may be, could speak more fully; its best not to let them know you want more evidence or to make noise about it. Walworth says that Yeomans says he would not haue medled if we had let him alone. I told him he might say to every body that I never desired or desired to wrong him of a farthing, but that every thing might be rightly understood; and that I valued not his execution, but should find a way to help myselfe. It may be he will let it alone till I com, w^{ch} I resolue, if God please, in a little time. All frends well here; our cousin Norton of Hingham dyed suddainly this week.* Prince

* Rev. John Norton of Hingham died Oct. 3, 1716, aged about sixty-five. He was a son of William Norton of Ipswich, who married a niece of the first Governor Winthrop. Two

Eugene, who comanded the Emp^{re} army against the Turke, has giuen the Turks a wonderfull overthrow, hauing kild and taken a hundred thousand, with all their tents and equipage, as the Gov^r told me. I hope to here from you by the post at night. I pray God to blesse and keepe you all.

Your louing father, W. WINTHROP.

Robin brings the great sadle. Walworth will take care of Robin and pay his expence, which you must allow him.

WAIT WINTHROP TO HIS SON JOHN.

Boston, 8^{br} 15, 1716.

DEAR SON,—I had your letter and what was with it by the last post. I had also those by M^r Adams and Mulford, but had none by Walworth, so that I knew not of dear Johnes illness, nor the disaster to the other dear child, till by the post, and haue heard nothing since. I am in great distress for the poor babes, but I trust in our mercyfull God and Father, who for Christs sake will do all that is best for us, into whose gracious arms I commit them and all of us, begging and hoping he will be mercyfull to them, and to us all in them, for the sake of our mighty Redemer, who when he was here on earth took little children and blessed them. I am expecting every hower, by som oportunity or other, to hear from you. I wrote by Will^m, and sent Robin and the hors, and hope thay are with you. The Gov^r is gon this morning for Piscataque. If I am able I cannot propose to get away in less then a fortnight; the time of your Court grows nere, and if I should not get thither thay will do what thay can to ruine us. Mary is very well, and concerned for her brother and sister; sends duty and loue. Your

of his descendants in the female line have been Presidents of the United States. See Sibley's *Harvard Graduates*, vol. ii. pp. 394-396. — Eds.

brother is busy writing out the accounts to send by a ship that sayles tomorrow, which M^r Mico promised to send after him when he went but did not, which has been a vast inconvenience to him. I haue letters from his mother, but none from his brother; he says the lawyer was gon the circuite thre weeks before he came away. I haue put on bord Blins sloop a barrill of fine boyled salt fit for butter, &c. We haue made none by the sun this su^mner, but a prety deal by our pans we had from England; it was not so dry as it should haue been before it was put into the barrill. If you are all well and resolve to com, it were best to com forthwith, and if you could get another white hors that will draw well; if you haue occation to hire one, it would be best, if I be able to go with you. Whenever you com, remember to bring what I wrote for, and bring that little heavy thing you brought before, and the recit I wrote out of the figure hand. I send som fennell drops and spirit of hartshorn, a peice of epispasticum for blistering, a gallipot of unguentum dialthea. I pray God to bless and keep you all.

Your louing father,

W. WINTHROP.

JOHN WINTHROP TO COTTON MATHER.*

NEW LONDON, Novemb: 5th, 1716.

REVEREND S^r, — Yo^r packett I receiv'd three days since, for w^{ch} I humbly thank you. It is a great pleasure and satisfaction to me to understand that in this remote solitude I yet retain a share in yo^r memory & frindship. Indeed, it is many times a deep thought wth me that y^e bounds of my habitation is at present fixt at so great distance from my geniall native aire and my most honoured & best friends, and perticulerly that this rural retirement

* Printed from a rough draft. For the letter to which it is an answer, as well as Mather's answer to this, see 4 Mass. Hist. Coll. vol. viii. pp. 419-421, 425-426. — Eds.

denys me y^e so much desired & agreeable conversation of my honoured & learned Doctor M. My domestick affairs caused me very suddenly & unexpectedly to returne home, wⁿ I was last in towne, wthout taking leave of you, for w^{ch} I now ask yo^r pardon. S^r, I need no inducements or perswasions to serve so good & valluable a frind as you are. Yo^r commands are allways welcome; and immediately upon y^e reception of yo^r letter, I dispatch't my serv^t to Lebanon (25 miles) wth y^e books you sent, and wth some difficulty have procured of y^e old Cynnick of y^t village the now inclosed remedy for *Tabes marasmus vel Atrophia*. This *inurbanus, austerus et avidus rusticus* holds it as a great secret, & had at first y^e knowledge of this vegetable from an European, who transiently passing that way thrô y^e country was necessitated to shelter himselfe anight und^r the thacht roof of his cottage, and in returne made him acquainted wth y^e vertues & use. The *radix Colveriana* must be washt & dried by y^e fire, and then pulverized & mixt up wth honey into pills about the bigness of a hazle-nutt, and taken in a morning, fasting, begining with 2 and so on, adding one every morning untill it begins to operate; and then rest 4 days, and then repeat as above, until you find benefitt.

I am exceedingly gratify'd and oblig'd wth yo^r wonderfull intelligence from Berlin, concerning y^e Hebrew children in that citty. May y^e occurrence be progressive, even till y^e Jewish tribes have totally delug'd their unaccountable obstinacy and are, wth y^e Gentiles, perswaded to be Xtians. I thank you heartily for yo^r very agreeable and entertaining communications from y^e Royall Society, and especially for y^e sight of D^r Woodward's *Naturalis Historia Telluris*. I shall doe my indeavo^r to answer both yo^rs & D^r Woodward's requests in making a collection of y^e fossils of o^r country for Gresham Colledge; to w^{ch} Society methinks we have some relation, considering my granfather had y^e hono^r to be among the first promoters

of it. I hope I have not been altogether an unprofitable or uncurious observer of y^e remarkables of Nature; and as to y^e utensills of y^e Pagans, perhaps I may grattefy y^e doctors curiosity in some of their originall instruments, ancient notions & traditions, &c., which I have lately learn't & received among them.

The account of y^e strange feeling of pain at a distance is briefly as follows. There happned in o^r neighbourhood, a few weeks since, an unhappy difference between a drunken wretch and his wife. From words they came to blows; y^e poor woman cried, "Murder," at w^{ch} one Pelton, a house carpenter, run in to part them. The drunken fellow was so intraged that he left his wife and took downe his gun laden wth goose or duck shott, and discharged upon and very sorely wounded poor Pelton in the arme, w^{ch} was so mangled & broken that y^e cyrurgeon was forc't to cutt it off above y^e elbow. Pelton was above six miles from y^e towne when the action was done, and could not easily be brought home. The severed arme was put in a small box, and privately brought downe & buried among the graves in this towne. After w^{ch} y^e poor wounded man was in extrem paine, and roar'd out that they squeeze'd and bent his fingers and arme so hard he could not bear it, and that they had lay'd such a heavy weight upon his arme he could not live under it; when at the same time he knew nothing of y^r disposing and ordering of his lost arme. He grew worse, and upon enquiry the persons that had convey'd his arme to y^e ground told some of us in towne that y^e box was made too small for y^e arme to lye at length in, and they bent & squeezed y^e arme & fingers almost double to gett it into the box before they buried it. The box was the next day dugg up, and the arme put at liberty in a larger coffin, and y^e man had ease in that moment y^e alteration was made.

S^r, *vulnerum curatio per pulverem sympatheticum* was much disputed among the philosophers of the last age, and S^r

Kenelm Digby added this to his doctrine of simpathy. I shall cease troubleing of you more at this time wⁿ I have mention'd a small earthquake we had here yesterday about noone. Many people observ'd it, and y^e shake was continued for about 2 minutes; y^e noise was like thunder rumbling at a distance. Y^e windowes of y^e church quiver'd as they doe wⁿ a cannon is discharged. Marke, y^e 13th. Please to make my compliments to yo^r good lady, & salute y^e fair tribe in yo^r house. I am, wth great regards, reverend & dear S^r,

Yo^r very affectionate, humb^l ser^t, J. W.

WAIT WINTHROP TO HIS SON JOHN.

BOSTON, 10^{br} 14th, 1716.

DEAR SON, — I have yours of the 15, 19, 20, of 9^{br}. I thought possibly you might have been here the last week, but am a little concerned that I hear nothing of you or Cap^{tn} Fullam by this time, it being now Fryday afternoon.* The post will go to N. L. next Munday, when I may write again. My poor sister Endicot † left us very suddainly the begining of the last week, and was entombed this day señite (the good Lord prepare us all for our last chang, that it may be safe and joyfull to us in and through Crist Jesus, our mighty Redeemer). The wether has been very cold this two days, and thre or fower days the last week, so that we hope you would not travell in such cold. If this finds you at N. L., you must remember to bring every thing I formerly wrote for. Will Walworth lost the cow

* In a previous letter to his son (November 19), Wait Winthrop alludes to a visit he had had from Governor Saltonstall, and adds: "He thinks those sorry fellows frett and abuse you. . . . I could be glad to live in amity with everybody, as Christians ought to do; but alas, that it might not be in word only, but in deed and in truth! . . . The Lady Hobby was bur'ed Saturday last." — Eds.

† Elizabeth, eldest daughter of Goy. John Winthrop, Jr., married, first, Rev. Antipas Newman, of Wenham, and afterward Zerubbabel Endicott, second son of Governour Endicott. At her death she was in her eighty-first year. — Eds.

at Providence in the night, and is not heard of since. I had a small one of him which proved prety well; your sister had halfe of it, but I hear not of any by Packer. All freinds here prety well. I pray God to bless and keep you all.

Your louing father, WAIT WINTHROP.

I haue sent by Will Walworth six yr^{ds} of callico for the children.

WAIT WINTHROP TO HIS SON JOHN.

BOSTON, Feb^r 11th, 1714.

DEAR SON, — I haue your letter by the post, and am greatly concerned and distressed for our poor babe. The good Lord rebuke the distemper and heale it, and haue mercy upon and remember his covenant mercys for it, and prepare us for his good will and pleasure, and let us firmly beleue, if it may be most for his glory and our good, he will yet be pleased to spare that poor child to be a comfort to us. Let us leaue it with him; our mercifull and mighty Redemer take it into his arms and bless it, whether in life or death, amen! The things wrote for are puting up at Croses, and just now thay are com, all but the radix contrayerva; here is non but what is, it may be, as old as what you haue; we know not well the use, or dose of it; I think it works. The oyle of spike outwardly, I think, cannot hurt; but whether used alone, or diluted with something for a child, should be advised. The inclosed note will tell you the content of the pothecarys stuff; there is also 2^{lb} of figgs, 2^{lb} of raysons, one of currants, 1 of prunes, one peice of hollon, in which is a coat for poor Johne (I pray and hope he may line to wear it). All the little bottles are don up with hay in paper, together by themselues in a distinckt little bundle; there is also a bottle of brandy. Mary sends her duty and loue,

with a paper of verses to her sisters. Inclosed is the minera $\frac{1}{2}$ ^{ia} and a little of the Lyons hair, what he would let his keeper get off at this time. The minera must be hung at the pit of the stomach, the Lyons hair to be applyed under the armes. The cordiall powder for nights I think cannot do any harm; about halfe a grain when feverish and restless, with nutmegg and powder of corall when his body is open. I haue found nothing help like the rubila when there has been strength to bare it. M^r Pemberton lyes dangerously weake; som of the church and ministers spent this afternoon (at M^r Sewalls) in prayer for him, where I would haue been if I could, but was prevented. M^r Brattle at Cambridg lyes in a very low condition. Your mother has been there ever since last Fryday was sennite. I know not what to advise about oyle of turpentine or balsam of $\frac{1}{2}$. You must haue a care of overdoing with strong things, w^{ch} many of these things now sent are; care must be taken to keep his body soluble, but not to purge much.* I pray our mercyfull God to looke upon us for Crist sake, into whose mercyfull arms I comit you all, desiring him to bless and keep you all.

Your louing father, W. WINTHROP.

Consult Helmont, at page 605, and you will not be so fearfull about the cordiall powder, tho' it haue not that perfect preparation; also for fitts, &c., page 309-64. M^r Edgcomb's parchment is in the bag; it cost me two shillings to get it entered in the book. M^r Phips has writ on the outside of it.

* The "pothecarys stuff" and the other remedies suggested for the sick child did not reach New London in season to be administered. In another letter, of the same year but without precise date, Wait Winthrop prescribes as follows for his son, who was apparently suffering from a species of *grippe*: "Take if it be but a gr. or two of rubila agam; also take every now and then som dry tartar and sngar, with but very little water in it, and let it dissolve in your mouth. Also decoction of lignum vitae; also conserve of roses, with the strokings of a cow taken in the morning; also loose sugar burnt in the candle and kept in the mouth. I hope the horehound and milk may have been benefitall already. I have found a toast with lime juice and sugar has eased my coffe much, and helps scarbutick humers. . . . Your mother says mastick and olibanum is good for you, mixt with sugar." — Eds.

WAIT WINTHROP TO HIS SON JOHN.

BOSTON, March 12, 171 $\frac{1}{2}$.

MY DEAR SON,—I haue your sorrowfull letter, and am bowed down to the dust.* But what shall I say? It is the holy will of our Heavenly Father, and it becoms us to be silent before him and submitt to his good plesure (who knows what is best for us), and in this time of great aduersity to consider. The good Lord humble us under his awfull hand, and fit us for his mercy, and bestow his covenant mercyes upon us, and in his own time comfort us! He only is able to make up all our losses and be-reauments. He has said all things shall work together for the good of them that loue and fear him. The good Lord work his fear in our hearts, and he will yet bless us. Read 127 and 128 Psalms. I call to mind what your granfather wrote on your aunt Mary, whose bones rest by this dear babe :

Rest in thy Saviour's arms, sweet soul, from sin
Freed ; from a thousand miserys therin.
Of such is the Kingdom of Heaven!

And now I am verry unwillingly forst to write of other things ; for I need not mention the death of Mr Pemberton and Brattle, the newspaper will tell you. The unheard of storms and snows we have had has put us to great difficultys. I knew not till the post returned last but

* John Winthrop, Jr., the only son of John Winthrop born during Wait Winthrop's lifetime, died at New London, Feb. 15, 1716-17, at the age of not quite ten months. For a characteristic letter from Cotton Mather on the death of this infant, see 4 Mass. Hist. Coll. vol. viii. pp. 426, 427. For a similar letter from Samuel Sewall, together with some verses by him on the same subject, entitled "A little Vial of Tears," see 6 Mass. Hist. Coll. vol. ii. pp. 69, 70. The child's illness and death are described at length in a letter from John Winthrop to his father, dated Feb. 18, 1716-17, from which it is sufficient to quote only a few sentences: "We buried it yesterday, after the afternoon meeting, under the two broad stones where yo^r father's children were inter'd. M^{rs} Browne, who was its nurse, carryed it to the grave. . . . A sensible, quiet, meek, yet cheerly-tempered child, strong-natured, hearty, fatt. How often have we pleas'd o^rselves wth the thoughts of yo^r seeing this yo^r pretty grandson, who had so manly, beautifull & gracefull a look; but Providence has ordered otherwise. *Eheu, quam cito vaneſcunt gaudia vitæ!*"

that you had received a prety bigg bundle besids the little glasses and the bottle ; he had them all, and promised to be carefull of them. The bundle containd the perticulars mentioned in my letter, which also was in the midst of it. When I had your letter and found you had not mine, I sent for the bundle and put the things up with the clothes, all but the poor childs coat, which I thought best not to send (he is doubtless clothed with the white robe of Christs rituousness). I haue put up every perticular sent for of the best that could be got. I have also supplied your sister and brother, with the children, with what was sutable, and it has been thought most advisable to send only a ring and a pair of gloues to Madam Winthrop. There is a little roule with a letter sent hither from M^r Dudly. The stuff for Rachell and Flora is somthing more then was sent for ; I suppose you have som black thing for Robin. As to other concernes there, I cant think nor say nothing about them. The snow is so dry, and like to be so that nobody can stir ten miles from hence, and I beleiue it will be impossible for Cap^t Fullam to get from home. I understand M^r Robinson, that you gaue a fee to, is gon to plead for M^r Allins son that kild the man at New Haven. May it not be best to get him at the Court ? I am thinking to write to M^r Gold, who is Judg of the Court, to continue the actions, for severall reasons, to the next Court, which I may do the next post. The gloues are in the middle of the hollon, and the ring fastened to the little finger of them for Madam. I send John with both the horses with Sam. Rogers ; he must com back agen as soon as may be, and the horses must be meated well. I wrote not by the last post ; we understood he was not to go till to-day, but went last Fryday. Hope shall hear by him. See that John get not into company ; he has forty shillings to bare his charges out and home. If any thing happen that he wants, you will suply it. He need not

bring the great saddle agen. All here well, God be praysed. My pains are often very great, but am not out of hopes to see you thare when the wether is good. My loue to your wife and the poore children. Mary sends duty and loue. I am

Your sorrowfull father, W. WINTHROP.

AGREEMENT ABOUT A GREAT CARBUNCLE.*

PLAINFIELD, March y^e 22^d Anno Domine 1716[-7].

WE the Subscribers doe hereby owne & acknowledge to have receiv'd of John Winthrop, of New London, one hundred pounds in New England silver money, & thirty pounds in Province bills of credit; with which money we doe covenant, promise & oblige our selves to purchase & procure of the Indians the Carbuncle, and so much talkt of Shining Stone w^{ch} gives a very great light in the night, for the aforesaid John Winthrop; and immediately upon our obtaining of the said gem, to deliver it into the hands of the said John Winthrop as his right & property. And farther we doe sincerely promise and oblige ourselves to be diligent & faithfull in performing the premises aforesaid, and that we will not on any account

* There are two other references to this carbuncle among the Winthrop Papers, both without date. One of them is a memorandum in the handwriting of John Winthrop, and is as follows: "Shauntup, *alias* Tom, one of y^e sons of old Harry, who lives at Plainfield, and is y^e Indian that found y^e so much talkt of carbuncle in y^e Quinehaug country, about 3 miles beyond where Francis Smith lives, towards Providence, and is supposed to be hid in a pond thereabouts by y^e said Indian. Quere?" The other is a fragment of a letter in the handwriting of Wait Winthrop: "Mr Duñer told me the other day that a Scotchman at or about Plainfield was with him about thre weekes or a month since and told him the Indian had taken away the *lapis fulminans* out of the pond, and that he saw it, and askt Duñer what might be the worth of it; and the Indian askt a hundred pounds for it, and he intends to get it and bring hither to Duñer. He would not tell the mans name. If old John Gallup and you could manage the man with privacy and go thither by our land where Cole is, speak with the Indian and get him to com hither with it to me if he will not let you have it. And he should have fifty or a hundred; for certainly he should know it grew on my land and therefore I have a right to it; and if it be known, it will be seased on for the king. If Mr Gallup can be helpfull, he shall have som advantage for himselfe, which he may depend on. If you can manage it with prudence, you have an oportunity; if not, be wholly silent. Let it not take are." — Eds.

what ever divulge or make knowne the business in hand to any person or persons. And y^e said John Winthrop does promise upon his receiving of y^e said Carbuncle, that if it is such a thing as is reported to be and gives such a great light in the night as to be seen at a great distance, to make them full satisfaction for all their pains & trouble.

And if by no methods, consideration or means, we can obtain the said Carbuncle w^{ch} makes such a great light in the night, then to returne the aforesaid individual moneys to the said John Winthrop on demand. In witness to the faithfull performance of the abovesaid premises we have hereunto sett o^r hands & seals the day & year above.

JOHN SMITH.

SEAL.

JOHN GALLUP.

SEAL.

The hundred pound in silver, & eleven pounds, 15. shill. of y^e within mentioned paper money returned to me again by M^r Smith & M^r Gallup, as witness my hand.

J. WINTHROP.

JOSEPH DUDLEY TO MRS. JOHN WINTHROP.

ROXBURY, April 20, 1717.

MY DEAREST NANNY,—I had your sorrowful letter some dayes since, which is added to the oppressions I am overwhelmed with, and I am brought by the grace of God into a resigned submission to the sovereignty of God, who does what he pleases with all his creatures, especially with his own children, whom he is preparing for his heavenly kingdom; and my recess from all business gives me the best opportunity for it, and I pray you to beleive that I bear you and your family every day before the throne of mercy, whence cometh all my salvation. And tho' I walk in darkness & see no light, yet I trust in the Lord & stay my self upon my God.

I pray you to shew no impatience, but a perfect resignation to the will of God; that when he pleases to return in mercy, he may find us in a frame pleasing to himself; and that is better, & will be pleasing to him, & will be a perfect indication that our troubles shall end in a scene of everlasting joy. When we make a sacrifice of all our blessings and shew our obedience, it ends as Ephraims troubles. God will surely have mercy upon him thô he has spoken against him, & send comfort to him and to his mourners; of whom, amongst all your freinds, your dear mother joyns with me every day that God will lift up the light of his countenance upon you, and build you a famely, & prosper your occasions, & remember your holy and good ancestors that followed him into this wilderness, like whom I desire you and your children may be. I am

Your affectionate father,

J. DUDLEY.

WAIT WINTHROP TO HIS SON JOHN.

For Mr John Winthrop, att New London.

BOSTON, April 22, 1717.

DEAR SON, — I haue yours by this post, with the rubila. I gaue that enclosed to your brother. I beleine the first application must be to the Gen^l Court. I would not haue you so absolutely condem every body for the actions of a prevailing party. When the Profhit thought he had been left alone, there were yet 7,000 who had not bowed to Baale. We must pray for a more Christion temper. If it were possible for me to get to Hartford, I beleieue I should be heard. Cap^m Fullam sent me the enclosed the other day, and will give his oath to it.* I hope you will soberly consider that

* There are several letters from Francis Fullam, written about this time, and one to him from Peter Pratt, a Connecticut lawyer, to which is appended the following curious postscript: "I find by astrologicall calculations that these misfortunes of Mr Winthrop's (his

there is no evill befallus us without the divine per-
 mission, who can make use of popguns as well as can-
 nons to humble us. There were several of those round
 small Margarites, all about a size, which you will easily
 distinguish from any other. I desire you would send
 them all, nere thirty or 40 in all.* I shall enquire
 after the kniues, &c., against a vessell goes. I cannot
 yet procure a sayle. Here came a ship from Bristoll
 yesterday, of two months passage. You will have a
 cobby of the kings speach, if your brother can write
 it out before the post gose, which will tell you the sub-
 stance of what we yet hear, thô thay speak of 30 sayle
 of Sweedish frygats in favour of the Pretender seen off
 of Hull, &c. I write this at your sisters, where I haue
 been all day. Poor little Tome taken yesterday with
 great pain in his stomach, belly, and side, like a plurettick
 feaver; your mother and most of the house up with him
 all night. He took rubila this morning, and hope he
 is better. I hope God will mercifully spare him to us.
 Cousin Adam Winthrop, I hear, is very ill of a feaver. I
 hope to see you before it be very long, if my pain do not
 return too hard. The weather is but now begining to
 be moderate here. Its best to make rubila before the
 weather be hot. My loue and respects where due.
 The judges are gon this morning to the adjorned Plimoth
 Court. Mary is well and at scoole. I would know what
 has been lost at the island, &c. I pray God to bless
 and keep you all.

Your louing father,

W. WINTHROP.

deniall of the jurisdiction of y^e called Court) did coënce under y^e predominant influence
 of a very inauspicious conjunction of some of y^e inferiour orbs in August last; & by after
 observations have found that those envious malignant bodys we^{ch} move in a higher sphere
 have still in their courses fought against him." — Eds.

* This refers to a previous request of the writer to have sent to him "a little image of
 the Virgin Mary, which was set in a case of gold with pearle about it. I gaue old Arthur
 Mason forty shillings for it, supposing the gold and pearle might be worth so much. I
 would have you carfully, with every part belonging to it though in peaces, to send it put
 up safe." — Eds.

WAIT WINTHROP TO HIS SON JOHN.

For Mr John Winthrop, att New London.

BOSTON, May 6th, 1717.

DEAR SON, — I haue your letter of 2^d instant, and sealed that inclosed and delivered it. You will see by the newspaper what is becom of the great pyrate; it's a very signall providence that has disposed of them in such an awfull mañer.* Those that deale with pyrates, or have any of their goods found with them, are lyable to be sent prisoners for Britton and to be tryed as accessaryes; therefore those that live on the seacoast had need haue a care they medle not with them. I beleiuie there are som on shore as bad as those at sea; for thay that haue been land-pirates by swaring men out of their rights will not stick at swaring any one out of their liues, if they can get any thing by it, or gratify their revenge. I haue spoke with the saylemaker, and a suite of new sayles can not be had for lesse than 20^{lbs}, and none at present to be had neither, nor second-hand neither, but one very larg one that must be cut to more loss than a new one, and I haue not to lay down for it. I bless God your poor nephew is geting up again, thô but slowly; and Cous. Winthrop is got out. These stones are of the right black phisick-cherry; if you do not crack the stones a little, thay will hardly com up this year. I haue had very great pain since my last, but hope I shall yet be able to com to you. All else prety well. Here's som pease from Roxbury. I pray God to blesse and keep you all.

Your louing father,

W. WINTHROP.

* "In the month of April, 1717, a pirate ship, the *Whidah*, of 23 guns and 130 men, Samuel Bellamy commander, ventured upon the coast of New England near to Cape Cod, and after having taken several vessels seven of the pirates were put on board one of them, who soon got drunk and went to sleep. The master of the vessel which had been taken run her ashore upon the back of the cape, and the seven men were secured. Soon after, the pirate ship in a storm was forced ashore near the table land; and the whole crew, except one Englishman and one Indian, were drowned." (*Hutchinson's History of Massachusetts*, vol. ii. p. 223 n.) — Eds.

Shall send kniues, &c. You must of necessity make som rubila as soon as possible. Our Gov^r goes to Piscataque this weeke.*

ELIPHALET ADAMS TO JOHN WINTHROP.†

N. LONDON, June 2^d, 1717.

SIR, — Your valuable present I haue received, & am at a loss for words wherein to express my thankfulness. Many obligations have I been laid under here before, but this is so considerable an addition thereunto that I have no other way left to testify my gratitude but in cōmending you & yours to the Throne of Grace, to the blessing & care of that God who hath not only favoured you wth the comforts of this present life, but given you a large & generous heart to make use of it. May he shower down upon you continually blessings both spiritual and temporal, that you may find at last you have indeed laid up in store a good foundation against the time to come!

* In his next letter (May 13, 1717) Wait Winthrop writes: "The pirate Snow, that scaped the storm when the other was cast away, has taken severall vessells, and our cow is gon to catch the hare. . . . I had a letter from the Lord Chancellor, another from the Atturny Gen^l, and another from severall worthy gent^lm, by Mr Belcher, about our affairs here." Two of the letters referred to are to be found printed in the Boston Chronicle of Dec. 23, 1767. In reply to further particulars about his nephew's convalescence, John Winthrop writes (May 30, 1717): "Strawberries are almost ripe, and I beleive change of air w^d be good & beneficiall for Tomme; and under these spreading oaks there is shade. Therefore come & regale at or clambank. And now I think of it, pray give Tomme a few raw oysters to eate wth fresh butter, w^{ch} I remember recruited me more than any thing in my long & lingring sickness some years agoe." In his succeeding letter (June 6, 1717) John Winthrop writes: "We have had a cold backward spring. A Weathersfield man told me that two nights agon they had so hard a frost about Haddum that it destroy'd many acres of corne & all y^e beans & squashes. . . . If you remember, I sent you downe a Connecticut proclamation warning anybody to buy land because it belonged to y^e Gov^r & Company. Maj^r Fitch has put out lately a counter-proclamation to the other; and where the other s^d 'by the Hon^{tbl} G. S.,' his says 'by the Hon^{tbl} J. F.,' &c., for w^{ch} he has been on the stoole of repentance, and old Dr Hooker has been in jayle at Hartford this twelveh-month. Fitch concludes his manifesto with: 'The Lord save King George and the Collony from selfe making, selfe seeking gov^{rs}, traytors, &c.' " — Eds.

† Rev. Eliphalet Adams (Harv. Coll. 1694) succeeded Gurdon Saltonstall as minister of New London, and held that pastorate nearly forty-four years. He is occasionally referred to as "Mr Adams" in the preceding pages. For further particulars concerning him, see 4 Mass. Hist. Coll. vol. i. pp. 26-49; Caulkins's History of New London, *passim*. — Eds.

Please, Sir, to accept of this little acknowledgm^t from him who shall ever be forward to serve you, and asks leave to subscribe himself

Your friend & serv^t,

ELIPHALET ADAMS.

WAIT WINTHROP TO HIS SON JOHN.

For M^r John Winthrop, att New London.

Boston, July 8th, 1717.

DEARE SON,—I haue your letter, and sent your brother his. I am in so much pain today I can hardly write. I fear tis a stone in the bladder, yet it seems not to have all the symtoms of that. Eating but 8 or ten cherrys I found set me into pain. Your sister has been out of sorts, but is prety well again; her face has been much swolen. Toñie prety well again, and just now is com to see us. Your mother has been ill four or fiue days, took rubila yesterday, is a little feaverish still, but better. M^r Brown may keep every body off that land during his lease, tho the execution were never so good, because it is his during the lease. Tell him I expect he should do so. I haue had no coñmunication either with the man or his m^{rs} yet. Cap^t Fullam will doubtless be with you. I hear nothing about the smale pox at Rhoad Island; hope it is not there. A pirate sloop of about 120 men took, about 3 weeks since, a ship bound for England from hence, but let her go again, took from her som provition and a young man of this country for a pilote. Thay were off of Cape Sable, or that way, desined for Cape Codd, but made land somewhere at the eastward, where their new pilote was not acquainted, sent ten men with him to look for fresh provitions, and in a thicket of bushes he slipt from them and ran till next day, then made sine to a fishing shallup, who took him in, brought him to Marblehead; this story he told to the Gov^r & Councill today. He is a Bästable man,

Coll. Otis cousin, who was then present at the Council; yet som suspect him, for he remembers not the masters name well, nor the ships name he was going in, but thinks thay called them by such names, he being a stranger to the master when he shipt himselfe just upon their going away. I hope shall be able to be with you shortly. Pray make some rubila as soon as maybe. I send a bagg of turnip seed, cost 4^s 6^d. I haue got Starky's book, but none elce yet;* shall look it over and send it. Mary is well; sends duty and loue. I now hear the smale pox is at Rhoad Island. Our neibour Legg, M^r Stoddards daughter, dyed yesterday. I pray God bless and keep y[ou].

Your loving fa[ther], WAIT WINTHROP.

WAIT WINTHROP TO HIS SON JOHN.

For M^r John Winthrop, in New London.

BOSTON, July 22^d, 1717.

DEAR SON, — I haue no letter or bundle from you this post, thô I wrote by Jordan last week, who brought me yours.† I hope you are well, and haue sent by som other way. I am very solicitous about geting to you, and hope to get away spedily. A cart cam cross the coach as it was run out into the street, and broke one

* In the letter to which this is an answer John Winthrop writes: "I am sorry you did not use some means to procure them few books before the auction. Others, I doubt, will catch them up & outbid. M^r Lee on the Temple is a thin folio, and I w^d give 20 or 30 shill. for it rather then not have it. The others are all small bookes but of a shilling or two price. I should also have been glad to have purchast M^r Newman's Concordance, Sunson's Philosophicall Dialogues, & Carter's Analysis of Honor & Armory." — Eds.

† In the letter referred to (July 11, 1717), John Winthrop had written: "I am thankfull for the sight of the Commencem^t. Is *illustrissimo* become hereditary? We began it to y^e Earle of Bellom^t, and I think, noble or not, they continue the complement . . . M^r Smith of Long Island has lately sent me word that some people of y^t Island has now gott above 500 barrills of tarr off yor land, y^t an other man has gott 100 more, and are dayly making of tarr there. He would have me send him a power to seize it, but I doubt wether he has not some designe to draw you into charge. It is a pittty they should pillage y^e proffitt of yor estate so every day." — Eds.

of the great wheels alto peices tother day ; but there is a pair of new ones making will be ready next week. Here is no news but what 's inclosed. The Conecticot rulers, masculine and fem., are gon a progress to Ipswich. Our Ex^{ll^{ty}} is going in the man of warr to meet the Indians at Casco Bay. Cousin Winthrop buried his Will^m last week, about a week old. I was at Roxbury Saturday ; thay were all well. All with us well (God be thanked) ; and Mary sends duty and loue, with thre p^r of shoose. I pray God to bless and keep you all.

Your lou. father,

W. WINTHROP.

Send some s^t.

WAIT WINTHROP TO NATHAN GOLD.

BOSTON, 7^{br} 23^d, 1717.

HONrd S^t. — Hopeing this may find you at New London, I take the occasion to thank you for yo^r kind visitt, and desire yo^r pardon that I did not wait on you, or shew that respect I desired before you went out of towne, w^{ch} was sooner then I expected. I designed to have had discourse wth you not only of some things concerning my selfe, but of what might tend to y^e intrest and welfare of that Gov^rm^t, w^{ch} I have as my predecessors allways been sollicitous for the prosperity of; but if it please God to lengthen out my life, I may have farther opertunity wth you.

And now I begg yo^r excuse if I trouble you wth a word or two, w^{ch} I think I ought to lett you know, that I think I have had strickt measure in some actions I have been concerned in at N. Lond ; but I am willing to think it might be through mistake, w^{ch} we are all liable to. If I were a perfect stranger to you, the character you bare of a just, unbyassed person would incourage me to represent two causes w^{ch} I suppose will be before you at Court, w^{ch}

I doubt not you will find my son vexatiously persued by unreasonable men, as well in the case of Yeomans about hay as by Jones for work don. Yeomans mows on my land, w^{ch} he can show nothing to bare him out in; he carryes away most of the hay and then sues my son, who looks after my business, for disposeing of the bottoms of two or three hay coks, or to that purpose. I would pray it may be considered how he justifys himselfe in mowing my land, if he can shew no liberty from me. I am certain my son can be no trespasser, if he had disposed of all the hay he found there. As for Jones, who never kept any book, and, as I suppose, can scarce write his name, I am informed was allowed to bring to the Court something he called his book, w^{ch} he owned was wrote a few days before out of memory, for work done many years before, and was admitted to sware to only the debt side, w^{ch} his lawyer and he had devised; when every body knows he and his family would have starved if he had not his wages dayly, and could not have stayed so many years when the next justice would have don him right immediately. And I myselfe know that, 3 or 4 years since when I was at N. Lond., he had his pay dayly for work he did for my son, and sometimes before hand. I know o^r Justices here would have well considered these things, wth all his circumstances, before they would have admitted such a book, and admitted an oath only to the credit side; and the Court and Jury, as tis thought here, will well consider the validity, as well as the consequence, of such mens oaths.

I know yo^r Hon^r will endeavo^r to see that don w^{ch} is altogether right, and the good Lord direct you. Please to excuse this trouble from, S^r,

Yo^r true friend and humb^l serv^t,

W. W.

Indorsed by John Winthrop: "Copp^y of Maj^r Gen^l Winthrops letter to Deputy Gov^r Gold."

JOHN WINTHROP TO ———.*

Septemb^r, 1717.

S^r,—I am glad to see yo^r Hono^r at this time on the bench in the prime seat of Judicature; being perswaded that you will do justice to the rich as well as to the poor, and that no little private interests, insinuations, or personall prejudices will on any account prevaile upon you to suffer such notorious injuryes & abuses, w^{ch} has hitherto been transacted very spitefully against the repose & property of a family w^{ch} has deserved better treatment from a people who have been so much obliged by them. I am not afraid to speak wth boldness. The matters of fact are known to the world: how justice, that is the birthright of every Englishman, has been deny'd to o^r family in this Collony, and common roudges have been countenanced & encouraged in their suits & pretensions against us. Under a couler of law & cloak of righteousness o^r property & estate has been invaded & rudely & wrongfully taken from us contrary to the plain rule of Magna Charta, w^{ch} laws & statutes Connecticott may not set aside, neither does the Collony Charter give or grant power to alter or disanull them. The priviledges of this country are yet appertaining & dependant on his Most Excellent Majesty in Parlement; but I shall wave what I intended to say on this head, to make it knowne where I may be heard & redressed. I w^d begg leave to mention 2 or three injuries lately done to us: how we have been foret to submitt o^r cases unexpectedly to a new tryall when there had been a final decision of the matters by y^r owne judgments; how Courts were call'd with a purpose to favo^r the designe w^h these very Courts had been abolished by y^r owne Acts; how appeals w^r entered contrary to law after the adjournement of the session (when there was no

* Probably Deputy-Governor Nathan Gold. — Eds.

appeal granted during the Court's setting nor within the time limited by law), and so the defend^t was unfairly surprized & foret into a new tryall; how good & firme leases have been set aside; how bonds of great value have been cancelled, or chancered downe to nothing, by w^{ch} means the landlord has been defrauded of his just rents & dammages; how some of the very places the tenant hired by vertue of those indentures haue been (out of pitty to a pretended poor man) afterwarde taken away from the landlord (who was out of the Collony at the time and ignorant of the actions) and given (thrô a pretence of equity) to the lessee. And after I had had y^e incouragement & word of some persons in a superiour station that the severall cases in w^{ch} my father was concerned should be continued, by reason of the impossibility of his, or his attorneys, coming above one hundred miles thrô the prodigious and unheard of snow banks that then (by the providence of God) covered the unpassible roads, I was unkindly & unjustly foret out, to answer false & scandalous allegations, at a time when my own health was broken and Heaven was calling me to sorrow over the loss of an only son. Thus was I cruelly used. And I am assured and can prove that a knave (that if he was in any other place in the world would be set in the pillory) was admitted to give an oath to a pretended pocket-book that he had contrived a little time before the Court, the date being visibly writt at one time & false articles added at another, the sum total of his account being altered from 5[£] to 23[£]; I speak it with indignation & disdain.*

* The original is a rough draught, much interlined, and evidently unfinished; but it throws light upon the character of the writer and upon the state of antagonism which had begun to exist between him and the Connecticut courts, and which culminated, at a later period, in his famous appeal to the Privy Council. John Winthrop was a scholarly man, of scientific tastes, whose many good qualities were often neutralized by a hasty temper, a suspicious disposition, and an exaggerated sense of his own importance. Born and bred in Massachusetts, he did not begin to reside in Connecticut until he was past thirty, and he did not conceal that he regarded his removal from Boston to New London in the light of an

WAIT WINTHROP TO HIS SON JOHN.*

*For M^r John Winthrop, in New London.*BOSTON, Oct. 22^d, 1717.

DEAR SON, — I haue your letter and what you sent by Wilson. There was but nine fish; there was some maggots in them, it being hot weather. We had one of them boiled at dinner to-day, which eat well. I hear nothing of Parker yet; if I cannot get away this winter, I know not what we shall do. A little butter and cheese will

exile. Outside of a limited circle of friends, he failed to ingratiate himself with his new neighbors, and he became firmly persuaded that a conspiracy existed among his father's tenants to wipe off arrears of rent by fictitious pleas of produce furnished or labor performed. He persuaded himself that such proceedings were winked at, for political or selfish reasons, by some of the local authorities, among them no less a personage than Governor Saltonstall. As Saltonstall had been the cherished friend of Fitz-John Winthrop's old age, his nephew's allusions to him, in confidential letters to his father, are certainly disrespectful and probably unjust. He rarely mentions him save under cover of some nickname, the most mysterious of which is "the Hogen-Mogen"; and in moments of irritation he lets fall a variety of insinuations with regard to Saltonstall's alleged disposition to face both ways, winding up with the following characteristic sally: "And this is the gentleman that pretends that you mistake him, &c. Truly, the apostate Judas was once a disciple, and y^e fallen angels were once beings of light, but now are infernal spirits and a very Divell!" It would be a mistake, however, to suppose that his letters on this subject were all of this petulant description. In one of them he consoles himself by copying nearly a page from Lactantius, and in another he soothes his injured feelings by making an ingenious adaptation from Isaiah and the Psalms. — Eds.

* This letter crossed one of the 24th from John Winthrop, who writes: "I am sorry for Capt Sewall's loss; there is now a helpee for Lizee, if she will goe to Timnah. M^r Treasurer Whiting dyed suddenly of a pleuresie feavor at New Haven the last week. There is great disturbance in y^e Collony about y^e Colledge. The last year M^r Stonington Noyse was violent for keeping of it at Saybrook, or elce he sd they should loose y^e old Gov^rs legacy to it; but since his son is settled in M^r Pierpont's place and house, he has, wthout leave or ord^r from the Assembly or Trustees, moved it to New Haven & ordered a building to be erected for y^e purpose, w^{ch} is almost finished. The Assembly disapprove of his doings, and have sent for him to answer for himselfe, wther he is gon. Great divisions & confusions in Church & State here, and all things groan for a universall change. . . . J. Gallup of Agunck was wth me yesterday, and brought me the gaulcs of eleaven rattle-snakes in a little bottle. I pray you w^d send me word p^r post how I must mix the chaulke wth it and how much chaulke put in it. There is abundance of fresh water clams in the great pond at Lanthorne hill; are they good to eat? I have some red cedar berryes w^{ch} I gathered at Fisher-Island; they say M^r Brenton sowed some at Rhode Island, and has a young grove of cedars now on his farme. Many people hereabouts carry them in their pockets and eat them, as being very wholsom & strengthuing, they say, to the vitalls, and good for all sorts of ails, the Indians say. There is a small 8^{vo} Bible wth marginall notes, lately put out by one M^r John Canne, to be sould at M^r Elliott shop at Boston, ten shillings price. I pray you w^d send me one of them." The first edition of the Bible here referred to was published at Amsterdam in 1664. It has been often reprinted. — Eds.

not do, nor 100 sheep. If I were shure of good wether, I could com in M^r Pickets sloop. Shall send som gallons of Palm wine for present occation ; its farr beyond Canary, and shall look out for strong locks. You say nothing about the fashion of the britches; the bucks skin you brought is drest into very good yellow lether of the ordinary color. Our Gen^l Court sits in a few days ; I would fain do something about the Tantiusque land before I leaue this place, or we shall loose it all. I hear not of your letter by the Indian. Capt. Sewalls wife died last Satturday. Mary sends duty, love, and thanks for the nutts ; she is now at scoole. All freinds well. Thay are to try pirates here tomorrow, I think. I pray God to bless and keep you all, and send your wife a good time.

