







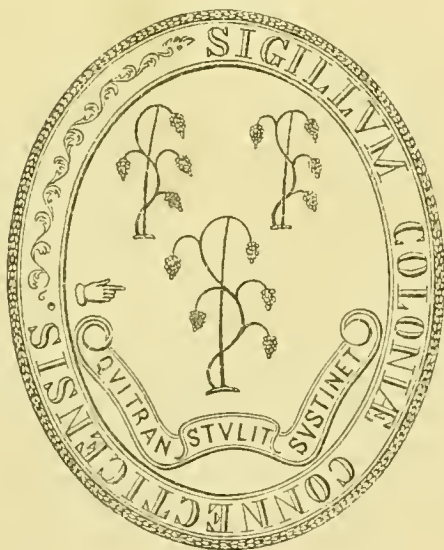






THE  
PUBLIC RECORDS  
OF THE  
COLONY OF CONNECTICUT,  
[V. 11].  
FROM MAY, 1757, TO MARCH, 1762, INCLUSIVE.

TRANSCRIBED AND EDITED IN ACCORDANCE WITH A RESOLUTION OF THE  
GENERAL ASSEMBLY.



BY CHARLES J. HOADLY,

STATE LIBRARIAN.

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1880.





## PREFATORY NOTE.

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These sheets contain the first four hundred and forty-six pages of the ninth manuscript volume of the Public Records of the Colony.

Neither the Journal of the Governor and Council nor that of either branch of the General Assembly during the years which this volume embraces are known to be extant.

It is to be regretted that so many of the pay-rolls of the Connecticut troops who served in the French war are missing from our archives ; as thereby several worthy officers, who took the places of others receiving appointments from the General Assembly but for various reasons not joining the army, fail of mention in these pages.

In the Appendix are the Answers to Queries from the Board of Trade, 1761-2, from copies procured at the Public Record Office in London.

C. J. H.

SEPTEMBER 1, 1880.



THE PUBLIC RECORDS  
OF THE  
COLONY OF CONNECTICUT.

[VOL. IX., PAGE 1.]

*Anno Regni Regis Georgii secundi trigesimo.*

AT A GENERAL ASSEMBLY OF THE GOVERNOR AND COMPANY OF HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA, HOLDEN AT HARTFORD IN SAID COLONY ON THE SECOND THURSDAY OF MAY, (BEING THE TWELFTH DAY OF SAID MONTH,) AND CONTINUED BY SEVERAL ADJOURNMENTS TILL THE EIGHTH DAY OF JUNE NEXT FOLLOWING, ANNOQUE DOMINI, 1757.

*Present :*

The Honourable Thomas Fitch, Esqr, *Governor.*

The Hon<sup>ble</sup> William Pitkin, Esqr, *Deputy Governor.*

Roger Newton,	Thomas Wells,	} Esqrs, Assistants.
Ebenezer Silliman,	Benjamin Hall,	
Jonathan Trumble,	Roger Wolcott, Junr,	
Hezekiah Huntington,	Jonathan Huntington,	
Andrew Burr,	Daniel Edwards,	
John Chester,		

*Representatives or Deputies of the several Towns hereafter mentioned returned to attend at this Assembly, (viz:)*

Mr. John Ledyard, Mr. Nathaniel Hooker, for Hartford.

Capt. Isaac Dickerman, Col. David Wooster, for New Haven.

Col. Gurdon Saltonstall, Col. Stephen Lee, for New London.

Capt. Thomas Hill, Mr. Lothrop Lewis, for Fairfield.

Mr. Nathaniel Wales, Mr. Thomas Stedman, for Windham.

Col. Ebenezer Marsh, for Litchfield.

Capt. Jabez Huntington, Mr. Isaac Tracy, for Norwich.

Mr. James Brown, Mr. James Fitch, for Norwalk.

Col. Jonathan Hoit, Mr. Jonathan Sillick, for Stanford.

Mr. Cornelius Brooks, Captain Eliakim Hall, for Wallingford.

Col. Joseph Fowler, Mr. William Williams, for Lebanon.

Col. Shubael Conant, Mr. William Hall, for Mansfield.  
Mr. David Booth, Mr. John Botehford, for Newtown.  
Mr. John Strong, for Farmingtown.  
Mr. Benjamin Gale, Capt. Elnathan Stephens, for Killingworth.  
Mr. Elisha Williams, Mr. Hezekiah May, for Weathersfield.  
Capt. Gershom Bulkley, Capt. Elijah Worthington, for Colchester.  
Capt. Joseph Phelps, for Hebron.  
Capt. Abijah Catlin, for Harwington.  
Mr. Hezekiah Brainard, for Haddam.  
Capt. Moses Lyman, Capt. John Beach, for Goshen.  
Mr. David Sherman, Capt. Elisha Stoddard, for Woodbury.  
Capt. Hezekiah Whittlesey, Capt. Jedidiah Chapman, for Saybrook.  
Mr. Ebenezer Williams, Mr. Jonathan Dressor, for Pomfret.  
Mr. James Wadsworth, Col. Elihu Chauncey, for Durham.  
Mr. Agur Tomlinson, Capt. Robert Fairechild, for Stratford.  
Mr. Martin Smith, for New Hartford.  
Capt. John Humphry, for Symsbury.  
Majr David Whitney, Mr. James Beebe, for Canaan.  
Mr. Thomas Pierce, Mr. James Bradford, for Plainfield.  
[2] Mr. David Orcut, for Stafford.  
Mr. Amos Northrop, Capt. John Hitchcock, for New Milford.  
Mr. John Clap, Mr. Nathaniel Sacket, for Greenwich.  
Mr. Comfort Starr, Mr. John Starr, for Danbury.  
Mr. Isaac Johnson, Capt. Jabez Lyon, for Woodstock.  
Capt. Robert Dixon, Mr. John Smith, for Voluntown.  
Capt. Obadiah Johnson, Capt. Jabez Fitch, for Canterbury.  
Capt. Samuel Basset, for Derby.  
Capt. Nathaniel Harrison, Mr. Jonathan Russel, for Branford.  
Mr. Amos Babcock, Mr. Elisha Whiton, for Ashford.  
Capt. William Witter, Mr. Nathaniel Brown, for Preston.  
Mr. William Wolcott, Mr. Alexander Wolcott, for Windsor.  
Mr. Thomas Matthews, Mr. Gideon Hotchkins, for Waterbury.  
Mr. William King, Mr. Uriah Austin, for Suffield.  
Mr. David Brainard, for East Haddam.  
Capt. John Williams, Mr. Josiah Strong, for Sharon.  
Mr. Jabez Swift, for Kent.  
Mr. John Evert, Mr. Thomas Chipman, for Saltsbury.  
Mr. Jacob Dressor, Mr. Boaz Sterns, for Killingsly.  
Mr. Ephraim Strong, for Milford.  
Mr. Zebulon West, Capt. Joshua Wills, for Tolland.  
Capt. Benjamin Talcott, Capt. Joel White, for Bolton.  
Mr. John Griswold, Mr. Samuel Ely, for Lyme.  
Mr. Samuel Robinson, Col. Timothy Stone, for Guilford.