Your louing father,

W. WINTHROP.

WAIT WINTHROP TO HIS SON JOHN.

For M^r John Winthrop in New London.

BOSTON, 8th 28. 1717.

DEAR SON, — I haue yours ; haue but just time to tell you Parker brought the cow, which proves prety well ; I haue not paid for bringing her. Young M^r Hurst is dead. I send by Wilson a hamper with 15 bottles of Palm wine, better then Canary, and an ax very good. Here was but now one Hambleton, says he saw you Wensday last ; he lives at Cap^t Lattimers farm, I dout a palauering fellow, says you use Rachell hardly. She was to haue 50 shilling when her 4 years ware up, by her owne and her masters agreement. I doubt he or som others giue her no good advice. I will not dispair of geting to you if the winter hold off. Hope my daughter will get well over her time. Your mother is going to Cambridg to see her nephew Will. Brattle, who has been ill som time, and thay are afraid not like to liue. I hear nothing of that

letter or Billings, but shall enquire. I know not the just proportion of chaulk or white clay. Are you certain that none of the snakes bitt themselues as thay were kild? Your sister had the pepper all brused since Will. went away. I had your letter by Will. As to the lead mine land, if I can make them com to Conecticot line south and the river east, which I hope thay will, it will be best. Let us be patient under all our sufferings, and I hope all will end well. That fellow says you threaten to send Rachell to Virgina; a little prudence will make her easy. I sent by M^r Hemstede a porriuger, and a bundle with a letter in it. All here well. I pray God to bless and keep you all.

Your louing father,

W. WINTHROP.

We hear nothing of butter or cheese yet. The Indians never eat that shell fish. Get as many of them as you can for the other use, but I think they cant be got but in suñmer. I know not but the ceader berrys will grow; try them. I beleiuue thay are as good as the Indians say. I wish Mary could haue been there to help nurse her mother. I long to see the poor children.*

* This was the writer's last letter. He had long suffered from occasional ailments, but was on the whole a vigorous man for his advanced age. Only a few years before, his son describes with pride his father's activity of limb and accuracy of aim during a day's shooting on Fisher's Island. He continued in his usual health until November 1, when Sewall mentions his having been taken ill just after attending a funeral. November 3, he was evidently worse, and Sewall sat some time by his bedside. November 7, Sewall records as follows: "Last night died the excellent Wait Still Wiuthrop, Esqr, for parentage, piety, prudence, philosophy, love to New England ways and people, very eminent. His son not come, though sent for." See 5 Mass. Hist. Coll. vol. vii. pp. 145, 146.

In the mean time John Winthrop, in ignorance of his father's illness, had written him a long letter, in the course of which he referred as follows to the story that he had harshly treated a female servant. The explanation has quite a modern ring, and seems to show that vexations connected with Irish housemaids were as common in New England in the early part of the eighteenth century as they are in the latter part of the nineteenth: "It is not convenient now to write the trouble & plague we have had wth this Irish creature the year past. Lying & nfaithfull; w^d doe things on purpose in contradiction & vexation to her mistress; lye out of the house anights, and have contrivances wth fellows that have been stealing from o^r estate & gett drink out of y^e cellar for them; saucy & impudent, as when we have taken her to task for her wickedness she has gon away to complain of cruell usage. I can truly say we have used this base creature wth a great deal of kindness & lenity. She w^d frequently take her mistresses capps & stockins, hauckerchers, &c., and

A MEMORANDUM OF PERSONS INVITED TO WAIT WINTHROP'S FUNERAL, NOV. 14, 1717, WITH THE DISTRIBUTION OF MOURNING EMBLEMS.

Gov ^r Shute,	}	Bearers, <i>gloves, rings, scarves, es-</i> <i>cutcheons.</i>
Gov ^r Dudley,		
L ^t Gov ^r Duñer,		
L ^t Gov ^r Taylor (wife)		
Judge Sewall, “		
d ^o Hutchinson, “		

The Counsell & Deputy Sec., *scarves & gloves.*

The Assembly, *gloves.*

The Ministers of Towne, *gloves & scarves.*

Presedent of College, *gloves, scarves, & ring.*

Doctors Ellis, Noyes, Clark (wife), Davis, *gloves & scarves*

Gibbs, *gloves.*

Sheriffs Dudley & Winslow, *scarves, ring, & gloves.*

M^r White, Clerk of Assembly; — Flag, doorkeeper Counsell, *gloves & scarves.*

Capt. Tuthill, *gloves & scarfes.*

M^r Achmooty & Capt. Fullam, *gloves & scarfes.*

The Regiment for duty :

Coll^o Fitch,

Lieut. Coll ^o Hutchinson,	}	<i>scarves, gloves, rings, & scutcheons.</i>
Maj ^r Savage,		

Captains Martyn, Pollard, Bulfinch, Greenough, Greenwood,

Jo. Hiller, Gerrish, *gloves.*

Lieut^t W^m Downe, and seven others, *gloves.*

8 Ensigns, *gloves.*

16 drummers, *gloves & scutcheons.*

Mourning & scutcheons for the lead horse.

Mingo in mourning.*

dress herself, and away without leave among her companions. I may have said some time or other when she has been in fault, that she was fitt to live nowhere butt in Virginia, and if she w^d not mend her ways I should send her thither; thò I am sure no body w^d give her passage thither to have her service for 20 years, she is such a high spirited pernicious jade. Robin has been run away near ten days, as you will see by the inclosed, and this creature knew of his going and of his carrying out 4 dozen bottles of cyder, metheglin, & palme wine out of the cellar amongst the servants of the towne, and meat and I know not w^t. The bottles they broke & threw away after they had drank up the liquor, and they got up or sheep unight, kill'd a fatt one and roasted and made merry with it before morning. I send a caske of cranberrys & a harrell of apples for my sister, and a barke wth other Indian things w^{ch} my brother desired." — Eds.

* Mingo was Wait Winthrop's body-servant, who apparently led a horse covered with funeral trappings. — Eds.

Relations & others.

Mad^m Dudley, Roxb^m, *gloves & ring.*

Adam Winthrop, *gloves, scarff, & ring; wife, gloves & ring.*

Benj^d Lynde, *gloves, scarff, ring; wife, gloves & ring.*

Ad. Davenport, *gloves, scarff, ring; wife, gloves & ring.*

P. Dudley, *gloves, scarff, ring; wife, gloves & ring.*

Fran. Wainwright, *gloves, scarff, & ring; wife, gloves.*

M^m Duñer, *gloves.*

M^r Sam^l Sewall, Jun^r *gloves, &c.*

M^r Mico & wife, *rings & scarves.*

Ed. Brattle & wife, *rings, scarves, gloves.*

M^r Parson, *gloves, ring, & scarfe.*

Mad^m Oliver, *gloves.*

M^r Tho. Smith & wives children, *gloves.*

Jn^o Smith & wife, *gloves.*

Nath^l Oliver & wife,

Jam^s Oliver & wife,

Brattle Oliver & wife,

Peter Oliver,

Mary Oliver,

W^m Brattle, Cambridge,)

} *gloves.*

Jn^o Staniforth & wife.

—— Staniforth, brother.

Nath^l Henschman & wife.

Jn^o Edwards children.

Jn^o Ellistone.

Priscilla Hough.

—— Adams.

Dean Grover & wife.

—— Grover & wife.

Jn^o Gore & wife.

M^r —— Cole & wife.

M^{rs} Flint, watcher.

Mad^m Addington, *gloves & ring.*

Jn^o Ballintine & wife, *gloves, scarve, & ring.*

Cap^t Keeling & wife.

M^r Wendell & wife, & sister Mercy.

—— Bromfeild & wife.

Tho: Hutchinson & wife.

Eliakim Hutchinson & wife.

Jn^o Fitch & wife.

M^{rs} Belcher, widd^o.

M^{rs} Pemberton.

M^{rs} Willard.

Coll^o Townsend & wife.

Elisha Cook & wife.

Coll^o Thomas.

M^r J. Cambell, y^e post master, *ring & gloves*.

M^r Thrasher & wife, w^f y^e 2 pipes of wine was burnt, *gloves*.*

* This list is a somewhat confused and probably imperfect one, but it serves to illustrate one of the customs of the Provincial period. The funeral did not take place until one week after the death occurred, in order to allow time for John Winthrop to reach Boston and make the necessary arrangements. Judge Sewall describes it as follows in his diary of the same date: "Attend the funeral of Maj^r Gen^l Winthrop; the corps was carried to the Town-House the night before; now buried from the Council Chamber. Bearers: His Excel. the Gov^r; Gov^r Dudley; Lt^o Gov^r Duñer; Col. Taylor; Col. Elisha Hutchinson; Sam^l Sewall; scarfs and rings. The Regiment attended in arms. M^r John Winthrop led the widow. Twas past five before we went. The streets were crowded with people. Was laid in Gov^r Winthrop's tomb in Old Burial Place. When returned, I condoled M^r Winthrop, Madam Lechmere, the Province, on the loss of so excellent a father. Councillors had scarfs; the Deputies, gloves." (See 5 Mass. Hist. Coll. vol. vii. p. 147.) Two sermons upon Wait Winthrop were published shortly after his death, and are familiar to antiquaries. One of them was delivered at his funeral by Cotton Mather, who appended to it a long and magniloquent Latin epitaph, which is to be found not merely in the rare original, but also in the "Life and Letters of John Winthrop," vol. ii. pp. 461-464. The other sermon was preached by Rev. Joseph Sewall, minister of the South Church. In both sermons Wait Winthrop is described as having died in his seventy-sixth year, but he has been occasionally represented as having been a year younger. The question is set at rest by the recent discovery of the following memorandum in the handwriting of his son: "Febr^y 27th 1710[-11]. My good father blessed me and mine, it being his birth day & y^e 70th year of his age compleat. He was borne at Boston in New England on the Sabbath day, y^e 27th of y^e 12th month Febr^y, anno 1641, & was baptized by M^r John Cotton. He has at this day y^e vigor & vivacity of 30. God be praised and blessed for him. May it please y^e Almighty to continue his life & bealth as y^e chiefest blessing to o^r family!" His first wife (Mary, daughter of Hon. William Browne, of Salem) died in Boston of the small-pox, June 14, 1690, aged 34. By her he had four other children (John, William, Joseph, and Elizabeth), who were taken away in early childhood. Judge Sewall describes the joint funeral of two of them, in 1693, as "a very affecting sight." (See 5 Mass. Hist. Coll. vol. v. p. 384.) — EDS.

WAIT WINTHROP'S FUNERAL CHARGES.*

1717. Y^e Estate of y^e Honorable Wait Winthrop, Esq^r, dec^d,
is Dr.

November 14	To opening a tomb	0. 10. 0
	To inside work	0. 3. 0
	To a plank for a banch	3. 0
	To hire of the pall	0. 12. 0
	To toling the bells	0. 7. 6
	JAMES WILLIAMS	<u>£1. 15. 6</u>

Rec'd the full contence of this note of John Winthrop.

p^r JAMES WILLIAMS.

Nov^r 25th, 1717.

The estate of the Honou^{bl} Waite Winthrop, Esq^r, dec^d, Dr.

To 18 foot of stone to couer his tombe, att 2^s a foot 1. 16. 0

W^m me, JOHN GAUD.

Rec^d of M^r John Winthrop the full of this acom^t.

Rec^d W^m me, JOHN GAUD.

M ^r John Winthrop	Dr
To painting of sundrys for your father's funerell, viz.	
1 large hatchment & frame,	£4. 10
8 silk escutchons at 12/	4. 16
41 buckram, ditto, at 4/	8. 4
3 forehead p, 5/	15
2 tencills at 10/	1.
2 ditto, with crests, 14/	1. 8
2 large crests, 4/	8
4 small ditto at 3/	12
	<u>£21. 13</u>

Boston, November 29th, 1717.

Errors excepted, pr ABRAHAM FRANCIS.

* It is believed that the bills here printed will be found to have not a little historical value as showing the price of many articles of wearing apparel, as well as the customs of the community at this period. — Eds.

BOSTON, Jan^r 13th, 17th/₁₈.

Rec'd of M^r John Winthrop a promisy note under the hand
of M^r James Bowdoin, in full of the within acco^t, pr

ABRAHAM FRANCIS.

M^r John Winthrop,Bought of Fran. Righton, Nom^r 10, 1717.

To makeing y ^e couering of 16 drums 15 ^d ps . . .	£01. 00. 00
To 8 cullers	00. 08. 00
32 halberts at 8 ^d ^{ps}	01. 01. 04
18 half pikes at 6 ^d ^{ps}	00. 09. 00
	<u>£02. 18. 04</u>

BOSTON, Jan^r 9th, 17th/₁₇.Rec'd y^e contents in full of all acc^{ts} of M^r John Winthrop,^{ps} FRAN. RIGHTON.

1717. The Estate of y^e Hon^{ble} Waite Winthrop, Esq^r, dec'd, D^r
to John Edwards.

Nov ^r 13 th To 48 gold rings	£50. 18. 4
Dec ^r 5 th To 12 ditto	12. 7. 8
	<u>£63. 6. 0</u>

BOSTON, Jan^r 11th, 17th/₁₇.Rec'd of Mr. John Winthrop y^e contents in full.^{ps} JOHN EDWARDS.

1717. Wait Winthrop, Esq., deceas'd, his Estate } D^r
To Henry Dering for sundrys for funerall }

Nov ^r To 3½ y ^{ds} Irish holland @ 4/6,	
8 8 y ^{ds} shalloon @ 4/	2. 7. 9
2 y ^{ds} buck ^r @ 2/, 1 y ^d ozenbriggs	
18 ^d , 24 ^{ths} wadding @ 18 ^d	8. 6
tape 10 ^t , ⁵ / ₈ y ^d lutstring @ 11/, ¹ / ₂	
y ^d pillow fustian @ 4/	9. 9
4 doz. coat buttons 2/9, 5 doz.	
breast @ 9 ^d	14. 9
2½ oz. thread @ 8 ^d , 2¼ oz. mohair	
@ 2/, 1 oz. silk 5/	11. 2

	2 y ^{ds} ferrett @ 6 ^d	1. —	
11 th	½ oz. silk & 5¼ y ^{ds} galloom . .	5. 2	
	16 y ^{ds} shalloon @ 4/, 4 y ^{ds} wad- ding 18 ^d , 4 y ^{ds} Irish holl nd @ 4/6	4. 8. —	
	5 y ^{ds} buckrom @ 2/, 2 y ^{ds} ozen- briggs @ 18 ^d , 1 y ^d colo ^d fustian 4/	17. —	
	1 ps tape 2/, 1 y ^d ½ allamode at 6/6, 2 oz. silk at 5/	1. 1. 9	
	2 oz. ⅝ mohair @ 2/, 4 y ^{ds} ferrett @ 7 ^d , 5 oz. thread @ 8 ^d . .	10. 11	
	15 y ^{ds} galloom at 6 ^d , 3 doz. coat butt ^s 2/, 4 doz. breast @ 8 ^d .	16. 2	
		<hr/>	12. 11. 11
12 th	12 y ^{ds} ½ broadcloath @ 40/, 23 y ^{ds} shalloon 4/	29. 12. —	
	3 oz. silk @ 5/, 6 y ^{ds} wadding @ 18 ^d , 8 oz. thread @ 8 ^d	1. 9. 4	
	3 y ^{ds} ozenbriggs @ 18 ^d , tape 30 y ^{ds} 2/6, 7½ y ^{ds} buckrom @ 2/ .	1. 2. —	
	4½ oz. mohair @ 2/6, 5 doz. coat butt ^s @ 2/9, 15 doz. breast 9 ^d .	1. 16. 3	
	16 y ^{ds} Irish holland 4/6, 3 y ^{ds} fus- tian @ 4/, 6 y ^{ds} ferrett @ 7 ^d .	4. 7. 6	
	2¼ y ^{ds} allamode @ 6/6, ½ y ^{ds} broad- cloath @ 40/	1. 14. 7½	
	29¼ y ^{ds} superfine broadclo. 55/ .	80. 8. 9	
	12 y ^{ds} galloom at 6 ^d , 9½ y ^{ds} alla- mode @ 6/6	3. 7. 9	
	17½ y ^{ds} allamode 6/6, 4 oz. black silk @ 5/, 2 oz. thre ^d @ 8 ^d .	6. 15. 1	
	7 y ^{ds} shalloon @ 3/8, 1 dz. coat butt ^s 2/, 3 dz. breast d ^o @ 8 ^d .	1. 9. 8	
	6 y ^{ds} ribbons, 4 ^d , 2 y ^{ds} d ^o @ 7 ^d , 9 y ^{ds} shalloon @ 4/	1. 19. 2	
	36 y ^{ds} ferrett @ 7 ^d , 6 y ^{ds} galloom at 6 ^d , 1 oz. silk 5/	1. 9. —	
	9½ y ^{ds} allamode @ 6/6, 4 y ^{ds} shal- loon @ 4/	3. 17. 9	
	½ oz. silk 2/6, 5 y ^{ds} ¾ galloom 6 ^d , tape & thread 4 ^d	5. 8½	

	1 p ^r hose 7/, 5 yds. shalloon @		
	4/, 11 y ^{ds} cypress @ 3/6 . . .	3.	5. 6
	6 y ^{ds} wide cypress @ 4/6 . . .	1.	7. —
	1 p ^s allamode, 108½ y ^{ds} & 24 y ^{ds}		
	7/8 ditto @ 6/6	43.	6. 11½
	6 silk laces, 12 ^d , 16 p ^r kid		
	gloves @ 5/6	4.	14. —
13 th	1 doz. lamb gloves, 45/, 1½ y ^d		
	cotton & linnin @ 2/8	2.	9. —
	2 y ^{ds} love ribbon @ 8 ^d , 1½ y ^d cy-		
	press @ 3/6	6.	7
	1 oz. silk 5/, 2 y ^{ds} flannell @ 3/6	12.	—
14 th	1 y ^d ¼ broadcloath @ 40/, 2 y ^{ds}		
	flannell @ 3/6	2.	12. —
22.	9 y ^{ds} ¼ allamode @ 6/6	3.	— 1½
26.	10 y ^{ds} stuff @ 18 ^d , ½ oz. silk 2/6, ¾		
	y ^d w ^{de} allamode @ 9/6	1.	4. 7½
		<u>202.</u>	<u>12. 4</u>
	10½ y ^{ds} breed & cord @ 4 ^d , 3 y ^{ds} black ribbon		
	12 ^d		4. 6
Dec ^r 9.	¼ oz. silk & ½ oz. breed		1. 5
10.	5 y ^{ds} lutstring @ 12/, 5 y ^{ds} callico 4/6, 4 y ^{ds}		
	cypress @ 4/6	5.	— 6
12.	1 felt hatt 7/, 1 ditto 6/6		13. 6
13.	1 pair childrens hose		1. —
14.	2 hat bands @ 8 ^d , 1 oz silk 5/, 3		
	y ^{ds} breed 12 ^d	6.	8.
	3½ y ^{ds} muslin @ 10/, 1 yd. bla.		
	ribbon 4 ^d	1.	15. 4
		<u>2.</u>	<u>2. —</u>
17.	½ y ^d muslin		5. —
23.	To 2 silk handk ^s @ 8/, 1 girdle 2/		18. —
27.	6 y ^{ds} black broadcloath d ^d Staniford @ 36/ .		10. 16. —
		<u>£235.</u>	<u>6. 2</u>

Mr John Winthrop to Henry Dering D^r
 To sundries for funerall of his father,
 as ^W acc^t £235. 6. 2
 To ball^e of your father's acc^t, as ^W acc^t 14. 10. 4

1717/8	To 29½ y ^{ds} holland as Ψ acc ^t dd for yourself	11. 16. 4
January 1.	To 3½ y ^{ds} velvett @ 48/ dd y ^e 31 st Xber £8. 8. —	
	1 y ^d ¾ cypress @ 3/6	0. 6. 2
	6 black silk laces	0. 6. —
	5¼ y ^{ds} allamode @ 6/6	1. 14. 8
		<u>10. 14. 10</u>
6.	To 22¾ y ^{ds} lutstring at 12/ 13. 13. —	
	6 y ^{ds} white galloom @ 6 ^d 0. 3. —	
	2 y ^{ds} ½ flannell at 4/6	0. 11. 3
	4 y ^{ds} ¼ of wide sattin ribbon @ 20 ^d	0. 7. 1
		<u>14. 14. 4</u>
	To 3¼ y ^{ds} lutstring @ 12/ 1. 19. —	
	3 y ^{ds} superfine wide muslin @ 18/	2. 14. —
		<u>4. 13. —</u>
	To 20 y ^{ds} fine black broadcloth from Mr Welsteeds, w ^{ch} he charges me with @ 40/	40. —. —
		<u>£331. 14. 18</u>
	allamode returnd	19. 6
	ball ^e	<u>£330. 15. 2</u>

Errors excepted Ψ HENRY DERING.

BOSTON, Jan^{ry} 13th, 1717/8. Rec^d of Mr John Winthrope a noat of Mr James Bowdoin to pay me in six weeks two hundred thirty pounds fifteen shillings & 2^d in part of y^e above acco^{ts}.

Ψ HENRY DERING.

	Mr John Winthrop to Jon ^s Waldo	Dr.
1717.	For sundrys dd for y ^e funerall of Wait Winthrope, Esq. } viz.	
Nov. 15.	To 7¾ yds. buckram, 2/	£0. 15. 6
	2 p ^s black cloths, 47 ¼ yds. at 12/	28. 7. 0
dd. Coachman,	11¾ yds. ditto 12/	7. 1. —
	13¼ oz black silk 4/	2. 13. 0
	½ lb. brown thred 5/	2. 6

	1 o ^z ditto	4
	4 $\frac{3}{4}$ o ^z silk 5/	1. 3. 9
dd. Francis,	4 yds. ollamoad at 9/	1. 16. 0
dd. Coachman,	2 p ^s ribbands 36 yds. 16 ^d	2. 8. 0
	6 girdles at 2/	12. 0
	11 $\frac{3}{4}$ Italian crape @ 3/	1. 15. 13
	1 o ^z silk 5/	5. —
dd. M ^{rs} Hayden,	1 p ^s rash, 54 yds. 4/	10. 16. —
	5 $\frac{1}{2}$ yds. shaloon 4/	1. 2. —
	6 $\frac{1}{2}$ yds. goloom 6 ^d	3. 3
	1 $\frac{1}{2}$ oz. silk 5/	7. 6
	Thred	2 $\frac{1}{2}$
dd. Ezek. Walker,	$\frac{1}{4}$ o ^z silk at 5/	0. 1. 3
	$\frac{5}{8}$ black cloth 26/	0. 16. 3
	14 yds. goloom at 6 ^d	7. —
dd. Lydiah Bates,	20 yds. ferrit 6 ^d	0. 10. 0
	$\frac{1}{2}$ o ^z silk at 5/	2. 6
dd. I. Penniman,	$\frac{7}{8}$ yds. cloth 26/	1. 2. 9
	$\frac{1}{4}$ o ^z silk 5/	1. 3
dd. for I. Ayres,	4 $\frac{1}{2}$ yds. cloth 30/	6. 15. 0
	7 yds. shaloon 4/6	1. 11. 6
	5 yds. fustian 2/8	13. 4
	1 $\frac{1}{2}$ yds. wading 20 ^d	0. 2. 6
	1 yd. canvas 18 ^d	0. 1. 6
	1 yd. buckram 2/, tape 9 ^d	2. 9
	3 o ^z thred 5 ^d , 10 silk 5/	6. 3
	1 $\frac{1}{2}$ o ^z mohair	3. —
dd. I. Roberts,	1 $\frac{1}{2}$ lb. cinnemon 16/	1. 4. —
dd. Burges,	1 yd. black cloth 26/	1. 6. —
	$\frac{1}{2}$ o ^z silk	2. 6
dd. Lyd : Batson,	18 yds. black & white wide stuf at 3/6	3. 3. 0
	24 yds. wide ollamoad 9/	10. 16. 0
	$\frac{3}{4}$ o ^z silk at 5/	3. 9
	2 yds. stuf at 3/6	7. 0
dd. Francis,	1 $\frac{1}{2}$ yds. buckram 2/	3. 0
dd. Maid,	1 ps. Italian crape 26 yds. @ 4/	5. 4. 0
	1 ps. silk crape 54 yds. @ 4/	10. 16. 0
	1 p ^s d ^o 54 yds. 4/6	12. 3. 0
	$\frac{1}{2}$ o ^z silk at 5/	0. 2. 6
	1 $\frac{1}{2}$ yds. shaloon 4/6	6. 9
	3 hatts, 1 at 22/, 1 at 24/, & 1 at 20/	3. 6. 0

	2 felts at 5/	10.	0
	2 pair black hose at 11/	1.	2. —
	1 p ^a silk crape, 5½ yds. 4/	10.	16. —
	1 p ^a ditto, 5½ yds. 5/	13.	10. —
dd. Owen Wardwels boy,	silk, 6/	6.	—
dd. Maid,	7½ black Duroy at 4/	1.	10. 0
	1 yd. shaloon at 4/	0.	4. —
	12 yds. ferrit at 8 ^d	0.	8. —
dd. Tho ^s Price,	1½ yds. cloth at 26/	1.	19. 0
	2 yds. buckram at 2/ o ^z silk 5/	9.	0
dd. Francis,	12 yds. buckram at 2/ & 1 yd. shaloon 4/6	1.	8. 6
dd. Coachman,	1 hatt 12/	12.	—
dd. Lawton,	3¾ mantua silk at 11/	1.	17. 1½
dd. Owen,	22¾ black ribband @ 18 ^d	1.	14. 1½
	2 oz. silk at 5/	10.	—
dd. your Man,	1 oz. silk 5/	5.	—
	10 oz. cloves at 2/6	1.	5. —
	12 yds. ribband at 6 ^d	6.	—
	4 yds. Etalian crape 4/	16.	—
	1 yd. ferrit 6 ^d	6	2. 12. 6
dd. Price,	¾ black cloth at 26/	19.	6
dd. Wardwels boy,	13 yds. ribband 2/4	1.	10. 4
	17½ yds. d ^o 22 ^d	1.	12. 1
		£164.	18. 9

Nov. 18.	To 5 yds. callico at 5/		
	dd. M ^r Leachmeres maid	£1.	5. 0
dd. Price,	¾ cloth 26/ ¼ o ^z silk 2/6	1.	0. 9
Nov. 21.	To 1½ yds. callico 5/	7.	6
22.	To 3 yds. cloth at 20/	3.	0. 0
	2 yds. buckram 2/	0.	4. —
	½ o ^z silk 2/6	0.	2. 6
	To 5 yds. callico 5/	1.	5. 0
25.	To callico & oznabrigs	0.	6. 9
Dec ^r 4.	To ⅝ pertian 5/6	0.	3. 5
12	do. your man 4½ Etalian crape 3/6	0.	15. 9
	2 silk hat bands	0.	2. —
14.	dd. d ^o ¼ cloth 26/, & ⅓ d ^o 26/ Silk 6 ^d	0.	9. 9
		0.	0. 6

16.	To 3 yds. ribband 10 ^d.	. . .	7.	6
21.	To 11½ yds. durant 4/	. . .	2.	6. —
			£11.	11. 5
				£176. 10. 12

To the foot of Wait Winthrop, Esq., acc^t given in £60. 9. 11
Errors Excepted Ψ JON^A WALDO.

BOSTON, January 13, 1717.

Rec^d of M^r John Winthrop one note from M^r Jame Bodoine,
one hundred and seventy pounds, in part account^t

Ψ JONATHAN WALDO.

£170.

WAIT WINTHROP'S TAX-BILL FOR 1717.

WAITE WINTHROP, ESQ^B

[No. 6.] To			Your Town Rate.				
Your Province & County Tax.							
	<i>l.</i>	<i>s.</i>	<i>d.</i>		<i>l.</i>	<i>s.</i>	<i>d.</i>
Poll		10.		Poll		14.	
Houses & } Lands }		16.	8	Houses & } Lands }	1.	0.	10
Personal } Estate & }	1.	1.	10	Personal } Estate & }	1.	10.	7
Faculty }		2.	8. 6	Faculty }		0.	6. 0
				Watch		3.	11. 5
			2.	8.	6		
			3.	11.	5		
			£5.	19.	11		

The Assessors sit at the Town-House in Boston, Frydays,
from 3 to 5 o' clock, after-noon, to whom any person agrieved
may apply for ease, as the law directs. 1717.

Errors excepted.

Per GEORGE SHORE, *Constable*.

BOSTON, Jan^y 9th, 1717.

Rec^d y^e contents in full, of M^r John Winthrop.

Ψ GEORGE SHORE.

WAIT WINTHROP'S INVENTORY.*

An Inventory of the Estate of the Hon^{ble} Wait Winthrop, late of Boston, in the County of Suffolk in New England, Esq^r, dece^d. Taken and appriz'd by us the subscribers the day of Decemb^r, 1717. Viz.: The said dece^{ds} estate lying and being within the Province of the Massachusetts Bay in New England aforesaid, as follows:—

Item. One coach, 2 horses, and tackle } thereto belonging	. . . . .	30.	—.	—
Eight pictures at 20 ^s each is	. . . . .	8.	—.	—
Two large looking glasses	. . . . .	7.	—.	—
Old pewter 21 ^{lb} , new pewter 28 ^{lb} , } is 49 at 1/6	. . . . .	3.	13.	6
Two trunks & a case of draws	. . . . .	1.	5.	—
One large salver, Two Spanish dishes, Two salts, One tankard, Two porringers, One beaker, Nine spoons, One two eared cup, Two p ^r candlesticks, Snuffer & snuff stand, }	all plate, w ^t 242 ^{oz} at 9/6 is }	109.	10.	2
One case, six silver-haft knives, and six spoons & six forkes washed } with gold	. . . . .	9.	—.	—
One iron pot, a belmetle skillett, One apple roaster, 2 brass skimmers, One pair of tongs and a brass candlestick, One plate stand & two pair brass and- irons all at }	. . . . .	4.	—.	—
One pewter distill	. . . . .	15.	—.	—
One copper fish kettle	. . . . .	15.	—.	—

* Many articles in Wait Winthrop's house in Boston belonged to his wife, and are not included in this inventory, which does not embrace his property in New York and Connecticut or his personal effects in New London. The low valuation placed upon his family portraits and books shows how little importance apparently was then attached to such articles. — Eds.

Earthern ware and cheney & glass . . .	1.	5.	—
Linnen	10.	—.	—
One square table, small		05.	—
Wearing apparell . ^a	20.	—.	—
One scriptore	3.	—.	—
A stewpan		10.	—
One warming pan		10.	—
One old bed stead, old chair, & lumber . .	1.	5.	—
Two feather beds, two bolsters	6.	—.	—
Salt, about 20 bushells	2.	—.	—
A p ^r of gold frame spectacles, a silver } seal, one tooth peck, other odd things }	1.	5.	—
A silver watch	3.	—.	—
Bills of credit, ab ^t	23.	—.	—
A Bible & some old books	2.	—.	—
One halfe acre of land in the } training field in Boston }		100.	—.
A farm at Billerica		200.	—.
Some lands at Woodstock } said to be worth }		100.	—.
Ilands called Elizabeth Islands within } Dukes County, & stock thereon * }		2000.	—.
Land at Tantiusques, said } to be worth about }		100.	—.
Due by bond from John Weeks, Cr. . . .	288.	—.	—
One share in the salt works in Boston .			
		£307.	18. 8

JOHN EDWARDS.

JOS. MARION.

John Winthrop, Administrator, made oath that the foregoing Inventory, amounting to three thousand twenty seven pounds eight shillings, and eight pence is a true and perfect inventory of the estate of the Hon^{ble} Wait Winthrop, Esq^t, deceased; and

* The original Indian deeds of these islands to the Mayhews are among Wait Winthrop's papers. For his letters to his brother about his purchase of them, in 1682, see 5 Mass. Hist. Coll. vol. viii. pp. 447, 448. They were eventually sold by John Winthrop to the father of Gov. James Bowdoin, whose granddaughter married Winthrop's grandson, thereby continuing the association of the Winthrop family with the Elizabeth Islands until about the middle of the present century. Naushon, the largest of them, has long been the well-known country-seat of John Murray Forbes, Esq., of Boston. — Eds.

that if more hereafter appear, he will cause it to be added.
Sworn before me,

SAMUEL SEWALL, *J. Probat.*

Boston, Janry. 6th, 1717.

Concordat Cum Originali.

Examined P^r JOHN BOYDELL, *Regl*.

WILL OF WAIT WINTHROP, NOT EXECUTED.*

IN THE NAME OF GOD, AMEN, the twenty-eighth day of September, Anno Dom. 1713, Annoq^{ue} R^{egni} R^{egis} Annæ Mag. Britannicæ, &^{ca}, Duodecimo. I, Wait Winthrop, Esq^r, of Boston, within the County of Suffolk in New England, being under bodily sickness, but thro' mercy of

* This is a clean draft, unsigned, and not in the handwriting of the testator. He was not one of the richest men in Boston in point of income, but he possessed an exceptionally large landed property, scattered through three provinces, much of it wholly unimproved, but of great prospective value. The correspondence between his brother and himself at the time of his son's marriage, together with the will of Fitz-John Winthrop and the other papers relating thereto (see 6 Mass. Hist. Coll. vol. iii. pp. 396-398, 413-420), show an understanding between Fitz-John and Wait Winthrop that the latter's son should eventually inherit that portion of their estates which had come to them from their father, John Winthrop, Jr. On the other hand, Wait Winthrop's property in Massachusetts had been chiefly acquired by himself, and out of it he must naturally have wished to portion his only daughter. Why he did not execute this will, and why he suffered himself to die intestate more than four years afterward, can only be the subject of conjecture; he may have forgotten that his drafted will had never been executed, but it is more likely that the pecuniary embarrassments of his son-in-law delayed his action. When Thomas Lechmere married Anne Winthrop, in 1709, he was not merely a younger son of good family and influential connections, but he had a small capital which he was endeavoring to improve in trade. Toward the close of 1713, however, it became known that he was in debt, the result of losses in business and of living beyond his means. From that time until the death of his father-in-law, in 1717, he was often harassed by creditors on both sides of the Atlantic, and was involved in a complicated dispute with his partner, John Mico, with regard to their relative liabilities. In view of advances made to his son-in-law, and the risk of his daughter's portion becoming liable for her husband's debts, the testator may have postponed executing a will until Lechmere's affairs could be arranged with the assistance of his relations in England. Be this as it may, as Chief Justice of Massachusetts, Wait Winthrop must have been familiar with the statute under which, in the event of his dying intestate, his daughter would receive one third of his estate in that province; but he may have forgotten the passage of a similar statute by Connecticut, and have only remembered that in New York such estate went to the heir male in accordance with the common law of England. It is difficult to believe that he contemplated the possibility of his daughter's inheriting a full third of his property, as this would have been a much larger provision for her than was made in the will now printed. (See also two letters from Governor Dudley on this subject, *ante*, pp. 167-170.) — Eds.

sound disposing mind, considering the uncertainty of this fraile life, do make and declare this my last Will and Testament in manner following. That is to say; first and principally, I commend my spirit into the hands of my most gracious and mercifull God and Father in Christ Jesus, hoping to receive the pardon and remition of all my sins thrô his ineritorious death and passion. My body I committ to the earth to be decently interred at the discretion of my executor herein named. And for my temporal goods and estate I will that the same be employed and bestowed as is herein expressed.

Imp^{rs}. I will that all my just debts and funeral expences be well and truly paid or ordained to be paid by my executors with what convenient speed may be after my interment.

Item. I will that the covenant and agreement which I made with trustees on behalfe of Katharine, my present wife, upon our intermarriage be well and punctually observed & performed in all respects, and that my executors do no further intermeddle with her estate or the estate of her former husband, John Eyre, Esq^r.

Item. I give, devise, bequeath, and confirme to my beloved and only son, John Winthrop, Esq^r, and the heires male of his body lawfully begotten or to be begotten for ever, and in default of heires male, to the heires female of his body lawfully begotten or to be begotten for ever, all that my island cõmonly called and known by the name of Fishers Island, lying over against New London, Groton, and Stoneingtown, within the Colony of Connecticutt, and all the lands, buildings, stock, and improvements thereon in the present tenure and occupation of ——— being, also all that my mansion house, homestead, homelands, and mill, with the members, priviledges, and appur^{ces} thereof lying situate in the town of New London.

Further. I give, devise, and bequeath to my said son

John Winthrop and his heires for ever all that my neck of land situate in New London aforesaid, excepting & reserving a convenient alotment of the quantity of ——— acre thereon for a house lott which I reserve and hereby give to my loving daughter Anne Lechmier, wife of M^r Thomas Lechmier, merchant, and her heires forever, if at any time hereafter she shall see meet to build and dwell thereon.

Further. I give, devise, and bequeath to my said son John Winthrop and his heires for ever all that my farm lying situate at a certain place called and known by the name of Lanthorne Hill, and my great swamp and other my lands within the township of Groton, in the county of New London, aforesaid, as they stand registered in the records at New London. I also give to my said son for ever all my household goods and furniture, book, utensils, and implements whatsoever which I have already delivered & put into his hands and possession.

Item. I give, devise, and bequeath to my only daughter Anne Lechmier aforementioned and the heires of her body lawfully begotten and to be begotten for ever all my island called by the Indians Katanuck, otherwise called and known by the name of Elizabeth Island, al^s Tarpolincove Island, lying over against Marthas Vineyard, with all the lands, stock, and improvement thereon, in the present tenure and occupation of John Weekes and ——— Fuller, being with my island called by the Indians Nana-mesit lying betwixt Tarpolincove Island and Woodst Hole and all other my islets there being; reserving only out of the rents and profits of the said islands and lands an annuity of thirty pounds p annum, which I will to be paid to Katharine, my beloved wife, for and during such time & term as she shall remain my widow bearing the name of Winthrop. Provided, nevertheless, that if my aforenamed son John Winthrop or his heires, at any time or times within the space of twenty years next after the

date hereof, shall pay or cause to be paid to my said daughter Lechinier, or her heires, the sum of two thousand pounds, then and in such case I hereby revoke the devise of the said islands, lands, and stock to my said daughter Lechinier, and give and devise the same to my said son John and his heires for ever.

Item. I do nominate, constitute, and appoint my aforementioned son and daughter, John Winthrop and Anne Lechinier to be the executo^{rs} of this my last Will and Testament, and do fully impower and authorize my said executo^{rs}, or the survivour of them, to dispose of, grant, bargain, and sell such and so much of my other lands not herein willed situate on Long Island, in Stoneingtown, and other parts and places wheresoever, as shall sufficiently enable them to pay and satisfy my just debts, and to give and pass good and sufficient deeds and conveyances in the law for the alienating and granting the same as aforesaid. And all the rest and residue of my lands after payment of my just debts I give, devise, and bequeath to my said son & daughter, John Winthrop & Anne Lechinier, and their heires for ever; that is to say, two third parts thereof to my said son & one third to my daughter.

In witness that this is my last will and testament, hereby revokeing all former wills by me made, I have hereunto set my hand and seal the day and year first within written.

Signed, sealed, published, & delivered by Wait Winthrop, Esq^r, to be his last will and testament, in p^rsence of us who subscribed our names as witnesses in the said testators presence.

CORRESPONDENCE OF JOHN WINTHROP, F.R.S.*

GEORGE PHILLIPS TO JOHN WINTHROP.†

To the Worshipfull Maj^r John Winthrop, living at New London.

FROM SOUTHOLD, Dec. 3, 1717.

HONOURED & MUCH RESPECTED S^r, — I doe (without complem^t) heartily condole y^r loss of y^r father. Y^e Lord of Heaven sanctify such a breach, & make it up to you in himself. You have a comprehensive promiss to have recours to, y^t he hath promised to be a father to y^e fatherless, & when father & mother forsakes you, God will take you up, &c. S^r, as I had a great respect for y^r honoured father, so I have now in his absens to senter it upon y^rself, & shall ever be glad of y^e oppurtunity & as ready & willing to manifest y^e same to doe any service for y^rself as farr as my ability will admit of.

* John Winthrop did not become a Fellow of the Royal Society until 1733, hut he has been habitually designated "F.R.S." in order to distinguish him from other persons of the same name. It may be convenient to repeat that he was born in Boston, Aug. 26, 1681, and died at Sydenham, near London, Ang. 1, 1747. Selections from his previous correspondence have been interspersed with the letters of his father and uncle, and are to be found in 5 Mass. Hist. Coll., vol. viii., in 6 Mass. Hist. Coll., vol. iii., and in the preceding pages of the present volume. Much of his correspondence with Cotton Mather is separately printed in 4 Mass. Hist. Coll., vol. viii. — Eds.

† Rev. George Phillips (Harv. Coll. 1686) was a younger son of Rev. Samuel Phillips of Rowley, and for forty-three years minister of Brookhaven, L. I. See Sibley's Harvard Graduates, vol. iii. pp. 360-362. There are eight letters of his among the unpublished Winthrop Papers, all chiefly relating to matters connected with a large tract of land on Long Island, originally acquired by John Winthrop, Jr., in 1664, and subsequently created a manor. Fitz-John and Wait Winthrop were able to give so little personal attention to this property that it suffered much from encroachments and from unreliable tenants. For references to it, see the previously published selections from the Winthrop Papers, *passim*; also 2 Proceedings, vol. v. pp. 305, 306. — Eds.

S^r, I am very well satisfied y^t y^r honoured father was not willing to disoblidge M^r Rich. Smith becaus of some kindness he received (when sick) from him, but I believe he did not part from his hous without sufficiently satisfying all trouble & charg. This kindness y^t he received was not to be compared to what I did, out of cordial respects to y^r honoured father, in sending information concerning what was designed to clip off some of y^r western necks, & by y^t means a stop was put to it. It might have created trouble & charge; & this, S^r, I did it purely out of cordial respect to y^r family (& God knows I never expected satisfaction, but acception, from y^r father); & by this act of mine I got so much ill will from M^r Nicoll & M^r Gibb y^t it was more detrim^t to me then y^e value of any of y^r necks here. Now, S^r, I request no more then y^e quiet possession of y^t tract of land which I have settled for this 5 years. You know what y^r father had promised, & when last at Boston in July he writ to M^r Smith not to disturb me in my improvem^{ts}; yet M^r Smith sells one side of y^t land to his brothers sons & puts them into possession of it for considerable satisfaction by mony they paid him in hand, & hath taken of one family 7 pounds for tarr got on y^r necks, & yet writes to y^r father a complant against me, which I convinced y^r honoured father last summer of y^e justness of my proceedings, & I had don nothing y^t was any detrim^t to his Hon^r, but what his demands were it was ready; y^t my putting on tenants would be as beneficial to his Hon^r as if M^r Smith had let it out, y^t his Hon^r was convinced, & so may yourself, y^t all this trouble y^t M^r Smith hath exposed me to hath bin purely spite & malice becaus I would not come to him to leas y^e neck; & another great caus was my making complaint to his Exce^d about 50 acres of land y^t he & his brethren had promised me; but he was y^e man y^t was y^e means of hindring me from it. S^r, when I was last with you I gave you a hint of what he was, & you will find wether he hath bin a faithfull

steward to y^r honoured father or not. Though I have bin acquainted wth him upwards of twenty years I can not say y^t there is any thing of y^e principal of goodness in him, neither hath he given any others any caus to say any better of him. Its not out of prejudice against him y^t I speak or write what I have done, but reall greife y^t such an aged man, & one y^t makes some profession of goodness & justice when there is but little y^t resembles it. Neither doe I desire any more then y^t I might have y^e refusall of either leasing or buying y^t tract of land y^t I have had y^e improvem^t of, which I desire & request y^r Hon^r to oblidge me in, & while you haue time & oppurtunity to come y^rselfe to settle affairs here to write a line or two what y^r pleasure is about y^e premises, & to let M^r Smith know y^r mind y^t I should haue y^e land y^t I haue improved. I would not desire what I request for if it should be any detrim^t to y^r Hon^r one mite. So y^e Lord bless you & yours, & make you blessings in your generation; so prays

Y^r cordial friend & humble serv^t to co^mmand,

G. PHILLIPS.

ELIPHALET ADAMS TO JOHN WINTHROP.

N. LONDON, Dec. 25th, 1717.

SIR, — It is because I have expected you home every week almost that I have neglected hitherto to write to you, & condole wth you upon the loss of your excellent father. But perceiving that your occasions do oblige you to a yet longer stay, I take the liberty by letter (althô it be now so late as to render it something more unseasonable) to join my sighs & mingle my tears wth yours upon so sorrowful an occasion. And the rather because he was ever pleased to allow me no inconsiderable share in his favour & esteem; so that, having lost a

very good friend, I can the more naturally sympathize wth you, who are bereaved of so tender & dear a father.

Not that I would renew & stir up your grief afresh, w^{ch} could not choose but be exceeding great, but only lest I should seem to be wanting in any testimonies of a sincere friendship, w^{ch} it shall be my endeavour to give upon every occasion. On w^{ch} acco^t you will now permit me to wish that the affliction may be so sanctified to you by your Better & Heavenly Father, as that (thô it be not for the present joyous but grievous) yet afterwards it may work the peaceable fruits of Righteousness.

While you meet wth so heavy an affliction abroad, God is increasing & bestowing mercyes upon your family here at home, & we have seen wth pleasure & thankfulness your virtuous & agreeable consort carryed thro^t a time of considerable hazard, w^{ch} was the more trying, too, thro^t the difficulty of the season & your absence. Since your departure from us God hath been visiting us wth sickness here, w^{ch} hath proved mortal to diverse, althô in the midst of wrath he hath remembered mercy; and I hear of few or none that are dangerously ill at present. We are exceedingly surprized & humble ever & anon to hear of so many persons of great worth & emin^t figure that are taken away one after another in our neighbor colony. Let us pray that it may not be to make a way to God's anger to break in upon us as a flood, but that he would please to raise up others in their stead, who shall make good their ground and do as worthily in their generation.

Sir, we wait here wth impatience till your affairs will permit you to return to us again, & may the L^d graciously preserve your health & give you a prosperous journey home, w^{ch} will be to none more agreeable than to, Sir,

Your sincere friend & humble serv^t,

ELIPHALET ADAMS.

COTTON MATHER TO ROBERT HUNTER.*

To his Excell^y Robert Hunter, Esq^r, Captain Gen^l & Gov^r in Cheife of his Majesty's Provinces of New York & the Jerseys.

BOSTON, Febr^y 3^d, 1717 $\frac{1}{2}$.

S^a, — My very good friend, M^r John Winthrop, designing to pay a visitt unto yo^r Excellency, his design furnishes me with an agreeable opportunity as well to express the continuance of my inviolate respects unto yo^r Excellency as to do the friendly office of giving this true & brief account of the young gentleman: that he is one of a very good family, a very good interest, a very good education, and a very good capacity; and one who, I believe, will approve himself worthy of the share that he will find in yo^r civilities.

I take the same opportunity to rejoyce wth your Excell^y in the felicity that Heaven has bestowed upon us in that incomparable King who now sways the scepter of the Brittish Empire, and I congratulate the more particuler felicity of yo^r Provinces in that a Gov^r, disposed as yo^r Excellency is to make them happy, has for that very reason the royall favor so sensibly distinguishing him. Concerning this best of kings I will take the leave to observe two things very remarkable. The one is that o^r King has not one enemy in the world but what is an enemy to the kingdom of o^r Savio^r, & maintaines principles & pursues interests inimical to the kingdom of o^r Savio^r. The other is that o^r King is the only king upon earth who has declared himselfe willing that o^r Lord Jesus X^t should be restored unto his throne, which is by perse-

* This letter is printed from a copy in the handwriting of John Winthrop, who being about to visit New York to administer his father's estate in that Province, obtained from Governor Dudley and Cotton Mather letters of introduction to Governor Hunter, both of which he copied. Dudley's letter is purely formal, but Mather's is characteristic. Robert Hunter was Governour of New York from 1710 to 1719, and subsequently Governor of Jamaica, where he died in 1734. His Letter of Administration to John Winthrop is dated June 7, 1718, and is also among the Winthrop Papers. — Eds.

cution everywhere denied unto him. There is not an other king upon earth but what usurps the throne of God in the conscience of man, or w^d have him reign there if his owne froward, foolish, & unjust subjects did not hinder him. These things have a good aspect on his governm^t, but oh that the morralls everywhere so depraved gave no abatement to it! What may be doing on the continent of Europe yo^r Excell^{cy} knows much better than I; but yet I will venter to mention one particularitie. An eminent person in Scotland writes me that a person of quality, who was present at a treat w^{ch} the Earle of Stair made for the Doctors of the Sorbonne, gave him a great assurance that nine parts in ten of the clergy in France were for a Reformation, and that they were already gone farther than we were in o^r old Harry's days, and that many were prepared for yet much greater degrees.

I add no more, but commend yo^r Hon^{ble} person, family, and governm^t unto the blessing of o^r most glorious Lord, and subscribe my selfe,

Yo^r Excellency's most humble serv^t,

COTTON MATHER.

THOMAS LECHMERE TO JOHN WINTHROP.

[Extracts.]

BOSTON, Feb^r 10th, 171⁸.

DEAR BROTH^r,—I have yo^r favour of the 4th, & am wholly at a loss to know on what footing you are with y^r postman, for some times he will be paid, some times he will not; shall wait yo^r advice herein. M^r Nabledy has been informed of yo^r receipt of his letter, is glad you paid 9^d for it, is in hopes you will write him by yo^r bundle next time. Mess^{rs} Specie, Stiff-Topps, and their whole crew are as it were dead to me, for I never see any of them. . . . As to the Lord of Oxford, take care of him

& his associates. Don Belleshazar may go whistle.* I have not heard anything of Sabin as yett. I have received the 51/ of Green, & delivered him up his writing. I have not finished the account concerning the warehouse; I am of opinion Grove has no lease thereof, & shall enquire what is customary on such occasions. Mr Edwards informed me, if I mistake not, that y^e mony from s^d warehouse will discharge every thing with a small surplus; there may be some not yett brought in. . . . I am sorry for Mr Updike's loss; young Farmer Updike was with us this last week & gone home again. Our winter has been very severe since you left, but is now very moderate, so I hope if I must come upp I shall have good weather for it. I have been trouble enough to you my self, & should the children come they would be more; however, wee'll think hereon. As to the affair of Tantiusques, I have had some discourse thereabout wth Mr Lynde & Cap^t Chambers, who have promised to assist; I shall acquaint Cap^t Fullam therewth when see him. Cap^t Chambers told me of the necessity of our goeing through therewth before this Sessions was expired, & I shall take care to mention it to y^e Gov^r as oppertunity presents. I wish you had left that petition my father drew with me, then I could have easily managed it, and in all probability succeeded. If you can meet with any person coming down, pray send it. We some time since had a report here of Justice Newman's being dead. Poor man, he has been sick & in some measure recovered, but a worse distemper attends him. He is in a manner dead in law, for they are arresting him on acco^{tt} of his son John, & having obtained judgm^t against him, are serving execution on him & his land, which I am sorry to informe you of. Cous. Martha Wharton was yesterday published to Peter

* Lechmere's habit of using nicknames in his familiar letters renders them often difficult to understand. He was a voluminous correspondent, but his letters are rarely worth printing. — Eds.

Butler, a fine mate indeed. His brother was some time since married to our cous. Priscilla Hough. You have forgott to send M^r Edwards an ord^r on Cap^t Oliver for Coll^l Paige's legacy. The salt in Mad^m's hands is not yett disposed of. M^r Auchmuty talks of setting out on Wednesday for N. Yorke, intends to come yo^r way, by whom shall write you a word or two if proceeds; thô I am of opinion 'tis but his talk. Fosdike the smith has bro^t a note for worke done about the house, as bolts & locks, &c., likewise for hookes for the hatchment over the door. Cap^t Martin y^e shopkeeper was some time since taken sick of the late feaver & is dead, & to be buried this day. I hope M^r Campbell according to his promise sends you y^e newspaper. Here's a long letter for you full of nonsense. I had almost forgott to tell John Harness is safe arriv'd, with his budgett on his back. Wee appointed a generall meeting of all concerned, w^{ch} was solemnized wth the turkey, goose pye, &c. One cheese holds out still, of w^{ch} wee partake dayly & allways remember the donor. Wee heartily thank you for yo^r repeated favours, wishing you & yo^{rs} all health and happiness. Now give me leave to subscribe myself

Yo^r very obliged bro^r & humble serv^t,

THO^s LECHMERE.

John Harness tells me your man John, on his going from our house, stole my pickerell lines, or fishing lines, off of the clock, w^{ch} haveing had y^m these 7 years am very unwilling to loose y^m so by such a rascall. Pray search his box privately for them, & if you find y^m lay y^m up for me & talk to him about it. When you were at M^r Updike's he shewed y^m there, & made his braggs how he stole y^m from the house, and likewise the hammer, at Dedham, out of my slay. You must take care of him, for if he will do such things, as oppertunity offers he will do more; so you must watch him.

HENRY SMITH TO JOHN WINTHROP.*

To John Winthrop, Esq^r, in New London, these.

MAN^R ST GEORGES, June y^e 10th, 1718.

S^a,— I take this op^tunity pathetically to condole y^e death of y^r hon^d & d^r father, who, as he was most hapily eminent not only for his extraordinary charity & many other admirable virtues, consequently his death is much lamented, & his memory undoubtedly will be blest; & I hope his piety in nothing more perspicuously evidenc^t than in his surviving posterity. And as it was his peculiar care to confer on you y^e best & most generous education these parts could afford, I make no doubt but y^r natural propensity concurring wth his heroick example will infallibly influence you to deserve as great & valuable a character; & you may be assur^d not only of my hearty wishes, but fervent prayers, to so good & laudable an effect.

Wee extremely rejoyce to hear the Almighty has blest you wth another son, for wth my spouse joins wth me in our perticuler congratula^õn. Pray God his life may be spar^d to y^e unspeakable comfort of his indulgent parents, & that yo^r other d^r babes may be reciprocally subjects of his most gracious benignity. Wee have for some time past been expecting you here in order to make some settlem^t of y^r concerns; otherwise had long since acknowledg^d y^e gratefull sence I entertain of y^e kind & generous entertainment rec^d from you & yo^r virtuous consort, and (as I've formerly intimated) esteem my selfe still oblig^d to repeat my sentiments that, in point of interest, 'tis absolutely necessary to come as soon as possible. For,

* Col. Henry Smith, of the Manor of St. George, L. I., was the eldest son of Col. William Smith, some time Governor of Tangier, and afterward Chief Justice of New York. See Thompson's History of Long Island, p. 502. There are numerous letters from him, and one from his father, among the unpublished Winthrop Papers. They relate chiefly to matters connected with the Winthrop estate on Long Island. — Eds.

besides other weighty reasons, Justice Rich^d Smith (a most material evidence) languishes under a most violent cancer, w^{ch} will inevitably terminate in his death; & if you can not come sooner, would advise not to faile being here y^e third Tuesday in July, at w^{ch} time a Supream Court will be held, &, besides y^e Chiefe Jus^e, y^e Attorney Gen^l, &c. will be here to try a case ag^t Col^o Floyd, wⁱⁿ hee has much incens^d y^e Govern^r & governm^t, & he being a p^rson the most opposite to y^r p^rsent interest, you may advise & wth more certainty preengage y^e favour of those that are most capable to vindicate yo^r right than at any other time.

I thank God my d^r spouse & childⁿ are blest wth health & wth mysef^e earnestly desire our choicest reg^{ds} may be acceptable to you & yo^r refin^d lady. I add my best wishes that yo^r esteem^d persons may ever prosper & be abundantly blest both in this & a better life, as being most candidly, dearest S^r,

Yo^r sincere, affectionate, & most oblig^d hum. ser^t,

H^r SMITH.

Please to give my service to y^e Rev^d M^r Adams & his spouse.

INCREASE MATHER TO JOHN WINTHROP.

To my worthy friend, M^r John Winthrop, in New London.

BOSTON, June 23, 1718.

WORTHY DEAR SIR, — I had the honor to be intimately acquainted with yo^r honourable father & grandfather. They designed that excellent powder they called rubila should be a publick benefit. I understand y^t many persons in Boston have found much benefit by it, and I have bin desired to write to yo^rselfe & to desire that you would send a considerable quantity of it to Madam Winthrop, yo^r honorable mother, for the relief of such as the Lord

shall please to bless it for y^h health. Madam Winthrop never spoke to me y^e least word about it, nor have I seen her of a long time ; but because of her name & y^t she has been used to distribute it, I suppose her to be y^e most suteable person to be entrusted. It is a principle of charity to my neighbours y^t has induced me to write these lines. My service to yo^r lady. The Lord bless you & make you a blessing, as yo^r progenitors have bin.

I am yo^r friend & servant,

INCREASE MATHER.

JOHN WINTHROP TO INCREASE MATHER.

July y^e 2^d, 1718.

VENERABLE S^r,—At my returne from New Yorke I had the hono^r of yo^r letter, for w^{ch} I humbly thanke you, & greatly rejoyce to hear of the health of my highly honoured & most valuable friend Docter Mather. I am much obliged that you are pleased to remember the names of my honrd predecessors wth so much respect. They were truly men that sincerely lov'd & serv'd New England wth all their powers, and I shall be heartily glad if I can any ways serve this country also. I bless God that he still makes use of me to prepare & give away o^r rubila to the sick & to all that aske it. My honrd rellative, Mad. W., who has had of it from me since my honrd fathers decease, may still have of it whenever she pleases to command me. Your towne of Boston outdoes all the collonyes on this continent for the pure worship of God & the strict observation of the Sabbath, w^{ch} is not kept wth that ord^r & retirem^t at New York as it is at Boston. If you were to see the actions of the people on the Sabbath at York, you would imagine it was more like a Boston Training-day then like Sunday ; tho the Dissenters are now tollerated to preach publicly in the State House and are building a church in the citty, w^{ch} has heretofore

been denyed them. M^r Anderson, a Scotch gentleman, is the minister to this new-gathered Dissenting church, and their congregation increases dayly. I pray the favo^r of the inclosed to yo^r dear son, and I shall be glad if in anything I can be serviceable to you. May God yet lengthen out yo^r life many years for the comfort & service of his church & people. I humbly begg yo^r prayers & blessing, and am, most Reverend S^r,

Yo^r most obedient humble serv^t, J. W.*

D^r Increase Mather.

JOHN WINTHROP TO KATHARINE WINTHROP.

NEW LONDON, July 2^d, 1718.

HONRD MAD^M,—I doubt you conclude I am unmindefull of my duty in not answering yo^r kinde letters before this time, but I must assure you that y^e only reason has been the unreasonable trouble I have mett with here from wicked people, and then my journey to Hartford, & afterwards a long absence at New York & Long Island; but I thank God I am gott safe home at last, tho^t I had an ill turne or two whiles I was at Coff. Smith's at Long Island, w^{ch} thretnd me wth a fitt of sickness. I must now render thanks for yo^rs, perticularly for that to poor Molly, wth a book. I hope she will ere long be able to doe her duty her selfe, and alwayes remember the good advice you have given her. I am sorry I mention'd any thing that was disagreeable to you in my former letter.

* Printed from a rough draft, on the back of which is the draft of one to Cotton Mather in which occurs the following passage: "I delivered yo^r letter to his Excell. Brigadeer Hunter, who was pleased to favo^r me wth a view of his well furnisht study, and grattefy'd me wth ye sight of severall curiositys & many rare books. He presents his humble service to you wth the inclosed letter. I hope to answer D^r Woodward's letter shortly, & fitt out an other collection of rarities for Gresham College; but I am now so much diverted from my philosophical searches by a wicked generation that I have nothing at present to offer for yo^r entertainment." John Woodward, M.D., was an eminent naturalist, and sometime Secretary to the Royal Society. For a letter from him to John Winthrop, see Proceedings, vol. xiii. p. 110.—Eds.

I finde since that I was imposed on (as I have been in many other things) by the false reporte of some that should haue had more grace. Severall of my father's friends at New Yorke gave their service to you, as also Coll. Smith & lady did at Long Island. They live very happy & comfortable, have a fine seat at Brookhaven, where the Revernd George Phillips on Sunday morning calls the congregation together by beat of drum, w^{ch} I that was a stranger took to be an allarrum. M^r Anderson, a Scotch gentleman, is y^o minister to y^o new-gathered Dissenting church at New Yorke, & I went to hear him whiles I was there. They have a fine markt there every day, w^{ch} is very pleasant & advantageous, and in it they exceed Boston & every other place in America. But the difference between o^r bills & their money is intollerable, for they made me give six shillings in the pound for their money and nine shillings p^r ounce for silver, and hardly gett it so neither; w^{ch} great difference in the exchange & the chargeable living there presently took up my small allowance, that I c^d not doe as I intended, to have sent you some chocolatt flower & bread from thence. However, I hope you will accept the will for the deed, especially at this juncture. I pray you w^d give my humble service to M^r Wendall & his lady; tell him his brother was well & was very civill to me, and offered me anything that I wanted, but I was supply'd before I was acquainted with him. He made a very generous entertainment on purpose the evening or two before I came away, where was all sorts of good things. I inclose a paper of rubila; haue been quite out of all sorts of medicines, elce should haue supply'd you sooner; please allwayes freely to command me for it. My wife sends you by Lester a little bagg wth a few cakes of chocolatt out of her owne little store, & a 5 shill. bill, praying that you w^d lay out the bill for a viall of Elixer Proprietatis for the children. And, if you desire it, I am ready to

pay the interest of yo^r money now, or stay till I come to Boston in the fall, w^{ch} you please. My wife & children present y^r humble regards to you and salute all yo^r; and I am, honrd Mad^m,

Yo^r most obed^t humb^l serv^t, &c.,

J. W.*

FRANCIS FOXCROFT TO JOHN WINTHROP.†

To John Winthrop, Esq^r, att N. London.

July 21, 1718.

S^a,—I am sensible your concern for us leads you to expect a line from me by the post, w^{ch} I now readily embrace to inform you of o^r circumstances. That day we sat out from you we got as far as Williams's (as John, I suppose, inform'd you); from Williams's to Cap^t Opdikes

* The writer did not, as a rule, keep copies of his letters; but there is an unfinished draft of one dated September, 1718, in answer to a letter of August 26, from Cotton Mather, who had urged him to move back to Boston in consequence of "the uncivil and barbarous usage which you suffer from your Connecticutians." (See 4 Mass. Hist. Coll. vol. viii. pp. 430, 431.) Winthrop replies: "I heartily thank you for yo^r kind invitations to returne to Boston, the place of my nativity, a citty w^{ch} has many charms & conveniences to render it most agreeable to me. I lived thirty years in y^t Province, and had the opportunity to observe y^e slights and ingratitude of that part of y^e country to some of its best friends, and have known & felt y^e same in this Colony also. It is a matter of deep meditation wth me in this retirement what will become, in the next age, of those churches & colleges w^{ch} our fathers planted. But few of y^e people y^t are now on the stage can tell what was their errand into this wilderness; and what will the next generation be? I might here enlarge into a vollume, but you are sensible of y^e wofull condition of this declining time. The famous & learned S^r Kenelme Digby (then at Paris) earnestly solicited my honrd granfather to returne back to England, urging that America was too scanty for so great a philosopher to stay long in. My good ancestor modestly answered, '*Res angusta domi*, my duty to a numerous family, will not permit it.' And so, reverend & dear friend, doe I conclude to you; my duty to my children enjoyns me to stay here and try to improve my estate." There is also a copy of a letter of condolence, dated November 13 of the same year, addressed by him to his sister on the death of an infant daughter. In it, *more suo*, he breaks out into verse, as follows:—

"Farewell awhile, my fairest pretty neice,
Quickly we'll greet you in y^e realms of peace.
Time swiftly flies; life hastens on amayne,
The resurrection will unite agayne!"

— Eds.

† Francis Foxcroft, of Cambridge, (Harv. Coll. 1712,) was son of Col. Francis Foxcroft by Elizabeth, daughter of Deputy-Governor Thomas Danforth, and brother of Rev. Thomas Foxcroft, of Boston. See Savage's Gen. Dict., vol. ii. p. 197. He was at this time Judge of Probate for Middlesex, and subsequently Judge of the Court of Pleas for the same county, and a member of the Executive Council.—Eds.

(where we found all well); from thence to Billings's; from B——g's, home; so that by Saturday 2 P. M. we arriv'd (thro. y^e good hand of Provid.) in safety to our desir'd period. All o^r friends we found well, the Colledge very empty and dull. But notwithstanding all, I can but with sorrow reflect that I had no more of your good company and the rest of our friends in N. London; but thô now debarr'd of this happiness, I hope ere long to enjoy the same. Till then, the Heavens protect you & your family, give you, as you have already y^e plenty, so all the ease and satisfaction you can desire. You know, good S^r, what world we are bound for, and under what obligations, also that the concerns of this world are but cloggs; therefore ought we not too much to load ourselves with them, but chiefly to concern our selves about those substantials of another world, whereto may y^e Supreme Being of all bring you and all of us; that thô fate has fixt such a gulph between us here in this world that I am unhappily depriv'd of your society, we may have an happy and everlasting meeting in y^e next. I am, S^r, with all possible respects to your self and good lady, with service to all friends,

Your very humble servant,

FRANCIS FOXCROFT.

My father, mother, & sister desire to be remembred. I am this day going to Boston, but think not to send horse till the next post, by reason of my being desirous that he should rest awhile. 'T will no way, I hope, contradict your proposals, which if by my detaining him I have done, I humbly ask pardon; and for the lent of him, as for other your kindnesses, would give you thanks, thinking myself under such strong obligations to you that I find no other way than, by my weak manner of retaliation, to subscribe as before,

F. F.

SAMUEL SHUTE TO JOHN WINTHROP.*

Boston, Septemb^r 22^d, 1718.

SIR, — This comes to return you thanks for your kind present of the cheese and buck, which came very well to Rhoad Island. The venison proved extreamly good, and we did not forget to drink your health at the eating of it.†

Rhoad Island is extreamly pleasant. I think I hardly know such a spot in Europe, and the Govern^t entertaind us very handsomly. When you come to Boston you will allways find a hearty welcome at my house. I am, Sir,
Your humble serv^t,

SAM^{ll} SHUTE.To Jn^o Winthrop, Esq^r

THOMAS LECHMERE TO JOHN WINTHROP.

[Extracts.]

Boston, Dec^r 1, 1718.

DEAR BRO^r, — I have wrote you by all opportunitys, p^r post, & W. Walworth. I can not tell how that p^r post should miscarry. W^m went from hence on Saturday on my old mare, w^{ch} I desire may be kept from all stone horses till spring. He has bo^{tt} a negroe, w^{ch} he carrys with him on his own horse. As to y^e miller, I have not done any thing certain about him as yett. Rideing out of town y^e other day, I very happily mett, or rather overtooke, y^e

* Col. Samuel Shute was Governor of Massachusetts from 1716 to 1723, when he went to England to present charges against the General Court. On the death of George II. he was superseded. He did not return to America, and died in England, April 15, 1742.—EDS.

† This venison was sent at the suggestion of Thomas Lechmere, who was in the way of dining occasionally with Shute; but when, some time afterward, Winthrop offered to repeat the attention, Lechmere replied: "As for yor sending another buck to Samuell, I think he ought to be contented with one, being more than any body else will send him." — EDS.

gent. wth his companion, running away; being caught by y^e Cap^t & some others. Y^e Cap^t * was somewhat startled when I spoke to him on y^e miller's roguery, & should I buy him wthout letting you know this & he should doe so by you, I should be blaineworthy. My advice is that you agree with Thomas yearly or more for so much certain, he paying all charges on y^e mill & dam. . . . You know what y^e mill may yield yearly, or one year with another; but as you are a better judge, I leave the whole to you to act as you think most proper. . . . I forgott to tell you that my wife took a sheep of W^m wth y^e other things, all w^{ch} prove very well, & wee no oftener partake thereof but wee think on you all, wth abundance of thanks, &c. As to *jam seges est ubi Troja fuit*, I hope not so bad; I would vulture none of their threats, but doe y^e best you can with y^m. As to y^r reports, Spring Garden is absolutely false; there is something in y^e other. I cannot tell how to write it, shall tell you by word of mouth, when you do (as y^e Irish man does) bring an answer to this yo^r self, the post comeing now but once in 14 days. Coll^l Hamilton, Parson Bridge, M^r Clarke's son of N. Yorke, yo^r security for administratorship, do sett out from hence to morrow, will call on you on their way to N. Y. . . . Shall now further only add that, as I advised you p W^m of my wive's happy delivery of a daughter, her inclination lead her to call it Ann, & having so consented to it, she was yesterday so baptised.

* The Captain in question was Robert Temple, who had brought over several ship-loads of emigrants from the North of Ireland, some of them well-to-do persons intending to settle at the eastward; and with them mechanics and laborers, some of whom he was willing to dispose of. Lechmere was evidently suspicious that Temple was parting with the least desirable part of his cargo, and in alluding to this possibility in another letter, he expressively remarks, "No man who has fish to sell will say it stinks." There had been during the summer a considerable influx of immigrants besides those brought over by Temple. In a letter of August 4 Lechmere writes his brother-in-law: "I am of opinion all the North of Ireland will be over here in a little time, here being a third vessell with Irish familys come in & 5 more, they say, expected; & if their report, as I this day heard, of the encouragement given to these be liked in Ireland, 20 ministers with their congregations will come over in Spring. I wish their coming so over do not prove fatal in the end." In his succeeding letter (August 11) he adds: "These confounded Irish will eat us all up, provisions being most extravagantly dear & scarce of all sorts." — Eds.

Wee are all as well as may be, & do kindly salute you all. I am

Yo^r very humb. serv^t, &c.

THO^s PARTER.*

Doct^r Noyes has cocked up his chinn since y^e departure of his wife, & is certainly to be married to David Jeffries's widow Katharine.

RICHARD LECHMERE TO THOMAS LECHMERE.†

For M^r Thomas Lechmere, in Boston, New England.

LONDON, July 8, 1719.

DEAR BRO^a,—I think my last to you was by Cap^t Letherhead, thô am not sure; however, I can be positive I have not recēd any answer to that or any other I have writt to you this long time, nor in the least the performance of those assurances you gave by lett^r last year of

* Lechmere sometimes signed his familiar letters with this nickname, the humor of which is not apparent. His references to public affairs are never numerous; but under date of March 14, 1718-9, he writes: "The Assembly has sett this weeke, & are farther prorogued till Aprill. They have missed of their oppertunity again of paying the thousand pounds. As I am informed, they only watch for an oppertunity. Wee had this weeke likewise a towne meeting, wherein, to y^e great surprize of all y^e great ones, Doct^r Elisha [Cooke] was, *nemine contradicente*, chosen M^r Moderator. They according to custome proceeded to y^e choice of Towne officers. He was likewise chosen wth great majority a Slect Man (I think they call them) & the Mobility are so disgusted at the ill treatment he has had by being turned out of all that they will have him a Deputy this turn: they are sett upon it very resolutely. . . . Mount Wollestone has at last got an absolution from his congregation, & has this weeke been in town; but when he comes for good, or where he settles, I am wholly at a loss as yett. As for friend Simeon, he is well & gives his very kind love & affection to you. . . . I did speake to some of y^e Deputys concerning Brimfield, but I hope you'll be in town at their next meeting & have that affair fully completed." Under date of May 4, 1719, he writes: "I have a letter from my bro^r Rich^d & among other things he tells me Jeremias Agentus [Dummer] has lately mett wth a great rebuke from y^e L^s Commission^rs of Trade & they were on y^e 14th Feb^ry so angry wth him that they have declared they'll receive no memorial, or representation, from him on any score, & likewise adds that if our country does not depute some one else, it must & will suffer. This is taken very hainously here, especially that I should divulge it at this juncture, when there are such animositys & divisions in partys. At y^e Election this week for Deputys they have chosen D^r Cooke, D^r Noyes, W. Clarke, Deacon Joy, all by a considerable majority, notwithstanding all endeavours used to the contrary. I am sorry such divisions should be among us. I wish they doe not prove of ill consequence to the whole in y^e end." — Eds.

† Richard Lechmerc, of Wick, in Worcestershire. was the youngest brother of Nicholas, Lord Lechmere, and some time Secretary of the English Embassy to Russia. — Eds.

the remittances you promis'd me on my acco^{ts}. What effect do you imagine such behaviour can have wth any thinking man? I must tell you I think they are wrong measures to strengthen freindship, for thô good nature may for some time be sported with, yet it cannot always bear such treatment; & I must further say I am loth to proceed to harsh measures, but your actions would even force the most unwilling. The sume I left in yo^r hands is too great for me to lose; my fortune will not bear it, not to mention the manifest great detriment I sustained for want of it in Jamaica, besides the loss of its improvem^t since to this time. I am sure I cant tell what reason I ever gave you for such returns; & if you sett inactive at home, regardless of yo^r affairs, must therefore yo^r relations be the only main sufferers? Sure, you are the first of the family that ever took delight to be supinely indolent in such difficulties, & to submit to the impositions of every saucy intruder. What can you propose to yo^r self by such practice? Do you think sitting still is the way to make you a clear man? No, so farr to y^e contrary, that twill only involve you the deeper & bring inevitable ruine on you & yo^r family in y^e end. Tis not yo^r vast number of untill'd acres can secure you without some thoughtfull, prudent management; for without such care assure yourself the storm will one day fall very heavy, & tis yo^r duty by due application & proper, honest methods to endeavour to ease yo^r self of such unhappy, dismall views. I would fain ask you one moderate question; w^{ch} is, what do you think Major Winthrop gave you all that land for? Can you imagine twas that y^e far greater part of it should always continue a wilderness, or that you & yo^r family should, by haveing so much land, always remain under the same difficulties? I cant think this, especially if he consider'd (as tis evident by the gift he did) the good of yo^r wife & children; for whereas, by the sale of a small part of it, you might make yo^r self a clear

man, yo^r family & yo^rself perfectly easy & independant of yo^e world, & still have more land then tis possible for you with yo^r utmost management to improve as long as you live. What, then, induces you to suffer mankind to revile you; what thoughts can you entertain with yo^rself for such unhappy management? Tis impossible to reconcile it with good conduct, & the world will censure you as long as you give them such a handle, when tis apparent you have it in yo^r power to free yo^rself from all imputations of that kind.

I have now given you my mind freely. Yo^r actions will be as you think best; only let me tell you I am afraid my brother N. will do nothing for you till you do clear yo^rself; therefore, if that has any effect upon you, you will take care. Why don't you endeavour to satisfie yo^e people that Anth^o & Will are bound for? * I am sure you promised that you would this last spring demonstrate to yo^e world yo^r good intentions. I wish you haue perform'd them; but I am sure I see nothing of it, tho^e am in hopes of something speedily. My humble service to my sist^r & yo^r little ones, & am wishing you & them all happiness. All our fr^{ds} in yo^e country are well.

Yo^r affectionate bro^r & serv^t,

RICH^d LECHMERE.

* Anthony and William Lechmere were two other brothers. Two months later came a distinct message from Nicholas Lechmere (then Attorney-General) that he should do nothing in the way of obtaining public employment for Thomas until his affairs were in a better posture. The latter's letters exhibit him in the light of an amiable, sanguine, self-indulgent man, who rarely suffered his pecuniary liabilities to prey upon his spirits; but they occasioned great annoyance to his relations on both sides of the Atlantic, nearly all of whom had advanced him money at different periods. Richard Lechmere's letter must have been forwarded by Thomas Lechmere to John Winthrop. The land referred to appears to have been Mrs. Lechmere's third of her father's real estate in Massachusetts, which Winthrop was averse to selling on account of its prospective rise in value. There are fifteen letters from Lechmere during the remainder of this year. December 12, he writes: "What I have done about Brimfield lands I hope will meet with yo^r consent & approbation. If I have acted amiss you must not blame me, having rec^d no timely instructions from you, as I for some time desired. . . . I send by W^m a memoriall, or somewhat else, of Doct^r Mather & some other gent^l concerning yo^e customes of yo^e times; but in my weake opinion, notwithstanding its authors, I think it is yo^e emptiest thing I ever read in all my life." — Eds.

WILLIAM DUDLEY TO MRS. JOHN WINTHROP.*

ROXBURY, 2 November, 1719.

DEAR SISTER, — Having heard nothing from you since your returne, I thought it proper & my duty to write to you to acquaint you of our welfare & health, altho the frequent sickness & death that have been near us, & that poor sister Sewall hath buried all her hopes in her little girl.† I hope your family are in health; and as for news, I think it not necessary to acquaint you of any foreign, and to let you know any thing of my self. I suppose it will not be very acceptable, but only thus much. I have not seen that young lady since you did at Salem, knowing her temper, disposition, &c., not at all sutable to mine; thô not the less beholden to you & M^r Winthrop for your kindness. It may be, if you do not come down quickly, you may have a sister-in-law of the lady I saw at Rowley. If she is willing, whome I am endeavouring to make so, the match will be speedily concluded, to our mutuall joy & hapyness. I have nothing to add but that (after my humble service to your good companion) I am, dear sister,

Your most affectionate & loveing brother,

W. DUDLEY.

THOMAS LECHMERE TO JOHN WINTHROP.

BOSTON, Jan^r 18, 171 $\frac{2}{3}$.

D^r S^r, — This post brought me none from you, & since what I wrote you last nothing of any great moment has

* William Dudley, a younger son of Gov. Joseph Dudley, was afterward Speaker of the Massachusetts House of Representatives, and a Judge of the Court of Common Pleas. Judge Sewall describes him, at the time of this letter, as disposed to marry his daughter Judith; but he eventually married Elizabeth, daughter of Judge Addington Davenport. — Eds.

† Hannah, daughter of Samuel Sewall, Jr., and Rebecca Dudley, died Oct. 21, 1719.— Eds.

happen'd, only on Thursday was 7n^t we had the most violent frost begaun as almost ever was known in this country. Charles Town ferry-boat passed at 8 of y^e clocke at night; at 8 on y^e following morning hundreds of people were walking over on the ice, which was to the great surprize of all. My little daughter Nanny can say more than her father or mother; wee having sent for her home (our old nurse being dead), she was bro^{tt} over on the ice. Wee were all frozen upp. The inhabitants of Nantaskett & all y^e islands adjacent constantly passed & re-passed with their horses & sledds thereon. The sea was frozen out severall leagues beyond any thing in the memory of man; the weather likewise was most severely sharp & cold; severall people have been frozen. On Thursday last the weather began to be more moderate & thaw, & came on gradually with a southerly wind, w^{ch} so continued all that day & night, the streets running like torrents, y^t the next morning y^e ice (as surprizing it came) was all vanished, the harbour all clear; & the weather continuering so warme ever since has carried all away clear from out of the docks, &c., so that wee have been here like Aprill & not January; but the weather begins now to grow cold again. Wee had a great deall of snow likewise with y^e frost, but all is likewise gone. Our light house has been most unfortunately burnt this season. I think there is nothing more. They say yo^r Doct^r is turned catt in pann with M^r Thatcher; how it is I know not, they may fight it out. We are (God be thanked) in good health, & salute you all. I remaine

Yo^r most affect^o bro^r & serv^t, THO^s LECHMERE.*

I forgott to desire they would dock the mare, but not short.

* Feb. 29, 1719-20, Lechmere wrote: "A thousand thanks for yo^r favours, especially the bill, w^{ch} I must confess has been of very great service to us at this juncture. The venison was extraordinary good as ever I eat in all my life. I take nothing amiss in

JOHN WINTHROP TO JACOB WENDELL.*

NEW LONDON, March y^e 26th, 1720.

S^r, — The sudden returne of the post, together wth my owne sickness, hindred my answering yo^r letter the last week about my brother Lechmere's debts, due, as you say, by bond to the estate of M^r John Mico, of Boston, decēd. I have allwayes been ignorant of the whole affairs till you were, about a year past, pleased transiently to acquaint me with some thing relateing to them ; and I am now informed concerning them by my brother Lechmere himselve, wth his desire of my assistance in makeing the matter easy between you ; w^{ch} I am very ready to doe to the utmost of my power, having the comfort & welfare of him and his family much at heart. He tells me that you are agreed to accept of my bond with him as a farther security in the affair, and that you will upon it clear & indemnifie him from all demands whatsoever, as partnership, warehouse, &c. Now, if you will be patient until I am able to undertake a journey to Boston (w^{ch} I hope will not be long first), I shall come on purpose to serve my brother Lechmere in the affair w^{ch} is now so troublesom to him, that so I may in an amicable manner make all things

yo^r counteing, but rather an obligation. Farr from afronting you, I am defective in my duty & you must excuse me." March 14, 1719-20, Lechmere thus describes the trouble at the New North Church between the Mathers and Rev. Peter Thacher: "On M^r T.'s first design of removeing from Weymouth, the Doct^r sen^r & jun^r were his entire freinds, as doubtless you heard when here, & extreamly approved of his actions & management in that affair, & so carryed it on; were never wanting in giveing him their advice thereabout, nay, by what I hear, assisted him as much in his removall as 'twas proper. But when it came to the upshott, some management or transactions did not please y^m, they turned his utter enemys & obstructed his settlement all that in y^m lay. However, after all their spite & melice, a certain day was sett apart & appointed for his installment & settling wth M^r Webb at y^e New North. Well, the day came, & I dont believe the like was ever heard of or seen before ; no bear garden certainly was ever like it; such treatment & language had they that hardly ever was given to y^e vilest of men, & had they been such they could not have done worse. And the Doct^r could not be satisfied with their own retracting, yett they must infuse (I do not know what) into y^e other minist^r heads so farr that not one hardly was at the ceremony; but, notwithstanding, all the matter is finished, & he settled, & all well so farr as that they are goeing to build a new meeting out of meer contradiction." — Eds.

* Jacob Wendell was a merchant of Boston, originally from Albany. His wife, Sarah Oliver, was a great-niece of the widow of Wait Winthrop. — Eds.

easy. Please to lett me hear from you in answer hereto, & give my humble service to Mad^m Mico, & accept the same from, S^r,

Yo^r very humble serv^t,

J. W.

JOHN WINTHROP TO PAUL DUDLEY.

NEW LONDON, Aprill y^e 7th, 1720.

DEAR S^r, — This morning the post brought us yo^r letter wth the sad & melancholly tydings of the decease of o^r excellent parent, w^{ch} has filled us and o^r house wth grief and lamentations; and o^r sorrows may not be uttered at this darke hour but wth silence & a profound submission to the will of Heaven, y^t ord^m & disposes of us & o^rs at his pleasure.* And thô the distance of o^r habitation deny us the hono^r of doing o^r duty at his interment, yet wth great affection & sincere simpathy doe we weep wth you, sorrow & mourne wth o^r good mother, und^r this heavy affliction, and mingle our tears wth the whole land to whom he has been a father! We pray to God for you all at this time of distress, that it may be sanctified to all related, & help us to follow the wise & holy examples of o^r good ancestors who are gott home to heaven before us. We must soon pass thrô an uncertain world & overtake them on the path to Eternity; but haveing o^r credentialls sign'd wth the blood of Jesus, we may not fear pale Death, who is but the doorkeeper to o^r Father's mansions, and will lett us in allsoe to that happy rest reserved for the blessed saints. I am, dear S^r,

Yo^r sorrowfull & very affection^t broth^r & humb^l serv^t,

J. W.

* Joseph Dudley died at Roxbury, April 2, 1720. He had been much out of health for some time, and, four months before, Lechmere had written that Governor Shute had told him it would be worth any man's while to take down in shorthand "those fine aphorisms" Dudley would utter in his sick-room, "and then immediately grow delirious." There is a note from Paul Dudley to John Winthrop, stating that he had forwarded to New London a supply of mourning apparel, "rings, and a scutcheon." — Eds.

O^r little birds all of them come in y^r turnes wth their affection^t & dutifull crys for the loss of their excellent granfather.