Mr. Samuel Kimberly, for Glassenbury.

Mr. Phineas Strong, for Coventry.

Mr. Simeon Minor, Capt. John Williams, for Stonington.

Col. Christopher Avery, Mr. Dudley Woodbridge, for Groton.

Mr. Edward Collins, Capt. Ephraim Terry, for Enfield.

Col. Jabez Hamlin, Mr. Seth Wetmore, for Middleton.

Col. Shubael Conant, Speaker } of the House of Repre-  
 Capt. Jabez Huntington, Clerk } sentatives.

This day being appointed by the Royal Charter and the laws of this Colony for the Election of the public officers of the Colony, *viz*: Governor, Deputy Governor, Assistants, Treasurer, and Secretary, proclamation was made, and then the votes of the freemen were given in to the persons appointed by the Governor, Council and Representatives, to receive, sort, and count them. Which persons so appointed were: Roger Newton, Ebenezer Silliman, Jonathan Trumble, Hezekiah Huntington, Andrew Burr, John Chester, Thomas Wells, Benjamin Hall, Roger Wolcott, Jun<sup>r</sup>, Jonathan Huntington, Daniel Edwards, John Ledyard, Hezekiah Brainard, David Wooster, Samuel Robinson, Simeon Minor, Dudley Woodbridge, Robert Fairchild, Jonathan Hoit, Jabez Fitch, Obadiah Johnson, John Williams, and Ebenezer Marsh, Esq<sup>rs</sup>, who were all sworn to a faithful discharge of that trust. And the votes of the freemen being brought in, sorted, and counted,

The Honourable Thomas Fitch, Esq<sup>r</sup>, is chosen Governor of this Colony for the year ensuing.

The Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, is chosen Deputy Governor of this Colony for the year ensuing.

Roger Newton, Esq<sup>r</sup>, Ebenezer Silliman, Esq<sup>r</sup>, Jonathan Trumble, Esq<sup>r</sup>, Hezekiah Huntington, Esq<sup>r</sup>, Andrew Burr, Esq<sup>r</sup>, John Chester, Esq<sup>r</sup>, Thomas Wells, Esq<sup>r</sup>, Benjamin Hall, Esq<sup>r</sup>, Phineas Lyman, Esq<sup>r</sup>, Roger Wolcott, Jun<sup>r</sup>, Esq<sup>r</sup>, Jonathan Huntington, Esq<sup>r</sup>, Daniel Edwards, Esq<sup>r</sup>, were chosen Assistants for the year ensuing.

[3] Joseph Talcott, Esq<sup>r</sup>, is chosen Treasurer of this Colony for the year ensuing.

George Wyllys, Esq<sup>r</sup>, is chosen Secretary of this Colony for the year ensuing.

The Governor's oath, prescribed by the law of this Colony, and the oath required by act of Parliament relating to Trade and Navigation, were administred to the Hon<sup>ble</sup> Thomas Fitch, Esq<sup>r</sup>, (now chosen Governor) by the Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, Deputy Governor, in the presence of the Assembly.

The Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, (now chosen Deputy

Governor) had the Deputy Governor's oath prescribed by law administred to him by his Honor the Governor in presence of the Assembly.

The Assistant's oath prescribed by law was administred to Roger Newton, Esq<sup>r</sup>, Ebenezer Silliman, Esq<sup>r</sup>, Jonathan Trumble, Esq<sup>r</sup>, Hezekiah Huntington, Esq<sup>r</sup>, Andrew Burr, Esq<sup>r</sup>, John Chester, Esq<sup>r</sup>, Thomas Wells, Esq<sup>r</sup>, Benjamin Hall, Esq<sup>r</sup>, Roger Wolcott, Jun<sup>r</sup>, Esq<sup>r</sup>, Jonathan Huntington, Esq<sup>r</sup>, Daniel Edwards, Esq<sup>r</sup>, (now chosen Assistants) by his Honor the Governor.

The Treasurer's oath provided by law was administred to Joseph Talcott, Esq<sup>r</sup>, (now chosen Treasurer) by his Honor the Governor.

The Secretary's oath provided by law was administred to George Wyllys, Esq<sup>r</sup>, (now chosen Secretary) by his Honor the Governor, in the presence of the Assembly.

*Ordered*, That Roger Wolcott, Jun<sup>r</sup>, Esq<sup>r</sup>, and Capt. Ephraim Terry, return the thanks of this Assembly to the Rev<sup>d</sup> Mr Peter Reynolds, for his sermon delivered (on the 12th day of instant May) before this Assembly, and desire a copy thereof that it may be printed.

This Assembly do appoint the Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, to be Chief Judge of the Superior Courts in this Colony the year ensuing.

This Assembly do appoint Ebenezer Silliman, Roger Wolcott, Jun<sup>r</sup>, Joseph Fowler, and Daniel Edwards, Esq<sup>r</sup>s, to be Judges of the Superior Courts in this Colony the year ensuing.

This Assembly do appoint Jabez Hamlin, Esq<sup>r</sup>, to be Judge of the County Court in and for the county of Hartford the year ensuing.

This Assembly do appoint Roger Newton, Esq<sup>r</sup>, to be Judge of the County Court in and for the county of New Haven the year ensuing.

This Assembly do appoint Hezekiah Huntington, Esq<sup>r</sup>, to be Judge of the County Court in and for the county of New London the year ensuing.

This Assembly do appoint Andrew Burr, Esq<sup>r</sup>, to be Judge of the County Court in and for the county of Fairfield the year ensuing.

This Assembly do appoint Jonathan Trumble, Esq<sup>r</sup>, to be Judge of the County Court in and for the county of Windham the year ensuing.

This Assembly do appoint John Williams, Esq<sup>r</sup>, to be Judge of the County Court in and for the county of Litchfield the year ensuing.

This Assembly do appoint Joseph Buckingham, Esqr, to be Judge of the Court of Probate for the district of Hartford the year ensuing.

This Assembly do appoint John Hubbard, Esqr, to be Judge of the Court of Probate for the district of New Haven the year ensuing.

This Assembly do appoint Gurdon Saltonstall, Esqr, to be Judge of the Court of Probate for the district of New London the year ensuing.

This Assembly do appoint Andrew Burr, Esqr, to be Judge of the Court of Probate for the district of Fairfield the year ensuing.

This Assembly do appoint Jonathan Trumble, Esqr, to be Judge of the Court of Probate for the district of Windham the year ensuing.

This Assembly do appoint Timothy Stone, Esqr, to be Judge of the Court of Probate for the district of Guilford the year ensuing.

This Assembly do appoint Daniel Sherman, Esqr, to be Judge of the Court of Probate for the district of Woodbury the year ensuing.