JOHN WALTON TO JOHN WINTHROP.*

To M^r John Winthrop, living in New London, these deliver; sent free per M^r Morgan.

YALE COLLEGE, May 16, 1720.

HONOURED & WORTHY Sⁿ, — After due regards to your self & Madam presented, these lines may inform y^t I have composed a funeral elegy dedicated to y^e memory of his Excellency Governour Dudley, and have sent it to y^e Rev^d M^r Woodbridge for to pass his censure (I mean M^r Woodbridge of Hartford). If he liked it, then M^r Pierpont was to carry it to Boston; if not, he was to send it back; but I having heard nothing, I conclude they are gone along.

S^r, I haue had thoughts, by the advice of M^r Ebenezer Pierpont of old Rocksbury, to send a copy to your self, — you being a gentleman of learning, and nearly related. M^r Pierpont brought some verses made by M^r Danforth; yet he, and all y^e schollars almost, advis'd me to send mine, which were finish'd y^t day he came. They concluded it would be very suitable y^t many elegys should be made on so great a man, so y^t two were scarce enough. They urg'd it might be very suitable to have mine printed at New London, y^t this Colony as well as the other might lament him. If they pass M^r Woodbridges approbation, who is a great man, I shall be willing to send a copy if you desire it. I have also thought to compose some verses

* Rev. John Walton, a graduate of Yale College in 1720, was born in New London, Conn., and studied for the ministry. He preached in various places, and also practised as a physician, besides serving in the General Assembly of Rhode Island. The dates of his birth and death are not known. See Dexter's Biographical Sketches of Graduates of Yale College, pp. 232-235. — EDS.

on the eminent Major Winthrop ; and I believe I shall do them in a little time if these I have made on y^e Governour Dudley be approv'd. Only I should be glad to receive a few lines from your self, in which please to tell whether there hath been many made already, & whether if I should make them well you would print them. The memory of great and good men should live to y^e worlds end. M^r Winthrop deserves verses fit to read in Old England as well as New. S^r, if it would be acceptable to your self, I shall be ready to do my endeavour to bring it to pass. In the mean time I remain

Y^r humble serv^t,

JOHN WALTON.

JOHN READ TO JOHN WINTHROP.*

To Jn^o Winthrop, Esq^r, att New London.

Boston, August 26, 1720.

S^a,—I find in y^e Province Records a grant made of three thousand acres of land to M^{rs} Margaret Winthrop, wife of M^r John Winthrop, late Gov^r, dec^d, dated May, 1640. In 1641 it is ordred to ly ab^t y^e lower end of Concord River, near Merrimack ; in 1664 laid out to her in the bounds of y^e town of Billerica, begiñing at y^e mouth of Concord River & so ruñing up y^e river, &c., p^r Jonathan Danforth, survey^r, and approved by y^e rest of y^e Co^mmittee, Edw^d Johnson, Tho. Addams. Now, S^r, one of your kinsmen, of y^e same stock and family, in Antigua, supposing y^t a part of it belongs to him, imployes Maj^r Hutton, of Boston, a late co^mer, to look into the matter, and he tells me they say y^t is y^e land severall have y^r parts in it. Some parts are swallowed up by purchasers who take what

* John Read (Harv. Coll. 1697) was then a lawyer in Boston, and afterward Attorney-General of Massachusetts. The kinsman alluded to was Samuel Winthrop (third of that name in Antigua), grandson of Gov. John Winthrop's son Samuel, for whose letters see 5 Mass. Hist. Coll., vol. viii. For some account of the estate in question, see Hazen's History of Billerica. — Eds.

they please; and he can not by any means come at M^{rs} Margaret Winthrop's will, or deed, settling y^e land, nor any court settlem^t whereby your kinsman by any possibility may make out his right and obtain his due. No man can tell him where to find any thing to unfold y^e matter.

Now, S^r, if you can come at y^e knowledge of y^e affair, and inform w^r these settlements may be had (for you, being y^e eldest son & heir of y^e family, are y^e likelyest to know), I beg y^e favour you'd open these matters as soon as conveniently you may, in a few lines for y^e benefit of your kinsman, and direct y^r discourse to Maj^r Hatton (without a Christian name, for I know of none), lest I being out of town sh^ôd not meet with it.

S^r, Y^r most humble serv^t,

JN^o READ.

JOHN WINTHROP TO ISAAC TAYLOR.

May the 8th, 1721.

S^a, — By yo^r kinsman & namesake now here I am informed that yo^rselfe wth a number of virtuous & religious familys are lately come over from Ireland to seek a place of colhabitation in America, and that you are minded to remove, wth a suitable number of yo^r people, to some quieter neighbourhood then the eastern frontiers of this wilderness. And at the request of severall of yo^r countrymen allready here, you are saluted wth this epistle, w^{ch} acquaints you that I have a large tract of land, about ten miles square, scituate in the middle of Long Island & lying on the south coast thereof, where is good meadows & intervale land immediately capable of keeping large stocks of sheep, cattle, &c., and raising of wheat. There is alsoe good whaling, & all sorts of fish both fresh & salt, many sorts of wild fowle, as ducks, gees, & teele, and great numbers of lesser birds, the land being surrounded wth

honest & pious townes of yo^r owne perswasion. That w^{ch} lyes on the sea branches out into severall necks (easily fenced) into a salt bay, w^{ch} is formed by a long beach between the necks & the sea. There is also brave oysters and all other sorts of shell fish to be had on the place, & w^{ch} may be at all seasons of the year taken up by the very children. Here is several sorts of clay, both for making bricks, potts, & tobacco pipes also, and the land is not rocky, or full of stones (as some parts of this wilderness is), but levell & pleasant, full of brooks & springs; and the winters are nothing near so hard or so long as on the Continent. And, to conclude, it is a very healthy place, and not much more than three score miles from the citty of New York, a wellthy & populous markett, where is to be had all sorts of commodities, and where may be vended whatsoever the husbandman or other industrious trades can raise; and you are here forever out of the way of the Indian enemys. Now, being urged by some of yo^r countrymen to write to you on this acc^t, I don't pretend to launch out into the praises of the place, but only to give you a plain & real relation of the land, w^{ch} if you incline to look this way it will be best to send two of yo^r trusty brethren to view it, on whose report you may be able to depend. My proposall is for 20 or 30 familys, that are able to transport themselves thither and to sett down together in a compact village near the center of the land on the sea-side, and have substance to support themselves for a year & purchase a small stock of sheep & cattle, strength to build comfortable habitations & plant orchards; each family paying the yearly quittance of twenty shillings *p^r annum* during the term of seaven years. Each family to occupy & enjoy equal divitions for & during the space of seaven years, in consideration of the aforementioned quittance and above performances; and after the expiration of the first seaven years, each family to pay to the landlord such rent as it

shall then be honestly & rationally worth. For the first terme of time I should incline to releas the quitt-rent to the minister that should settle there wth the people, provided he instructs the children in school-learning proper for them.*

Indorsed: "Coppoy to M^r Izac Tayler, at Topsham; p^r M^r Humphrey Tayler."

PAUL DUDLEY TO JOHN WINTHROP.

[Date torn, July, 1721.]

DEAR SIR, — I doubt not but that when you were down the last year you were acquainted with the substance of my father's will, and that he had left a legacy of one hundred pounds to each of his daughters. I have not been able till very lately to get in of my father's moneys sufficient to answer these legacys, and was loath to give the legatees the trouble of bonds, if it might be prevented. I have some time since paid Sister Sewall, and more lately Sister Dummer, and am now ready to discharge Sister Winthrop's legacy. If there be any prospect of your coming down quickly (as I am told there is), it may be as well for you to receive it yourself; but if not, or you chuse otherwise, it lyes ready for your order whenever you please to write for it, but then I shall be glad you will inclose a receipt, signed by your self and Sister Winthrop, of one hundred pounds in discharge of a legacy left by my father in his last will and testament.

We have not heard from you a great while, but hope

* This is printed from a rough draft, with which was found the draft of a note to Cotton Mather, dated April, 1721, in which the writer says: "I thank you for y^{or} Accomplisht Singer, but the jarrings on earth will still interrupt o^r melody, and we shall not be happy till we gett to Heaven & bear a part in the harmony of angels. Neal's History is a vile contriv'd thing, projected by some vipers in this country and compleated by tools at home, w^{ch} have horribly imposed on that man. I aske y^{or} acceptance of the inclosed sheet, w^{ch} my neighb^r Timothy hastily snatched from me and printed a few weeks agoe without my knowledge. W^t is become of the Doct^r at Gresham? I am making an other sett of varieties & curiositys for the Royall Society, w^{ch} I am thinking to present wth my owne hands." — Eds.

you are all well. M^r Lechmere may be expected in a short month. The small pox is like to goe thro the town of Boston, and many die of it. Our Indians at the eastward are very insulting, and got together in great numbers. The Gov^r has dissolved the General Assembly in some displeasure. With my best affection to my sister and service to all friends, I am, S^r,

Your very affectionate brother and humble servant,

PAUL DUDLEY.

My mother is going to-morrow to Newbury for a week ; gives her blessing to your family.*

* Dudley's allusion to Lechmere's absence affords an opportunity to explain that about the middle of March the latter had suddenly sailed for England to make a fresh appeal to his brothers in consequence of being much harassed by creditors. April 4, of the previous year, he had written Winthrop that Governor Shute's nephew, John Yeomaos, wished to give his brother-in-law Shrimpton some deer for Noddle's Island, but had only two bucks, and that he (Lechmere) would take it as a great favour if Winthrop would supply two does from Fisher's Island to mate with them. He added: "I have written to England that my affairs are in progress, & that you have been extremely assistant therein." In reply to a hint from Winthrop that blood relations were nearer than relations by marriage, and that he could not fairly be expected to do as much as Lechmere's own brothers, the latter replied (June, 1720): "As to what has been told you that relations of mine have at any time, or on any bead, reflected on you, I doe hereby averr there was never the least ground for anything tending that way, & he that told you ought to have his ears cutt or be recorded for a liar." July 4, he wrote: "I hope what I last wrote has not disoblged you, but I am harassed & darnded out of my life." August 8, he wrote: "I am plagued with complaints from Billerica of people's destroying timber & hay yearly, and they say they know I have nothing to doe with it yett, therefore will not mind whatever I write or say. Would you release to your sister, we would endeavour to reap some advantage therefrom, w^{ch} would not be amiss, considering the damage & waste. You are the best judge, & I hope you will not take amiss my thus mentioning it to you." Feb. 27, 1720-1, he wrote: "M^{rs} Mico's arresting me will be no news to you. What will be y^e issue I know not; but my chief business at present is to lett you know y^e Town of Boston have built a School-house & have putt y^e Pound on y^e land formerly granted to my father on y^e Co^mon, & they are going to dispose of y^t land my father proposed for an Exch^g. M^r Anchmuty advises to sue for it immediately. I think it is pitty to loose y^e whole thro' our neglect; pray send me a power of attorney to act herein." March 13, he wrote: "M^r Swallow came on Teusday last, bringing a packett from you directed to yo^r sister, containing £230 bills, & according to yo^r order M^r Bowdoine is paid y^e interest on y^e mortgage of £1500 & bond of £460, & Mad^m Winthrop is paid her interest on bond of £1,200. My wife has the remainder, being £40." With this last-named sum Lechmere must have started at once for England, as on the 8th of May his wife wrote John Winthrop her husband had then been gone seven weeks, and that she was so pinched for necessaries for herself and the children that she had sold a pair of shoe-buckles. Winthrop came to the rescue as usual, but intimated his belief that Lechmere sometimes pocketed remittances intended for his wife. Mrs. Lechmere, in reply (May 22), defended her husband warmly, but admitted that one particular remittance of £30 she had never seen or heard of. She added: "For the kindnesses wee have received from you wee have and always shall be grateful, but I beleive my husband's relations are

THOMAS LECHMERE TO JOHN WINTHROP.

BOSTON, Sept 11, 1721.

DEAR BROTH^r, — It may in all probability surprize you to hear of my return from Eng^d in so short a time & in the station I am in, w^{ch} I hope will be acceptable to you, althô perhaps not to some others with you.* I have not been on shoar above 2 or 3 hours, & have but just time now to acquaint you herewith. Wee are all well, & I am, with due respects to you all in generall, d^r S^r,

Yo^r most affec^e bro^r & serv^t,THO^s LECHMERE.

I desire you would order my mare down from y^e Island if any oppertunity offer; otherwise send her p^r post as soon as possible.

THOMAS LECHMERE TO JOHN WINTHROP.

To John Winthrop, Esq., at New London.

N. YORKE, Oct. 14, 1722.

DEAR BRO^r, — We got safe over to L. Island, as doubtless you have heard before now by return of y^e boats. I meet with some difficultys here likewise, & when I shall return I can not say. I hope you are by this time thoroughly recovered & will get ready to goe to Boston with me; shall be very glad of yo^r good company. You must

now willing to enabel him to stand on his owne legs again." These and other passages, too numerous to quote, show that while John Winthrop had a personal regard for his sister's husband, he distrusted him financially; and it is not unreasonable to suppose that the delay in a final settlement of Wait Winthrop's estate may have arisen partly from a desire to keep Mrs. Lechmere's share out of the reach of creditors. — EDS.

* Nicholas Lechmere, who was about to be raised to the peerage (the patent was dated Sept. 2, 1721), apparently thought it incumbent to do something for his brother Thomas. Some of the latter's pressing liabilities were cleared off, and he was provided with the post of Surveyor-General of Customs for the Northern District of America. A report of this appointment occurs in the "Boston News Letter" of June 22, 1721. Lechmere's hint that it might not be acceptable in New London was perhaps intended to apply to Governor Saltonstall, whom he for some reason particularly disliked. — EDS.

excuse me for reminding you of Mumford concerning the mare, to pace her, & that he has the black horse & does not pace him, intending him for my slay in y^e winter.

I have been very well since my arrivall here; my man is ill of fever & ague, am afraid shall not be able to take him with me to y^e Jerseys. My kind love & service to sister & all friends. I drank yo^r health at Coll^l Smith's, who very heartily enquired after yo^r welfare. Cous. H. Lane enquired after you, as likewise Landlady Swift. Have been at y^e Gov^r;* he is a very merry, fine, good-natured gent, farr exceeding —. I am once more

Yo^r most affect^e bro^r & serv^t,

THO^s LECHMERE.†

SAMUEL SEWALL TO JOHN WINTHROP.

For John Winthrop, Esq^r, at New-London.

BOSTON, 8th, 1722.

S^a, — This visit is to wish you and your lady joy of your desirable children, and especially of your John Still

* William Burnet, son of Bishop Burnet. He was afterward Governor of Massachusetts and New Hampshire. — Eds.

† The Winthrop Papers contain thirteen letters written by Lechmere to Winthrop between this letter and the preceding one, but they are of little interest. Dec. 18, 1721, he wrote: "I hear Parson Hellhouse has been wth you to purchase or hire y^e land on Long Island. Would you take my advice you would have nothing to doe wth such an Irish crew, but you are the best judge. I should be glad to buy one of the Necks of you for myself; of this more hereafter." Jan. 28, 1721-2, he wrote: "Reports are running up & down Town as if y^e Lord Staires was com^g over here a Vice Roy. How true it is or may be I know not at yett; but if soe you may easily judge what will happen to y^e Charters." June 4, 1722, he wrote: "I was Billerica way some time agoe, & was informed those villains were cutting & destroying all they could on the land. Was it in my possession I would have satisfaction of such rascalls." July 23, in alluding to a carriage accident met with by Governor and Mrs. Saltonstall on their journey to Boston, he wrote: "I have not yett had y^e hon^r of a sight of yo^r Excell^{cy}s dear phiz, neither have I seen his lady or their flying chariot. Their weight being so uncommon, I don't wonder at their misfortune; but I hope all y^e bread & cheese was not lost out of y^e top of y^e jack boots, a place, I think, generally used on such occasions." August 20, he wrote: "It is a very great concern to me that you are still thus harassed by y^e Tennants & others that you should lay it so to heart. I am of opinion that had all incumbrances been at first cleared off (as I did once advise), all concerned would have been much more easie." This is in allusion to Winthrop's paying some of his father's debts by mortgaging land instead of selling it, in view of its prospective rise in value. — Eds.

and of your Basil, hoping that they will both be great.* Besides Hannah in the Old Testament and the Blessed Mary in the New, there is a numerous company of Holy Women listed in Christ's army, which renders that sex honourable. And if your sons should be taken away, which God forbid, yet, as your worthy ancestours were the builders of the walls of our Jerusalem, so you & your daughters will engage in the pleasant & profitable employment of repairing them; as we haue an instance in the 3^d of Nehemiah. And they that thus express their love to Jerusalem will be sure to prosper.

I apprehend the Epistle to the Hebrews treats of the New Jerusalem. When shall we see the holy city, New Jerusalem, coming down from God out of heaven, prepared as a bride adorned for her husband!

I have reprinted M^r Willard's sermon for the Conversion of the Jews, to comfort us in waiting for this glorious sight.† Please to accept of half a dozen of them from, Sir,

Your very humble serv^t, SAMUEL SEWALL.

THOMAS LECHMERE TO JOHN WINTHROP.

Boston, May 20th, 1723.

DEAR BRO^r, — I have yo^r fav^r of y^e 10th, w^{ch} I sent to M^r Shack. by reason I was apprehensive (according as you wrote me you had recēd none from me) it should miscarry. I haue a letter from M^r Updike of Narragansett that my horse is there in a poor condition. I desired you

* The two sons born to John Winthrop after Wait Winthrop's death. From the elder descend the various branches now existing of Gov. John Winthrop's descendants in the male line. — Eds.

† To the edition of Mr. Willard's sermon here referred to ("The Fountain Opened: or The admirable Blessings plentifully dispensed at the National Conversion of the Jews") Judge Sewall added an appendix of nine pages. A copy of this edition in the Library of the Historical Society has on the titlepage the name of Sewall's granddaughter, "Jane Hirst. Oct^r 4th, 1722," in his handwriting. — Eds.

to speak to M^r Havens concern^s my mare coming down in order to breed. If he has bro^t her, you may, if you please, ride her down. I am surprized to hear my colt is dead; if it is soe, I cannot help it, & must stand to y^e loss.

I am very sensible of y^e Connecticutt game. I was told yo^r Gov^r did not intend to serve any longer, but I find they cannot doe without him. I never heard any thing of J. D.'s getting any mony for y^e Colledge. As to their whisperings, I vallue them not; but certain it is that Vetch did put in for this gov^rment (I never heard for Connecticutt), & they say M^r Boydell will be Coll^r of Salem, & that y^e dispute between him & L^d B. was concerning M^r Lamb't & Boydell as to y^e Comptrollers office. There is no certainty as yett concerning our Gov^rs coming, or how he would come. Wee are as bare of news as ever, as you'll perceive by old Muzzy's paper.

I doe expect you lett me know when you sett out for this place, for am resolved to wait on you some part of the way, & lett me once more assure you none shall be more wellcome to what you can find here, as beef & porke, &c.; a hearty wellcome wth mean things is better than otherwise. I hope the indisposition of yo^r children is over, & that you will not be retarded through any such casualtie. Heartily wishing you & yo^rs all the health & success imaginable, & a good journey to us, I am, wth kind respects to all with you,

Yo^r very affect^e bro^r & serv^t,

THO^s LECHMERE.*

* Nine letters intervene between this one and that of Oct. 14, 1722. They relate largely to a scheme of Lechmere's for prosecuting a claim of Wait Winthrop's estate to certain land in Rhode Island. He was anxious John Winthrop should send him a power of attorney to move in the matter; and when Winthrop objected on the ground of the great uncertainty and expense, Lechmere rejoined: "They [the local authorities] are much afraid of me, I mean of my brother, my Lord, and if I threaten to appeal to the King & Councill, might give it up." The present letter shows that on the 20th of May, 1723, the two brothers-in-law were still on the old footing of familiar intimacy. Precisely what afterward occurred is not apparent, but before August 1st they had quarrelled and gone to law. — EDS.

JOHN WINTHROP TO HIS WIFE.

To M^{rs} Ann Winthrop, p^rsent, at New-London.

ROXBURY, August 7^o 26th, 1723.

MY DEAREST SPOUSE, — This is my birth-day, as to-morrow is yo^rs, and I concluded to have been now rejoicing wth you at home, but the last week when I was comeing away I was unexpectedly stopt in my intended journey by some of my nearest relations, who I hitherto thought I might have trusted my life and my all in their hands; but I now finde those that dip't in the dish wth me have betrayed me. I pray God forgive them, for I have done them no wrong.*

I have left my business in M^r Read & M^r Robinson's hands, and am to-morrow morning comeing homewards. It will be best to be as silent in speaking hereof as may be, till I can informe you of all things. Yo^r daughters are both well. Molle is at Sister Dummer's, and Nanne is here at Roxbury, and will sometimes be at Boston wth her Granmother Winthrop, who is very kind. I am quite impatient till I see you, w^{ch} I trust in God will be in a few days. I pray you not to be troubled at anything, nor have no uneasy thoughts. I doubt not but all will end well. I pray an infinite good God to keep & bless you, and all o^rs, and am, wth the utmost affection, my most dear wife,

Thy faithfull loving husband,

J. WINTHROP.

Broth^r Dudley is very [*torn*]. There is a small trunk put on board Curtis's sloop, w^{ch} you must enquire for.

* This refers to his arrest at the suit of Lechmere, on the charge of never having filed an adequate and proper inventory as administrator of Wait Winthrop's estate. Lechmere cannot be blamed for claiming whatever he was advised to be legally his wife's, but it is strange that the closest examination of his voluminous letters to John Winthrop fail to disclose any dissatisfaction with the latter's administratorship. It would seem as if an

JOHN WINTHROP TO ELIPHALET ADAMS.

[Sept., 1723.]

REVEREND & DEAR S^r, — I earnestly request yo^r friendship & secrecy in a matter w^{ch} greatly concerns me. You know the troubles I am engaged in, and how unreasonably I am used by those whose unwarrantable methods have been privately contriv'd to pervert right & justice, frustrate my being the heir to my family, and divide a great estate that they may purchase for a trifle. When I was coming away from Boston, fill'd wth a multitude of hurries & confusions and in a dangerous state of health (the jaundice laying strong upon me), I was arrested to answer the Court there. My brother at Roxbury writt a power of attorney to M^r Robinson & Read, and I, being overwhelmed wth the unexpected occurrences & trusting to my s^d brother's fidellity & kindness, never read or considered it, but signed it, concluding it was only an ordinary power of attorney to answer at that Court. Now I am lately told that I am trap't & ensnared, and that Read & others have dropt some strange words about it w^{ch} I never dream't of. This is to pray you to use yo^r wisdom in takeing up that unlawfull power of attorney out of their hands, and bringing of it to me when you return home. I have inclosed a short letter to M^r Read, w^{ch} I pray you w^d deliver wth yo^r owne hands, but seal it first. I am ashamed of my inadvertency, but they that thus imposed on me are reckned faithfull Xtian friends, that have been above 20 years in communion wth a church of God.

A friend of mine here tells me, if you demand it point blank, he will promise you he will look for it & send it to you, but disappoint you; or elce will say it is mislaid, or anything to put you off; but it is a thing of such con-

unexpected quarrel had resulted in his making a claim he had not previously contemplated. Winthrop, as will appear, believed that the idea had been perfidiously suggested to him by designing persons, with a view to break up the estate and procure laud at low prices. — Eds.

sequence to me that I intreat you to use some policy in obtaining of it. Can't you before you give him my letter enter into some talk about my affairs, and say you hear I had given him a power of attorney, and aske him to let you see it, and then deliver my order to him concerning it? I leave it wth yo^r prudence to doe for me in this matter, and I know you will faithfully and secretly serve me ag^t those that w^d overreach an innocent honest man; w^{ch} will ingage me to the strongest obligations and add to the many favo^{rs} I am already under to you. I am, most reverend & dear S^r,

Yo^r affection^t faithfull friend & humb^l serv^t,

J. W.

You need not intimate that I mean to discharge him from my service, or that I distrust his help in my business, but that since I hear M^r Robinson has lay'd downe the practise of the law, and sent me word he c^d not serve me, &c., I w^d make an other power. Yo^r family is all well. Excuse this hast.

PAUL DUDLEY TO MRS. JOHN WINTHROP.

ROXBURY, 18 Nov^r, 1723.

DEAR SISTER, — Your letter found me abroad, and since my return I have been in a continual hurry with one Court and another. I am obliged to M^r Winthrop for his potatoe; it is by much the largest I ever saw. I rejoyce with you in the deliverance of your daughter when in such imminent danger. I had some discourse with Judge Sewall as to M^r Winthrop's inventorying any estate his father left in Connecticut Colony, and he tells me that he has nothing to doe with it, nor dos he demand any such thing; but we suppose you have the same law that we have as to intestate estates, and then, if you have taken administration on Major Winthrop's

estate at New London, there you will be obliged to give an inventory of such estate as he died seised or possessed of within that Colony, but no further. I tho't Mr Winthrop had been resolved to have petition'd our Super. Court, who are still sitting, to have had leave to sell some part of Major Winthrop's lands in this Province, in order to discharge the debts, &c. As to what you must inventory with the Probate-office at New London, I earnestly desire you take and ask Gov^r Saltonstall's advice; but if you would know anything further from me, be a little more particular, and I shall endeavour to give you satisfaction. I am, dear sister,

Your most affectionate brother,

PAUL DUDLEY.

My wife gives her best service to M^r Winthrop & the whole family.

THOMAS LECHMERE TO JOHN WINTHROP.

Monday Morning.

S^a, — I doe not doubt but that you may thinke it somewhat strange that I trouble you with a letter; but meeting with the oppertunity of M^r Shackmaple, I choose to send it by him for safe & certain conveyance & to avoid the great charge of postage, to lett you know our reall intentions relateing to what estate our honrd father left behind him, w^{ch} you well know was very considerable, & because I would willingly avoid the charge of all law & the noise arising thereby, & makeing any breach in yo^r family. I desire you would seriously consider of it & make some proposalls for an accomodation, which wee had much rather have than any difference; & pray send us an answer, & pray lett me say, once for all, if you do not thinke any of this proper for you, you must excuse it if wee are obliged to tell you you will hear otherwise from

us. For you cannot think wee can maintain our children & family with nothing any longer; therefore lett me again reccoñmend it to you. Assure^s you of what I here say, & on which you may depend, I am, with due respect, S^r,

Yo^r bro^r & humble serv^t,

THO^s LECHMERE.*

My wife has lately miscarried of a boy; is pretty well again & at yo^r service, & desires yo^r serious consideration & thoughts hereon.

Indorsed: "Receiv'd Jan. y^e 23^d, 1723^¼."

JOHN WINTHROP TO HENRY SMITH.

NEW LOND., Feb^r y^e 20th, 1723^¼.

HONRD & DEAR S^R,—Yo^r brother, Maj^r Smith, giving us a short visitt, we are exceedingly rejoyc^t to hear of yo^{rs} & yo^r good lady's health and the welfare of all yo^r good family. Yo^r brother informes me of y^r kind offer about takeing the trouble of manageing and looking after my concernes and estate over at South., w^{ch} I readily & thankfully imbrace; and, reposeing special trust & confidence in yo^r friendship and fidellity, hereby desire & humbly request you will doe for me as if it were yo^r owne,

* A few weeks later (Feb. 10) he wrote again, and after alluding to the fact that his overtures for a compromise had been ignored, adds: "I have now sent a writ of partition on Elizabeth Islands down to Martha's Vineyarde, & shall do the same here in a little time on every thing else & with you; for I am resolved not to stay any longer, haveing already been wth y^e Judge of Probates in relation to yo^r administration bond. . . . Mr Bowdoine has been with me in relation to those bonds & mortgages wherein I am linked with you, & has threatened to arrest me if you do not take some care thereof imēdiately; & if it so happens that he does sue me on yo^r acco^t, you must expect I doe the same by you." There appears to be no doubt that, at the outset, Lechmere would have been amply satisfied with a compromise on the basis of the will of 1713, or even less; but finding that nothing was to be obtained without fighting, he proceeded to lay claim to his wife's third of all property outside of Massachusetts. The words "with nothing any longer" imply that Winthrop had ceased making remittances to his sister *pendente lite*. He subsequently claimed to have already paid her considerably more than her share of the personalty. —EDS.

and transact every thing about my lands there as may be most beneficial for my interest and the best preservation of those lands. To w^{ch} end I have herein inclosed a power of attorney, praying that in any grave & weighty matter you will advise wth me concerning the premises. Alsoe praying you to take to yo^rselfe & accept of all the proffits of all the husbandry improvements of s^d lands, either by mowing, or wintering creatures there, or pasturing in the summer, or any other lawfull improvements, till I or my heirs or assignes shall otherwise take order about that my estate; praying that the wood & timber may be preserved, and that the hay & dung produced on s^d lands may not be carryed off the premises, but spent thereon. And humbly praying that yo^r Hon^r will regulate all these people that live upon my land there by causing them to pay unto yo^rselfe a resonable rent as my tenants, or elce to put others in their places. People have had the use of my estate there too long already for nothing. I should not incline at present to give any body leases there longer then three years terme, and that for a proper resonable rent; w^{ch} I pray you will transact as in yo^r wisdom you shall think well. With my & my companion's hearty & most affection^t salutes to you & yo^r lady & branches, I remain, d^r S^r,

Yo^r very affection^t humble serv^t,

J. W.

Coll. Henry Smith, Mannor of S^t Georges, Nassau Island.

SAMUEL SEWALL TO JOHN WINTHROP.

Boston, Feb. 24th, 1723.

SIR,—Having reed none from you since the 23d of August, I this day sent to the post-office to enquire after a letter, and yours of the 13th current was deliver'd me.*

* There is no draft of it among the existing papers. — Eds.

The reading of which was painfull, to see that a non-entity should put you upon raising so many batteries. What you mention is so far from being done that it never came into my mind. But the importunity wherewith I am pressed renders it necessary for me to make out a letter of attorney to M^r Lechmere, for want of your administration account. Six years and two moneths are spent since you gave in the inventory.

I heartily desire the welfare of your self and family, and am, Sir,

Yours to love and serve you, SAMUEL SEWALL

ROBERT ROBINSON TO JOHN WINTHROP.

To John Winthrop, Esq^r, at New London in Connecticut. These.

SALEM, Aug^t 4th, 1724.

S^r, — This day by the post I rece^d yo^rs dated y^e 30th of last month, & in regard my business as Collector of y^e Customs here oblidges me at present to abide at this place, I therefore wthin 2 hours after I rece^d yo^rs had an oppurtunity of sending by M^r Wollcutt of this town yo^r letter inclos'd to M^r Reed & desid^d him to go imediately to New London to serve you. I was something surprizd at the contents of yo^rs, wherein you also pleasd to say you had writt to me, when I can assure you that since I last see you at my house in Boston I never as much as rece^d one line from you, altho' I writt seu^ral letters to you, at w^{ch} I was very much amaz'd & I did believe you had no further dependance upon me in yo^r business. I therefore gave M^r Reed the letter of atto^rney w^{ch} the Hono^{ble} Judge Dudley delivrd to me, it being made to him & me joyntly & seu^rally. I writt to you one letter signifying that I had presented a petitⁿ in yo^r behalfe to y^e Hono^{ble} Sam^l Sewall, Esq^r, Judge of Probates, for time to produce an inventory & acco^t of such estate of w^{ch} yo^r fa^r died

seizd, & at y^t time told you he had given time till March, and afterwards writt to you again to desire you not to exceed that time, for y^t if you did it would be of evil consequence. I likewise after y^e Infer^r Court was over writt to you again to tell you I had abated M^r Lechmeres writt, and that there was an end of his ac^on agst you in this governm^t, but still desird you to take care of the inventory & acco^t agst March, & of these letters I never rece^d one line in answe^r. And as to y^e Judges putting y^e bond in suit agst M^r Lechmere, it is all owing to yo^r owne neglect in not sending y^e inventory & acco^t to M^r Reed or me y^t wee might have deliverd it to y^e Judge & yo^r not writing, so y^t now it seems M^r Lechmere takes y^e advantage of it.

Now as to M^r Lechmeres proseedng agst you, I suppose it is to compell you to an allowance of one share or part of yo^r fathers estate, both real & personal of w^{ch} he died seizd, not only in y^e Colony of Connecticutt but likewise in this Province, w^{ch} by Connecticutt law, page 61, he will undoubtedly recover in right of his wife, & by y^e law of this Province, page 3, he will recover of all both real & personal here, & if I may be allowed to speak as a friend to you (w^{ch} is the same I allways say'd), it is my opinion that neither M^r Reed nor I or all y^e lawyers upon y^e continent of America can prevent it; for these laws having beene made for y^e convenience of these Collonies at their first settlem^t & having had y^e royal assent, lands are made personalties & as much lyable to be divided where a person dies seizd & intestate as cattle, sheep, or any oth^r personal estate whatsoever, & to try it here is to no purpose, for should it be otherwise, not only y^e laws but y^e whole constitution of both Provinces would be unhinged & oversett; & to try it in England canⁿt be; first, because of y^e royal assent allready passd, both in Connecticut & this Province, & next, because y^e tryal of tittle of land is local & must be tryd where y^e land

lyes, and wthout a spetial verdict found (w^{ch} is not to be obtaind) they have allready declard they will not try tytles in England (as in y^e case of Gov^r Usher at New Hampshire, & Holms & Carrs case from Rhode Island, both upon appeals to England).

I do assure you, dear S^r, I write this to you for no other end then to perswade you to save yo^r money, & not vex yo^rselfe in law suits to no purpose, but do that wth all yo^r heart w^{ch} y^e law will compell you to wheth^r you will or no, & lett y^e whole of yo^r fathers estate in Massachusetts & Connecticutt be valued, & lett yo^r sist^r have a third or single share in specie or value (for so it will be at last). But as to that in y^e Province of New York, it is yo^rs & yo^r heires for ever, because they have no such laws of intestates or divition of real estates there; but if a man dies intestate in that Province the land goes all to y^e eldest son as heir at law to his fa^r & y^e personal estate to be divided as it is in Engl^d by statute Ch. 2^d for y^t purpose.

Pardon me if I have beene too free wth you, but beleive me it is because of y^e respect I bear to you & that I am a friend to truth. I therefore shall add no more, only to desire y^e favour of my most sincere respects & humble service to good M^{rs} Winthrop & all yo^r family concludes me, worthy S^r,

Yo^r most assured friend & humble serv^t,

ROBERT ROBINSON.

P. S. The postage on yo^r letter to this place cost me 5^s, w^{ch} I think is a great shame.

JOHN READ TO JOHN WINTHROP.

BOSTON, Aug^t 5, 1724.

S^r, — I haue this day rec^d yours to M^r Robinson & me, dated July 30, & understand it impossible for me to be at y^r Court w^c by y^r account began yesterday. M^r Robinson

is Collect^r of y^e Port of Salem, and cannot come at all. I cañt write you by y^e post of y^e week, as you desired, w^h I can come, but y^e shal come by y^e first opportunity to answer you and say, I cañt see what it can avail for me to come when you have no Court. Thô I am sincerely willing to serve you w^h there is occasion, yet for me under cover of y^t kindness to come now, when y^r is no Court setting, would be only to pick your pockett. Wherefore my advice to you is this: take y^e copys of y^e writs, and records of w^t y^e Court hath done upon y^m, with copys of such writings, papers, or evidences as they have & as you have, on either side, to produce, and send them to me by the first opportunity. I will thereupon consult y^e law, state y^e bases, and give my opinion and argument upon them, and wait upon M^r Justice Dudley (or such others as you shall think fit for y^r correction), and then remit it to you to advise upon. After this I shall be ready, when a Court shall come and occasion require, to wait upon you at New London to prosecute and finish the affair. This is, in my opinion, your best method. S^r, my humble service to Mad^m, y^r lady. I am

Y^r most humble serv^t,

JN^o READ.

WILLIAM SMITH TO JOHN WINTHROP.*

NEW YORK, Aug^t 24, 1724.

WORTHY SIR, — Yours of the 12 instant I reċd under the hand of the Rev^d M^r Adams, and should have returned you an answer by the last post had not my absence from the city at that time rendered me uncapable of it. I thank you for your favourable sentiments of me and the

* William Smith (Yale College, 1719) was at this time a young lawyer in New York, and afterward Attorney-General and a distinguished Judge. Thomas Clark and John Theobalds were Winthrop's sureties on his administration bond for the Province of New York in 1718. — Eds.

confidence you repose in me, and shall be glad on every occasion to do you service. According to your request, I have been with Cap^t Clark and the widow of Cap^t Theobalds, de^cd, both of which inform me that M^r Lechmere has said nothing to them of the affair whereof you mention; neither do I suppose that he can move any thing in the law against them in the first instance, but must, if he has any demands upon the estate of your father, commence his process against you as administrator, and upon your non-performance of the bond of administration I am of opinion that, by the assignment and licence of the ordinary, he may apply himself to the sureties; but this will be a work of time, and I can't perceive that at present you have any occasion to put your self into great concern about it.

The methods of administering justice in the courts of law and equity in this Province are attended with all the deliberation that is necessary in favour of the defendant, and I believe there is no danger of any precipitant procedure against you if any controversie in the law between you and M^r Lechmere should arise. If it should happen that you may have occasion for an attorney in this affair, if it be not very speedily, I shall be ready and willing to serve; but hitherto I have thought proper to withstand sundry solicitations to appear in practice, believing that it would tend to my future ease and interest, and also the safety of my client, that I should allow myself some time to search into our Constitution and advance my studies to a greater degree of perfection, for w^o I am certainly under the best advantages that America can afford. However, for the present you may depend upon the best advice that I can give you, and if you shall want any thing farther I will do you what service lies in my power by engaging one or more that may appear for you. If you shall think fit to honour me with your commands, perhaps my being in the country at the seat of the Chief Justice

(where I mostly reside) may prevent my answering by the very next post; but your lines directed as before will speedily come to me, and I shall take care to send you as speedy an answer as may be.

Pray present my service to your lady, and the Rev^d M^r Adams and his, and accept my hearty wishes for the recovery of your health; and wherein I can at any times be serviceable to you, I desire that you would freely command, worthy Sir,

Your very humble serv^t,

W^m SMITH.

FRANCIS FULLAM TO JOHN WINTHROP.*

WESTON, Sep^t y^e 4th, 1724.

M^r WINTHROPE, S^r, — I rec'd y^rs of y^e 27th of Aug^t, wherby you acquaint me with some of your p^rsent difficulties & law sutes between M^r Leachmore & your self; for w^{ch} I am very sorry, & wish it were in my power to redress y^t greivance so as to make all things easy, but fear it is not. I assure you, S^r, y^t my hearty effections are not alienated from your p^rson or illustrious family, to which I wish all hapiness, but should rejoyce if I had a prospect & oportunity to do you any service. But y^e sorrows & afflictions I have been under since I saw you last, by my long sickness & y^e death of my dear consort, & my p^rsent weakness of body y^t has hindred my waiting on you & writing to you, (for I was so weak for a long time y^t I could not write my own name,) and even now question whether I have strength sufficient to p^rform y^e journey & service you desire of me. And therefore, if I should not

* Francis Fullam, of Watertown, previously referred to in these pages as a lawyer employed by Wait Winthrop, would appear, from the handwriting of this letter and the weakness of body therein described, to have been then an aged and infirm man; yet Savage states that less than four weeks afterward he married a second wife. See Savage's Gen. Dict., vol. ii. p. 215. — EDS.

com up accordin to your request, I hope you will excuse me with favour & charity ; & after I have with very great affection & esteem respectfully saluted y^rself & illustrious lady, with y^e olive plants about your board, give me leave to say y^t I am, S^r,

Y^r humb^{ble} serv^t,

FRA. FULLAM.

PAUL DUDLEY TO MRS. JOHN WINTHROP.

For M^{rs} Ann Winthrop, at New London.

ROXBURY, 17th March, 1724.

DEAR SISTER, — I understand M^r Lechmere is going up to New London, and with a sincere inclination to accommodate matters with M^r Winthrop. He has been told that M^r Winthrop is willing to referr all matters in difference to the judgment of five gentlemen that may be agreed on ; and I am told M^r Lechmere is willing M^r Winthrop should have the nomination, even all of them, provided they are not persons related or otherwise unacceptable. Dear sister, you know my tho'ts in this matter already, so that I shall not need to repeat things ; but I earnestly desire and sincerely advise to an agreement, and that M^r Winthrop may be persuaded either to enter into a rule of Court or sign bonds of arbitration. I don't intend he should leave the title of Fisher's Island, or any thing in the govern^t of New York, to arbitration, nor dos M^r Lechmere expect it. As to what was Gov^r Winthrop's estate in Connecticut or our Province (I mean the uncle that M^r Winthrop claimes to be the sole title to), that must be judged of by the arbitrators, who, I doubt not, will doe better justice than a Connecticut jury, besides the comfort of a peaceable issue of this great & troublesome affair. I am sorry to hear of the sickness among you, but am glad to hear nothing to the contrary

but that your family are well. I pray God to continue his great mercy to you & your's, and am, dear sister,

Your most affectionate brother,

PAUL DUDLEY

My best service to M^r Winthrop & M^r Adams.

ANNE WINTHROP TO PAUL DUDLEY.

NEW LONDON, July the 2, 1725.

BROTHER, — M^r Winthrops ill state of health not permitting him to write at this time is the reason that I give you this trouble. M^r Reads failing of M^r Winthrop and not coming to the Court here when it was to the last try-all of the business between M^r Lechmer and him, nor send^d what was the reason of his not coming, nor sent him no word what he had done in his business at Boston, nor whether he intends to come again, all which gives M^r Winthrop reason to believe that he has taken up for the other side, or at least that he is resolved not to serve M^r Winthrop, tho he has received large fees from my hand for to do this business and has made grate promises of his fidelity and industry to us in this affair. This is my request to you, brother, that you would know sertainly of M^r Read himself if he is resolved to serve my husband or not. If he will not, and has betrayd his trust. I pray you to demand and receive the leter of attorney which by your advice and of your owne wording was made to him and M^r Robason, which my husband thought at the time was too grate a power to be given, but he, intierly relying on your knowledg and skill in affars, and trusting to your fidelity and frendship, thought him self save. It is too grate a fault for me to be guilty of to think that my brother drew my husband into a snare, or that his depending on your judgment rather than his owne should be by you improved to his disadvantage. M^r Reads say-

ing to others as to us that he should take all his meshuers and drection from Judg Dudley, and act accordingly in all M^r Winthrops affars, makes the matter look the more dredfull to us. No more to ad at this time but my kind love to sister.