[4] This Assembly do appoint Jonathan Hoit, Esqr, to be Judge of the Court of Probate for the district of Stamford the year ensuing.

This Assembly do appoint Joseph Spencer, Esqr, to be Judge of the Court of Probate for the district of East Had-dam the year ensuing.

This Assembly do appoint Ebenezer Marsh, Esqr, to be Judge of the Court of Probate for the district of Litchfield the year ensuing.

This Assembly do appoint Thomas Benedict, Esqr, to be Judge of the Court of Probate for the district of Danbury the year ensuing.

This Assembly do appoint Hezekiah Huntington Esqr, to be Judge of the Court of Probate for the district of Norwich the year ensuing.

This Assembly do appoint John Creary, Esqr, to be Judge of the Court of Probate for the district of Plainfield the year ensuing.

This Assembly do appoint Jabez Hamlin, Esqr, to be Judge of the Court of Probate for the district of Middletown the year ensuing.

This Assembly do appoint Timothy Sabin, Esqr, to be Judge of the Court of Probate for the district of Pomfret the year ensuing.

This Assembly do appoint John Williams, Esqr, to be

Judge of the Court of Probate for the district of Sharon the year ensuing.

This Assembly do appoint Joseph Buckingham, Joseph Pitkin, William Wolcott, and John Humphry, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in and for the county of Hartford the year ensuing.

This Assembly do appoint Jabez Hamlin, Joseph Talcott, George Wyllys, John Ledyard, Thomas Hosmer, Jonathan Hills, Elizur Goodrich, Jonathan Belding, Daniel Bissell, Samuel Eno, Pelatiah Mills, Joseph Hooker, Solomon Whitman, Thomas Hart, Jared Lee, Joseph White, Thomas Johnson, Seth Wetmore, Benjamin Stilman, Joseph Southmayd, Joseph Wilcockson 2d, John Owen, Jonathan Hale, Hezekiah Brainard, Joseph Wells, Joseph Spencer, Daniel Cone, Nathaniel Foot, Epaphras Lord, John Hooker, Joseph Hart, John Waters, Jonathan Kilborn, jun<sup>r</sup>, Joseph Phelps, John Phelps, Samuel Gilbert, jun<sup>r</sup>, Alexander Phelps, Samuel Kent, jun<sup>r</sup>, Zebulon West, Thomas Pitkin, Ephraim Terry, John Mirick, Daniel Alden, Samuel Reynolds, Isaac Pinney, Hezekiah Gridley, John Day, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of Hartford the year ensuing.

This Assembly do appoint Benjamin Hall, Esq<sup>r</sup>, Justice of the Quorum in and for the county of New Haven the year ensuing.

This Assembly do appoint John Hubbard, Elihu Chauncey, and Timothy Stone, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in and for the county of New Haven the year ensuing.

This Assembly do appoint Robert Treat, Isaac Dickerman, John Prout, Deodate Davenport, Isaiah Tuttle, Samuel Sherman, Chauncey Whittlesey, Nathan Baldwin, Theophilus Rositer, Samuel Robinson, Nathaniel Ruggles, John Graves, John Russel, Nathaniel Harrison, Jonathan Russel, Josiah Rogers, jun<sup>r</sup>, Samuel Hall, John Hall, Elihu Hall, Ezekiel Royce, James Wadsworth, Thomas Matthews, Thomas Clark, Thomas Brunson, jun<sup>r</sup>, Samuel Basset, Samuel Riggs, Timothy Russel, Daniel Holebrook, Caleb Merriman, and John Whiting, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of New Haven the year ensuing.

This Assembly do appoint John Griswold, Christopher Avery, Isaac Huntington, and Richard Lord, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in and for the county of New London the year ensuing.

This Assembly do appoint Elnathan Stephens, Jonathan Lane, Joseph Wilcocks, Aaron Eliot, Jedidiah Chapman,



Nathaniel Clark, John Tully, Hezekiah Whittlesey, Samuel Dimock, Daniel Ely, Benjamin Lee, Samuel Ely, John Lay, 3d, Gurdon Saltonstall, Joshua Hemstead, Daniel Coit, Pygan Adams, Adonijah Fitch, Luke Perkins, William Williams, [5] Nathan Smith, || Ebenezer Avery, Simeon Minor, Joseph Dennison, Samuel Prentice, Nehemiah Palmer, Samuel Morgan, Samuel Coit, William Witter, Jabez Hide, Ebenezer Backus, Jabez Huntington, William Whiting, Jacob Perkins, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of New London.

This Assembly do appoint Jonathan Hoit, David Rowland, Samuel Fitch, and John Read, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in and for the county of Fairfield the year ensuing.

This Assembly do appoint Robert Walker, Theophilus Nichols, Samuel Adams, Robert Fairchild, William Peet, Ichabod Lewis, William Burr, Samuel Sherwood, Moses Dimon, James Lockwood, Joseph Plat, Elias Betts, Theophilus Fitch, Jonathan Maltbie, Abraham Davenport, Nathaniel Peck, Samuel Olmstead, Samuel Smith, 3d, Thomas Benedict, Samuel Gregory, Ephraim Hubbel, Thomas Towsey, Caleb Baldwin, Ebenezer Mead, Nathaniel Sacket, and Lothrop Lewis, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of Fairfield the year ensuing.

This Assembly do appoint Shubael Conant, John Dyar, Jabez Fitch, and Joshua West, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in and for the county of Windham the year ensuing.

This Assembly do appoint Ebenezer West, Joseph Fowler, Joseph Levens, Joseph Clark, William Metcalfe, Nathaniel Huntington, Eliphalet Dyar, Stephen Fuller, Samuel Gray, Jedidiah Elderkin, Joseph Cady, Samuel Danielson, Jacob Dresser, John Creary, Benjamin Wheeler, Ezekiel Pierce, Joseph Stores, Phineas Strong, Joseph Strong, junr, Silas Long, Timothy Sabin, Ebenezer Williams, William Osgood, John Smith, Robert Dixon, Jeremiah Keeney, Samuel Chandler, Thomas Chandler, Ebenezer Wales, Samuel Wood, Amos Babcock, Samuel Huntington (of Canterbury), Thomas Williams (of Pomfret), Thomas Moffat, Elijah Whiton, and Henry Bowen, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of Windham the year ensuing.

This Assembly do appoint Ebenezer Marsh, Noah Hinman, Elisha Sheldon, and Increase Moseley, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in and for the county of Litchfield the year ensuing.

This Assembly do appoint John Williams, Thomas Harrison, Timothy Collins, Daniel Castle, Daniel Sherman, Daniel Averit, Paul Welch, Bushnel Bostwick, Roger Sherman, Timothy Hatch, John Ransom, Samuel Hutchinson, James Landon, David Whitney, John Beebe, John Beach, Gideon Thompson, John Patterson, Cyprian Webster, Isaac Kellogg, Ebenezer Lyman, John Hutchinson, John Cook, and Elisha Stoddard, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of Litchfield the year ensuing.

This Assembly do appoint Capt. David Hubbard a Justice of the Peace for the county of Hartford the year ensuing.

This Assembly do appoint Abijah Catling to be a Justice of the Peace for the county of Litchfield the year ensuing.

Whereas in and by an act made and passed by this Assembly in October last, entituled An Act in addition to the law of this Colony entituled An Act forming and regulating the militia, and for the encouragement of military skill for the better defence of this Colony, it is provided that the chief officers of every troop or foot company should cause the arms and ammunition of all under their command and of others dwelling within the limits of their respective companies to be viewed, not only on the first Monday of May, but also on the first Monday in October, annually, as also on such other days and times as they should be thereto required by the colonel or chief officer of the regiment to which they belong :

*Resolved by this Assembly,* That in regard to the threatening aspect of the war and the extraordinary emergencies that [6] may happen at this season, || the colonels of the several regiments in this Colony be, and they are hereby, directed forthwith to cause a view of all the arms and ammunition of the several companies within their several regiments, and of the dwellers within the limits of such companies, and order that they are compleatly provided with arms and ammunition according to law ; and order the captains or chief officers of the several companies to declare to and require all the soldiers to hold themselves in readiness, on the shortest notice, to march, either in whole or in part, for the defence, relief and succour of his Majesty's subjects, according to such commands, orders or directions, as shall be given them according to law.

*And it is further resolved and provided,* That all such officers and soldiers who shall be ordered and commanded to go to the defence or relief of any of his Majesty's subjects out of this Colony, according to said law, and shall proceed in such service according to the commands and orders given them, shall be allowed and receive the same wages per month as the officers and soldiers in the service of the present year.

*Resolved by this Assembly,* That there be provided a vessel of force for the defence of the navigation and coasts of this Colony, not exceeding one hundred and forty tons, and that proper officers for said vessel be appointed by this Assembly.

*Resolved by this Assembly,* That the vessel of war that shall be provided for the protection of the navigation and sea-coast of this Colony shall be manned with one hundred men, including officers: That Capt. Michael Burnham be Captain; that Capt. Giles Hall be Lieutenant; that his Honor the Governor be desired to appoint such warrant officers as may be necessary for said vessel; that the captain be purser of said vessel, with power to appoint his steward.

That the wages for officers and seamen be, *viz* :

Captain,	per month,	£7	0	0
Lieutenant,	ditto,	5	0	0
Master,	ditto,	3	10	0
Doctor,	ditto,	3	10	0
Other Warrant Officers,	ditto,	3	0	0
Able Seamen,	ditto,	2	0	0
Ordinary Seamen,	ditto,	1	14	0

That the officers and seamen have the one-half of all prizes taken by said vessel, and to be divided in the following proportion, *viz* : Captain six shares, lieutenant 4 shares, master 3 shares, the doctor 3 shares, and other warrant officers 2 shares, able seamen 1½ share, ordinary seamen 1 share.

An Act for granting and levying a Tax on the Polls and Rateable Estate of this Colony.

This Assembly grants a rate of three pence on the pound on the polls and rateable estate of this Colony, according to the list brought in October last with the additions, to be paid into the treasury by the last of December next in lawful silver money, *viz* : a Spanish mill'd dollar at six shillings, and other coin'd silver according to the value at that rate, or in standard gold at five pounds per ounce troy-weight, or in bills emitted by this Assembly since the first day of January, 1755, or in pork @ 51s. per barrel, beef @ 30s. per barrel, wheat @ 3s. 6d. per bushel, rye @ 2s. per bushel, indian corn @ 1s. 9d. per bushel, flax @ 4d. per pound; all to be good and merchantable; with a deduction to be made on each article for the carriage thereof to the nearest place of transportation to the town from whence it is carried, according to the customary price of carriage from each town. The said [7] produce to be received and disposed of and turned into money or bills of this Colony and paid into the treasury by such persons as is provided and directed by one statute of this Colony entitled An Act to supply the treasury in the present extraordinary emergencies of government and for

creating and issuing bills of credit, made and passed in March 1755; which tax shall be disposed of for the paying the debts and charges of this Colony.

*An Act laying a Duty on Shipping for Support of a Vessel of War.*

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That from and after the first day of July next, the master of every coasting vessel owned either in whole or in part by the inhabitants of this Colony, who shall clear out for any port not beyond Philadelphia in the government of Pennsylvania, or Halifax in the Province of Nova Scotia, shall, for every such vessel so to be cleared out, pay to the naval officer for the use of this Colony the sum of three pence per ton each time such vessel is cleared out. And that all masters of vessels owned as abovesaid and to be cleared out for any port or ports more remote than said Halifax or Philadelphia shall pay to the naval officer granting such clearance the sum of six pence per ton. And that all masters of vessels not owned by the inhabitants of this Colony shall, when and so often as they shall enter any such vessel at any naval office in this Colony, pay and render to such naval officer the sum of one shilling per ton. All such tonnage to be computed by the carpenter's rule. And that every naval officer shall pay and deliver the moneys so by him received, (his own just fees deducted,) to the Treasurer of this Colony for the use of this Colony, keeping true and clear accounts thereof and of the Treasurer taking two receipts of the same tenor and date, one of which to be by him lodged with the Secretary of this Colony.

*Provided,* This act continue in force until the first day of July A. Dom. 1758, and no longer.

*An Act for laying and collecting a Duty on Tea and sundry Sorts of Goods.*

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That from and after the first day of July next there shall be paid a duty of six pence for every pound weight of tea brought into this Colony either by water or land carriage. And that from and after the said first day of July next there shall be paid a duty of five pounds for every hundred pounds worth of other goods, wares and merchandize, save only such as are hereafter excepted, brought into this Colony for sale either by water or land carriage by all and every person and persons who are not inhabitants within the same; the value of which goods, wares or merchandize at the place or port from whence they shall be brought shall be esteemed and allowed to be the value thereof; and the said duties shall

be paid accordingly at the rate aforesaid for greater or lesser quantity.