Your affection^t sister, A. WINTHROP.

JOHN READ TO JOHN WINTHROP.

BOSTON, July 20, 1725.

S^r, — I lately rec^d a letter from M^r Stone, dated June 10 last, from N. London, wherein he tells me of a former letter sent me; but this is the first I ever rec^d from any person touching your affair. I have no acquaintance nor conversation with M^r Lechmore, nor ever had any thing farther to do with him since I saw you, but only y^t he sent to me, as soon as I came home, for his five pounds, w^o I sent him in y^e same bills wrapt in y^e same letter y^t he sent it to me in. Before March Court last, M^r Fulham informed me y^r was an accomodation on foot, fair for an amiable & final one; and on his word I had dependence intirely, thô many others talked to the same effect. I was well assured from y^e Judges of y^e Sup^r Court at New London, they judged y^e pleas made in Sept^r for you were law and must stand, if mended only in point of form to be more particular. Therefore I knew you could suffer nothing in y^e main actions. And as to the three thousand pound acc^{tt} grounded on y^e judgment here, y^t being the only remaining difficulty might be remedied if the accomodation proposed did not take effect; therefore thought not proper to intermeddle any ways, or give my self y^e trouble of a journey to New London, especially hearing nothing from you and things being represented as above. Now, *rebus sic stantibus*, I have waited upon Judge Dudley, consulted your affair, and the result is y^t

all thoughts of a Writ of Err^r are utterly vain here, seing there is no such practice at all among us, but a review &c. lyeth instead of it. M^r Stone's letter came to hand too late for any review before your Sept^r Court, nor can it properly serve you, as the case is, without your giving in your inventory, and pass^s your acc^o here with the Judge of Probates. But you have a remedy, and y^e only one is to come down, finish your Inventory, and pass your acc^o here with the Judge of Probates, and he will instantly deliver you from all y^e peril of that action; and therefore we have jointly concluded to reco^mend to you. Pray, S^r, let nothing hinder you, if you intend to make your self secure & easy; but, on receipt of this, prepare your acc^o and instantly come away and settle the matter, for you may never have the like opportunity to do it, and now you'l have all the assistance you can desire to that end. My service to Mad^m, y^r lady, and family, with all our friends. I am, S^r,

Your most humble serv^t,

JOHN READ.

Mr Jn^o Winthrop.

JOHN WINTHROP TO SAMUEL SEWALL.

NEW LOND., Sept^r 9th, 1725.

HONRD S^r, — Yo^r letter wth the intelligence of Mad. Winthrop's death, dated August y^e 12th, did not reach hither till the last Fryday, and it is the only letter I have had from Boston a long while; and tho I might justly have expected some notice might have been taken of me, but since I perceive I am not worthy, I have done my selfe the hono^r to goe into mourning for her and am heartily sorry for her loss; and I desire to sympathize wth all concerned therein, and pray God the bereavement may be sanctified to the children. I am obliged to yo^r Hon^r for the concern you express for my debts, and I must assure

you there is none upon earth more solicitous for the discharge thereof then I am; but great & long sickness, accompanied wth oppressive, illegal, & abusive measures, rendered me uncapable to doe w^t I sincerely desired to have accomplished. You well know that the debt you perticularly mention was not of my contracting, but I took it on my selfe out of an honest & respectfull regard I had to a deceased parent; and w^t you are informed about the interest is a mistake, haveing constantly and duely paid the annual interest till the last year, & this years is not due till next Decemb^r, when I hope I shall discharge the whole. The interest of the last year w^d have been pay'd at the time, but those I depended on took advantage of my illness & troubles and disappointed me, and so I writt to Mad^m Winth. before she dyed.

Yo^r Hon^r is pleased to say it is the advice of all my friends. Alas, I am the most alone man perhaps in the world, haveing no friends or relations; and I have been twitted that the friends & relations I trusted to had betray'd me & forsaken me. However, I have a faithfull friend in the Heavens, whose eyes sees all the contrivances against me and the peace & welfare of my family. I pray God forgive those that hate me & can't bear I should be in prosperous circumstances thô at so great a distance. Woe be to them by whom offences come! I wish the country may find better friends then I or my family has been. My humb^l service to o^r old friend, Doct^r Mather. I wish yo^r Hon^r happy, whatever becomes of me, and shall allwayes remayne, S^r,

Yo^r most humb^l serv^t,

J. W.*

* For Sewall's letter to which this is in answer, as well as Sewall's answer to this, see 6 Mass. Hist. Coll., vol. ii. pp. 190, 192-194. Wait Winthrop had died owing his wife £1,000, and in order not to embarrass the estate she had taken a bond for the amount. The reason her death had not been officially communicated to John Winthrop was because her only son, John Eyre, was indigoant at his delay in discharging this obligation. Both principal and interest, however, were paid in full a few months later, as appears by the following letter from Sewall to Winthrop, which was originally printed in Proceedings Mass. Hist. Soc., vol. xiv. pp. 199, 200, but the copy then made was not wholly accurate. — Eds.

I should be glad to be informed by the next post when & in w^t manner the Judge of Probate at Boston sued my administration bond, &c., and wether there has been no Inferio^r Court at Boston, or adjournment of the Inferio^r Court, since June last.

SAMUEL SEWALL TO JOHN WINTHROP.

BOSTON, Jan^r 8th, 1728.

Dicite io pæan, et io bis dicite pæan!

I WILL assure you, Sir, it was a joyfull surprise to me this morning to hear that you had taken up Madam Winthrop's bond, cut down the tree, and grub'd up the roots, that, if it were a chesnut, it could never sprout agen. Next to the payment of my own debts I could not be more gratified, and I hope God will give you an equivalent for what you have parted with to doe it. I intend by the first opportunity to acquaint the executors that my letter could have no influence in this affair, which, for ought I know, was finished before my letter was receivd into the post-office, thô I had been spoken to about it weeks before.

Having only one *Renatus* by me, I have inclos'd it, & a copy or two of Judge Lynde's verses. His epithet *Aged* puts me in mind of M^{rs} Anne Pollard, who died in the 105th year of her age. Her bearers were Sewall, Townsend, Bromfield, Stoddard, Checkley, Marion, the years of whose age, put to gether, made up 445. A mortal fever is rife at Rowley, where my only sister & her families dwell. May we have a house not made with hands eternal in the heavens, prepared for us before we are call'd to remove from our earthly accomodations. I am, Sir,

Your friend & most humble servant,

SAMUEL SEWALL.

JOHN WINTHROP TO COTTON MATHER.

MY ANCIENT, HONOURED, & DEAR FRIEND, — Tho I have in my thoughts concluded some times that you had erac't my name out of the cattalogue of those that were worthy to be honoured wth yo^r frendship and correspondence, not divining the reason unless false reports and imaginary suggestions industriously spread for my hurt might have unhapily offended you, I begg now to acknowledge the rec't of yo^r leter & packet, dated the 1st of last May, w^{ch} arriv'd to me not before this morning.* Where it has been lodged or traveling so long a season I know not, but I am greatly oblig'd for it, tho a dangerous long sickness, which brought me even to the gates of death, has rendered me so feeble and left me in such broken health that I am dayly longing for a better country where I may be releas'd from injuryes & oppressions, w^{ch} I hear you also feel & in w^{ch} I truely simpathize wth you. I perceive there is the hands of severall Joabs & Judases in my troubles as well as yo^rs, and I have been cunningly ensnar'd & betray'd. Even by those I thought my Xtian faithfull friends the cry has been, Loe, this is the heir! come, lett us kill him & divide his inheritance! And the business was carryed on wth that spirit & whispering that every body almost was forestalled against me, and all the attorneys that had heretofore taken generall retaining fees of me, and had ingaged years agoe to be for me in any business I should have, now turned against me. When my trouble first commenc't at Boston, M^r D. (who, I have since reason to

* For this letter of Mather's, see 4 Mass. Hist. Coll., vol. viii. p. 458. In it he mentions, as he had done more than once before, that Winthrop was in his debt for letters (which must have miscarried), and he urges him "that you would not lett your mind be disturbed, much less your health impaired, by the base usages you may be maltreated withal. . . . If the best man in Connecticut government will use a poor minister as I have been used, you will not wonder if inferiour people treat you as I have heard they do." — Eds.

think, had a great share in contriving the quarrell by private measures) invited me wth many fair words to betake my self to him, who sayd he w^d advise & assist me in the affair. Accordingly, wⁿ I was arrested by M^r Lechmere just at my coming away, he told me I must leave a power of attorney, & offered to write one for me, w^{ch} I, being much overwhelmed wth the unexpected occurrences at that instant, and trusting to my s^d Roxburian brother's kindness, never read it nor considered of it, but signed it, concluding it to be only a common power of attorney to answer at that Court. But it seems he had contriv'd it most unwarrantably, & had put my whole interest into the hands of men I suspect of attempting in an underhand manner to destroy me. You formerly, as I remember, in a letter wisht that I might be preserv'd from the Venom of Roxbury,* but I have lately heard that one whom I hear you have earnestly petitioned home might be yo^r Gov^r, has had a jealousy I was seeking that place by means of you know who, and was not unwilling these discords should arise. If I had ever sought the place (w^{ch} I never have) I know not where the fault c^d have been, haveing (I think) as much right to have sought it as Frater Paule or any body else. I doe assure you, my old friend, I am not a man of tricks, or little, low, mean arts to obtain any thing, but am content to lead a quiett domestick life, to educate my children, to improve my estate, to injoy philosophicall studies, & to exhibit a Xtian disposition to doe good to the distressed & afflicted.

But I will be silent at present about what was contriv'd against me in yo^r Colony, and just hint a few hardships done here. I was arrested & cited to answer before an illegall special Court erected on purpose only

* This expression occurs in a letter from Mather to Wait Winthrop, written many years before, and in allusion to Gov. Joseph Dudley (see 4 Mass. Hist. Coll., vol. viii. p. 418). John Winthrop now applies it indirectly to Paul Dudley.—Eds.

for my confusion, they thinking they had surpriz'd me wthout any help to advise wth. However, at the short notice I appeared and pleaded against the jurisdiction of the Court, but they over-ruled all, and I was forc't to appeal to the Superiour Court & extravagant bonds taken for my appearance to prosecute my appeal; but before the session of that Court it pleased God to visit me wth an extraordinary fitt of sickness, soe that I was rendered uncapable either to attend or to furnish counsell wth w^t was necessary for my defence. This was demonstrated to them in a humble memoriall, praying the actions might be continued to the next sessions; but such was the extraordinary measures of Judge Burr & his associates that they would not hear any thing in my favo^r, but the business was pusht on wthout any proper defence made for me, and a very strict, unheard of judgement entered that the mansion house & lands I live in, wth all the inheritance I have in this Colony, should forthwith be divided & sett out by meets & bounds, regardless of the law of England, my uncle's will and deed, and that the intestate himselve had putt me into quiett peaceable possession many years before. And this Burr, who was so warne for dividing my inheritance wthout hearing my defence, was soon after cited to appear before a higher Court above & dyed intestate himselve, thereby open'g a trap door to intangle his owne family. Such is the remarkable providence of God.* Besides, a 3000£ administration bond given to the Court of Probates at Boston was putt into the hands of my antagonist and my two bondsmen one sues the other and judgment goes by default for the forfeiture of the whole sum. This action they bring from the Court at Boston and enter against me at this special sham Court, and the Superio^r Court here also enters judgement against me for

* Peter Burr, of Fairfield, a Judge of the Superior Court of Connecticut, died Dec. 25, 1721. See Conn. Col. Rec., vol. vi. p. 505. — Eds.

the forfeiture of the whole 3000£; wherein advantage was taken of the great age of my father's old frēnd, Judge Sewall, who (I believe) knew not the contents of the writt, for they made him therein assert a wrong thing in contradiction of himselfe, alledging that I never gave any inventory into the Probate Court at Boston, when the Judge gave me an oath to s^d inventory exhibited into his office a few weeks after my father's decease, an attested copy of w^{ch} I have had all this while by me; but I understand they make their braggs how they imposed upon y^e old Judge, &c.

I was also cited by the Judge of Probates here to finish my administration. Accordingly I went and offered an inventory of all I was obliged to offer, w^{ch} consisted only of cattle & sheep to the value of about 80£ & a few shillings (w^{ch} cattle & sheep was truly given to me by my father in his life time, but having neglected to take them into formall possession I putt them in, thô in conscience I was not soe oblig'd); but the Judge utterly rejected & refus'd s^d inventory, unless I added the lands my uncle had settled upon the heir and the intestate had putt me into possession of as my right of inheritance. So I underwritt s^d inventory of personall estate wth this reason: y^t administrators have nothing to doe wth lands belonging to an heir at law who has been many years seiz'd of them & is in possession of them *secundum legem et consuetudinem Angliæ*, and noe such real estate is cognizable by a Court of Probate. But y^e benefitt of y^e common & statute law of England was denyed me, and I forc't to appeal to y^e afores^d Superio^r Court (so warme for division), and y^e s^d Judge actually sued the bond of 3000£ more upon me even whiles there was an appeal from his judgement allow'd, and I was arrested to the afores^d Superio^r Court after the time was expired for serving writts for that Court, not six dayes notice. This Probate action was my whole strength and on w^{ch} all the partition actions must

needs have depended, but it was perfidiously wthdrawne wthout my leave or knowledge by Read my attorney (who married Gov^r Talcott's sister), who in y^e begining took a fee of 25£ from me wth promises as solemn as a man c^d make to serve me ; but all he did for me was to wthdraw my main action wⁿ I was sick a dying, assuring me that y^e administration bond action, as well as the rest, were continued upon my memoriall to y^e Court setting forth y^e impossibility of my appearing or instructing councill by reason of sickness ; yet he suffered y^e action to be carryed against me in the most unheard of manner. After that, he promist he w^d get y^e administration bond action unravel'd & sett to rights at Boston before y^e next Court came & w^d be here himsef to serve y^e other actions at y^e coming Court ; but did neither, but left me in y^e utmost confusion, not knowing w^t he had done in y^e affair, nor prepared to answer the rest. And thô the humanity of the Court w^d not continue them wⁿ I was so sick, yet wⁿ the March Court came they continued them to Septemb^r for their owne pleasure & wthout my desire ; and to this C^t y^e s^d attorney never came nor took any care of my business, but writt a private letter to another attorney here to betray me & give up my cause, w^{ch} letter I have a copy of.* This Read was once a minister, but (like some others) left that employment for temporall advantage ; and he & one M^r Robinson (not much better) are the men to whom my kind Roxbury brother, under pretence of service to me, intrusted my whole intrest. M^r Fullam (who is now a Maj^r)

* Among the papers is a copy of a letter from Read to John Stone, a Connecticut lawyer, instructing him about several cases to which he (Read) says he finds it impossible to attend personally at that time. He adds, "I have your's of y^e 5^t instant before me, & say, for M^r Winthrop's affair, you can not legally avoid paying the £3000, but only by his coming here & making up his acc^t. with the Judge of Probates, w^{ch} I have writt to him and as yet he dont mind me." There is also a copy of an earlier letter to Read from Stone (dated New London, April 2, 1725), in which Stone reproaches Read for his failure to be present at the Superior Court in the preceding month, whereby he says he [Stone] was placed at great disadvantage, and obliged to plead a general demurrer. He contends that Mr. Winthrop really filed a proper inventory within the time limited by law, and charges his sureties (Lechmere and Abiel Walley) with collusion in allowing judgment to go by default. — Eds.

came up to help me wⁿ I was sick, but afterwards w^d not stay to plead at y^e Superio^r Court, saying he had layd downe the barr business & was above it. But he was not above taking a fee of 28£ and then leaving me in a time of great difficulty. And at this Court I was insulted by an adverse attorney, who trump^t up gavelkind uppon me, (w^{ch} has so long been out of date by Act of Parlem^t & w^{ch} y^e Charter knew nothing of,) and made a long flourish of words how I was but a coe-heir, &c. I desire to be patient under these horrid injur^yes & abuses, and I have never to any before vented my troubles at such length, having few friends & fewer relations, but I feel that I am safe wth you, even as in a city of refuge, and I am bold to unburden my tribulations to you as one in whose fidellity & secre^sy I may securely confide. The eye of God sees the secret plottings of my enemies, and He, I trust, will rescue me. Read y^e 69 Psalm, Doct^r Patrick's version.

Have you forgotten all the transactions in this country even from the year 1686 to this time? And have you not seen a pamphlet called *A Modest Enquiry into the grounds & occasions of a late pamphlet intituled A Memorial of the Present Deplorable State of N. Eng^d*, by —, printed at London, 1707? * Besides severall other little prints w^{ch} I have formerly seen at a certain place, one of them a sort of farce or comedy (about M^r I. M. & C. M.) pretended to have been acted at the play-house in London, and sent over at that time from that apostate Harry N——, † a man so attacht to y^e Dudlean intrest that he sticks at nothing, be it never so mean or base. There is alsoe a sett of men in this country who are privately instructed to serve that turne, who goe whispering about and carry papers & letters thro

* It is reprinted in 5 Mass. Hist. Coll., vol. vi. — Eds.

† Perhaps Henry Newman, who was for many years Agent for New Hampshire, and whose appointment as Agent for Massachusetts was recommended by Dudley, after the position was declined by Sir William Ashurst. See Hutchinson's Hist. of Mass., vol. ii. p. 187. — Eds.

the country, and soe by imposing wrong ideas & false rumo^{rs} stagger wavering minds and gain over abundance to their opinion.*

JOHN CHANDLER TO JOHN WINTHROP.†

WOODSTOCK, April 4th, 1726.

SIR, — I was in New London in Octob^r last, and coming to wait on your self & Madam was informed by the way of an entertainment that day at your house, so had the misfortune of coming out of town without paying my regard; w^{ch} (with great regret) I was constrained to do early next morning because I was under obligation to be at home the same day. I now herein acquaint your Honour with what I should then have communicated, had oppertunity favoured it, viz.: that a petition having been exhibited by sundrey persons in & ab^t Medfield to our General Court for the lands lying between Brookfield,

* This letter is printed from a rough draft, which here ends abruptly. It was probably written toward the close of 1725, or very early in 1726, and is the last of the writer's letters found among these papers prior to his going to England, though he did not sail until the following summer. In the mean time his troubles had thickened. In March, 1725-6, his appeal on review was rejected by the Superior Court of Connecticut, and he was not only condemned in costs, but his letters of administration were vacated and a fresh administration granted to Mr. and Mrs. Lechmere. Whereupon he presented a remonstrance to the General Assembly, intimating his intention of appealing to the Privy Council, but the Assembly summarily dismissed this remonstrance, and ordered a bill to be brought in enabling Lechmere to sell land. Winthrop having again protested, and in a manner the Assembly declared contemptuous of their authority, on May 25, 1726, he was ordered to be brought to their bar by the Sheriff, Joseph Pitkin, when he appears to have displayed his usual want of tact, and probably lost his temper, as the Assembly committed him into custody for having behaved himself "insolently, contemptuously, and disorderly, declaring himself on a par with the Assembly, and not suffering the Hon^{ble} the Governor to speak to him without continual interruption." The next day the Sheriff reported that his prisoner had "escaped in the night," whereupon it was ordered that "for his high contempt in the words and behaviour aforesaid, . . . the said John Winthrop shall pay a fine of twenty pounds to the publick treasury of this Colony, and that the Secretary send execution to levy the same." For further particulars of these transactions, see Conn. Col. Rec., 1725-28, *passim*; Trumbull's Hist. of Conn., vol. ii. p. 54; Calkins's Hist. of New London, pp. 412, 413; Palfrey's Hist. of New England, vol. iv. pp. 577-579; also "The Emancipation of Massachusetts," by Brooks Adams, pp. 297-302. — Eds.

† Captain John Chandler, of Woodstock, afterward of Worcester, is repeatedly referred to by Wait Winthrop as charged with some important surveys. This letter is the latest in date found among John Winthrop's papers prior to his going to England. — Eds.

Brimfield, Oxford, & the Province line, the Assembly has directed me, at the charge of the Province, to survey the s^d lands and report to them, at their sessions in May next, the quantity & quallity thereof, & what farms are contained therein. Wherefore, being sencible that a considerable part of your interest lyes wthin those bounds, tho't it very proper you should know that I design to attend that service the beginning of May next, that so you might (if you saw good) either in your own or some other person be present at the said survey; or at least might take that oppertunity to renue the lines of your own tract, that so no inconvenience may hapen respecting the same. The affair, also, of Brimfield, which has lain still for the space of two years in expectation of your coming up, may also crave your consideration whether it will not be very convenient that you should be there about that time; for I am apt to think that an accomodation between your Honour and Brimfield cant be so well settled hereafter as at this juncture. However, I am satisfyed your wisdom will easily discern what is proper to be done by you in the premises; and if I might have the honour to wait on you there and be in any respect serviceable to your interest, should be very glad, who, with best regards to your self & Madam, am, S^r,

Your devoted & obliged humble serv^{tt},

JOHN CHANDLER.

WILL OF JOHN WINTHROP.*

[July, 1726.]

In nomine Dei, Amen. Being at present (through the goodness of the Almighty) in good health of body, yet intending shortly (if God please) to make a voyage over

* Printed from a copy found among the papers of his widow. The testator lived twenty-one years after making this will, which is here inserted on account of its being so characteristic of him, its reference to the value he attached to his family papers, and its approximation of the date of his departure for England to seek redress from the Privy Council. He is believed to have sailed soon after executing it. — Eds.

the sea into Europe, — finding to my full satisfaction, after long & serious consideration, the providence of God directing me thereunto as by a full, clear, & necessary call to undertake the said voyage, — I doe committ my selfe, soul & body, into the hands of the Almighty, my faithfull Creator & mercifull Redeemer, wether in life or in death, as relying only upon his divine providence & goodness for protection and guidance in everything in this long voyage, so relying only upon the merritts of my gracious Saviour for the salvation of my soul in the day of his appearing and the resurrection of the just. Resting in full hope & assurance of my part therein through the wonderfull power & virtue of his glorious resurrection, I thought it necessary, for the setling of my outward temporall estate for the comfort of my family, to make this my last will & testament. First, I desire that all my just debts may be satisfiied out of that part of my estate that will be least detrimentall to the main body of s^d estate. I give & bequeath unto my faithfull, kind, & most dear wife one hundred pounds *per annum* out of the rents of Fisher's Island dureing her naturall life, with her living in my mansion house at New London, with the proffits of the mill and neck of land adjoyning, with the garden, orchard, and other accommodations belonging to my s^d dwelling house, so long as she shall remain my widdow; earnestly intreating she will see all my dear children brought up in the fear of God, and all of them to be educated, & live with her till they shall be disposed of in marriage, out of the proffits of my estate, both my sons to be educated at the Colledge without faile. And after my s^d wife's decease or marriage, I doe give my afores^d mansion house wth all the accomodations thereunto belonging, & wth the rocky hill above s^d house and all the other peices of the Neck that is above the raile fence wth now divides the lower part of the Neck from the upper part, together wth the ox pastures at the head of s^d Neck,

wth the mill and all appurtenances thereto, with the mill house & land thereto adjoining, all unto my well beloved & dear son, John Still, with one acre of land at the lower end or point of the Neck and the northermost half of the Half Mile Square in Groton; together with Poquannuck farm, Ram Island, and Fisher's Island, wth the hummocks, &c., unto my s^d John Still forever, to be & abide to him & his heirs male forever, together with all my books, writings, & papers, & whatever else is in my study, to be always kept together in my name & family forever. And to my dear son Basil I give all that part of the Neck that lyes next the cove & towne from the raile fence, & so downwards through the middle of the plain down to the harbour, to be a house lott to him & his heirs male forever. Then I give to my s^d son Basil one acre of land more, on the southwestermost end of the banke of the Neck at the lower end, fronting to the little island of rocks & to the harbour; also the southermost half of the Half Mile Square in Groton, bounded on the great river or harbour; together with Lanthorn Hill farme, with three thousand acres of land at Tantiusques or the Black Lead Mine, including the s^d lead mines; together with the Elizabeth Islands & the accomodations thereto belonging; all w^{ch} peices & parcells of land I will & bequeath to my dear son Basil and his heirs male forever. Item, I give and bequeath unto my dear & most dutyfull loving daughters, Maria, Anna, Catherina, Rebecka, & Margarita, each of them, a house lott to contain about two acres, and to be laid out to each of them, adjoining one to the other, on the fairest part of the bank at the bottom of my aforementioned neck of land at New London fronting the harbour; the said house lotts to be one acre in the width of the front, and two in the depth for gardens & yards, besides the beach down to the water for wharfs & warehousing, that they may live near their two brothers and near their mother. I alsoe will and bequeath to each of

my dear daughters one thousand pounds current mony of New England, to be paid to each of them out of the rents & proffits of my estate, as they shall severally come of age or be married, they to receive soe much *p^r annum*, to satisfye their s^d legacyes, as the estate will conveniently bear without hurting the estate or straiting the comfortable and honourable maintenance & education of my said wife & children.

*Elizabetha filia mea quondam amabilissima, et dilectus meus Johannes primogenitus, heu dolor! e vivis cessaverunt et nunc non egent partes.**

And all the rest of my estate, after my just debts & my aforesaid legacyes are paid and satisfyed, to be equally divided between my most dear, loving, and faithfull wife and all the rest of my dear & dutyfull children. And in case any of my said children should dye wthout children, then after their decease their part or share thus herein willed to them I desire may goe, and accordingly will it, to the surviving male heir of my name & family, to him & his male heirs forever. And now I pray God to bless my dear wife, and all my dear sweet children and their offspring forever, with all sorts of spirituall & temporall favours, mercyes, & blessings in their baskett & their store for time & eternity; and be sure you live in love & peace, and fall not out by the way. And I doe nominate, constitute, ordain, & appoint my dear & loving & most faithfull wife to be my executrix, and my well beloved sons John Still & Basil to be my executors, of this my last will & testament. Alsoe I give to my two sons my two chests of writing wth I now carry with me, wth whatever elce there is in them, willing & desiring my dear wife to make strict inquirys for them & preserve them safe when she receives them for my aforesaid sons, to be kept in the name and family forever. And I now ordain & make

* There appear to be a few more Latin words here, which the copyist could not clearly decipher. — Eds.

this my last will & testament in manner & forme as I have with my owne hand writt & compiled it, I being of sound & healthfull mind and well considering what I now in a solemne manner rattifye & confirme wth my seal.

J. WINTHROP.

Signed, sealed, & declared to be the last will & testament of me, John Winthrop, this 19th day of July, *Anno Domini* 1726, in the presence of

HUGH MARKES.

EDWⁿ HOLLAM.

THO^s MUMFORD, JUN^r.

NEW LONDON, the 19th day of July, 1726.

Then personally appeared before me, Jonathan Prentice, one of his Majesties Justices of the Peace for the county of New London, John Winthrope, Esq^r, & freely acknowledged the above instrument to be his last will & testament, to which he hath sett to his hand & seal as such.

Test : JON^a PRENTIS.

ROBERT CHAUNCY TO CHARLES CHAUNCY.*

For M^r Charles Chauncy, att y^e Hartichoke on Cornhill, London.

[BRISTOL, ENGLAND, September, 1726.]

DEAR COZⁿ CHAUNCY,—My good friend and countrymã M^r Winthrop designs to sett out frõ hence for

* Robert Chauncy was second son of Rev. Israel Chauncy, of Stratford, Conn., and grandson of Rev. Charles Chauncy, President of Harvard College. Among the unpublished papers is a letter dated May 29, 1699, in which Israel Chauncy asks Fitz-John Winthrop's advice concerning his son Robert's going to England. He subsequently became a physician at Bristol, where John Winthrop landed after his voyage. A family connection existed between them, the wife of President Chauncy having been a granddaughter of Dr. John Still, Bishop of Bath and Wells, whose sister Alice was the first wife of the first Governor Winthrop's father. The Charles Chauncy to whom this letter is addressed was a London merchant, son of Rev. Ichabod Chauncy, for whom see Sibley's *Harvard Graduates*, vol. i. pp. 308, 309. There is a rough draft of a letter from John Winthrop to Dr. Robert Chauncy, dated London, Oct. 10, 1726, expressing his sense of the many attentions of

London y^e next Wednesday morning by y^e coach. I must in y^e first place request you on his behalfe y^t you take him some convenient lodgings, as near yourself as you can, in a house y^t is quiet and a sober family, viz.: a chamber on y^e first story for himself, and an other near to this for his servant. He has two chests, a wigg trunck, a bundle of bedding and hatt box, w^{ch} goe hence tomorrow by John Sartains wagon, directed for you; the carriage is agreed. The proper officers att y^e custome house have made a due inspection, and you have a note of y^e sumes. He has papers of consequence, so I hope they will give no farther trouble in unpacking his chests. If any accid^t sh^d happen that they arrive before M^r Winthrop, I beg you w^d take y^m into y^r own care. He is perfectly a stranger, and will stand in need of some good acquaintance to direct him in his affaires. He is a person of meritt and very well deserves y^r countenance. He has a plentiful estate there, and will not be burthensome to any body, but I am shure will be allwaies ready to acknowledge y^e least favour done him. Nancy greets you, and I am

Y^r most obed^t humble serv^t,

ROB^t CHAUNCY.

Charles Chauncy, and concluding as follows: "Please to make my best compliments to the fair lady, yo^r excellent daughter, and to the other young gentlewoman in your family; asking pardon for the trouble I gave yo^r house. To D^r Deverell, his son & daughter, to M^r Sword Bearer, M^r Elbridge, &c., salutations, wth humble thanks for all their favours & civilities. I hope to wait on you at Bristol some time in the winter, if my affairs will permitt." There is also a letter, dated Aug. 25, 1726, from the celebrated William Whiston to a Dr. French, of 8 Queen's Square, Bristol, with reference to a course of lectures Whiston was getting up. In it he alludes more than once to Dr. Chauncy, who must have given the letter to John Winthrop, who was interested in some of Whiston's theories, which he had discussed with Cotton Mather. In a subsequent letter (Dec. 20, 1726) Dr. Chauncy writes: "I had y^e last week a letter from D^r Meade, who advises me y^t you have not yet been wth him, for w^{ch} I am sorry. Tis very ticklish dealing wth gentlemen of his figure w^{thout} the greatest punctuality. D^r Neshitt will waite upon you to him, to w^m I have written by this opportunity. Please not to faile to present him wth the snakes egg." — Eds.

APPEAL OF THOMAS AND ANNE LECHMERE TO THE
GOVERNOR AND COUNCIL OF MASSACHUSETTS.

To the Honourable William Dummer and the Hon^{ble} Council of said Province, the appeal of Thomas Lechmere and Ann his wife from a denial decree, or sentence, of the Hon^{ble} Samuel Sewall, Judge of Probate, the [*torn*] day of December, 1726: —

The case was in the year 1717. The Hon^{ble} Wait Still Winthrop, of Boston, Esq^r, aforesaid, died seized & possessed of a very considerable real & personal estate, and intestate, leaving behind him John Winthrop, of New London, in the Colony of Connecticut, Esq^r, his only son, & the apell^t Ann, his only daughter. That on the 23. day of December, 1717, the said Judge of Probats granted letters of administⁿ to the said intestate's estate to the said John Winthrop. That to this day the sayd administ^r hath not exhibited a compleat or perfect inventory of said estate, or taken any prudent steps or measures towards settling the s^d estate according to the Province law in such cases, but the same still remains as much unsettled, & no distribution thereof made according to the express direction of the law, as it did at the time when said letters of administration were granted, notwithstanding the continued solicitation of the appellants, for almost nine years, to obtain a settlement & distribution thereof according to law.

That the s^d Winthrop, soon after he had obtained letters of administration as aforesaid, returned to New London, where he has resided almost ever since, and, imagining he was out of the reach of said judge & had prevented any other taking out letters of administration, conceived it most for his interest there to rest without settling the said estate or making any distribution thereof, so as to defeat the appell^{ts} of their undoubted right of one third in s^d estate to be sett off to them, & out of

which they have now for nine years been thus artfully kept. That the s^d administ^r has been gone for England, leaving the said estate as much unadministered upon as when he found it, and when he will return, and when if ever there will be a settlement of s^d estate, or distribution made, is unknown to the appell^{ts}.

That the appellants (thô no lawyers) yet upon the bare reading of the Province law conceived they were intituled to have one third in the intestate's estate, and therefore, on the 20th of June last, exhibited their petition to the said judge that granted administration as aforesaid, to have forthwith the estate settled & distributed according to law, or revoke the s^d letters of administ^{rn} & grant letters of administ^{rn} to an other who will faithfully discharge the s^d trust, so that y^e appellants may not for ever be denied their right in a legal distribution according to the law of the Province, as by the prayer of the s^d petition reference thereto had will more fully appear. But the s^d judge, on the 19th day of Decemb^r, 1726, totally denied the prayer thereof; from which denial, sentence, or decree, as wrong & erroneous, the said petitioners have appealed to yo^r Hon^{rs} for the following reasons: —

1st. Such sentence seemingly justifies the administ^r in his proceedings, notwithstanding he has not in any one instance complied with what the Province law positively enjoins.

2^{dly}. This sentence or denial virtually is a denial of the benefit & interest the Province law affords the appell^{ts}, and after nine years & no settlement made of the intestate's estate, or perfect inventory given, this sentence says ther shall be no perfect inventory given, no settlement shall be made, or that the appell^{ts} shall not have a distribution according to the Province law.

3^{dly}. It is urged the appell^{ts} may bring their writ of partition at common law. The answer is, they have waited nine years to have the estate settled & distributed

according to the law of this Province, & in that method expect their portion out of their father's estate, for surely it is with them to make their election. That therefore the law obliges a settlement & distribution of the intestate's estate is plain, and that after nine years it is time the administ^r sh^d do it is certain; and that the appell^{ts} sh^d suffer by a judge making an administ^r that will not do it, is unreasonable. And whether yo^r Honours will see cause to repeal the s^d letters of administration, or grant others to y^e petitioners or any others, is submitted to y^r Honours judgem^t. All that your appell^{ts} insist upon is to have the estate settled & distributed in the method & order, & before a Court of Probates, as the law of the Province directs, and in order to it your appell^{ts} doubt not of yo^r Honours justice in reversing the s^d denial, sentence, or decree.

THO^s LECHMERE.
ANNE LECHMERE.

SUFFOLK, December the 26th, 1726.

Filed p^r John Boydel, *Register*. A true copy examined, JOHN BOYDEL, *Register*.

In Council, Jan. 5, 1726 $\frac{6}{7}$. Read and ordered that a hearing be had of this appeal upon Wednesday, the first of March next, at three a clock in the after noon, and that the appell^{ts} forthwith serve the adverse party with a copy of the reasons of appeal & this order.

A true copy, examined p J. WILLARD, *Sec^rry*.*

* The foregoing is printed from a copy indorsed by John Winthrop, "Since my coming away; at Boston." It was forwarded to him in England by his wife, who added: "It is sayd, tho I dont know the truth hereof, that the Governor of New York has given L. encouragement that he will favour him if his freinds will try to bring Fisher's Island under this goverment. In case of any difficulty arising from that quarter, I think it wold be very prudent to make a freind of that Govenor by means of som of his freinds in Ingland, if you know who they be." — Eds.

JEREMIAH DUMMER TO JOHN WINTHROP.*

LOND^o, 27 Nov^r, 1727.

S^a, — I have just reciev'd from Connecticut an answer to your charge against that Colony, & should be glad to know whether you intend to make good your charge on the first of December, which was the day appointed for it by their Lord^{pp}s. I understand that my Lords have, upon M^r Lechmere's petition, appointed the 14th to hear you against him; but if you design to begin with the Colony first, thô the time be very short, I'll endeavour to prepare my council. Thô, if I were worthy to advise you, it should be wholly to drop your complaint against the Colony, from which I am perswaded you'l have no other fruits than great trouble, expence, & disappointment. Besides, what prudent man could contend, at his own charge, with a whole province, especially when it is your countrey, where all your estate lyes! But it is not my buisness to direct you, but to make the best defence I can for my principals. I beg you'l favour me with a line, directed for me at M^r Markham's, y^e 7 Stars, under S^t Dunstan's Church, Fleet Street. I am, S^r,

Your humble serv^t,

JER: DUMMER.

* There have been preserved no letters from John Winthrop to his family or friends in New England between his arrival abroad and March 25, 1728, but there are several from his wife to him. She habitually addresses him as "Dear Soul, ten thousand times dear," describes the proceedings of his adversaries, whose object, she says, is to subject him to delay and expense, expresses doubts of his ultimate success, requests him to send a riding-hood and other articles of dress for her daughters, and acknowledges a portrait he had found time to have painted of himself, which by no means answers her expectations: "Nothing but the originall will satisfye me." In her letter of May 4, 1727, she says: "M^r Lechmere is expected here next week, but whether it is to finish the bisness by deviding the estate, or to go to Hartford to lay his empty noddle together with the sages of that grate Assembly in order to confound yo, proceedings, I know not. The bisness at Boston is defer'd till some time in June. M^r Duñer wrote me word there was three hours debate upon it in the Councill last month." Among the law papers forwarded by her to her husband at this period is a copy of a long deed, to Richard Douglas and John Richards, of a piece of the estate sold by Lechmere under the authority of the General Assembly and Superior Court of Connecticut; but in 1728, after the decision of the Privy Council in Winthrop's favor, all land so conveyed was restored to him. — Eds.

BRIEF IN APPEAL TO THE PRIVY COUNCIL.*

For the Appellant: To the King's most excellent Majesty in Council. The humble petition and representation and appeal of John Winthrop, of New London in yo^r Majesties Colony of Connecticut, Esq^r, only son & heir at law of Major General Waite Winthrop of Boston in New England, Esq^r, his late father, deċed, and nephew & heir at law to the Honble Fitz-John Winthrop, Esq^r, late Governor of the said Province of Connecticut, and grandson and heir at law to the Honble John Winthrop, Esq^r, late Governor of the said Province,

Sheweth, That by charter granted by his Majtie K: Charles y^e 2^d, dat 23^d April in y^e 14th year of his reign, and w^{ch} was obtained at the sollicitation & by y^e means & at y^e expence of y^e s^d John Winthrop, yo^r peticoñers grand father, y^e s^d Colony are incorporated by y^e name of y^e Gov^r & Comp^a of the English Colony of Connecticut in New England in America: To have, take, possess, acquire, and purchase lands, tenem^{ts}, or heredm^{ts}, or any goods or chattles, and y^e same to lease, grant, demise, alien, bargain, sell, & dispose of as other y^e liege people of y^e realm of England, or any other corporation within y^e same may lawfully do, and the s^d Company to consist of a Governor, Deputy Governor, & twelve Assistants, to be chosen annually out of y^e freemen of y^e s^d Comp^a, and y^e s^d John Winthrop, yo^r petitioners said grand father, was by the s^d Charter appointed first Governor, — and the said Gov^r has power to call a General Assembly as often as occasion, which General Assembly is appointed by the

* The brief here printed is beautifully written on thirteen folios of two foolscap pages each. The marginal notes, as well as those indorsed on the reverse of the first two folios, are nearly all in a different hand, and are often very hard to decipher. The marginal notes were presumably made either by Sir Philip Yorke (afterward Lord Chancellor Hardwicke), the Attorney General, or by Charles Talbot, the Solicitor General, and afterward Lord Chancellor, who were of counsel for the appellant and argued the case. — Eds.

Charter to sit twice in a year, and all the subjects of this Crown which should go to inhabit y^e s^d Colony, & every of their children, were to have & enjoy all libties & immunities of free & natural subjects to all intents and purposes as if born within y^e realm of England, and the Governor & Assistants in Assembly are impowered to erect judicatories for hearing & determining all actions, causes, matters, & things arising within the said plantation and from time to time to make & ordain all manner of wholesome & reasonable laws, statutes, ordinances, directions, and instructions, not contrary to the laws of this realm of England. And the said Charter grants to y^e s^d Gov^r and Comp^a, and their successors, the lands belonging to the said Colony, which are bounded in the Charter: Habendum to the s^d Gov^r and Comp^a, their successors and assigns for ever, upon trust and for the benefit of themselves and their associates, freemen of the said Colony, their heirs and assigns, to be holden of his said Majesty, his heirs & successors, as of the manor of East Greenwich, in free and comon soccage.

Power to Assembly to make wholesome & reasonable laws not contrariant to the laws of this realm of Eng^d.

That under this Charter thus obtained, and in regard of the many & great services of y^e s^d Jn^o Winthrop to y^e s^d Colony, as well in obtaining the said Charter as in many other respects, he continued by annual elections Governor of y^e s^d Colony to his death.

John Winthrop, first Gov^r, continued so to his death.

That the said John Winthrop, being at his death seized & possed of a very considbl real estate in y^e s^d Colony, which he held under the said Charter to him, his heirs & assigns, in free & comon soccage, and having issue two sons, Fitz-John & Waite, and five daughters, in 1676 he made his will, whereby he made suitable provisions for all his said children, and made an equal provision out of his real estate for his said two sons.

2 sons, Fitz John & Waite; he p will divided real betw. them.

That upon the death of y^e s^d Jn^o Winthrop, his s^d eldest son, Fitz John, was in like manner chosen Gov^r of y^e s^d Province, and having a large psonal estate, and having no male issue, and only one daughter, who was married & disposed of, and his brother Waitstill having male issue, your petitioner, and the s^d Fitz John, your petitioner's uncle, being minded that his estate should come to your petitioner as heir male of the family, having always declared that he would keep his father's estate inviolate and unbroken for the heir of his family and the name of his father, and that his father's estate should never be divided for him, and that your petitioner should succeed to all he had as well as to all what his father had, and that after his death all he had was yo^r petitioner's own, and all which he repeated in his last sickness, and to carry such his intention into execution by instrum^t of deed pole bearing date 4th October, 1700, he granted and confirmed to y^r petitioner all his part, interest, right, & title of, in, & to all y^e lands & estate which was formerly his honoured father's, and w^{ch} he had in partnership with his brother, yo^r petitioner's father, with all other his lands, tenements, stocks, goods, chattels, & estate whatsoever, of w^t nature, kind, or property soever in New England or elsewhere: Habend unto yo^r petitioner and his heirs from henceforth & for ever, with a covenant of warranty, and a declaration of his having put yo^r pet^r in possion thereof.