*And, that the said duties hereby laid may be effectually collected and paid, be it further enacted by the authority aforesaid,* That the collectors of excise annually chosen and appointed in each and every of the respective towns in this Colony shall collect and receive all such duties as shall become due and payable by virtue of this act. That every person or persons who shall after the said first day of July next import or otherwise bring into this Colony any tea shall, within three days next after such bringing into this Colony and before any sale, disposition or consumption thereof or of any parcel thereof be made, deliver to such collector a manifest under his or their hands, containing a true account of the weight of such tea, and make oath to the truth of the account, and that it is the whole by him or them imported or otherwise brought in at that time, before some Assistant or justice of the peace, if required thereto by such collector; [8] || at which time the importer or owner of such tea shall pay to such collector the duty laid by this act; or if the quantity be more than three hundred weight, may give bond with a good surety to the Treasurer of this Colony for the payment thereof with the lawful interest, to be paid within three months at the farthest from that time. That all and every person or persons not being inhabitants within this Colony; who shall bring in by water or land carriage any goods, wares or merchandize, for sale, shall within three days next after such importation or bringing into this Colony, and before any sale or disposition thereof or of any parcel thereof, deliver to such collector a manifest under his or their hands, containing a true account of the quantity and value of such goods, and shall make oath to the truth thereof, shall before some Assistant or justice of the peace, if thereto required by such collector; at which time the importer or owner of such goods shall give a bond with a good surety to the Treasurer of this Colony for the payment of the duty laid by this act, to be paid within three months at the farthest from that time. And in case any part of such goods unsold shall be exported or carried out of this Colony within said three months, the importer or owner shall be allowed out of his said bond at the rate of five *per cent.* for such goods so carried or transported out as aforesaid.

That if any person or persons shall neglect or refuse to conform to this act, by not giving a manifest or attesting thereto when required, or in not paying the said duties or giving security therefor, according to the direction in this act con-

tained, all such tea, goods, wares and merchandize, by him or them so imported or brought into this Colony shall be forfeited, one half to the Colony Treasurer for the use of the government, and the other half to him or them who shall inform thereof and prosecute such information to effect. That the said tea, goods, wares and merchandize, or part thereof, may be accordingly seized by such collector or by warrant from any one Assistant or justice of the peace, and on information made to any court, Assistant or justice of the peace proper to try the same, when the same cannot be seized as aforesaid, the said court, assistant or justice of the peace may proceed to hear and determine the cause and give judgment therein, either for the forfeiture of such tea, goods, wares and merchandize as shall be seized and order the same to be sold for the purposes aforesaid, or in case there be no seizure, then judgment shall and may be given for the forfeiture of the value of such tea and of such goods so imported and brought into this Colony for which no duties have been paid or secured to be paid as aforesaid, against such person or persons as hath imported or brought the same into this Colony contrary to the intent and meaning of this act, and award execution thereon accordingly. In the tryal whereof the burthen of proof respecting the conformity to this act shall lie on the importer or claimer of such tea, goods, wares and merchandize. That where securities or bonds are taken for such duties as aforesaid, and the money not paid by the time set, the collector to whom the same was delivered is hereby authorized and fully impowered to put the same in suit and appear and prosecute the same to all intents and purposes, for the recovery thereof. And the said collectors, respectively, are hereby fully authorized and impowered to sue for and recover all forfeitures [9] which shall become due to the Treasurer of this Colony || by virtue of this act within the respective towns for which they are appointed. And the said collectors and each of them shall render and make up their accounts with the Treasurer, and fully pay in the sum or sums collected or due for duties and forfeitures as aforesaid, by the first day of May next after the year for which they were chosen, or on neglect thereof shall be dealt with in the same manner and form as is provided in case of their neglect to pay in what they have collected for excise.

*Provided nevertheless,* That nothing in this act shall be understood to lay a duty on the importation or bringing into this Colony cast and slit iron, nails, salt, steel, beaver, leather, deer-skins, fish both dry and pickled, train oyl, whale-bone, rice, warlike and naval stores, glass and lumber, but the same

shall be free from such duties ; anything in this act before contained to the contrary notwithstanding.

*Provided also*, That nothing in this act shall be understood and construed to lay any further duty on the importation of spiritous liquors, either to add to or alter the impost or excise already laid on the same.

*And it is further enacted by the authority aforesaid*, That each town in this Colony shall be responsible for the person who shall be chosen by them to be collector of excise, that he hath a sufficient substance for the security of the money that may come into his hands for excise, and also the duties laid in this act.

*And it is further enacted by the authority aforesaid*, That the said collectors shall be sworn to a faithful discharge of their trust, and shall have a reward of five *per cent.* for their service.

An Act for regulating and licensing Pedlars, Hawkers and Petty-Chapmen.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same*, That for the future no person or persons whatsoever shall be permitted to traffick, trade or deal in this Colony as a pedlar, hawker or petty-chapman, but such as are duly licensed thereto by the judge of the county court in some one of the counties in this Colony.

*And be it further enacted by the authority aforesaid*, That the judge of the county court in each county in this Colony be, and hereby is, authorized and impowered, upon application to him made for that purpose, to grant a license to the person or persons applying for the same, to be a pedlar, hawker or petty-chapman ; for which license he shall take and receive the sum of five pounds to and for the use of this Colony, and also the sum of four shillings as a fee and reward ; and the said judges are hereby directed to make proper minutes and memorandums of their doings therein and give certificates thereof when thereto requested, and shall also transmit such money they shall respectively receive for every such license to the Treasurer of this Colony, and shall take two receipts of said Treasurer of equal tenor and date, one of which shall be lodged with the Secretary of this Colony.

*And be it further enacted by the authority aforesaid*, That every such license shall continue in force and be a sufficient warrant to the person licensed, to trade and deal in and through this Colony one full year from the date thereof, and no longer.

*And be it further enacted by the authority aforesaid*, That

if any person or persons shall presume to trade, deal or traffick as a pedlar, hawker or petty-chapman, without being duly licensed as aforesaid, every such person or persons shall forfeit all such goods, wares and merchandize so by him or them carried about and exposed to sale, the one half to him or them that shall inform and prosecute such information to effect, and the other half to the Treasurer of this Colony for the use of the government.

[10] *And it is further enacted by the authority aforesaid,* That any person may demand of every peddler, hawker or petty-chapman, upon his offering any goods, wares or merchandize to sale, his license or authority for so doing, and in case he shall refuse to shew the same, all his said goods and wares may be seized and put to tryal as goods offered to sale by pedlars or hawkers without license. And if on tryal he shall be able to shew a lawful license therefor, he shall, notwithstanding, pay the cost of prosecution. And the several King's attorneys in this Colony are hereby impowered and directed specially to take notice of and prosecute all breaches of this act.

*Provided always,* That nothing in this act shall be construed to extend to enable any person whatsoever, by virtue of any license aforesaid, to act in any wise contrary to those orders and directions by law made to prevent the spreading of any infectious disease in this Colony.

An Act in Addition to the Law of this Colony entituled An Act for the Direction of Listers in their Office and Duty.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That all such persons as loan or let out money on interest shall be rated in the list in proportion to their gains, and the listers in the several towns in this Colony are directed to rate them in like manner as they are directed in respect to traders, tradesmen, &c.

An Act for appointing the Brand for Horses in the Town of Canaan.

*It is ordered by this Assembly,* That the brand for Horses for said Canaan shall be the following character, ☉.