That the said Fitz-John being at his death possed of several other ꝑcells of land in Connecticut Colony by him ꝑchased and granted to him by the Colony, he by his will made a disposition thereof with a considble psonal estate to his widow & daughter, and to shew that it was his intention that his said father's estate should go to and continue in the male heir of the family, he wills and bequeaths

Fitz John
succeeded
as Gov^r.

4 Oct., 1700,
he granted
his real estate
to petr in fee.

14 Mar., 1703.

His devise to
Waite Win-
throp & h.
male of his
body of his

to his brother, Major Waitstill Winthrop, yo^r ½ of frs real estate; petitioner's father, and the heirs male of his purchased lands to wid. & daur. body for ever, his half of that real estate which was their fathers, by which he could only mean to shew his intention to be as afores^d, since it is extream plain nothing could really pass by this part of his will.

That by articles of agreem^t dated 2^d April, 1711, the said testator's widow & daughter (with her husband) for the coñs therein mentioned, remise, release, surrender, and quit claim unto the said Waite Winthorpe, his heirs & assigns for ever, all the said testator 2 Ap: 1711. Wid. & daur conveyed y^r pt of real to Waite Winthrop in fee. Fitz John Winthrop's s^d estate so devised to them by his said will: Habend to the said Waite Winthorpe, his heirs and assigns, to his and their only proper use, benefit, & behoofe for ever.

That the said Waite Winthrop having no issue male but your petitioner, and only one daughter besides, whom he provided for and disposed of in marriage in his life time to Tho^o Lechmere, merch^t, of Boston, he likewise always made y^e same declaration in his life time as to yo^r petitioners succeeding to all his real estate, and that he would keep the real estate inviolate and unbroken for yo^r petitioner, the heir of the family, and that all his lands should be and abide to the male heir of the family; and in pursuance of such his intention he actually, in the year 1711, freely 1711. Waite W. gave up whole estate in Connecticut to pet^r & put him into poss'n. gave & delivered up to your petitioner all his estate in the said Province of Connecticut, and settled and put your petitioner into the possion thereof, and went & lived all the rest of his life at an estate he had at Boston, Rest of life he spent at Boston. in the Province of Massachusetts, and yo^r petitioner from that time to the death of his said father, which was upwards of six years, lived on, possessed, & enjoyed the said Connecticut estate as his own, and the same was rated & taxed to yo^r petitioner as his own.

That yo^r petitioner's father being ab^t to marry a sec-

ond wife, Kath^{ne} Eyres, in the year 1707, in further pursuance of such his intention to leave his said estate entire to your petitioner, and to prevent the said Kath Eyre's having any demand of dower thereout in case such intended marriage took effect, the said Kath Eyres entered into a bond to yo^r petitioner, as son & heir to his father, dat 12 Nov^r, 1707, in the penalty of 2000^{lb} conditioned that in case y^e s^d marr took effect, y^e s^d Kath sho^d not demand any dower out of any the said Waite Winthrop's real estates, and which marriage did afterw^{ds} take effect.

That yo^r petitioner's said father, having taken all these precautions to keep his real estate whole and unbroken, and having disposed of and preferred his daughter in marriage in his life time, and having made provision for his said wife, and having no other issue save only your petitioner & his said daughter, and well knowing that his real estate by the words of the Charter and the comon law of this realm must come and descend unto yo^r petitioner at his death as heir at law, according to his intentions, he did not therefore make any will, but in the latter end of the year 1717 died intestate, on whose death your petitioner, as his only son and heir at law as he is advised, and humbly insists by y^e comon law of the land and y^e words of the Charter became intituled to all his said father's real estates, and which he entered on and poss^d accordingly.

That soon after the said Wait Winthrop's death the said Kath^{ne} his wid^o in co^{ns} of yo^r petitioner's paying to her 5328^{lb} 12^s 2^d, the su^m agreed to be p^d her by her s^d husband before their intermarriage, being the marriage portion she brought with her, & psuant to her s^d bond, 26 Dec^r, 1717, she executed a general release to yo^r petitioner (as only son & heir of his s^d father), his heirs, exec^{rs}, &c., and particularly of all her right of dower to the said

1717.
W. Winthrop
died int^o.
2^d wife barr^d
of dower
p bond.
Da^{ur} ad-
vanced in
marr. to
Tho. Lech-
mere.

26 Decr, 1717.
Wid. psuant
to bond re-
leased dower
on pet^r
paying her
5328 : 12 : 2,
& ass^d right
of admⁿ to
pet^r.

Waite Winthrop's real estate; and 23^d same Dec^r said Kath signed a writing certifying that by an agreem^t made between her & her s^d husb^d before marriage she was to have resigned & renounced all her right to the intestate's estate or the adm^rcon thereof, and did assign all the right of adm^rcon she might or could have to yo^r petitioner, and desired adm^rcon might be granted to him accordingly. And accordingly, 21 Feb^ry, 1717, at the Court of Probates held for y^e County of New London in Connecticut, lres of adm^rcon were granted to yo^r petitioner of the goods, chattles, and credits of his s^d father, late of Boston afores^d; and yo^r petitioner entered into bond by himself and one surety to Rich^d Christopher, Esq^r, then Judge of y^e Court of Probates for the s^d County of New London, in 3000^l penalty conditioned for yo^r petitioners making a true inventory of all and singular the goods, chattles, and credits of the deçed, and to exhibit the same into the registry of the said Court of Probates on or before the second Tuesday in August then next, and the same well & truly to adm^r according to law, and to make a true account of his adm^rcon at or before the 2^d Tuesday in April, 1719, and to deliver & pay the ballance of such account (the same being first ex^{am}ed and allowed by the Court) as the Court by their decree or sentence pursuant to the true intent & meaning of the law should limit and appoint, and the like adm^rcon yo^r petitioner took out to the said intestates psonal estate in the County of Suffolke in the Massachusets, and gave the like adm^rcon bond to Samuel Sewell, Esq^r, Judge of y^e Probates for the s^d County of Suffolk, and in which adm^rcon the said Thomas Lechmere and Abel Wall * were bound with yo^r petitioner as his sureties.

21 Feb., 1717.
Adm^r of goods, chattels, & credits granted to pet. p Court of Probates for County of London in Connecticut. Bond to make inventory, adm^r acc^r to law, &c.

Like adm^r taken in County of Suff. in y^e Massachusets.

That your petitioner having paid & advanced to & for

* The name should be Abiel Walley. — Eds.

and on y^e acco^t of y^e s^d Tho. Lechmere, who had inter-married with his sister in her father's life time, as afores^d, much more than her share of y^e s^d intestate's psonal estate come to yo^r petitioner's hands, and having on all occasions to the vtmost of his power approved himself a true brother to his s^d sister and a friend to y^e s^d Tho. Lechmere, and the said Tho^s & Anne Lechmere having actually possed most of the said Wait Winthrop's psonal estate, he dying at Boston where they both were, your petitioner being at his father's death at New London, and the said Tho. & Anne Lechmere not having required your petitioner to exhibit any inventory or adm^rcon of his acco^{ts}, and having paid and discharged all the intestate's debts save only one bond which he often offered to pay, but the obligee therein always declined taking the principal, and on which bond yo^r pet^r always duely p^d y^e int, and therefore yo^r pet^r did not apprehend it any ways incumbent on him to exhibit the same.

That upwards of six years after the said adm^rcons so taken out, yo^r petitioner being then at Boston paying a visit to his s^d sister & M^r Lechmere, his family being then at New London, he reced a message from home of his children being taken ill and that he was much wanted, which requiring yo^r petitioners immediate departure from Boston, he acquainted his sister & her husband herewith, and the very morning he was going, and when his horses were at the door, M^r Lechmere caused yo^r petitioner without any previous notice thereof to be sumoned in the Court of Probates in his own house to appear before the said Court & give in an inventory of the intestate's estate in the County of Suffolke, and also his adm^rcon accounts, and also to be arrested at his own suit on account of his being bound as suretie with your petitioner in the said adm^rcon bond, and insisted on yo^r pct^r giving bail in 4000^{lb}.

Petr p^d
Lechmere &
ux more y^a
y^r share; in
life of fr.
they possd
most of p^{sl}.
Petr p^d all
debts but
one bond,
which
obligee de-
clined to
receive.

That your petitioner could not but be greatly surprized at a treatment of this nature from one he had endeavour'd so much to serve & oblige, and especially as the said M^r Lechmere nor his wife or any one else had not mentioned any thing of that nature or any ways in relation to the said admⁿ'conship to yo^r petitioner, thô your petitioner had been with them near three months, and as the s^d M^r Lechmere well knew the necessity of yo^r petitioners imediate returning to New London, and that he had none of his papers ab^t him, they being all at New London, which was above 100 miles distance. However yo^r petitioner made his immediate application to the Courts there & appeared to the said action (which was afterw^{ds} discharged), and then returned to Connecticut.

That the Gov^{mt} of Connecticut having conceived some very great prejudices agst yo^r petitioner, as yo^r pet^r humbly conceives, & that for no other reason that yo^r pet^r knows or ever heard of than because yo^r pet^r has always supported the prerogative of yo^r Majtie in that Province, and taken all proper occasions to put them in mind of the terms and conditions of their Charter, which was so obtained for them by yo^r petitioner's ancestor as afs^d and which they have of late years seemed too much to forget, and they uniting with the said Lechmere to ruine and oppress yo^r petitioner, as yo^r pet^r has great reason to apprehend and believe, in order to accomplish which yo^r petitioner further shews that on 25 July, 1724, the said Tho. Lechmere in his own name, and the name of his wife, yo^r peti^r's sister, whom he has pleased to stile in all the proceedings hereafter stated only daughter & coheir of the s^d Wait Winthrop, tho', as yo^r petitioner apprehends & is advised, such terms are inconsistent with each other, itt being impossible in the nature of the thing for an only daughter to be a coheir. However, by such a

25 July, 1724,
Lechmere &
ux peticoñd
Court of Pro-
bates for New
London to
reduce intes-
tate's estate
to a legal &
due settle-
ment. Sum-
mons to shew
cause why he
neglected to
inventory
estate & fin-
ish his admⁿ.
Inventory of
ps^l exhibited,
insisted
they had
nothing to do
wth real
which he
claimed as
h., not as
adm^r.

description of his wife and in her right as coheir with yo^r petitioner, he petitioned the Judge of y^e Court of Probates for New London afores^d, alleading y^e s^d Wait Winthrop's estate remained unsettled, and that he was held out of his just proportion thereof, which ought to be distributed and set out to his said wife, and therefore prayed such measures might be taken as were consistent with justice and the power & authority of y^e Court of Probates in ord^r to reduce the said estate to a legal and just settlement, upon which yo^r petitioner was sum^oned to appear and shew cause on Tuesday then next, 28th of s^d July, why he had neglected to inventory the said intestate's estate, and finish his admⁿcon according to his said bond.

That your petitioner was much surprised to find such a proceeding as this comenced. However, yo^r pet^r appeared on s^d 28 July, and exhibited an inventory of the said intestate's psonal estate, and at the foot thereof insisted that admⁿ had nothing to do with lands; they belonged to the heir at law, and that he was in possession of them as his right of inheritance according to the law and custome of England, and that therefore he was not obliged to exhibit any account of the real estate, that not being cognizable by that Court, and which inventory yo^r petitioner moved might be accepted and recorded. Whereupon the Court the same day by their decree reciting the said Lechmere's petition, and the summons thereon to yo^r petitioner, and that yo^r petitioner had offered his objections in writing why he had neglected to inventory the real estate of the deçed, and had exhibited an inventory of some personal estate of the deçed without any estimate or appraisement made on them as the law directed, and moved it might be accepted as a perfect

28 July.
Court refused
to admit such
inventory.
Pet^r appeal'd
to Sup^r
Court.

inventory of the said estate, and declaring they were fully satisfied the same was not a true & perfect inventory of all y^e s^d intestate's estate within that county, and that yo^r petitioners objections were agst the known laws of that Colony, and the constant practice upon them, — the Court decreed that the said inventory should not be admitted, and refused to admit it as such an inventory of the intestate's estate as ought to be exhibited and recorded in the records of that Court, from which sentence yo^r petitioner appealed to the next Superior Court, and the said Lechmere then moving for liberty to put yo^r petitioners adm^rcon bond in suit at the Special County Court on the first Tuesday in Aug^t then next, the Court was of opinion it could not equitably be refused & denied him after so long a time as six years, which had been allowed yo^r petitioner to settle the said estate, and thereupon the Court was pleased to allow thereof, & accordingly the said Lechmere, 29 same July, brought an action of debt for 3000^{lb} against yo^r petitioner on the said bond in the name of Rich^d Christopher as Judge of the said Court of Probates for New London in what he is pleased to stile a Special County Court to be holden at New London on the first Tuesday of August then next, and took out a writ or summons for sumonsing yo^r petitioner to appear at that time accordingly before the said Court, tho' in reallity yo^r petitioner humbly informs yo^r Majesty all such Special County Courts had been then long before abolished, viz^t. by an Act of Assembly passed in the tenth year of her late Majties reign intituled An Act for establishing Superior Courts, and altering the times of holding the County or Inferior Courts in the several counties of the Colony, and by which all S^pial County Courts were abolished, and the County or Inferior Courts redacted to certein stated times of meeting, viz^t. for New London in

29 July.
psuant to
order on
Lechmere's
mo^e bond
put in suite
at a Special
County Court
in name of
Rich^d Chris-
topher.
Those courts
p act 10 An.
abolished &
County
Courts for
New London
confined to be
held in June
& Novr.

June and November and at no other time, nor had there been any such Court held before since that time save once in relation to that Act, and before such Act such courts could only be held upon extraordinary occasions, whereas there was no such occasion in this case, and besides such summons was not within time served on yo^r petitioner, supposing such a Special Court could have had any existence.

4 Aug^t.
Plea to
jurisdi^c
overruled.

That on the 4th of s^d Aug^t, yo^r peti^tioner appeared at what was so stiled the Special County Court, and pleaded in bar to their proceedings on the said action that the said Special County Court, as it was stiled, had no foundation or power in the law to summons any of his Majesties subjects to answer before them, as appeared by the above recited Act, to which he referred, and the foundation of such a Court failing, yo^r petitioner insisted all that was built thereupon must fall with it, always saving to himself his plea in abatement of the writ, and the plt for reply thereto said the said Act had no relation to special courts, but stated courts.

Whereupon the Court the same day gave their opinion that yo^r petitioners said plea was insufficient to barr the plts action, and overruled the same, and adjudged that the action should proceed and yo^r petitioner pay costs, from which determination yo^r petitioner appealed to the next Superior Court.

That at the same time the said Lechmere in his own name and y^e name of y^e s^d Abel Walley also brought another action upon the case in y^e same Spⁱal County Court agst yo^r petitioner in 3100^ls damages, pretending the said Samuel Sewall as Judge of the Probate of Wills for the County of Suffolke in the Massachusetts Province had recoverd judgment against them in the s^d County of Suffolk for 3000^l debt and 2:5:6 costs upon your petitioner's admⁿcon bond so given to the said Sam.

Same Court
a^c, on c^e p
Lechmere &
Abel Walley
v. petr. Pre-
tence 3000^l
recovd ag^t
them as sure-
tys for petr
on bond for
admⁿ in
County of
Suff.

Sewall as aforesaid, and wherein the said Tho. Lechmere & Abel Walley were bound as sureties with yo^r petitioner as afores^d, on acco^t of yo^r petitioners not having exhibited any inventory or brought in his admⁿ'con accounts pursuant to the condition of the said bond, and to which action yo^r petitioner likewise appeared and pleaded in barr as afores^d, and the plts replied; and the said Court made y^e like determination as in the said other action, from which yo^r petitioner in like manner appealed.

That the said Lechmere being resolved to give yo^r petitioner all y^e vexation & trouble, and to put him to all y^e expence possible, he at the same time also brought four several writs of p^otion in his own name and the name of his wife, plts ag^t yo^r petitioner, def^t in the s^d S^pial County Court, thereby setting forth that the said Waite Winthrop dyed seized in fee of the several parcells of land and premisses in New London in the said four writs set forth, and which to create vexation and expence he is pleased to divide into four several writs, and left issue only yo^r petitioner and the said Anne Lechmere, who were his only coheirs, and to whom at his death his said land and premisses descended, and whereby they became seized of the premisses as their own proper estate in fee, viz^t. two thirds thereof to yo^r petitioner, and the other one third to the said Anne Lechmere; but yo^r petitioner and the said Lechmere and his wife could not agree to divide said premisses according to their respective rights; whereupon said plts Lechmere and his wife demanded of your petitioner a partition of the said lands & apurtenances, that their one third might be set out by meets and bounds with costs.

That yo^r pet^r apprehended these actions to be of the most extraordinary nature possible, being brought not only to recover from yo^r pet^r what his father had in a very solemn manner given to and put him in possession of

Same plea
overruled.
Appeal.

4 writs of
p^otion for sun-
dry lands in
Connecticut,
to have 1/4 al-
lotted to L
& ux.
Like plea,
&c.

in his own life time and made your petitioners own estate as afores^d, but to establish a right of succession in the female issue with the male issue, which, as your pet^r is advised & humbly apprehends, is expressly contrary to y^e comon laws of this land and directly contrary to y^e letter and intention of the said Charter; however, yo^r pet^r appeared and severally pleaded the like plea in barr to all y^e said 4 actions as he had done to the said other 2, and the plts replying in like manner, and the Court giving the same judgment, yo^r pet^r also appealed therefrom to the next Superior Court.

That the extream concern and vexation such a behaviour as this from the s^d M^r Lechmere flung yo^r orator into a severe fit of sickness of near three months continuance, so that when the next Superior Court met yo^r pet^r was confined in his bed, and was uncapable either to attend the said Court himself or to instruct his councill with what was necessary for his defence and safety, and therefore, considering the value, weight, & nature of the actions depending, 22^d Sept^r, 1724, he caused a petition to be presented to the said Superior Court praying in consideration of the premisses the s^d appeals might be adjourned over to the next Superior Court for that County.

That at the very same time yo^r petitioner was thus applying to have all his said appeals adjourned over to a future day yo^r pet^r finds an entry made in the record in yo^r pet^r's said appeal from the determination of the Court of Probates on the 28 of July disallowing the inventory yo^r pet^r had exhibited as afores^d, purporting that the p^ties appeared at the Court, and that yo^r pet^r withdrew his said appeal, and that thereupon yo^r pet^r was condemned in costs, whereas yo^r pet^r humbly affirms he did not then attend the s^d Court, nor did he give any directions or authority whatever to his attorney or any other pson what-

22 Sept, 1724.
Petic. to adj.
appeals, pet^r
being confined p
sickness.

Entry as to
appeal from
Court of Pro-
bates y^e pet^r
had with-
drawn it;
condemned
in costs.

ever to withdraw that or any other of his said appeals, but on the contrary he expressly directed his attorneys to get them all adjourned if practickable, if not, to defend y^e same in the best manner possible.

That the Court on yo^r pet^r's s^d memorial were of opinion yo^r petiçoner's reasons were not sufficient to adjourn over y^e s^d appeals, and therefore ordered the same to proceed; and thereupon, in yo^r pet^r's appeale from the judgm^t given in the s^d action in the name of s^d Christopher as Judge of the Probates of New London, by their judgm^t bearing date y^e first Tuesday in Sep^r, 1724, the Court declared the Act in yo^r pet^r's plea in barr mentioned did not repeale that clause in the law which allowed of a S^pial County Court to be appointed and held as had been vsual on extraordinary occasions, and affirmed the jurisdiction of y^e s^d Special County Court, upon which yo^r pet^r's attorney, who was then present, offered pleas in abatement of the writ, but which y^e Court refused to receive, alleading them to be out of season. But notwithstanding it appearing by the return of the office that the writ had never been legally served on yo^r pet^r, the said Court adjudged that the said action should not proceed, and gave yo^r pet^r 2^{lb} costs; and on yo^r pet^r's appeale from the said judgm^t given in favour of Tho^s Lechmere & Abiel Walley the same day, the Court overruled yo^r petiçoners plea in barr to the jurisdiction of the S^pial County Court; whereupon yo^r pet^r by his said attorney demurred generally, in which the plt having joined, the said Superior Court gave judgm^t thereon for the plts, and that they should recover against yo^r pet^r the said 3100^{lb} damage with costs, from which sentence yo^r pet^r prayed & was admitted a review to the next Superior Court on giving the vsual security; and the s^d four appeals on the said M^r Lechmere and his wife's writs of partition also

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acco.
Overruled &
judgt for pt.
Review
pray'd to
next Superior
Court &
allow'd.

coming on at y^e same time, the said Court overruled yo^r pet^{rs} several pleas to the jurisdiction of the s^d Special County Courts in all the said actions, whereupon yo^r pet^r by his said attorney to all the said actions likewise demurred generally; and the plts having joined in demurrer, and the same coming on to be argued, the said Court in all the said actions severally gave judgment ag^t yo^r pet^r, and adjudged that a partition should be made of all y^e lands in y^e s^d writs severally contained, and that writs should issue to the Sheriffe commanding him by the oaths of three sufficient freeholders to set out one third part thereof to plts in severalty by meets & bounds, and yo^r pet^r was also condemned in costs, from all which judgm^{ts} yo^r pet^r in like manner prayed and was admitted a review to the next Superior Court.

That one of y^e s^d 4 several reviews in y^e s^d partition actions coming on to be argued at y^e Superior Court held 23 March, 1724, the Court on yo^r pet^{rs} demurrers were of opinion that a declaration of y^e seizin of y^e ancestor, and of y^e number of his children or those who by the laws of that government were to inherit, together wth y^e proporçons mençoned in y^e law was insufficient to support y^e demand, the regulation whereof by y^e law of y^e s^d Colony is lodged with y^e Court of Probates; whereupon the Court gave judgment for yo^r pet^r, and adjudged that the plt's declaration & matters therein contained were not sufficient to maintain y^e s^d action, and also adjudged that yo^r pet^r should recover his costs of Court from the plt to be taxed; whereupon all the other actions were continued to the next Court, at which Court y^e said M^r Lechmere withdrew his said other three partition actions.

And the review on the action of y^e s^d Tho. Lechmere & Abiel Walley demanding 3100th dam-

23 March,
1724.
On one of the
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Court of
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tions was in-
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being left by
law to the
Court of
Probates.
Thence judgt
for pet^r.
Lechmere
withdrew y^e
other 3.

The acc. of
Lechmere &
Walley.

age coming on before the said Superior Court on 28 Sept^r 1725, yo^r pet^r waived his demurrer and pleaded the general issue to y^e s^d action, and issue being thereon joined and witnesses examined, the jury brought in a verdict for yo^r pet^r generally, upon which judgment was given for yo^r pet^r with costs.

Pet^r waived
dem^r &
pleaded
gen^l issue.
Vd^{ict} for
pet &
judg^t.

That your petitioner having thus defeated y^e s^d Lechmere in all his s^d actions & attempts upon him, he well hoped he should now sit down & enjoy his own inheritance with that quiet & security as by law he ought, and that y^e s^d Lechmere would be convinced of the injustice of his said attempts and of his vsage of yo^r pet^r; but your pet^r quickly found himself mistaken, and that the designs agst yo^r pet^r were laid too deep for your peti^{tion}er to avoid the ill consequences of them, for it now coming out that yo^r peti^{tion}er's inheritance could not be split and tore to peices by the com^{on} ordinary means of justice as the law was then understood, some more certain and irresistable way was to be found out to oppress yo^r petitioner, and for that purpose the said Tho. Lechmere in the name of himself & his wife preferred a petition in April, 1725, directed to the Governor, Council, and Representatives to be assembled in General Court the second Thursday of May, 1725, setting forth their having brought their s^d writs of partition agst yo^r pet^r for a third part of y^e s^d Wait Still Winthrop's estate, alleading y^e same to have descended to yo^r pet^r and y^e said Anne as the only children & coheirs of y^e s^d Wait Still Winthrop, which action being fully tryed in the Superior Court, where, on yo^r pet^r's demurrer, the Cort were of opinion the regulation & settlem^t of intestates estates was lodged with y^e Cort of Probates, and gave judgm^t agst y^e s^d Lechmere with costs, so that they were never like to recover of your pet^r the one third of the said Wait Winthrop's estate, which as they alleadged de-

Ap^l. 1725.
Lechmeres
peti^{tion}. to the
Gov^r. Council,
& Representa-
tives to be assem-
bled.

Alledge impossibility of y^r recovery from insufficiency of laws already provided, or Courts exposition of them.

1) they had no remedy at C. L. p^{sd} judgment.

2) nor p Court of Probates because no inventory exhibited of real & bond of 3000^l, not near value of $\frac{1}{3}$.

Pray Assembly to set aside judgment & grant new trial wherein they might well support y^r acc. of partic., notwithstanding the exposition of the Superior Court upon the Colony law.

scended to them as afores^d without the aid and relief of that Assembly; and that either by reason of the insufficiency of the direction of the laws of the Colony already made and provided or by the Courts sense or exposition thereof as

that House might be pleased to understand; for, first, as they alleadge they had no remedy by the comon law, as appeared by the said judgment against them; nor, secondly, any remedy by the Court of Probates, for that yo^r pet^r, being adm^r, had not presented any inventory of y^e s^d estate as afores^d, but refused so to do, nor could they have releif by forfeiture of your petitioner's adm^rcon bond of 3000^l if put in suit, that sum if recovered falling several thousand pounds short of their thirds in said estate, and as the laws of

the Colony had given the said Tho. & Anne Lechmere a right to one third of the said estate, they could not conceive it consistent with the honour, dignity, & justice of y^e Colony, but that the government already had or would afford some indisputable method for their better

obtaining their said right, so that the said law might not be rendred vain and fruitless. They therefore prayed the Assembly to take the premises into their consideration, and that the said judgment might be set aside, and a new trial granted them wherein they might, notwithstanding the exposition of the Superior Court upon the said Colony law, well support or main-

tain their s^d action of partition and for general releif, which petition, tho' of so very extraordinary a nature, and tho' directed to a Gen^l Court not then in being, was received and an order made thereon signed Xtopher Xtophers, Assistant, and dated the 29 of April, 1725, (which was before the Gen^l Court was assembled,) and directed to the Sheriffe, requiring him to summons y^e pet^r to appear

before the General Court at Hartford the first Tuesday after y^e 2^d Thursday of May then next, to answer the said petition, which was served on yo^r pet^r the first of May, 1725; and accordingly yo^r pet^r appeared & put in his answer, 13 May, 1725, thereby insisting the said petitioners ought not to be heard on their said petition, for that nothing was thereby prayed in which the said General Court was wont or ought to give releif. No error was assigned, no new evidence alleadged, nor any matter of equity demanded, nor any thing alleadged wherein the laws of the Colony could relieve, and ought not therefore to be received by this Court; upon which answer of yo^r petitioners, without any hearing thereupon, the Assembly immediately resolved that releif might & ought to be had in the Probates in such like cases by a new grant of an adm^r, exhibiting of an inventory of the whole estate, and a distribution made according to the rules of law upon the whole; whereupon it was resolved that the petition should abate and the def^t recover his costs. That the Speaker of this Assembly was attorney for the said Lechmere in these causes.

Answer y^t nothing was alleadged in which Assembly were wont or ought to relieve.

Resolved y^t relief might & ought to be had in the Probates in such like cases, by a new grant of admⁿ, exhibiting an inventory of whole estate, & a distribuⁿ. according to law. Resolved y^t petiⁿ sh^d abate.

That your petitioner apprehended this to be a very artfull way found out by the Assembly to reach yo^r petitioner & his estate by coming to a resolve on the said Lechmere's petition (at the same time that they dismissed it as improper) to let the Court of Probates see that the Assembly would approve of their exercising an extraordinary power in this case which was never exercised before in any other; and yo^r pet^r finding from this extraordinary step what danger he was in, he again exhibited the inventory of his father's personal estate come to his hands valued & appraised upon oath, and again insisted in writing at the foot thereof that admⁿ had nothing to do with lands, they belonged to

29 June, 1725.

him as heir at law, and who had been many years and then was seized and pōssed of them as his right of inheritance according to the law & custome of England, and that no real estate ought by law to be exhibited as not cognizable by a Cort of Probates, and yo^r petitioner then

Inventory of
whole p^l
exhibited
on oath.

moved that the same might be accepted as a full and perfect inventory of all the intestate's estate within that Colony proper for a Court of Probates by law to expect or demand, and offered his oath that it was y^e whole personal estate of the deēd; upon which being informed by the Court that the law of that Colony intituled An Act for the Settlem^t of Intestates Estates had directed all adm^{rs} of intestates estates to make an inventory of all the estate of y^e deēd as well movable as immovable, and unless yo^r pet^r would make oath that the said inventory produced by him was an inventory of the whole of the intestates real as well as psonal estate come to his knowledge, y^e same ought not

Rejected be-
cause real
not included.

to be accepted as a perfect inventory of the de- ced^s estate, which oath yo^r pet^r the adm^r refused to take, insisting he ought not to inventory any real estate for the reasons aforesaid, the s^d law of the Colony notwithstanding. Whereupon Xtopher Xtophers, Judge of the said Court of Probates, and who is also to the Superior Court and is a member of the Assembly, rejected the said inventory and refused to accept the same as an

Appeal.

inventory agreeable to the law in that case provided, from which sentence of denyall yo^r petitioner prayed an appeal to the Superior Court.

That after this appeale prayed and allowed, and before the same came on to be argued, the said Tho. Lechmere moved the Court of Probates that adm^rcon might be granted to him of the said Wait Winthrop's estate in regard yo^r pet^r had, as he alleadged, neglected to inventory y^e s^d estate or give any account of his adm^rcon, so that the said Tho^s had been hitherto kept out of his

wife's part of the said estate; and upon his petition to the General Assembly, it was resolved by the Assembly to be the only proper remedy for the said Lechmere to recover his just debt to take out adm^rcon as afores^d; and yo^r pet^r was, on the 26 of Aug^t, 1725, sumoned to attend the Court of Probates to shew cause why adm^rcon ought not to be granted to the said Tho. Lechmere in manner afores^d, and yo^r pet^r appeared, and the matter coming on, 30 Aug^t, 1725, the said Lechmere produced and insisted on y^e s^d vote of Assembly; to which yo^r pet^r answered, that since then & before Lechmere's motion he had exhibited an inventory into that Court of the deced's estate, but which the Court had rejected, upon which yo^r pet^r had appealed to the Superior Court, and which appeal was depending, and 'till the same was determined no new adm^rcon ought to be granted, which the Court agreed to, and refused to grant Lechmere a new adm^rcon 'till the said appeal was determined, from which sentence Lechmere appealed to the Superior Court.

Lechmeres
peti^c. for
adm^r re-
jected be-
cause appeal
depending.
He ap-
pealed.

That yo^r petitioner's appeal coming on to be heard before the Superior Court, 28 Sept^r, 1725, they were of opinion that real as well as psonal estate is ordered to be inventoried by the laws of that Colony, and that all Courts of Probates ought to be guided in their adm^rcons thereby, notwithstanding the laws of England do not ordain that real estates should be inventoried, and thereupon ordered that the said adm^r should not be admitted to evidence to y^e s^d inventory by any other oath than that which was agreeable to the laws of the Province, and affirmed the judgment of y^e Court of Probates, and condemned yo^r pet^r in costs, from which judgment of the Superior Court yo^r pet^r prayed a review before the next Superior Court; and the said Lechmere's appeal coming on at the same time, the said Court also affirmed the

28 Sept, 1725.

Both senten-
ces aff'd,

& reviews
pray'd.

judgm^t of the Court of Probates, refusing to grant him admⁿcon as afores^d 'till yo^r pet^{rs} said appeal was determined, from which sentence the said Lechmere prayed and had a review likewise.

That your petitioners said appeale coming on to be argued by way of review before y^e Superior Court on 22^d Mar, 172⁶, the Court were pleased to affirm their said former judgment in Sept^r last, and condemned yo^r pet^r in costs, and on the said Lechmere's review, which came on at the same time, the said Superior Court forasmuch as yo^r pet^{rs} said appeale was then issued and determined, and that it appeared to the Court that yo^r pet^r had neglected his admⁿcon upwards of 7 years, and had hitherto by his neglect kept s^d Lechmere out of his wife's proportion of her father's estate, and yo^r peti^oner then giving the Court to understand that he would not adm^r according to y^e laws of y^e Colony in such cases provided, the Court gave their opinion that the said letters of admⁿcon formerly granted to y^r pet^r should be vacated and a new adm^r appointed, and accordingly the s^d Court by their sentence ordered the said letters of admⁿcon to be vacated, and that the said

& on Lech-
meres admⁿ
granted to
him & ux. &
pet^{rs} vacated.

Tho^s Lechmere & Anne his wife, the only daughter of the deced, should have admⁿcon on the said estate, and the s^d Superior Court thereby granted power of admⁿcon to the said Tho^s & Anne Lechmere on the s^d Wait Winthrop's estate, and yo^r pet^r was condemned in costs in that action, from both which judgments of the s^d Superior Court yo^r peti^oner prayed an appeale to yo^r Majesty in Council in giving security, but which was in a contemptuous manner denied him, tho' often demanded

Appeal to
his Majty
desired &
denied.

and insisted on; the Court saying they were not under yo^r Majties government, and their Charter knew nothing of yo^r Majesty in Council, and that yo^r pet^r might come and tell yo^r Majtie that they denied him an appeal and

bid him take evidence thereof, which yo^r pet^r accordingly did, and has affid^s taken before one of the Justices of y^e s^d Colony to prove the same, which are herewith humbly presented.

That your petitioner finding his inheritance was in this imminent danger of being torn in peices, and his application for releif to yo^r Majesty being thus denyed him, to prevent if possible any thing being done to his prejudice in the p^rmises till he could lay his case before yo^r Majesty, yo^r petitioner entered & signed his protest as heir at law to his father agst any illegal proceedings of the Court of Probates, viz. That the Court presumed not under colour of law to grant l^īes of adm^rcon on the said estate to any other person whatsoever; the Court having already lodged that power with yo^r pet^r, who was most immediately concerned in the matter, and also entered a caution and protest agst y^e division of any real estate pretended to belong to yo^r petitioner's said father in the said Colony of Connecticut, all such real estate being yo^r petitioner's undoubted right of inheritance, who was seized and possessed of the same according to the law and custome of England, and therefore your peti^ōner protested agst any proceedings or transactions of the said Court contrary to the laws of England, the full enjoyment of all liberties and immunities, benefit, right, & priviledge of which laws appertained to yo^r petitioner both by act of Parliament and by the royal Charter as a free and natural born subject of Great Britaine to all intents, constructions, and purposes whatsoever.

Notwithstanding all which yo^r pet^r shews that the Judges of y^e s^d Superior Court, viz. Sam^l Eeles, Matthew Allyn, James Wadsworth, & John Hooker, Esq., (all members of the Assembly,) immediately, viz^t. on s^d 22^d March, 1725, took an adm^rcon bond to themselves from the said Lechmere & sureties in 30,000^lb penalty,

Protests entered in Court of Probate, v. Adm^r to Lechmere & v. Division of real estate.

one of which sureties was Speaker of the said Assembly, and hereupon took upon themselves to grant letters of admⁿcon of the said intestates estate to the said Tho. Lechmere & Anne his wife, tho' yo^r petitioner humbly insists the said Superior Court had no power whatsoever in them so to do, the taking such bonds and issueing of administrac^ons wholly belonging to the Court of Probates.

That such bond & admⁿcon only extended to the goods, rights, and credits of y^e s^d de^{ce}d which yo^r pet^r had before admⁿed (prout copies thereof annexed).^{*} However, the said Lechmere under colour thereof inventoried and appraised all your petitioner's real estate, and exhibited an inventory thereof before a Special Superior Court held for that purpose on the 29th of April, 1726, of which the same psons were judges, and who came at least 100 miles a peice to receive such inv^y, tho' such Superior Court could not by law be so specially held, that Court being confined by act of Assembly to particular stated times of sittings, and tho' such Court had no power to receive such inventory, and tho' ye s^d Lechmere, supposing him a legal adm^r, which however he was not, as yo^r pet^r apprehends, had nothing to do with the intestates real estate, or if he had, all y^e s^d estates so inventoried were your peti^oners own estates of which he had been seized & possessed in his own right several years before his said father's death. Yet the said Superior Court took upon them to sit spⁱally on the said 29th of April, 1726, and re^{ce}ed the said inventory, and by their act of that date approved y^e same and ordered it to be recorded, but no psonal estate whatsoever was included in such inventory; and the said Lechmere also then exhibited to the said Court an acco^t of 38^l 7^s 4^d for charges and

Yet admⁿ granted p Sup^r Court on security.

Both admⁿ & bond extend only to goods, rights, & credits.

However, Lech^mre exhibited inventory of real.

* The writer probably meant certified copies. The abbreviation is plainly written. — Ebs.

time spent in the adm^rcon, and a debt due to Robert Lattemore for 318^{lb} silver money, which was the bond yo^r pet^r had so often offered to pay as afores^d, and for which he had duely paid interest; which account the said Court also allowed and ordered to be kept on the fyle, and the 12 May, 1726, the said Lechmere being conscious he had no power over any real estate by virtue of such adm^rcon of y^e s^d intestate's estate, petitioned the Assembly, setting forth his having adm^red to Wait Winthrop, no part of the personal estate of the intestate had or was like to come to his hands, the estate come to his hands being all real, and finding there was due from the said estate 356^{lb} 7^s 4^d, being the two sums in his above account mentioned, and no moveables to pay the same, he prayed the Assembly that they would in their great wisdom be pleased to enable him to pay the said debts by ordering him to sell and dispose of so much of the de^ced's lands thereby to defray the said debts with the other necessary charges.

12 May, 1726.
Lechmeres
petie. to As-
sembly to
enable him to
pay debts of
356:7:4, by
ordering sale
of pt. of real.

That yo^r pet^r being informed of his application to the Assembly, that they might do nothing herein without the fullest notice possible, yo^r pet^r on 20th of y^e same May presented a memorial to the said Gov^r & Comp^s acquainting them that the extraordinary measures that had been taken in reference to his estate occasioned his appearing then before them to demand from them an appeale to his Majesty the King in Councill from the said two judgments of the Superior Court, such sentences tending under colour of law to break in upon your petitioner's inheritance, and contrary to the laws of England to defeat the heir at law of his just right, and designed to cut in peices the real estate of yo^r pet^r's family which he had been many years rightfully seized of, and descended to him from his ancestors *s^cem legem & consuetudinem Angliæ*, and which ought to be preserved entire and unbroken to yo^r

20 May.
Pet^r's peti^cion
to them de-
manding an
appl to his
Maj^y dis-
miss'd,

pet^r as a free and natural born subject of Great Britaine to all intents, constructions, and purposes whatsoever, according to the tenor of the royal Charter, the acts of Parliament, and the comon law of England, and declaring that he being aggrieved did appeale to his Majesty in Council, but which remonstrance the Assembly, observing the comon course of justice, and the law of the Colony being by application to the said Assembly when the judgments of the Superior Courts are greivous to any person, and yo^r pet^r not having attended the orders & method of the government, they dismissed his said remonstrance

from further consideration, and immediately afterwards on the said Lechmere's petition granted him a power to sell the said lands, and ordered that a bill should be brought in for that end in forme, which resolve was sent up to the Upper House for concurrence.

That hereupon yo^r pet^r being forced thereto, and having before declared his having appealed to yo^r Majesty in the premisses on the 22d of the said May, he as heir at law to the real estate of his father entered and fyld his protest and caution with the said Gov^r & Comp^a at the sessions of the Gen^l Assembly against any illegal proceedings in reference to his estate of inheritance contrary to the law of England, the acts of Parliament, and the tenor of the royal Charter, informing the Assembly that he was and had been many years rightfully seized of the real estate of his family, which lawfully descended to him from his ancestors as his undoubted estate of inheritance, and there-

Pet^r's protests
v. sale, division,
&c.

fore he protests against the illegal doings of any Gov^r, Judges Ordinarys, Commissaries, or other judicatories whatsoever, that they did not under colour of law grant l^{res} of adm^rcon, receive pretended inventories and appraisements, or other wrong measures whereby to hurt yo^r peti^oner's land of inheritance, particularly that they did not proceed to grant power to any pretended

adm^r to sell any part of your petiōner's real estate under colour of debts due from the deċed, and also protesting against the division of any real estate belonging to the deċed, as they would answer for such their illegal measures and proceedings before yo^r Majesty in Councill.

That the Assembly upon reading such protest were pleased to be of opinion that it had in it a great shew of contempt to the Gov^r and Assembly, and the authority by the Charter there established, and therefore they on 25 of y^e same May issued their order to the Sheriffe forthwith to bring yo^r pet^r to the barr of the Assembly to answer for the contempt manifested in the said protest, and immediately afterwards by an ord^r reciting Lechmere's said petition the said Assembly gave & granted to the said Thomas Lechmere full power and authority to sell so much of the said lands of the deċed as might produce money sufficient to discharge the said debts, and the necessary costs in selling the same, the said Lechmere taking the directions and advice of the Superior Court in such sale, the Assembly enact and declare such deed or deeds of sale to be good in law for the sure holding thereof to the purchasor in fee.

That your petitioner, being brought to the barr of the said Assembly, with all proper respect represented the hardships of his case, the right he had in co^mmon with them all to the laws of this land, and the priviledges of the Charter, & the reasonableness of such his protest, and that he should lay the whole of these proceedings before yo^r Majesty in Councill. This was treated as an insolent, contemptuous, and disorderly behavior in yo^r pet^r as declaring himself *coram non judice*, and putting himself on a parr with them, and impeaching their authoritys and the Charter, and his said protest was declared to be full of reflections, and to terrifie, so farr as in him lay, all the authorities established by the Charter, where-
upon your pet^r was comitted to the custody of

Order to take
Pet^r into cus-
tody for con-
tempt.