Additions to the Lists of Estate of the several Towns in this Government hereafter mentioned sent in to this Assembly are as follows, viz :

	<i>Single addition.</i>			<i>Fourfold assessments.</i>		
To New Haven,	£ 894	2	9	-	-	£4850 7 0
Hartford,	1109	8	6	-	-	39 4 0
Fairfield,	1010	18	8	-	-	861 9 0
Sharon,	339	9	4	-	-	500 16 0
Glassenbury,	1281	14	6	-	-	
Ashford,	1409	5	0	-	-	216 0 0
Stafford,	107	4	0	-	-	



	<i>Single addition.</i>			<i>Fourfold assessments.</i>		
To Branford,	£777	5	5	-	-	£197 12 0
Canterbury,	262	13	0	-	-	1002 18 0
Wallingford,	750	19	0	-	-	275 0 0
Farmington,	559	7	0	-	-	718 7 0
Weathersfield,	726	16	3	-	-	124 4 0
Middletown,	1126	2	0	-	-	116 8 0
Coventry,	1612	1	6	-	-	122 0 0
Milford,	254	16	8	-	-	92 4 6
Windsor,	3145	18	9	-	-	232 4 0
Litchfield,	193	0	0	-	-	542 8 0
Lyme,	2405	10	0	-	-	720 16 0
Groton,	434	0	0	-	-	609 10 0
New Milford,	£603	12	0			
Subtraction,	138	19	6			
	464	12	6			
Colchester,	708	0	0	-	-	
Preston,	479	11	0	-	-	106 0 0
Killingsworth,	649	16	0	-	-	240 12 0
Pomfret,	549	13	0	-	-	646 0 0
Bolton,	134	7	0	-	-	40 0 0
Tolland,	103	2	0	-	-	
Newtown,	69	8	0	-	-	
Danbury,	158	6	10 $\frac{1}{2}$	-	-	144 12 0
Symsbury,	897	10	0	-	-	
Haddam,	297	5	0	-	-	
East Haddam,	503	13	0	-	-	72 0 0
New Hartford,	35	10	0	-	-	
Plainfield,	881	3	0	-	-	870 0 0
Greenwich,	2518	0	0	-	-	
Woodbury,	380	18	2	-	-	501 0 6
Harwington,	97	19	0	-	-	
[11] Saybrook,	1787	5	0	-	-	
Norwalk,	1050	13	0	-	-	990 15 6
Suffield,	588	15	6	-	-	
Stratford,	875	6	7	-	-	24 0 0
Voluntown,	181	12	0	-	-	350 8 0
Windham,	423	2	6	-	-	356 0 0
Ridgefield,	702	18	0	-	-	178 6 6
Derby,	349	18	6	-	-	
Stanford,	57	10	0	-	-	
Woodstock,	1279	10	0	-	-	206 0 0
Waterbury,	268	11	6	-	-	154 4 0
Guilford,	45	8	5	-	-	594 9 4
Stonington,	1034	12	0	-	-	221 4 0

	<i>Single addition.</i>	<i>Fourfold assessments.</i>
To Lebanon,	£825 3 0	- - £310 2 0
Last fall £2511 12s overcast.		
N. B. Mistake in cast of the list.		
Suffield,	90 4 0	- -
Mansfield,	458 13 6	- - 177 8 0
Norwich,	1507 9 6	- - 1190 13 0
£296 1s. for the town of Kent subtraction instead of addition.		

3035 18s. 6d. subtraction out of Hebron list, as they say.

This Assembly do appoint Ebenezer Marsh, Esqr, to be Colonel of the 13th regiment in this Colony.

This Assembly do appoint David Whitney, Esqr, to be Lieutenant Colonel of the 13th regiment in this Colony.

This Assembly do appoint Benjamin Hinman, Esqr, to be Major of the 13th regiment in this Colony.

This Assembly do appoint John Read, Esqr, to be Lieutenant Colonel of the 4th regiment in this Colony.

This Assembly do appoint Robert Walker, Esqr, to be Major of the 4th regiment in this Colony.

This Assembly do establish Mr. Nathan Comstock to be Ensign of the 3d company or trainband in the town of Norwalk.

This Assembly do establish Mr. Jason Bradley to be Captain of the 7th Company or trainband in the town of New Haven.

This Assembly do establish Mr. Jesse Blakely to be Lieutenant of the 7th company or trainband in the town of New Haven.

This Assembly do establish Mr. Peter Hall to be Captain of the 2d company or trainband in the town of Wallingford.

This Assembly do establish Mr. John Barker to be Lieutenant of the 2d company or trainband in the town of Wallingford.

This Assembly do establish Mr. Asahel Hall to be Ensign of the 2d company or trainband in the town of Wallingford.

This Assembly do establish Mr. Ephraim Cook to be Captain of the south company or trainband in New Cheshire parish in the town of Wallingford.

This Assembly do establish Mr. Enos Brooks to be Lieutenant of the south company or trainband in New Cheshire parish in the town of Wallingford.

This Assembly do establish Mr. Caleb Doolittle to be Ensign of the south company or trainband in New Cheshire parish in the town of Wallingford.

This Assembly do establish Mr. Ebenezer Bunnel to be Lieutenant of the north company or trainband in New Cheshire parish in the town of Wallingford.

This Assembly do establish Mr. Isaac Tyler to be Ensign of the north company or trainband in New Cheshire parish in the town of Wallingford.

This Assembly do establish Mr. John St. John to be Lieutenant of the north company or trainband in the town of Sharon.

This Assembly do establish Mr. John Hungerford to be Lieutenant of the company or trainband in the parish of New Cambridge in the town of Farmington.

[12] This Assembly do establish Mr. Josiah Lewis to be Ensign of the company or trainband in the parish of New Cambridge in the town of Farmington.

This Assembly do establish Mr. Jonathan Rudd to be Captain of the 3d company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Henry Silsby to be Lieutenant of the 3d company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Benajah Cary to be Ensign of the 3d company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Elisha Kibbee to be Captain of the company or trainband in the town of Somers.

This Assembly do establish Mr. John Howard to be Captain of the troop of horse in the 5th regiment in this Colony.

This Assembly do establish Mr. Joseph Jennings to be Lieutenant of the troop of horse in the 5th regiment in this Colony.

This Assembly do establish Mr. Nathan Hibbard to be Cornet of the troop of horse in the 5th regiment in this Colony.

This Assembly do establish Mr. Joseph Bingham, jun<sup>r</sup>, to be Quarter-Master of the troop of horse in the 5th regiment in this Colony.

This Assembly do establish Mr. Amos Peck to be Ensign of the 7th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Benjamin Levens to be Lieutenant of the 4th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Elnathan Hall to be Lieutenant of the south company or trainband in the town of New Fairfield.

This Assembly do establish Mr. David Wakeling to be Ensign of the south company or trainband in the town of New Fairfield.

This Assembly do establish Mr. Abner Lee to be Ensign of the south company or trainband in the town of Lyme.

This Assembly do establish Mr. Charles Smith to be Ensign of the company or trainband in the parish of Standwich.

This Assembly do establish Mr. Daniel Park to be Lieutenant of the 2d company or trainband in the town of Sharon.

This Assembly do establish Mr. Josiah Hollister to be Ensign of the 2d company or trainband in the town of Sharon.

This Assembly do establish Mr. Nathaniel Loomis 3d to be Captain of the 1st company or trainband in the town of Windsor.

This Assembly do establish Mr. Caleb Phelps to be Lieutenant of the 1st company or trainband in the town of Windsor.

This Assembly do establish Mr. Nathaniel Filley to be Ensign of the 1st company or trainband in the town of Windsor.

This Assembly do establish Mr. Amos Hitchcock to be Captain of the 5th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Abner Sessions to be Captain of the 11th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. William Williams to be Lieutenant of the 11th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Isaiah Bugbee to be Ensign of the 11th company or trainband in the 5th regiment in this Colony.

[13] This Assembly do establish Mr. Samuel Ward to be Captain of the 6th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Caleb Hubbard to be Lieutenant of the 6th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Jacob Hall to be Ensign of the 6th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Benjamin Clark to be Lieutenant of the 5th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Isaac Baldwin to be Captain of the 2d company or trainband in the town of Litchfield.

This Assembly do establish Mr. Joshua Smith to be Lieu-

tenant of the 2d company or trainband in the town of Litchfield.

This Assembly do establish Mr. Abner Baldwin to be Ensign of the 2d company or trainband in the town of Litchfield.

This Assembly do establish Mr. William Bolt to be Ensign of the company or trainband in the parish of Canaan.

This Assembly do establish Mr. David Holmes to be Captain of the 15th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. William Skinner to be Ensign of the 15th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Timothy Judd to be Captain of the company or trainband in the parish of Westbury in the town of Waterbury.

This Assembly do establish Mr. Ebenezer Richards to be Lieutenant of the company or trainband in the parish of Westbury in the town of Waterbury.

This Assembly do establish Mr. Edward Scovel to be Ensign of the company or trainband in the parish of Westbury in the town of Waterbury.

This Assembly do establish Mr. Jabez Brainard to be Captain of the 11th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Joseph Brooks to be Lieutenant of the 11th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Jeremiah Hubbard to be Ensign of the 11th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Benjamin Williams to be Ensign of the 8th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Comfort Sage to be Quarter-Master of the troop of horse in the 6th regiment in this Colony.

This Assembly do establish Mr. John Dixson to be Ensign of the 11th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Jonathan Gillet to be Lieutenant of the company or trainband in the parish of Wintonbury.

This Assembly do establish Mr. Reuben Loomis to be Ensign of the company or trainband in the parish of Wintonbury.

This Assembly do establish Mr. Peleg Sanford Mason to be Captain of the north company or trainband in the 1st society in the town of Lebanon.

This Assembly do establish Mr. William Clark to be Lieutenant of the north company or trainband in the 1st society in the town of Lebanon.

This Assembly do establish Mr. Joseph Marsh to be Ensign of the north company or trainband in the 1st society in the town of Lebanon.

This Assembly do establish Mr. Samuel Hutton to be Ensign of the first company or trainband in the town of Stanford.

This Assembly do establish Mr. Joshua Pierce to be Lieutenant of the company or trainband in the town of Cornwall.

[14] This Assembly do establish Mr. Samuel Horsford to be Ensign of the company or trainband in the town of Cornwall.

This Assembly do establish Mr. Abraham Case to be Lieutenant of the west company or trainband in the town of Symsbury.

This Assembly do establish Mr. Dudley Case to be Ensign of the west company or trainband in the town of Symsbury.

This Assembly do establish Mr. Simon Smith 2d to be Captain of the 4th company or trainband in the town of New London.

This Assembly do establish Mr. Stephen Prentice to be Lieutenant of the 4th company or trainband in the town of New London.

This Assembly do establish Mr. Jeremiah Tabor to be Ensign of the 4th company or trainband in the town of New London.

This Assembly do establish Mr. John Case to be Lieutenant of the north company or trainband in the 1st society in the town of Symsbury.

This Assembly do establish Mr. Matthew Minor to be Captain of the 1st company or trainband in the town of Woodbury.

This Assembly do establish Mr. Gideon Stoddard to be Lieutenant of the 1st company or trainband in the town of Woodbury.

This Assembly do establish Mr. Daniel Munn to be Ensign of the 1st company or trainband in the town of Woodbury.

This Assembly do establish Mr. Ebenezer Downs to be Captain of the 2d company or trainband in the town of Woodbury.

This Assembly do establish Mr. Nathaniel Mitchel to be

Lieutenant of the 2d company or trainband in the town of Woodbury.

This Assembly do establish Mr. Stephen Curtis to be Ensign of the 2d company or trainband in the town of Woodbury.

This Assembly do establish Mr. Noah Wilson to be Captain of the company or trainband in the town of Torrington.

This Assembly do establish Mr. Benjamin Bissel to be Lieutenant of the company or trainband in the town of Torrington.

This Assembly do establish Mr. Isaac Higly to be Ensign of the company or trainband in the town of Torrington.

This Assembly do establish Mr. Joshua Whitney to be Lieutenant of the company or trainband in the town of Norfolk.

This Assembly do establish Mr. George Palmer to be Ensign of the company or trainband in the town of Norfolk.

*Resolved by this Assembly,* That the sum of three pounds lawful money per month be given towards the supplying the pulpit of such ordained minister as shall undertake and go chaplain to the regiment raised in this Colony for his Majesty's service this present year.

*Resolved by this Assembly,* That there be added another chaplain and another surgeon for the regiment raised in this Colony to act in conjunction with his Majesty's regular troops under the command of his Excellency the Earl of Loudoun in the next campaign, who shall, respectively, have the same pay per month as is granted for the chaplain and surgeon of said regiment; and his Honour the Governor is desired to procure proper persons to go in said service. And this Assembly grants to the lieutenant-colonel of said regiment the sum of ten pounds for the decent reception and suitable support of a chaplain.

[15] *Resolved by this Assembly,* That the commissaries by this Assembly appointed in February last, or some one of them, take care with all possible expedition to send forward to No. 4 the box or chest of medicines and such other things as having been provided for the use of the forces of this Colony there may be still remaining behind.

*Resolved by this Assembly,* That Daniel Edwards, Joseph Buckingham and John Ledyard, Esq<sup>rs</sup>, be appointed, and they are hereby appointed, to settle and adjust all the expence of billeting the forces raised by this government the current year, also for the provisions and charge of carriages found and supply'd them on their march, and to state and form

proper accounts thereof, and make application for the payment of those accounts to Lord Loudoun or the agent vic-tualer; and when they shall have received the money to deliver the same to the Treasurer, taking two receipts there-for of the same tenor and date, and lodging one of them with the Secretary; also to draw on the Treasurer for the dis-charge of whatever sums they shall find due for said billeting and other charges above mentioned.