Act pass'd
for sale.

Petr commit-
ted & kept
for 3 days,

the Sheriffe, who, after yo^r pet^r had been with him three days, told yo^r pet^r he was at liberty to go where he would, which yo^r pet^r did, and which was afterw^{ds} charg'd agst yo^r pet^r as wanting his escape, and yo^r pet^r was the next day fined in 20^{lb} to the treāry of the Colony (for such his contemptuous words as the Assembly termed them) and the Secretary ordered to send execution to levy the same.

That soon after this yo^r pet^r took his passage for England, and some small time since arrived here.

That since yo^r petitioner's said appeale he has reċed an account that y^e s^d Tho Lechmere in the name of himself & his wife hath brought an action against yo^r pet^r in the County Court for New London afores^d for an account of the rents & profits of the said estate since yo^r pet^{rs} said father's death, and is proceeding with all rigour therein, and is also applying to the Lieutenant Gov^r and Councill of Massachusetts Province to get the like orders & directions for a division and sale of yo^r pet^{rs} reall estate there.

That yo^r pet^r humbly lays the whole premisses before yo^r Majesty, by which y^e many extraordinary and unjustifiable steps that have (as yo^r pet^r humbly apprehends) been taken ag^t yo^r pet^r to divest yo^r pet^r of his inheritance, and to set up his sister as coheir with yo^r pet^r, and to make a division of yo^r pet^{rs} estate between him & his said sister, contrary to the coñon and statute law of this realm and y^e Charter of the s^d Provinces. That therefore and

In consideration of y^e many uncoñon hardships of yo^r pet^{rs} case, and to prevent his inheritance being thus violently severed from him, your pet^r humbly prays yo^r Majtie to admit to appeal to yo^r Majtie in Councill from the said two sentences of y^e s^d Superior Court of y^e 22^d of March last, and that thereupon yo^r Majtie would please to reverse the same with costs, and to ord^r the said

Lechmere
pceeds for
mine pñts.
& in the Mas-
sachusetts.

Appeal from
2 sentences
of 22 March.
This ad-
mitted.

admⁿcon so illegally and irregularly granted to the said Tho & Anne Lechmere to be called in, and also to set aside and discharge all subsequent proceedings founded thereon, and that yo^r Majtie will be also pleased to repeal the said Act passed by the Assembly impowering the said Tho Lechmere to sell and dispose of yo^r pet^rs real estate as afores^d, and that all proceedings in the said action agst yo^r pet^r for an account of the rents and proffits of yo^r pet^rs said estate may be directed to be stayed until yo^r Majties further ord^r in the premisses, and that yo^r Majties Gov^r of the Massachusetz may be directed not to suffer any division or sale to be made of yo^r pet^rs said inhithance in that Province, and that yo^r Majtie will be pleased to make such ord^r and give such directions in relation to the behaviour of the Gov^r & Comp^a of the said Province of Connecticut and the Judge of the said Court of Probates, and the Judges of the said Superior Court, as yo^r Majtie shall find proper, and that yo^r pet^r may have such further and other releif in the premisses as the hard circumstances and nature of his case considered the same shall require.

And, &c.

By Ordⁿ in Councill the above petition was referred to the Comittee of Councill, who, upon hearing councill on both sides, reported as their opinion to his Majesty that the pet^r should be admitted to an appeale to his Majty in Councill from the s^d 2 sentences past in the Superior Court of Connecticutt, on giving the usuall security here in the s^ume of 100^{lb} sterg. to prosecute the appeale to effect, and to abide the determinacion of his Majesty in Councill thereupon, which report was confirmed by Order in Councill, and Mr Winthrop imediately gave security as directed, and

Pray reversal of admⁿ & all subsequent proceedings. Repeal of Act of Assembly.

Stay proceedings for mine pits.

Orders to Gov^r of Massachusetz not to suffer division of real there.

Direcs as to behaviour of Gov^r, Assembly, Judges, &c.

16 Janry, 1726.

18 Febry folo.

28 March, 1727.

then preferred his petition of appeale in the very same words with the above petition, save only, instead of praying leave to appeale, he states that he had obtained his Maties leave to appeale as afsd, w^{ch} petition was ref^d to a coñtee, who app'td y^e same to be heard in Dec^r.

21 Nov^r.
last.

The respond^{ts} applyed to the comittee to putt off the hearing the appeale till June next und^r an an allegaçon that he was in want of severall papers and proceedings from New England. But no affid^{ts} being made in support hereof, nor any particular papers pointed out, and the application being made so late and just before the day of hearing, and M^r Winthrops solc. offering to lett the respond^{ts} take copies of any papers he should want from the proceedings in his custody, their Lord^{sh} ordered the appeale to be peremptorily heard on Thursday, y^e 14th Dec^r instant, and note the respond^{ts} have had what papers they wanted, which were only one or 2, to countenance their application for time.

Note. — The nature of y^e case with a state thereof & of y^e proceedings in the Courts below are fully sett forth in the above petition, y^e same containing a very full brev^t of y^e pleadings, so that it will be unnecessary to sett them out again, and as for proofs y^e nature of y^e case speaks itself & appears from y^e proceedings themselves, so that our proofs are but short and are as follows: —

Our proofs to shew that our uncle Fitz John Winthrop intended the pet^r to succeed to all his real estate, &c.

His Excell^{cy} Henry Dudley, Esq^r., Gov^r of New England, 2 Oct^r, 1710, made the foll^g affidavit, wch is recorded in New England, & transmitted under seal, viz^t: —

That he had for 40 years a particular intimacy & friendp with s^d Fitz John Winthrop, & often heard him declare he w^d keep his fath estate inviolate & unbroken for y^e heir of y^e family & y^e name of his fa^r; att other times, that his fath estate sho^d never be divided for him,

mentioning his only bro^r with y^e greatest respect, and in y^e sumer 1707, when the pet^r offered an intemarr. with dep^{ts} daūr, s^d Fitz John Winthrop, his uncle, treated with y^e dep^t of y^e said marr. for his nephew & told y^e dep^t his nephew the pet^r was y^e last heir in y^e Province, and that all he had as well as all his fa^r had was for him, and that his nephew must be content to lett him his s^d uncle have his life in s^d estate, & then it was all his own, & that he designed by that means to raise his family; and once more in conference during that treaty he told dep^t his nephew was sick y^e then last sumer, & that he was fearfull of his death, & then he determined in his own mind to send for Major Adam Winthrop, then living in Boston, & give him all his lands to bear up the name of his father and family. These things & many more y^e like he sayd to dep^t in his last two m^o conversation, w^{ch} being on a treaty of marriage w^{ch} soon after was consumated dep^t always rested upon as a just settlement for y^e petitioner.*

Our Proofs as to y^e like declaration of the pet^{rs} fa^r, and his giving the pet^r y^e estate in quōon in his life time: —

That Maj^r Gen^l Wait Winthrop sevⁿ years before his death came to New England with his family & settled his only son, y^e pet^r, in y^e estate of his ancestors in Connecticutt, & having settled him there returned with his own family to Boston again, & left ye^e pet^r, his son, in y^e possion of s^d estate, who still lives thereon & has so done ever since, and dep^{ts} being intimately

Robert Latimer & Joshua Hampsted. Affid^t transmitted by y^e Judges seal, & transmitted & annexed to our petition Jur. 4 July, 1726. †

* It is perhaps needless to say that the solicitor's clerk in copying the foregoing affidavit into the brief blundered as to Dudley's Christian name, and there are some other errors. A certified copy of the affidavit is in 6 Mass. Hist. Coll., vol. iii. pp. 419, 420. See also *ante*, p. 167. — Eds.

† The marginal notes to the Proofs are in the same handwriting as the body of the brief. They were no doubt put in the margin so that they might more readily catch the eye of the counsel. The mistakes in respect to names are probably due to carelessness or the inability of the solicitor or his clerk to decipher the signatures attached to the documents transmitted from Connecticut. The original has been closely followed in printing. — Eds.

acquainted with Maj^r Winthrop, they always understood he intended his son, y^e pet^r, sho^d inherit y^e whole of said estate.

Jun. 29 May,
1726.
William Gal-
lups affid^t.
Transmitted
under seal.

Had a particular intimacy & acquaintance with y^e late Maj^r Gen^l Wait Winthrop, Esq^r, of Boston in New England, and some time after he had bro^t his son, y^e pet^r, into possession of y^e estate at Connecticut, & as s^d Wait Winthrop was returning home to Boston from New London, he stayed & lodged at dep^{ts} house in 1711, & then declared & told dep^t in discourse ab^t y^e settle^{mt} of his estate that he wo^d keep his real estate inviolate & unbroken for his son, y^e heir of his family, & that w^{ch} ever lands he had w^{ch} were his fa^{rs} they sho^d be his sons, and also shewed dep^t a deed of his bro^r Fitz John Winthrops whereby s^d Fitz John gave his pt. of y^e lands w^{ch} was his fa^{rs} to y^e pet^r, & y^e s^d Wait Winthrop declared he wo^d do y^e like, & that all his land sho^d be & abide to y^e male heir of his family, with many other words to the like purpose, & dep^t ever understood that the s^d Wait Winthrop brought his son, y^e pet^r, into y^e possession of the estate to inherit all y^e lands appertaining to his ancestors.

George
Havens &
Mary his
wife, their
affirmacon
taken 25
Aug^t, 1724,
transmitted
p Judge &
sealed up &
annexed to
petition &
ordered to be
opened
p Lords of
Committee.

That for many years before the late Maj^r Wait Winthrops death, they hired y^e stock on Fishers Island of y^e pet^r & p^d him rent for them ever since, & have had to do with no other landlord but y^e petition^r, and say the s^d Maj^r Gen^l Winthrop told them his eldest bro^r, who always had lived on s^d estate, had given all his estate to y^e pet^r.

That anno 1714 he hired of y^e pet^r part of Fisher's Island & y^e stock thereon with George Havens, & never had any other landlord but y^e pet^r, nor ever heard of any other claimer during his abode there, w^{ch} was sevⁿ years before Maj^r Winthrop's death & some years after.

Thomas
Munford, jur.
and trans-
mitted with
Havens
affid^t.

Our Proofs as to y^e pet^{rs} being denyed an appeal, transmitted p Judges, sealed up & annexed to our petition & ordered to be opened p y^e Lords of the Comittee: —

James Tilley
& Jeremiah
Chapman Were present in y^e Superior Court at Con-
necticut, in Sep^r, 1725, & then heard y^e pet^r
demand an appeal to y^e King in Council from y^e judgm^t
given ag^t him by s^d Court in a m̄re concerning his in-
hittance, & y^e Deputy Gov^r of y^e Colony, being Judge of y^e
Court, refused to grant an appeal to y^e King & Council,
& told y^e pet^r he might go home to England & complain
if he would.

Solomon Coit
& Jeremiah
Brown Were both present at y^e Superior Court for
New London at Connecticut, 28 Mar., 1726,
& prove Winthrop y^e pet^r then demanded an appeal from
y^e judgm^t of that Court to y^e King in Council in 2 accōns
given ag^t him concerning his inhittance, & y^e y^e Judges of
s^d Superior Court refused to grant an appeal to y^e King
in Council, & told the pet^r he might take evidence that
they refused.

Note. — There is also transmitted wth s^d affid^{ts} sealed up
by y^e judges & w^{ch} was annexed to our petition, & w^{ch} is
opened by y^e Lords of the Comittee, a certificate dat^d 21
June, 1726, signed by

Peter Brion,
Tho^s Mum-
ford, & Paul
Frayse, Certifying that they were p^rsent when y^e pet^r
delivered a paper to Joseph Talcott, Esq^r., Gov^r
of Connecticut, before y^e General Assembly at
Hartford in May then last, and that they never observed
but that he carried & behaved himself with all y^e modesty
imaginable.

That since preferring our petition of appeal we have
had transmitted to us under the seal of y^e Province an
order of the Superior Court, dated

27 Sep^r, 1726, Made on s^d Lechmere's motion for y^e direc^{con} of
that Court in y^e sale of part of the real estate
of Major Wait Winthrop, de^{ced}, to answer the debts and
charges of adm^rcon &c. pursuant to y^e Act of Assembly in

May then last before stated, whereby y^e s^d Court order that the s^d ad^mor be allowed to sell of s^d real estate to y^e value of 90^{lb} currant mony for charges & 318^{lb} silver mony to answer the debt of that value.

Tho' N. B.: The charges as stated & prayed to be allowed by him, & as allowed by y^e ord^r of 29th April, 1726, amounted to but 38^{lb} 7^s 4^d, under w^{ch} order,

By deed pole of this date, reciteing y^e s^d Act ^{22 Oct^r, 1726.} of Assembly, dat^d 12 May, 1726, & s^d order of y^e Superior Court of 27 Sep^r, 1726, the s^d Tho^s Lechmere, in coⁿs of 300^{lb} silver mony & 90^{lb} curr^t mony p^d him by Richard Douglass & John Richards, both of New London in Connecticut, conveyes to y^e s^d Douglass & Richards in fee sev^l tracts of land in y^e deed p^ticularly described & cont^s 307 acres, pnt s^d deed of sale likewise lately transmitted us under y^e Province seal.

We have also transmitted us a copy of an ac^{co}n of account bro^t ag^t us in y^e adjourned County Court of New London by y^e s^d Lechmere & his wife, y^e 15 July, 1726, (but not under seal,) requireing M^r Winthrop to render them an account of y^e time in w^{ch} he was bayliffe & rec^r of their monys, (viz^t) the annual rents & profitts of their sundry lands & tenem^{ts} in New London from 21st Febry, 1717/8, and so thenceforward annually until the time of the s^d ac^{co}n brought; whereupon pl^{ts} say that Maj^r Wait Winthrop of Boston, de^{ce}d, sometime before s^d 21st Febry, 1717/8, dyed intestate & seized of sundry lands & tenem^{ts} in New London, (viz^t) and then setts out five sev^l farms of 274^{lb} p ann w^{ch} they alledge at Wait Winthrops death descended & came to def^t and pl^{ts} as only children & coheirs of s^d de^{ce}d, (viz^t) two thirds thereof to def^t & $\frac{1}{3}$ to pl^{ts}, but y^t def^t entred on all s^d lands & rec^{ed} y^e rents & profitts thereof yearly, & so continues to do, but refuses to account with pl^{ts} for their one third of y^e profitts of s^d land, tho often requested thereto by pl^{ts}, to pl^t damage 3000, &c.

We have likewise copys of sev^{ll} accōns bro^t in y^e Massachusetts Bay by Lechmere & his wife to obtain adm^{con} & to recover one third of our real estate there.

As to y^e meritts of this appeal, y^e same fully appear on y^e petition, & y^e proceedings of y^e Courts & Assembly below have been so very extraordinary & partial as that we make no question but that on this appeal the same will be all reversed & sett aside.

We do not contend to vitiate w^t has been done below, for y^e meer informality & irregularity of y^e proceedings w^{ch} they are full off, for we are sensible accōns in Connecticut are not bro^t or prosecuted in like manner as in y^e courts of England, no strict forms in declarations, pleadings, or judgm^{ts} being observed.

Nor do we apprehend it will be very material to shew that y^e Speciall County Courts in w^{ch} Lechmere bro^t his sev^{ll} accōns had no existence in law, since y^e final determinacōns in those courts in all Lechmere's accōns were in our favour, yet to shew that we have inserted nothing in our petition but w^t is strict fact, we observe,

That by an Act in y^e printed Book of Laws, fo. 22 (but y^e time when passed does not appear), entituled An Act for " Holding of Courts & appointing the times & places for the same, It is enacted (*int. al.*)

" That there shall be two Courts of Assistants or Superior Courts of Judicature yearly held in y^e Colony by y^e Gov^r or Dep^{ty} Gov^r & six Assistants, the first at Hartford on y^e first Thursday in May, & y^e 2^d at New Haven on y^e first Thursday in Oct^r, which court to have pow^r to hear & determine, by a jury or otherwise, all such appeals as sho^d be bro^t before them from any of y^e County Courts, both of civil & criminal causes; and it shall be in y^e pow^r of the s^d Court of Assistants, upon necessary occasion, to adjourn the s^d Court; and y^e Gov^r, or in his absence y^e Dep^{ty} Gov^r, is empowered to call a Special Court of Assistants on any extraordinary occasion.

“And it further enacts that there shall be kept in each respective county yearly, at y^e times & places after mentioned, an Inferior Court of Judicature or County Court by a Judge & two Justices of y^e Quorum, who have pow^r by a jury or otherwise to determine all causes, civil & criminal, arising in y^e county.

“The times & places for holding s^d Inferior Courts or County Courts to be as fols: (viz^t) for y^e County of New London, at New London on y^e first Tuesday in June & y^e third Tuesday in Sept^r yearly. And so appoints fixed days for y^e other county, with a pow^r to adjourn s^d Court on any necessary occasion as they see cause.

“And y^e Judge of each respective County Court is empowered to call a Special County Court upon any extraordinary occasion, provided no charge arise thereby to y^e county.

“And y^e Judges appointed to keep y^e County Courts are to hold & keep y^e Court for Probates of Wills, granting adm^rcon, & ap^pting & allowing of guardians, with full pow^r to act in all m^res proper for a Prerogative Court, with liberty of appeal to y^e Court of Assistants from s^d Prerogative Court.”

N.B. So that if y^e pow^r of this Special County Court was to rest on this Act, it is observable it co^d not be called but upon some extry occasion, wch cannot be p^rtended in y^e present case. But in fact this act was afterwards repealed & all Special County Courts abolished, for by an Act passed 10 Annæ, fol. 167, 168, in y^e Book of Laws entitled “An Act for establishing Superior Courts & altering the times of holding the County or Inferior Courts in y^e sev^h Countys of this Colony,” after reciteing that it had been found very inexpedient the having but two places & two terms for holding the Superior Court of Common Pleas called the Court of Assistants,

“It enacts that a Superior Court of Judicature over y^e Colony sho^d be established, to be held at y^e times & places

after mençoned, to consist of one Chief Judge & 4 other judges, & to have cognizance of all pleas, real, psonall, or mixt, & generally of all actions wtever, whether the same concern y^e reality & relate to any right of freehold & inhithance or w^r y^e same concern y^e psonalty & relate to m^res of debt, contract, damage, &c., bro^t before them by appeal, review, writt of error, or otherwise, in as full manner as y^e Court of Assistants theretofore had.

“ And then fixes y^e time & places of holding & keeping the s^d Superior Courts in each county at diff^t times: and within & for the County of New London, at New London on the fourth Tuesdays in March & September.

“ And all acçons depending in y^e late Courts of Assistants by review, or in any y^e late County Courts by appeal, were referred to y^e next Superior Court, there to be heard & determined.

“ And all acts, or clauses of acts, for establishing two Courts of Assistants is thereby repealed.

“ And it is further enacted that y^e County or Inferior Courts within y^e Colony sho^d be holden annually at y^e times & places foll^g, viz: (and then y^e act names y^e places & times for each County), and (*int. al.*) the Court or Inferior Court within & for y^e County of New London shall be holden at New London on y^e first Tuesday in June & fourth Tuesday in November.

“ And all acts, or clauses in any acts, provideing for y^e holding of Inferior Courts at any other time or in any other place than those afs^d is repealed.

“ And all acçons depending in s^d late County Courts by review are by this act referred to y^e s^d next Inferior Court to be there heard & determined.”

So that by this last act repealing y^e act for County Courts & constituting Inferior Courts in their stead to meet at fixed times without any pow^r to call Special County Courts on any occasion wtever, we take it to be indisputably plain that y^e Special County Courts before

w^{ch} wee were summoned had no legall existence, & that we were right in insisting they had no foundation or power in law to summons any of his Majesty's subjects to answ^r before them.

We app^hend also it is not very m̄real to enter into a particular examination of y^e illegality & unwarrantable-ness of the two ac̄cons on y^e administration bonds & four partition ac̄cons & y^e proceedings thereon, the finall determinations of those ac̄cons being also in favour of M^r Winthrop; but we thought it necessary to state y^e same to shew in what an extraordinary manner we have been proceeded ag^t, & to demonstrate y^e great injustice of y^e subsequent proceedings of the Assembly & that very Court which, whether the same are agreeable to y^e Charter, y^e rules of law & justice, or reconcilable with reason, is the chief point now to be considered, and as to the subsequent proceedings of y^e Assembly prior to Lechmere's suing for y^e administration.

1st. We observe Lechmere's petitioning y^e Assembly after he had been cast in all y^e courts at law was very extraordinary, & an applicācon of y^e first impression & of a very dangerous consequence and wholly unpresidented & illegall; for we shew by one of the first Acts passed in y^e Province, in fo. 3 of y^e printed Laws, entituled "An Act relateing to y^e Civil Actions," it is enacted, "That if any pson be aggrieved with y^e sentence of any assistant or justice of y^e peace he may remove his case by appeal to y^e next County Court, & from thence he may appeal to y^e next Court of Assistants, or by new process review his cause in y^e County Court, & from y^e judgm^t on such review may appeal to y^e new Court of Assistants; and if either p^{ty} be aggrieved with y^e judgm^t or determination of y^e Court of Assistants upon y^e first tryal of y^e case, there he shall have liberty by a new process once & no more to review his case in y^e same court, there to be tryed to a final issue."

And Note : No other pow^r or right of applicaçon is by this or any other act reserved from y^e determination of this Court to y^e Assembly, nor indeed co^d it ; the Assembly having no judicial pow^r vested in them by their Charter, for thô they have a pow^r to erect Courts of Judicature & make laws, yett they have no pow^r to execute them, and y^e above act is nowhere repealed but by y^e proceedings in this cause appears to be in force to this day. The Court of Assistants is indeed abolished, but then the Superior Court is constituted in their stead by the s^d Act 10^o Annæ, and vested with y^e same pow^r y^e Court of Assistants had, & conseqtly by this act y^e judgm^t of y^e Superior Court was final, & no applicaçon lay from thence but to his Majesty in Council by y^e inherent right of y^e Crown, where Lechmere never thought fitt to appeal.

2^d. Lechmere's petition to y^e Assembly admits that by y^e laws of y^e Province as then practised & understood he co^d not be relieved, for that they had no remedy by y^e coñion law, as appeared by y^e judgm^t of y^e Superior Court (& wch virtually admits their judgm^t to be final), nor any remedy by y^e Court of Probates, but pray y^e Assembly to afford them some indisputable method of recovery, & whereby, notwithstanding the Superior Courts exposition of the Colony laws, that they might support their acõn, and therefore y^e Assemblys interposeing herein in y^e manner they did was very partial and unjust.

3. The Assembly had no pow^r to come to any such resolve on Lechmere's petition as they did on y^e 13th of May, 1725, but ought generally to have dismissed y^e same as improper before them ; and their resolveing that Lechmere might and ought to have relief in y^e probates by a new grant of an adñor, exhibiteing of an inventory of y^e whole estate, & a distribution made upon y^e whole, was assuming a pow^r to themselves in interfering in mñes no

ways properly before them, & wch were only proper for y^e coñs of y^e courts of law, & wch y^e proper courts of law had finally determined; and this resolve was also very partial & unjust in that it tended to sett aside y^e solemn determinaçon of y^e sevⁿ courts of law & of probates, and overawed & intimidated those courts to come to new determinations no ways warranted & supported by law, and in regard the same putt those m^re in quçon between M^r Winthrop & Lechmere wch they had been already finally determined in a new method of being determined contrary to & ag^t law, & in a very extraordinary & impartial manner, and without hearing y^e p^ties or having y^e case before them in proof or any otherwise than as alledged in Lechmere's petition, decl. y^e s^d Lechmere might & ought to have releif, &c., thô y^e law had denyed him any, & declared he was not entitled to any releif, as was sett forth even in Lechmere's own petition; and this was determineing & prejudgeing y^e m^re ag^t M^r Winthrop without hearing him in his defence, & in effect was a directing & commanding y^e court to give judgm^t ag^t Winthrop & for Lechmere, thô by y^e laws as they then stood he was (as confessed by Lechmere himself) entitled to no relief; & this resolve is not p^tended to have y^e force of a new law, but only to be declaratory of y^e law then in force, wch ought to have been impartially left to y^e determination of y^e judges, whereas it is exceeding plain it was this resolve that wholly influenced the courts in their subsequent proceedings.

4. This interposition of y^e Assembly is wholly unpresided, & was calculated to alter y^e genⁿ law & settled methods of justice by directing measures to be taken which it is plain from Lechmere's petition y^e courts knew nothing of before, and y^e genⁿ course & practice of y^e law ought not to have been varied in y^e present case, & in favour of M^r Lechmere, from w^h it was before practised in all other cases.

As to the proceedings of the Courts & Assembly subsequent to this resolve, we insist y^e same are erroneous:—

For 1st. It appears on the 21st of Febry, 1717/8, Richard Christophers, Judge of y^e Prerogative Court or Court of Probates, granted M^r Winthrop administration, the words whereof are (*int. al.*) “Do committ unto you full power to administer the goods, rights, & creditts of the deċed wċh. to him while he lived & at y^e time of his death did apptain, and to pay all debts in wċh s^d deċed stood bound so farr as his goods, rights, & creditts co^d extend, and to make a true & pfect inventory of all & singular the goods, rights, & creditts of the said deċed & exhibit the same into y^e registry of the Court of Probate, & also to render to the s^d Court an account of your adm^rcon. And we do by these presents ordain & constitute you adm^ror of all & singular y^e goods, rights, & creditts afs^d. In witness, &c.”

And note: Real estates or any words which can extend thereto are not once mentioned in y^e l^{res} of adm^rcon.

It also further appears that on the s^d 21st of Febry, 1717/8, M^r Winthrop entred into bond to y^e s^d Rich^d Christophers as Judge of y^e Court of Probates in y^e County of New London in y^e penalty of 3000^{lb}, with condition under written in these words, viz:—

“The condition of this obligation is such that if y^e above bounden John Winthrop, Esq^r, adm^ror of all & singular y^e goods, chetls, & creditts of Maj^r Gen^l Wait Winthrop, late of Boston afs^d deċed do make or cause to be made a true & pfect inventory of all & singular y^e goods, chetls, & creditts of the said deċed wċh have or shall come to y^e hands, possion, or knowledge of the said John Winthrop, Esq^r, or into y^e hands or possion of any other pson or psons for him, & y^e same so made do exhibitt or cause to be exhibited into the registry of y^e s^d Courts of Probates, on or before y^e second Tuesday in August next ensuing; & y^e same goods, chetls, & creditts, & all other y^e goods & chetls & creditts of y^e s^d deċed, at y^e time of

his death, wch at any time after shall come into y^e hands or possion of y^e s^d John Winthrop, or into y^e hands or position of any other person or psons for him, do well and truly administer according to law, and further do make or cause to be made a true & just acc^t of this adm^rcon at or before y^e second Tuesday in April, Annoq^e Dñi 1719, and all y^e rest & residue of the s^d goods, chetls, & creditts wch shall be found rem^s upon y^e s^d adm^rs accompt (y^e same being first examined & allowed of by the Court) shall deliver and pay unto such pson or psons respectively as y^e s^d Court by their decree or sentence psuant to y^e true intent & meaning of y^e law shall limitt & appoint. And if it shall hereafter appear that any last will & testam^t was made by s^d deçed, & y^e ex^r or ex^{rs} therein named do exhibitt y^e same into y^e s^d Court, makeing request to have it allowed, & accord^{gly} if y^e s^d adm^r above bounden being thereunto required do render & deliver y^e s^d l^res of adm^rcon (approbation of such testam^t being first had & made) in y^e s^d Court, then this obligaçon to be void & of no effect, or else to remain in full force, effect, & virtue.”

N. B. In y^e condition of wch adm^rcon bond, it is also to be noted y^t real estates or any words wch can extend thereto are not once mençond, so y^t by y^e l^res of adm^rcon & y^e adm^rcon bond it fully appears M^r Winthrops adm^rcon only extended to y^e intestates psonal estate & that was that only he was to inventory & administer.

It also appears that M^r Winthrop did imediatly on Lechmere's comenceing his first acçon & wherein he was cast, (viz^t) 28 July, 1724, exhibitt an inventory in y^e Court of Probates of all y^e intestates psonal estate, but M^r Winthrop not having appraised in the s^d estate in such intry imediatly after & s^d extry resolve of y^e Assembly, to p^rvent all possibility of objõn to s^d intry he exhited y^e same over again in y^e Court

of Probates with y^e value thereof as appraised upon oath amounting to 89^{lb} 15^s 0^d, & insisted administrators had nothing to do with real estates nor ought any real estate to be exhibited, the same not being cognizable by a Court of Probates.

And it is not p^rtended that there was any other psonall estate y^a w^t was contained in s^d iñtry; on y^e contrary, it appears of Lechmeres own confession when adm^rcon was granted to him, y^t this was y^e whole psonall estate, he declaring he co^d find no other; and this being so we conceive it to be plain to a demonstraçon this was an iñtry of all contained in our l^res of adm^rcon & of all that in our bond we stood engaged to inventory & administer & conseqtly y^e Court of Probates ought to have allowed of and reced y^e same as a full inventory, & their not doing so was erroneous & y^e Superior Court on M^r Winthrops appeal ought to have reversed s^d judgm^t of y^e Court of Probates, & directed them to have received and accepted the said inventory, it being agreeable to y^e letters of administration granted to and y^e adm^rcon bond entred into by the said Winthrop, & the Superior Court not having so done, but having affirmed the first sentence, is greatly erroneous, and as such wee hope shall be reversed here, and y^e Court of Probates directed to receive our inventory as a full & true inventory of the intestate's estate by us administred.

And then the sentence of the s^d Superior Court is further greatly erroneous in declaring that it appeared M^r Winthrop had kept M^r Lechmere out of his wife's proportion of her father's estate, and also in vacating y^e l^res of adm^rcon granted to the appelland and granting new letters of adm^rcon to M^r Lechmere & his wife, and in condemning yo^r pet^r in costs, nothing of which ought to have been ordered, but Lechmere's action demanding l^res of adm^rcon ought to have been dismissed with costs.

1st. For that there is no pretence but M^r Winthrop had faithfully & duely adm^red all y^e psonal estate of y^e intestate, & to which only his l^res of adm^rcon & bond extended, and as to y^e pretence that he ought to have adm^red the real estates neither his l^res of adm^rcon or bond extended thereto, besides there will be a full answer given to this pretence hereafter.

2^{dly}. Itt cannot be nor is it denied but adm^rcon was well granted to M^r Winthrop, M^r Lechmere being his security in one of his adm^rcon bonds, and it appears M^r Winthrop gave bond for his faithfull adm^rcon, and w^{ch} is all y^e law requires, and if he did not discharge his duty the regular and legal method is by sueing y^e adm^rcon bonds w^{ch} in this case Lechmere has done, and his s^d action was dismissed, and in another action brought by him agst Winthrop under like pretence under another adm^rcon bond a verdict found for M^r Winthrop, and after this to repeal and vacate y^e s^d adm^rcon and grant a new adm^rcon to Lechmere, who was also bound for him in one of his adm^rcon bonds which he sued out agst Winthrop, is a thing that we dare say was never before practiced in that Province or any where else.

3^{dly}. The great end of an adm^r is to pay y^e just debts of y^e deçed and to distribute y^e surplus (if any) to y^e next of kin entitled thereto, and there is no pretence but M^r Winthrop has applyed y^e whole psonal estate of his intestate in discharge of debts, and in fact M^r Winthrop hath applyed more in payment of his fa^rs debts than all his real & psonal estate too would answer, he having paid all his father's debts except the 300^{lb} bond in Lechmere's petition mentioned, and which was the only debt Lechmere could find out to serve his purposes, and which M^r Winthrop was always ready & often desired to pay off, but the obligee was unwilling to take his money, and at his request M^r Winthrop

continued y^e bond, and always discharged the int. due thereon, and it is observable there is not any one cred^r that complains or makes any demand agst M^r Winthrop.

4^{thly}. And as to Lechmere & his wifes claiming any part of y^e real estate, the same is a demand properly & only triable at law, and no ways affects the adm^rcon, and where they have tryed their right & been cast, and the adm^rcon being continued in M^r Winthrop could no ways hinder his sisters coming to her just right, so that it is conceived to be very plain there was not y^e least reason or necessity in law to change y^e adm^rcon either on account or of cred^{rs} or of the next of kin, or of M^{rs} Lechmere, and consequently they ought to have dismissed y^e s^d Lechmere's appeal, as also for that his original action was improperly comenced at first, itt being comenced while Winthrop's appeal was depending.

5^{thly}. The four Judges of y^e Superior Court taking upon them to grant l^{res} of adm^rcon in their names to Lechmere & his wife, and taking bond from Lechmere to themselves, was wholly illegal & unprecedented, the probate of wills & granting of adm^rcons and appointing & allowing of guardians belonging to Christopher Christophers, Esq^r, as Judge of y^e County Court; and tho' an appeal lies from him to the Superior Court, and they have power to reverse or affirm his sentence, yet y^e issuing y^e adm^rcon belongs to him & must run in his name, and y^e bond be taken to him as Judge of y^e Prerogative Court, and by means thereof the appellants adm^rcon bond to Judge Xtophers of y^e Prerogative Court, and Lechmere's bond to y^e 4 Judges of y^e Superior Court are both subsisting and standing out, the appellants bond not being called in or vacated.

6^{ly}. The l^{res} of adm^rcon to Lechmere & his wife & Lechmere's adm^rcon bond are in y^e very same words wth that before granted & enter'd into by the appel-

lant, and extend only to the goods, chattles, and credits of y^e deċed, and no ways mention or extend to the real estate of the deċed, which makes it y^e more extraordinary in regard the appellant had fully adm^red all y^e goods, chattles, & credits of the intestate, as is before observed, and as Lechmere himself afterwards owned, and which shews the pretence set up of adm^ring the real estate was a mere handle to get the adm^rcon from y^e appellant and vest it in Lechmere, tho' this pretence was afterwards turned into a reallity against the appellant.

7^{ly}. The appellant insists y^e s^d Superior Cort ought not to have reċed y^e inventory exhited to them by Lechmere, 29 Ap., 1726, in regard the same contained no personal estate whatever, but consisted wholly of real estate, the inhithance of y^e appellant, and wth which y^e s^d Lechmere under his new & illegal l^res of adm^rcon by the words thereof had nothing to do, neither could the s^d Superior Court, as being no Court of Probates, receive any inventory at all, and then in fact y^e estates included in y^e s^d inventory, or any part thereof, were not the estate of the intestate at his death, but were in reallity y^e inhithance of y^e appellant, one moiety thereof being entailed on him by his unckle Fitz John Winthrop as afores^d, and his fa^r having given to & put the appellant in po^{ss}ion of the other moiety in his life time.

8^{ly}. The appellant insists the Assembly granting y^e s^d Lechmere a power to sell the lands of the intestate to pay the debt & costs in Lechmere's petition to y^e Assembly mentioned without hearing yo^r pet^r, the undoubted heir to such lands, and leaving Lechmere to sell what part thereof and in what manner he saw proper, is agst y^e co^mon & statute law of this realm, and destructive of the liberty and property of y^e subject, and ag^t reason, and as such contrary to y^e royal Charter of y^e Province, and

the Assembly fining the appellant in 20th for his opposing the said measures was equally unwarrantable and unjustifiable.

9th. The Superior Courts allowing Lechmere to sell lands to answer 90^l costs, when he demanded but 38^l 7^s 4^d costs, is unjust and partial, and the deed of sale from Lechmere to Richards illegal.

10th. The said Lechmere's suing the appellant for the rents and proffits of his father's estate when he is no ways intitled thereto, and has been already cast in suing for the lands, is unjust & vexatious, as is also his taking the like measure as to the appellant's estate in the Massachusetts.

Objection. What Lechmere's council will insist on to support the whole of his proceedings is a printed Act the[y] find amongst the Connecticut printed laws, fo. 60, intituled an Act for Settlem^t of Intestate's Estates, by which it is enacted that adm^{rs} of in-
Act.*
 testates calling to him 2 or more of y^o
 intestates cred^{rs}, and on their refusal 2 of his next of
 kin or 2 honest neighbours, shall in their presence
 make a true inventory of all the deced's estate, as
 well movable as not movable, and by him de-
 liv^d to the Court of Probates, and adm^{con} to an
 intestate is by this act directed to be granted
 to y^o wid^o or next of kin of y^o deced or to
Inventory of
all estate as
well move-
able as not
moveable.
 both as the Court of Probates shall think fit, who shall
 thereupon take bond wth sureties from the adm^r for his
 faithfull discharge of the same, which Court of Probates
 shall & may proceed to call such adm^{rs} to acco^t for &
 touching y^o goods & estates of y^o intestate, and on con-
 sideration thereof (debts, funerals, & just expences of all
 sorts being first allowed), the s^d Court of Probates are
 impowred to ord^r & make a just distribu^{con} of
 y^o surplusage or remaining goods & estate of any
Distribu^{con}
to be made

* This note and those which follow are in the handwriting of counsel. — Eds.

of surplus of
estate real
& p^l. $\frac{1}{3}$ d of
p^l to wife;
dower out of
real; residue
of real & p^l
by equal por-
tions among
the children,
except eldest
son to have
double por^t.

such intestate, as well real as psonal in manner foll^g, viz^t. one third part of y^e psonal estate to y^e wife of y^e intestate (if any) for ever, besides her dower or 3^{ds} in the housing & lands for life (if not barr'd thereof), and all y^e residue of y^e real & psonal estate by equal portions to & amongst y^e children, & such as shall legally represent them if dead, other than such childⁿ who shall have any estate by settlem^t of y^e intestate equal to y^e others shares; childⁿ advanced by settlem^t, or por^{cons} not equal to others shares to have so much of y^e surplusage as shall make all to be equal except y^e eldest son, who shall have 2 shares, or a double portion of y^e whole, and where there are no sons y^e da^{urs} to inherit as copartners, such division to be made by 3 freeholders on oath, to be appointed & sworn by y^e Court of Probates, & provided where houses & lands are not capable of being divided without prejudice, y^e Court of Probates may order y^e whole to the eldest son, he paying to y^e wid^o & other children their shares of y^e value. If no wife nor children nor legal representative of the children, then y^e whole to be distributed to the next of kin in equal degree, saving a right of appeal from any sentence, order, or decree of the Court of Probates to the next Court of Assistants, and the Court of Probates is directed to take bond of every adm^r with sureties in y^e name of y^e s^d Court, with y^e condi^{con} as set out in the act, which condi^{con} only extends to goods, chattles, & credits. But all sales of real estates made by adm^{rs} where there is any proper heir living shall be void, unless such sales be ratified and established by y^e approbation of y^e General Assembly.

Answer. But as to this Act we answer & insist (first) that it is an obsolete act, made in y^e infancy of y^e Province, and long since out of use and not of any force or regard in y^e Province, and the time when it was made does not appear save that it was made

Act long
since out
of use.

when Courts of Assistants were also in use there, which have been long since abolish'd, which is plainly evidenced from the loss Lechmere was at what steps to take in this affair, and from the extraordinary applications of Lechmere for an interposition of y^e Assembly therein, and there is not y^e least proof made by Lechmere of this being a law in force or practiced at this time in Connecticut, tho' we insisted before the Courts below that notwithstanding this law we were intitled to y^e whole real estate of our father; tho' if this law was not obsolete, we insist (secondly) that y^e same is void in it self as being not warranted by the Charter, and can ^{2ly.} no ways influence the present case. For by the Charter their power of making laws is restrained and limited in a very special manner, (viz^t) such laws must be wholsome and reasonable, and * contrary to ^{2. whr warranted p Chr.} the laws of this realm of England, and then by the Charter the inhabitants may have, take, possess, &c. lands, &c., and the same dispose of as other the leige people of y^o realm of England, and were to enjoy all liberties & immunities of natural born subjects, and the soil of y^e whole Province is granted to y^e Gov^r & Comp^s, and their successors and assigns for ever, upon trust and for the use & benefit of themselves and their associates, their heirs & assigns, to be holden of his Mājtie, as of the Mannor of East Greenwich in free & comon soccage.

By the comon law of England, which is what the Charter has a view to, it is undoubted that real estates descend to the eldest son of him that was last seized in fee as his heir at law, and neither an adm^r or an Ecclⁱal Court have any thing to do therewith, and by the law of England an only daughter cannot be coheir with an only son, but y^e son is absolute and sole heir

* The word "not" was accidentally omitted by the solicitor who prepared this argument, or by his clerk, and curiously enough the omission apparently escaped the notice of the counsel who made the marginal notes. — Eds.

to the fa^r, and must as such inherit his real estate undevise^d by will, and we take it that where an estate of inheritance is granted under the Great Seal of Great Brittain, which this Charter does, that the same is descendible according to the course of y^e co^mon law, and we also take it that all our Plantations carry with them the co^mon law of their mother country, which prevails in all the Plantations, and we know of no part of the Plantations but where real estates descend to the heir at law as with us, and the first Gov^r, the appellants grand fa^r, on receiving the Charter, was obliged to swear before a Ma^r in Chancery that he and his successors would observe and keep the co^mon law of England. There have been also several acts of Parliament^t passed here which as we apprehend support the right of descent, and by the Charter the tenure of the lands in Connecticut is declared to be held under the Crown as lord of the fee under the most free tenure possible, and it is against reason as well as law that an only daughter should be coheir with an only son. We therefore insist this law is null and void, as being contrary to the law of this realm, unreasonable, and against the tenour of their Charter, and consequently the Province had no power to make such a law and the same is void.

Note. The laws of Connecticut are not by their Charter directed to be laid before y^e Crown for their approba^{co}n or disallowance, so that there is no other way to avoid any laws they shall make but by seeing if they are agreeable to y^e powers of their Charter, which if they are not, then we apprehend they cannot be considered as any laws at all, since a formal repeal of them cannot be had otherwise than by voiding the Charter.

3^{iv}. This law is not only contrary to y^e Charter, but clashes with other laws of y^e Province, particularly one of

y^e laws before men^con'd by which y^e power of y^e Court of Probates is restrained to probate of wills, granting adm^rcon, and appointing & allowing of guardians, with power to act in all matters proper for a Prerogative Court, whereas by this act they have a power to determine the propertys of land and make partition thereof, which is no part of y^e business of a Prerogative Court, and by an act (fo. 29) intituled An Act concerning y^e Dowry of Widows, itt is enacted that widows shall have one third of the real estate of their husbands for life, and the widow is to keep the houses, fences, and inclosures, and leave y^e same in good repair; otherwise the County Courts may deliver y^e s^d houses & land to the next heir of the same in the singular number, whereas by the intestate act it ought to go to y^e sons & daughters as coheirs; and by an act which follows within two after y^e s^d act for settling intestate's estates (fo. 65), and which was passed 10 Oct., 1672, intituled An Act (or acts) ab^t y^e Tenure of Lands, itt is enacted that whatever lands had been or should be granted by the General Assembly to respective townships or any p^ticular persons, should be held to them, their heirs, successors, and assigns for ever, according to y^e most free tenure of East Greenwich in the county of Kent in the realm of England, according to their royal Charter; and by another Act passed 14 May, 1685, to the end that every towⁿps grant of lands, as they had been obtained by gift, purchase, or otherwise of y^e natives and grant of y^e Assembly, might be settled upon them, their heirs, successors, and assigns for ever, according to their Charter granted by the Crown, itt is enacted that every town should take out patents for their said grants, which should be granted to them for the holding such tracts of land as had been formerly or should be thereafter granted them, and to their heirs, successors, and assigns, firm and sure according to the tenure of their Charter in free and com^on soccage, and not *in capite* or by kn^ts service, the

like course to be taken in all grants to all private persons within the Colony. And by another Act passed 3^{tho} Georgii (fo. 221), intituled An Act concerning Purchasors of Natives Rights to Land, itt is enacted and declared that all lands in y^e s^d government are holden of the King of Great Britaine, as l^d of y^e fee; under which several acts we conceive the estates of our father ought to descend to us as his son, and not our sister as coheir with us. And by an Act passed 7^o Georgii (fo. 257) for the Partition of Lands, itt is enacted that all persons holding lands as coparceners, joint tenants, or tenants in comon, may be compelled by writ of partition to divide y^e same, which implies there is no other partition to be made, such as that between brother and sister now contended for, and the oaths established by act [*torn*] the Gov^{rs} oath and Assistants oath is to execute all wholesome laws made by lawfull authority consonant to their Charter, and all which laws and oath we apprehend clash with the said act for settling intestate's estates, and shew y^e same to be obselete and out of use. But

4^b. Under this law all the proceedings complained of are void, since by this act y^e inventory is to be delivered on oath to y^e Co^t of Probates, and adm^rcon to be granted by the Court of Probates, and the bond to be taken by that Court and in y^e names of the Court, whereas the adm^rcon is granted to and bond taken from Lechmere by the Superior Court; and then this act directs the adm^rcon to be granted to the widow or next of kin to y^e deçed, or both. Now Wait Winthrop's widow had assigned her right to the appellant, and he was next of kin, and consequently under this act intituled to hold his adm^rcon, and then by this act the appellant being settled on the estate in question by his fa^r in his life time, the same ought not to be taken away, and M^r Lechmere in order to demand a partition ought to bring into hotch pot what she reçed in her father's life time, which she never offered to do.

All which being considered, together with the intention of both the appellant's fa^r and uncle that he should succeed to the whole real estate, and as he claims one moiety thereof under his uncle, and as his fa^r put him in possession of y^e whole, and settled him therein to his the appellant's own use and benefit many years before his death, and considered it ever afterwards as the appellant's own inheritance, and who took so much pains to leave the same free from his wife's dower, and any claim from his brother's widow and child, and as the appellant actually paid his father's widow 5328^l 12^s 2^d in lieu of her dower, and has actually laid out many thousand pounds in improving the said estate, which it can't be imagined he would do for the benefit of M^r Lechmere & his wife, and as the appellant's sister was fully promoted by her fa^r, we hope these prosecutions of M^r Lechmere will appear very ill grounded, and that the same shall be all discharged.

What we are to pray is,

First, That the resolve of the Generall Assembly declaring Lechmere might and ought to be releived by the Court of Probates may be declared null and void.

Secondly, That the inventory tendered by us to the Court of Probates of all our father's psonal estate may be declared a right and proper inventory, and ought to be accepted as such, and that y^e sentences rejecting the same may be reversed.

Thirdly, That the sentence of the Superior Court granting adm^ocon to M^r Lechmere & his wife may be reversed and set aside, and Lechmere's action demanding the same be dismissed.

Fourthly, That the adm^ocon granted to Lechmere may be called in and vacated, and the adm^ocon before granted to the appellant ordered to stand.

Fifthly, That the inventory exhibited by M^r Lechmere and his wife of the appellant's real estate, and also of his

charges, and the debt due to Lattemore, may be vacated and taken off the fyle, and the order allowing the same and directing the same to be recorded may be discharged.

Sixthly, That the order of the General Assembly empowering the said Lechmere to sell the appellant's lands, and y^e order of the Superior Court founded thereon, dated 27 Sept^r, 1726, allowing of Lechmere's making such sale, and y^e sale itself, may be declared null and void, and expurged the record; and generally

Sevently, That all which M^r Lechmere hath done under the said adm^rcon, together with y^e s^d law for settling intestate's estates may be declared void, and that the appellant is intituled to succeed to the real estate of his father as heir at law, according to the comon law of the land.

Second Objection. Note: We are informed the respondent Lechmere intends to cite a case determined before the late Queen in Council in 1706, between Major Palmes, appellant, and Fitz John Winthrop, the appellant's uncle, respondent. If they should cite this case, we take it it will make much more for than against us. The case was thus.

M^r Palmes married Lucy, one of the daughters of John Winthrop, the com^on ancestor, and who was sister to y^e s^d Fitz John. John Winthrop made a bill,* and thereby gave his two sons, Fitz John & Waitstill, each an equal proportion out of his estate, which was to be double to what he gave his daughters, and after payment of his debts he gave y^e rest of his estate to his daughters equally. M^r Palmes married one of the daughters, who dyed, and Palmes apprehending he had a larger demand on the real estate than was allotted him he petitioned to have letters of adm^rcon granted him to his s^d wife, and to be allotted a further part of her father's real estate. He also brought another action ag^t Fitz John, to recover

* This is an obvious mistake on the part of the solicitor's clerk for "will." — Eds.

2500^l in relation to a ship. In all which demands judgment was given against him below, and, being denied an appeal, he petitioned and was allowed the same here on terms. But those terms not being complied with, S^r Henry Ashurst, as agent for said Fitz John, petitioned her Māj^{ty} that the said appeals might be dismissed. And note, this petition of S^r Henry Ashursts is the only petition we can meet with in the office, Palme's petitions being none of them to be found, and this gives but a very imperfect state of the case.

Itt also appears that on hearing the said appeals the judgment below in relation to y^e ship was affirmed, and 11 April, 1706, by Order in Councill, the sentence of the Court below relating to the adm^rcon of y^e s^d Palme's to his wife was reversed, and ordered that the adm^rcon should be granted to him. And we find an original letter from S^r Henry Ashurst, dat 21 May, 1706, wherein he tells him the appeal as to the ship affair was dismissed with costs. That Palme's pretence to any more of his father's estate that was knocked o'the head by S^r Henry's petition [*torn in the fold of the paper, and nearly the whole of one line illegible*]. But his [*torn*] petition and appeale of yo^r refusing to admit [*torn*] adm^rcon to his [*torn*] went against you, with costs, for we could not defend that, for you ought not to have refused it him; let him make of it what he will.*

So that itt appears this was a quite different case. This being in y^e case of a will made, and whether Palme should or should not have adm^rcon to his wife, where no adm^rcon was taken out before. The present case being where there is no will, and where the dispute as to the adm^rcon is to take away an adm^rcon then in force, from the eldest son of the intestate, to whom it was granted by consent of y^e widow, and even of Lechmere himself,

* For repeated references to the attempt of Major Edward Palmes to disturb the settlement of the estate of John Winthrop, Jr., see the correspondence of Fitz John Winthrop, 6 Mass. Hist. Coll., vol. iii., *passim*. — Eds.

as appears by his being suretie for him, and to give it to the intestate's daughter and her husband, so that this case cannot possibly make any thing for Lechmere. But we apprehend it makes for us, in this, that tho' by the laws and practice of Connecticut as insisted on a husband was not intitled to take out adm^rcon to his wife, yet as by the law here it is unquestionable every husband is intitled to adm^r to his wife, so agreeable thereto their Lordships advised the Crown to determine that dispute, and as what we insist on is equally agreeable to the laws and vsage of England, so we hope we shall have the like success.

If Lechmere's councill insist, as we are informed they will, that the proceedings in this case are agreeable to y^e constant practice of the Colony, we answer M^r Lechmere's own petition to the Assembly confutes this, he alleadging therein that by the laws of the Province, as then practiced and understood, he could not be releived, for that he had no remedy either in the temporal or spiritual courts, and the very form of letters of administration and administration bonds confutes this, and they have no proof of any such practice or vsage.

If they should oppose our going into the merits for that we ought to have appealed to the Assembly, that is over ruled by his M^{aj}ties having allowed us an appeale. Besides, we have before shewn the Assembly to be no court of judicature, and that the judgment of the Superior Court is final there, and in all appeals from that Province hither the same have been from the judgments of the Superior Court.

[The editors have made every effort to obtain a copy of the brief for the respondent, but without success; and they are inclined to think it is no longer in existence. On the reverse of the first and second pages of the brief here printed (see *ante*, pp. 440-447) are the following memoranda, which are evidently the objections of the counsel for the respondent to the argument for the appellant. Mr. Willes, whose name appears first, was probably Sir John Willes, soon afterward Attorney-General

and subsequently Chief Justice of the Court of Common Pleas. Mr. Booth we have not been able to identify. Thomas Lechmere's brother, Lord Lechmere, died six months before the appeal was argued.]

Mr Willes, p Rñt.

Obj. 1) Regularity of proceedings.

2) Point of law.

1) Obj^m as to what was the estate of any of pet^r ancestors, & how pet^r intitled imm^l.

2) Proceedings before applicač: to Assembly out of the case. Suites on bond, writs of p̃tič; because in fav^r of pet^r.

On bond, because condⁿ is agreeable only to the stat. here.

On writs of p̃tič., because begun in County Courts & not Court of Probates.

1th ačc. Inventory rejected by Court of Probates because real not comprised.

Y^t withdrawne & sentence of Probates confirm'd 22 Sept^r, 1724.

No appeal from thence.

3) Complaint of applicač. to Assembly.

Y^t was to them as a Court, assembled in their General Court & not in a legislative capacity to make a law *ex post facto*.

4) 2^d inventory rejected because real not included; thence admⁿ vacated & new granted.

Obj: not grantable p Sup^r Court.

5) *Merits*: admit sentence *v.* to law of England.

Law of the Colony 2 3^d to eldest son, y^r chⁿ 1 3^d.

1) Obj: real estate throwne in accidentally.

First p^t takes notice of lands & tenem^{ts}.

If no will, the same shall be subj^t to distribuč wth ps^l.

2^d Obj. Never put in use & obsolete.

Not prepared wth instances, nor any *c. v.*

Writs of p̃tič.

Applicač. to Assembly.

3^d. No power p Chrt. to make such laws.

1 p^t gen^l.

Last words give them power to make all laws whatsoever.

How can they be peaceably governd w^h laws relating to ppty.

Massachusetts.

Not like a corporač here. Corporač. here bound by laws here.

2. Wh^r laws of Eng^d extended to this Colony bef. the Chrt.

4) Repugn^t to laws of Eng^d.

i. e. They are not to repeal the laws of Engl^d where plantac^o menčond; if extended to laws variant they can make none; c^o unprovided for.

Mr. Booth.

Wh^r lands descendible acc^t to laws of Eng^d or wh^r in power of Assembly to vary descent.

1) Supposing they have no laws.

Blauchard & Galdy, 4 Mod.

Stat. of E. 6. ab^t selling offices.

Law of Eng^d doth not extend to Colony unless by p^tic^r act.

In c^s of conquest, laws of conq^r do not extend to it.

2) [*illegible*] real to pay debts.

Chrt. gives power to p^tc^rs purchase lands & alien.

If p^tc^rs may dispose, why may not the whole.

Clause, not to make laws contrary to law Eng^d in publick m^res, trade, &c.

Bond, forme of it no reason to set aside adm^t.

Ready to give farther security.

DECREE OF THE KING IN COUNCIL.*

At the Court at St. James's, the 15th day of February,
1727[-8].

Present.

The Kings Most Excell^t Majesty.

Lord President.

Earl of Scarborough.

Lord Privy Seale.

Earl of Loudoun.

Lord Steward.

Earl of Uxbridge.

Lord Chamberlain.

Earl of Sussex.

Lord Great Chamberlain.

Lord Viscount Cobham.

Duke of Newcastle.

Lord Viscount Torrington.

Earl of Lincoln.

Lord Berkley of Stratton.

Earl of Westmoreland.

Liev^t General Wills.

Earl of Berkley.

S^r Robert Sutton.

Upon reading this day at the Board a Report from the Right Hono^{ble} the Lords of the Committee for hearing

* Two copies of this decree are among the Winthrop Papers, each with the seal of the Privy Council attached, and each attested by the signature of Edward Southwell. On one is the following indorsement: 'Recorded in the fifth book of Wills for the County of New London, folio 269, 270, 271, 272, 273. June 25th, 1728. p^r Rich^d Christophers, Clerk Pro^{ba}.' (See Winthrop's letter to his wife, *post*, p. 509.) It is also printed in Conn. Col. Rec., vol. vii., from an original in the Connecticut archives. The fifth book of Wills was destroyed when Arnold burned New London in 1781. — Eds.

Appeales from the Plantations, dated the 20th day of December last, in the words following, viz^t : —

In obedience to an Order in Council of the 13th of May last, referring to this Committee the humble petition and appeal of John Winthrop, of New London in his Majestys Colony of Connecticut, Esq^r, only son and heir at law of Major General Wait Winthrop, of Boston in New England, Esq^r, his late father, deceased, (to which appeal the petitioner was admitted by his late Majestys Order in Council of the 28th of March last,) their Lordships this day took the said petition into consideration, which said petition sett^s forth (among other things) the Charter of incorporation granted to the said Province by King Charles the Second on the 13th of April in the 14th year of his reign, by which the lands of the said Colony are held of the Crown as of the Mannor of East Greenwich in Kent, in free and common soccage, and the laws which they are empowered to make are to be wholesome and reasonable, and not contrary to the law of England; and that the pet^r was possessed of and entitled to a very considerable real estate in the said Province as heir at law to his said father, Wait Winthrop, and his uncle, the Hono^{ble} Fitz-John Winthrop, both deceased; that his said father, Wait Winthrop, dyed intestate, having issue only the pet^r and one daughter, Anne, who was preferred in marriage in her father's life time to Thomas Lechmere, of Boston aforesaid, merchant, and that on his said fathers death he became intitled to all his real estate whereof he dyed seized in fee as his heir at law; and that on the 21st of February, 1717/8, at the Court of Probates held for the County of New London in Connecticut, letters of administration were granted to the pet^r of the goods, chattels, rights, and credits of his said father, and he entered into bond to the Judge of the said Court of Probates in £3000 penalty, with condition for his making a true inventory of all and singular the goods, chattels, and credits

of the said deceased, and exhibit the same into the Registry of the said Court of Probates, and truly to administer the same according to law. But the pet^r having paid and advanced more to and for and on account of the said Thomas Lechmere than the said Ann his wifes share of the said intestates personal estate come to the petitioners hands amounted to, and the said Thomas and Ann Lechmere having possessed most part of the said Wait Winthrops personal estate, and not having required the petition^r to exhibit any inventory or account of his administration, and the pet^r having discharged all his said father's debts, save only one bond for £300, on which he duly discharged all interest, and would have paid off the principal but the obligee declined accepting the same, the pet^r did not for these reasons think it necessary to exhibit any inventory or account of his said administration; but in order to ruin and oppress the pet^r, six years after the said letters of administration so granted to the pet^r, viz^t in July, 1724, the said Thomas Lechmere applied to the Court of Probates insisting he was in right of his wife entitled to a proportion of the said Wait Winthrops real estate, but that he was kept thereout by the pet^{rs} not having inventoried and administered the same, and caused the pet^r to be summoned by the Court of Probates to shew cause why he neglected to inventory the intestates estate, and finish his administration according to his bond, upon which the pet^r exhibited an inventory of the said intestates personal estate in the said Court of Probates, and the pet^r at the foot thereof insisted administrators had nothing to do with lands, they belonging to the heir at law, and that he was in possession thereof as his right of inheritance according to the law of England, and therefore he was not obliged to exhibit any account of the real estate, that not being cognizable by a Court of Probates, and which inventory the pet^r prayed might be accepted and recorded, but the Court declared

they were satisfied the same was not a true and perfect inventory of all the said intestates estate within that county, and that the pet^{rs} objections were against law, and decreed that the said inventory should not be admitted, and refused to accept it as such an inventory of the intestates estate as ought to be exhibited; and the said Thomas Lechmere in the same July put the petitioners said administration bond in suit against him, and at the same time, in his own name and in the name of Abel Wally, brought another action against the pet^r, as they had been suretys for him in an administration bond for his duly administering the intestates estate in the county of Suffolk in the Massachusetts Bay, alledging such administration bond had been sued and recovered from them on account of the pet^{rs} not having exhibited an inventory or brought in his administration accounts; and the said Thomas Lechmere also at the same time brought four several writs of partition in his own name and in the name of his wife Ann, stiling her only daughter and coheir of the said Wait Winthrop, to recover from the pet^r one third of the real estate in the said writs mentioned, insisting the said Ann was coheir thereto with the pet^r, and as such by the law of the Province she was entitled to one third of the said real estate, and that on full and fair hearings the final judgement in all the said six actions were given for the pet^r; that it thus appearing the pet^{rs} inheritance could not be split and tore to peices by the common ordinary means of justice, as the law was then understood, some more irresistable way was to be found out to oppress the pet^r, and for that purpose the said Thomas Lechmere preferred a petition to the General Assembly in 1725, in the name of himselfe and his wife, setting forth the said several judgments given against him, and that they were never likely to recover of the pet^r one third of the said real estate, thô the same descended, as they alledged, to the said Ann and the pet^r as

coheirs of their father, without the aid and relief of that Assembly, and that either by reason of the insufficiency of the diction of the law of the Colony already made, or by the Courts sense or exposition thereof, for they had no remedy by the common law, as appeared by the said judgements against them, nor could have any remedy by the Court of Probates, for that the pet^r refused to inventory the real estates, and as the law of the Colony had given them a right to one third of the premises, it was not consistent with the honour of the Colony but that the government would afford some indisputable method for their obtaining their said right, and to that end they prayed the Assembly to sett aside the said judgements and to grant a new tryal wherein they might, notwithstanding the exposition of the Superior Court upon the law, well support their said actions of partition, which petition, thô of so very extraordinary nature, the Assembly received and ordered the pet^r to attend to answer the same. That the pet^r put in his answer, insisting there was nothing contained in the said petition that called for the interposition of the Assembly, or in which they ought or could give any relief; notwithstanding which and without any hearing the Assembly resolved that relief might and ought to be had in the Probates in such like cases by a new grant of administration, exhibiting an inventory of the whole estate, and a distribution made according to the rules of law upon the whole. And at the same time, thô they came to this resolve, they dismissed the said Lechmeres petition.

That the pet^r, by this very extraordinary resolve finding the danger he was in, again exhibited to the Court of Probates a full and true inventory of his fathers personal estate come to his hands valued and appraised, and again insisted in writing at the foot thereof that administrators had nothing to do with lands, they belonging to him as heir at law, and as his right of inheritance accord-

ing to the law of England, and that no real estate ought by law to be exhibited not cognizable by a Court of Probates; and the pet^r moved the Court to have the same accepted as a full inventory of all the intestates estate within that Colony proper for a Court of Probates by law to demand, and offered his oath that it was the whole personal estate of the deceased. But the Court insisting on the pet^{rs} taking an oath that it was an inventory of the whole of the intestates real as well as personal estate, which the pet^r refused to comply with, insisting he ought not to inventory any real estate, whereupon the said Court by their sentence of the 29th of June, 1725, rejected the said inventory, and refused to accept the same, from which sentence of denial the pet^r appealed to the Superior Court. That after the said appeal, and before it came on to be determined, the said Lechmere commenced a suit in the Court of Probates to have administration granted to him of the said intestates estate, and the pet^r being summoned to shew cause why administration should not be granted to the said Lechmere, for cause insisted on his said appeal being depending, and which cause the said Court allowed, from which allowance the said Lechmere also appealed to the said Superior Court.

That on the 28th Sept^r, 1725, the Superior Court, on hearing the pet^{rs} appeal, declared that they were of opinion that real as well as personal estates were ordered to be inventoried by the law of that Colony, and that all Courts of Probates ought to be guided in their administrations thereby, notwithstanding the laws of England do not ordain that real estates should be inventoried; and thereupon ordered that the pet^r should not be admitted to evidence to the said inventory by any other oath than that which was agreeable to the laws of the Province, and affirmed the judgement of the Court of Probates and condemned the pet^r in costs, from which judgement the pet^r prayed and was allowed a review to the

next Superior Court. And the said Lechmeres appeal coming on at the same time, the Court also in that suit affirmed the judgement of the Court of Probates, from which sentence the said Lechmere prayed and was allowed a review likewise.

That on hearing the pet^r said appeal on the review, on the 22^d of March, 1725/6, the Court affirmed their said former judgement and condemned the pet^r in costs, and on the said Lechmeres review, which came on at the same time, the said Superior Court, forasmuch as the pet^r said appeal was then determined, adjudged that the said letters of administration formerly granted the pet^r should be vacated, and the same was thereby vacated, and that the said Thomas Lechmere and Ann his wife should have administration on the deceaseds estate; and the said Superior Court thereby granted power of administration to the said Thomas and Ann Lechmere on the said intestates estate, and condemned the pet^r in costs; from both which judgements of the Superior Court the pet^r prayed, but was in a very extraordinary manner denyed, an appeal to his late Majesty in Councill, but which appeal he was admitted to upon his petition to his late Majesty.

And the pet^r finding his inheritance in this imminent danger of being torn in peices, all application for releif to his Majesty being denyed him, to prevent if possible any thing being done in the premises till he could lay his case before his Majesty, entered and fyled his protest as heir at law to his father against granting letters of administration to his fathers estate to any other person whatever, the Court having before lodged that power with the pet^r, and also against any division of any real estate pretended to belong to the pet^rs father, all such real estate being the pet^rs undoubted right of inheritance, who was seized and possessed of the same according to the laws of England, and which he was entitled to under the Charter of the said Province, and therefore the pet^r

protested against any proceedings of the said Court contrary to the laws of England. Notwithstanding which the Judges of the said Superior Court the same 22^d of March granted letters of administration to the said intestates estate to the said Thomas Lechmere and Ann his wife, and took the usual administration bond from the said Thomas Lechmere and his suretys, which letters of administration and bond extend only to the goods, chattels, rights, and credits of the deceased which the pet^r had before duly administered.

That the said Thomas Lechmere under colour hereof inventoried and appraised all the pet^r's real estate, and exhibited an inventory thereof before a Special Superior County Court held for that purpose on the 29th of April, 1726, which the said Court, notwithstanding the said Lechmere either by his letters of administration or his administration bond had nothing to do with real estate, took upon them contrary to law to sitt specially and receive the said inventory, and by their acts of that date approved the same, and ordered it to be received, and the said Lechmere also then exhibited to the Court an account of £38. 7^s. 4^d for charges and time spent in the administration, and of a debt due to Robert Lattimore for £318 silver mony, (which was the bond the pet^r had offered to discharge as aforesaid, and for which he had duly paid interest,) which account the said Court also allowed and ordered to be kept on fyle, and the 12th May, 1726, the said Lechmere (being conscious he had no power over any real estate by virtue of the administration) petitioned the Assembly, setting forth that no personal estate of the intestate had come to his hands, the estate come to his hands being all real, and finding there was due from the said estate £356. 7^s. 4^d, being the two sums in his above acco^t mentioned, and no moveables to pay the same, he prayed the Assembly to enable him to pay the said debts by ordering him to sell and dispose of

so much of the said lands thereby to defray the said debts, with other necessary charges.

That the pet^r being informed of this application, that the Assembly might do nothing herein without the fullest notice possible, the pet^r presented a memorial to the Governour and Company agreeing in substance with the above recited protest, and declaring that he, being agrieved with the aforementioned proceedings, should lay the whole by appeal before his Majesty; but which remonstrance of the pet^r the Assembly the same day dismissed, and immediately afterwards, on the said Lechmeres petition, granted him a power to sell the said lands, and ordered that a bill should be brought in for that end in form; whereupon the pet^r entered and fyled his protest with the said Governour and Company to the effect with that beforementioned, and further protesting against their proceeding to grant power to any pretended administrator to sell any part of the pet^r's real estate under colour of debts due from the said deceased, as they would answer the same before his Majesty in Councill, which protest the Assembly declared had in it a shew of contempt to the Governour and Assembly and the authority there established, and therefore on the 25th of the same May they ordered the Sheriff to bring the pet^r to the bar of the said Assembly to answer for the contempt manifested in the said protest, and immediately afterwards passed an act empowering the said Thomas Lechmere to sell so much of the said lands as might be sufficient to discharge the said debts and the necessary costs, the said Lechmere taking the advice of the Superior Court in such sale, and enacting such deed or deeds of sale to be good.

That the petitioner humbly lays the whole of these proceedings before his Majesty by which the many extraordinary and unjustifiable steps may appear that have been taken against him in order to disinherit him of his inheritance, and to set up his sister as coheir

with him, and to make a division of his real estate between him and his sister, contrary to the common law of England and the royall Charter of the said Province; and in consideration thereof and of the many hardships of the petitioners case, the pet^r humbly prays his Majesty to reverse the said two sentences of the Superior Court of the 22^d of March, 1725/6, with costs and damages to the pet^r, and to order the said administration so illegally and irregularly granted to the said Thomas and Ann Lechmere to be called in, and also to sett aside and discharge all subsequent proceedings grounded thereon, and that his Majesty would repeal the said act passed by the Assembly empowering the said Thomas Lechmere to sell and dispose of the petitioners said real estate, and that his Majesty would be pleased to grant him all such further and other relief as the circumstance and nature of his case should require.

Their Lordships having heard all parties concerned by their counsell learned in the law on the said petition and appeal, and there being laid before their Lordships an act passed by the Governor and Company of that Colony entitled An Act for the Settlement of Intestates Estates, by which act (amongst other things) administrators of persons dying intestate are directed to inventory all the estate whatsoever of the person so deceased, as well moveable as not moveable, and to deliver the same upon oath to the Court of Probates, and by the said Act (debts, funerals, and just expenses of all sorts, and the dower of the wife (if any) being first allowed) the said Court of Probates is empowered to distribute all the remaining estate of any such intestate, as well real as personal, by equal portions to and amongst the children and such as legally represent them, except the eldest son who is to have two shares or a double portion of the whole, the division of the estate to be made by three sufficient freeholders on oath, or any two of them, to be appointed by

the Court of Probates: Their Lordships upon due consideration of the whole matter do agree humbly to report as their opinion to your Majesty, that the said Act for the Settlement of Intestates Estates should be declared null and void, being contrary to the laws of England, in regard it makes lands of inheritance distributable as personal estates, and is not warranted by the Charter of that Colony; and that the said three sentences of the 29th of June, 1725, of 28th September, 1725, and of the 22^d day of March, 1725/6, rejecting the inventory of the said intestates estates exhibited by the pet^r and refusing to accept the same because it did not contain the real as well as personal estate of the said intestate, and declaring real as well as personal estates ought to be inventoried, may be all reversed and sett aside; and that the petitioner be permitted to exhibit an inventory of the personal estate only of the said intestate, and that the Court of Probates be directed not to reject such inventory only because it does not contain the real estate of the said intestate; and that the said sentence of the 22^d of March, 1725/6, vacating the said letters of administration granted to the pet^r and granting administration to the said Thomas and Ann Lechmere, should also be reversed and sett aside; and that the said letters of administration so granted to the said Thomas Lechmere and Ann his wife should be called in and vacated, and that the said inventory of the said real estate exhibited by the said Thomas Lechmere and Anne his wife should be vacated, and that the order of the 29th of April, 1726, approving of the said inventory and ordering the same to be recorded, should be discharged and sett aside; and that the originall letters of administration granted to the pet^r should be established and ordered to stand, and that all such costs as the pet^r hath paid unto the said Thomas Lechmere by direction of the said sentences may be forthwith repaid him by the said Thomas Lechmere, and that the suit brought

by the said Lechmere and his wife on which the said sentence was made may be dismissed, and that all acts and proceedings done and had under the said sentences, or any of them, or by virtue or pretence thereof, may be discharged and declared null and void; and also that the said Act of Assembly passed in May, 1726, empowering the said Lechmere to sell the said lands, should be declared null and void; and it appearing to their Lordships that the said Superior Court by an order bearing date the 27th of September, 1726, and made pursuant to the said Act of Assembly, allowed the said Thomas Lechmere to sell of the said real estate to the value of ninety pounds current money there for his charges, and three hundred and eighteen pounds silver money to answer the said bond debt due from the intestate, their Lordships are of opinion that the said order of the Superior Court should be declared null and void, and also that the petitioner should be immediately restored and put into the full and quiet possession of all such parts of the said real estate as may have been taken from him under pretence of or by virtue or colour of the said sentences, orders, acts, and proceedings, or any of them, and that the said Thomas Lechmere do account for and pay to the said petitioner the rents and profits thereof received by him, or any one under him, for and during the time of such his unjust detention thereof.

HIS MAJESTY, taking the same into his royal consideration, is pleased with the advice of his Privy Council to approve of the said report, and confirm the same in every particular part thereof, and pursuant thereunto to declare that the aforementioned act entituled An Act for the Settlement of Intestates Estates is null and void, and the same is hereby accordingly declared to be null and void and of no force or effect whatever. And his Majesty is hereby further pleased to order, that

all the aforementioned sentences of the 29th of June, 1725, of the 28th of Sept^r, 1725, and of the 22^d of March, 1725/6, and every of them, be and they are hereby reversed and sett aside; and that the pet^r, John Winthrop, be and he is hereby admitted to exhibit an inventory of the personal estate only of the said intestate, and that the Court of Probates do not presume to reject such inventory, because it does not contain the real estate of the said intestate. And his Majesty doth hereby further order, that the aforementioned sentence of the 22^d of March, 1725/6, vacating the said letters of administration granted to the pet^r and granting administration to the said Thomas and Anne Lechmere, be also reversed and sett aside; and that the said letters of administration so granted to the said Thomas Lechmere and Anne his wife be called in and vacated; and that the said inventory of the said real estate exhibited by the said Thomas Lechmere and Anne his wife be vacated. And that the order of the 29th of April, 1726, approving of the said inventory, and ordering the same to be recorded, be discharged and sett aside; and that the originall letters of administration so granted to the pet^r be and they are hereby established and ordered to stand. And that all such costs as the pet^r hath paid unto the said Thomas Lechmere by direction of the said sentences, all, every, or any of them, be forthwith repaid to him by the said Thomas Lechmere; and that the suit brought by the said Thomas Lechmere and Anne his wife, on which the said sentences were made, be and they are hereby dismiss; and that all acts and proceedings done and had under the said sentences, all, every, or any of them, or by virtue or pretence thereof, be and they are hereby discharged and sett aside & declared null & void. And His Majesty is further pleased to declare, that y^e aforementioned Act of Assembly passed in May, 1726, empowering the said

Thomas Lechmere to sell the said lands, is null and void; and also that the said order made by the said Superior Court, and bearing date the 27th of Sept^r, 1726, pursuant to the said Act of Assembly allowing the said Lechmere to sell of the said real estate to the value of ninety pounds current money there for his charges, and three hundred and eighteen pounds silver money, is likewise null and void; and the said Act of Assembly and order of the said Superior Court are accordingly hereby declared null and void, and of no force or effect whatever. And his Majesty doth hereby likewise further order, that the pet^r be immediately restored and putt into the full, peaceable, and quiet possession of all such parts of the said real estate as may have been taken from him, und^r pretence of or by virtue or colour of the said sentences, orders, acts, and proceedings, or any of them; and that the said Thomas Lechmere do account for and pay to the said petitioner the rents and profits thereof, and of every part thereof, received by him, or any one under him, for and during the time of such his unjust detention thereof. And the Governor and Company of his Majestys Colony of Connecticut for the time being, and all other officers and persons whatsoever whom it may concern, are to take notice of his Majestys royall pleasure hereby signified, and yeild due obedience to every particular part thereof, as they will answer the contrary at their perill.

EDWARD SOUTHWELL.

JOHN WINTHROP TO HIS WIFE.

LONDON, New Years Day, 172 $\frac{1}{2}$ [March 25, 1728].

MY DEAREST HEART, — Notwithstanding the many intollerable abuses, lyes, & slanders that have been every way contriv'd to hurt me, yet yo^r injured husband is yet

alive & safe. Blessed be God for it, who has kept me & preserved me from the innumerable evils that w^d have distrest me. Thrô the favo^r of Heaven, the envy, spight, & malice of my enemyes has not prevailed against me; but God has given me favo^r in the sight of the King, and his Maj^{ty} has been graciously pleased to decide the controversy in my favo^r, after two days long hearings before the Lords of the Councill. The Attorney Generall & the Sollicitor Generall pleaded for me; after wth I humbly beg'd leave wth great submission to speake a few words in my owne behalfe, wth I have inclosed, wth the other papers und^r the seal of the Councill Office, for yo^r perusall and the perusall of some few friends. But lett none take a cobby of w^t is not und^r the seal. You must immediately see them recorded in the publick entry's of the Probate Court and the Superio^r Court, and the Secretary must recorde them in the Records of the Generall Assembly. It is the King's positive command, and you are not to pay for the entry.

There was present at the hearing of my case: the Lord President of the Councill, y^e Duke of Devonshire, my Lord Trevor, Lord Privy Seal, the two Lord Chief Justices, the Lord Chancelor, S^r Robert Walpole, Lord Treasurer, the Master of the Rolls, my Lord Hay, my Lord Finlater, Chancelor of Scotland, Archbishop of York, Archbishop of Canterbury, my Lord Bishop of London, and a full Councill Board; and a very numerous auditory of knights & gentlemen, who wth one voice cryed, Shame on the New England Collony's! And I thank my God, who has kept my vertue and showed my innocence to the world. And as I was so openly insulted, & brought to the barr of the Connecticott Court, I am at length so honourably and publickly acquitted before the highest Court of the kingdom! And thô you were disregarded & obliged to dine alone on the Connecticott Thanksgiving Day, yet now rejoyce openly. And thô M^r Agent D.

(who is reckned crazy & in a strange distemperd way) has given himselfe such aires as to write that I was so obscure, & not knowne in England, and that my ancestors was forgotten, yet I must tell you y^t he never appear'd himselfe; but the Lords said, W^t a strange, madd sort of people are these, that are indeavoring to hurt a family that founded them! After w^{ch} I had the hono^r to kiss his Maj^{tyes} hand, being introduc't by the Right Honourable the Lord in waiting.*

* This letter is unfinished and unsigned, as if the writer's exultant feelings had been too much for him. It was, however, a dear-bought victory, the fees of so many lawyers, and the incidental expenses of protracted litigation, on both sides of the Atlantic, having been, for that period, enormous. Aside from the gratification of triumphing against such odds, it is questionable whether it would not have been cheaper to have compromised with Lechmere at the outset.

A succeeding volume will contain selections from the correspondence of John Winthrop, F. R. S., during the remainder of his life, together with a number of papers relating to the complaints against Connecticut and Massachusetts, which he continued to urge long after the Lechmere suit had been decided in his favor. It is a curious circumstance that in the similar case of Phillips *vs.* Savage, arising under the Massachusetts Act for the Distribution of the Estates of Intestates, and decided just ten years after the decree in the case of Winthrop *vs.* Lechmere, the appeal was dismissed (see Mass. Hist. Soc. Proceedings, vol. v. pp. 64-80, 165-171; vol. xiii. pp. 100-103). There was, however, a difference in the two cases; for, in accordance with the Massachusetts Province Charter, the Massachusetts Act had been approved by the King in Council, while the Connecticut Charter did not require such approval of the legislative acts of that Province, and the Connecticut Act relating to the estates of intestates had therefore never received the royal assent. At the session of the General Assembly in October, 1728, Connecticut made provision for the restoration to Winthrop of the lands of which he had been dispossessed (see Conn. Col. Rec., vol. vii. p. 217). But the decree was none the less obnoxious to the public sentiment, and an order had already been passed for an application to the King "that the said law may be continued in its full force, and that intestate estates may be accordingly divided" (*ibid.*, pp. 191, 192). Finally the matter was set at rest and the law re-established by virtue of a decree in July, 1745, in the case of Clark *vs.* Tousey (*ibid.*, vol. ix. pp. 587-593). — Eds.

APPENDIX.

COMMISSION TO WAIT WINTHROP AS AGENT.*

By the Hon^{ble} the Council and Representatives of His Ma^{ty}s
Province of the Massachusetts Bay in New England, in
General Court assembled.

To all unto whom these p^resents shall come, Greeting.

Know yee that wee, reposing special trust and confidence in the loyalty, fidelity, & prudence of our worthy friend Wait Winthrop, Esq^r, one of the Council of his Ma^{ty}s Province aboves^d, have constituted & appointed, and do by these presents constitute, appoint, and authorize the s^d Wait Winthrop to be our Agent for us, and in our name and behalfe from time to time to attend his Ma^{ty}, as there may be occasion, concerning all matters and things that relate to the affairs of this Province or the government thereof, and to move and solieit, as he may have opportunity, what shall be conducing to the good and welfare of his Ma^{ty}s subjects within the same, according to such instructions as are herewith delivered him, or shall be given him from time to time by the Great and General Court or Assembly of this his Ma^{ty}s Province of the Massachusetts Bay afores^d.

* By the courtesy of our associate, Mr. A. C. Goodell, Jr., we have received a copy of a commission (in Mass. Archives, vol. xx. p. 63) to Wait Winthrop as Agent for Massachusetts in England. From this document it would appear that the conditions in Winthrop's letter to the General Court (*ante*, pp. 94, 95) were deemed reasonable, and a commission was accordingly drawn up and signed by the Council; but for some unexplained reason it does not seem to have been delivered to him. There was some question about the sum which might be actually needed for the expenses of the agency (see p. 98), but this difficulty seems not to have been serious. It is probable, however, that the real difficulty was the appointment of Dudley as Governor (see p. 99), which might very well cause the General Court to hesitate about sending to England an Agent who was not in political accord with him. So far as the Winthrop Papers and the State Archives show, no further action was taken in the matter. — EDS.

In testimony whereof we have caused the publick seal of the s^d Province to be hereunto affixed.

Dated at Boston y^e day of August, in the thirteenth year of the reign of our sovereign Lord William the Third, by the grace of God of England, Scotland, France, & Ireland King, Defender of the Faith, &c., Annoq. Domini 1701.

By the Council.

In the House of Representatives, Augst 8th, 1701. Read and pass'd.

Sent up for concurrence

NEHEMIAH JEWETT, *Speaker.*

In Council, 9^o Aug^t, 1701. Read, past, and consent^d to.

JA: RUSSELL.
ELISHA COOKE.
JOHN HATHORNE.
ELISHA HUTCHINSON.
SAM SEWALL.
JONATHAN CORWIN.
JOHN WALLEY.
JOHN FOSTER.
PETER SERGEANT.
JOSEPH LYNDE.
JOHN WALLEY.*
PENN TOWNSEND.
E^m HUTCHINSON.
BENJ^A BROWNE.
JOHN HIGGINSON.

* Walley signed twice. — Eds.

FAC-SIMILES
OF
SIGNATURES TO LETTERS CONTAINED IN
THIS VOLUME.

Walt-Wintrop.

1700.

Katharine Winthrop

1713.

John Winthrop

1709.

Ann Winthrop

1727.

Ann Lecturers

1718.



Tho: Lehmer

1711.

L Lehmer

1716.

Richard Lehmer

1719.

Richard Wharton

1682.

Sam: Keade.

1708.

Dudley

1703.

Paul Dudley

1714.

W Dudley

1714.

Mont mather

1718.

Co. Mather.

1712.

John Allyn
1678.

Samuel Wilkes
1697.

Jam^s: Pierpont
1711.

G. Saltonstall.
1716.

Joseph: Carter
1677.

John Brinley

1699.

Francis Brinley

1689.

*J^d
J. Haddington*

1704.

Samuel Sewall.

1713.

J. Leverett?

1708.

Worcester

1698.

Bellmont

1699.

Saml. Shute

1718.

Robt. Chamney

1726.

Jer: Dummer

1727.

John Higginson

1690.

Samuel Stow.

1692.

Geo: Phillipps

1716.

W^m Williams

1709.

Jno Brubley

1714.

Eben: Pemberton

1712.

N. Williams.

1713.

Eliphabet Adams.

1719.

J Foxcroft

1718.

Hezekiah Asher

1715.

Richard Edwards.

1714.

John Fullam

1724

John Read

1724.

Robert Robinson

1724.

William Smith

1724.





A highly decorative cursive signature of Nathaniel Miller. The letters are large and fluid, with a prominent, ornate flourish at the end of the word 'Miller'.

1699.



A cursive signature of John Bouce. The letters are elegant and well-proportioned, with a long, sweeping tail on the final letter.

1708.



A cursive signature of J. Smith. The letters are compact and decorative, with a large, ornate initial 'S'.

1712.



A cursive signature of John Chandler. The letters are fluid and well-proportioned, with a long, sweeping tail on the final letter.

1726.



A cursive signature of John Walton. The letters are fluid and well-proportioned, with a long, sweeping tail on the final letter.

1720.

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