Whereas the regiment raised in this Colony this present year, to act in conjunction with his Majesty's regular troops under the command of his Excellency the Earl of Loudoun in the next campaign, and furnished with the King's arms for which receipts are taken of the captain of the respective com-panies, who are accordingly chargeable with the same, to be returned according to such orders as shall be given by the commander-in-chief of his Majesty's forces in North America, or to such person or persons as shall be appointed by this Assembly to receive the same: Therefore,

*It is resolved by this Assembly,* That Andrew Burr of Fair-field, Esqr, Col. Gurdon Saltonstall of New London, Col. Jabez Hamlin of Middleton, Major David Whitney of Canaan, and Messrs. Chauncey Whittlesey of New Haven, and Joseph Church of Hartford, are appointed and impowered to receive the said arms from the said captains and give proper receipts, and keep a distinct account for each captain's company, and keep the same in good order until further directions shall be given by this Assembly.

*Resolved by this Assembly,* That his Honor the Governor be and hereby is desired forthwith to issue a proclamation to prohibit the transportation or shipping on board for transpor-tation any wheat or other grain and provisions out of this Colony until the 10th day of November next before bond is given at the naval office that all such wheat and other grain and provisions that shall be exported shall *bonâ fide* be delivered at some port in his Majesty's dominions and a proper certificate thereof be returned into said naval office, or without licence first had and obtained from his Honor the Governor on some special occasion.

Upon the petition of Samuel Mansfield of New Haven, late sheriff of New Haven county, against Elizabeth Richards and others, executors of the last will and testament of Paul Rich-ards, Esqr, late of New York, now deceased, alledging that the said Paul in his lifetime brought his action of escape against the petitioner to the county court held in New Haven on the second Tuesday of November 1755, which being prosecuted



by said executors after the decease of the said Paul and final tryal and judgment had thereon at the superior court held in New Haven on the last Tuesday of February last past in favour of said executors, and that since the said final tryal the petitioner has found new evidence in said case in his favor, and praying for a new tryal, as by the petition on file appears: Resolved by this Assembly, that the petitioner have liberty of a new tryal in said case at the superior court to be [16] held at New Haven in and for||the county of New Haven on the last Tuesday of August next, and that all the cost from the beginning follow said tryal, and that liberty for such new tryal is hereby given accordingly.

Upon the petition of Jonathan Brown, of Somers in the county of Hartford, representing that he brought his action against Samuel Robinson, of Coventry in the county of Windham, to the adjourned county court held at Hartford in the county of Hartford on the fourth Tuesday of January 1757, on a note of hand executed to the petitioner by the said Robinson, dated the 25th of December 1753, for the sum of one thousand pounds money in good passable bills of public credit old tenor, payable at or before the 25th of December 1756, with the lawful interest for the same one year; that by the pleadings in said action the issue joyned and put to the jury was only this, (to wit,) whether or no the said Samuel Robinson, the defendant, did on the 23d day of December 1756 tender to the plaintiff the sum of £660 in good passable bills of credit of the old tenor and continued his tendery thereof to the plaintiff, (to wit,) the petitioner; that by the evidence at said tryal it appear'd that the said bills pretended to be tendered were of the ancient and latter emissions of the Colony of Rhode Island and Province of New Hampshire, amounting in the whole to £660 old tenor, and that such tendery was only made to the plaintiff's wife and family in his absence on the said 23d day of December 1757 at the plaintiff's house in Somers aforesaid; and that in said tryal the facts being fixed and stated by the evidence as aforesaid, there arose two points of law thereon, *viz*: firstly, whether or no such old tenor bills of Rhode Island and New Hampshire were at the time of such tendery in judgment of law to be accounted good passable bills of public credit; and secondly, whether such offer of said bills at the plaintiff's house to the plaintiff's wife and family in his absence was a tendery to the plaintiff or not; that said points being argued at said tryal, and that the jury on consideration thereof adjudged both said points against the plaintiff, and that judgment was rendered

accordingly, etc. Complaining that the jury therein erred and misjudged, and praying for a new tryal of said action, etc., as by the petition on file: It is thereupon and therefore resolved by this Assembly, that the judgment of said court rendered in said action be and the same is hereby reversed and set aside; and liberty is hereby granted to the petitioner of another tryal in said action at the adjourned county court to be held at said Hartford on the first Tuesday of July next, and that the whole cost follow the final judgment.

Upon the petition of James Weed of Weathersfield, representing that Isaac Hubbard, of South Hold in the Province of New York, obtained a judgment against him before the superior court held at Hartford in March last in an action of book-debt, upon a demurrer to the plaintiff's declaration, for the sum of fifteen pounds and ten shillings lawful money debt, and for three pounds seventeen shillings and a penny costs; which action he proposed to remove by review to the superior court to be held at said Hartford in September next, but for want of information neglected such removal till it was too late; and praying for liberty of another tryal, &c.: Resolved by this Assembly, that the petitioner have liberty, and liberty is hereby granted unto him, to enter the aforesaid [17] action at the superior court || to be held at Hartford on the first Tuesday of September next, by way of review, upon his entering sufficient bond with surety with the clerk of said court for the prosecution of said review to effect and answering all damages if he make not his plea good, and shall have liberty of another tryal in said action, and that the whole cost shall follow the final judgment that shall be given therein.

Upon the petition of Jonathan Mansfield of New Haven, one of the proprietors of the common and undivided lands in the township of New Haven, and the rest of the proprietors of the common and undivided lands, against Daniel Hubbard of said New Haven, representing that the said Hubbard by his action had in the superior court, held in New Haven on the last Tuesday of February last, obtained final judgment in his favour against the petitioners for the surrendry of five-sixths and three-sevenths of one-sixth of ninety eight acres and a quarter of land out of the said common land, and that in discussing said case at the tryal upon which said judgment was obtained they were by said court inhibited giving in the transcripts and copies of the entries of the doings of the proprietors of that part of said common lands lying in the village of East Haven in evidence in said tryal; praying for

a new tryal in said case, and that they may have liberty of exhibiting and giving in evidence the said copies; as by the petition on file appears: Resolved by this Assembly, that the petitioners have liberty of a new tryal in said case at the superior court to be held at New Haven in and for the county of New Haven on the last Tuesday of August next, and that they have liberty to give in evidence at said tryal the exemplification and copies of the acts and doings of the proprietors of the said lands in the limits of said village and the surveys and layings out of land thereon; and that all the cost from the beginning follow the said tryal.

Upon the petition of Mary Pike and others, of Boston, against Pelatiah Bliss of New London, shewing to this Assembly that they, the petitioners, brought their action against said Bliss to the county court held at Norwich in New London county on the fourth Tuesday of November 1754, demanding the surrendery of a certain piece or parcel of land lying in said New London, containing one hundred and ninety acres, bounded and described as in the original writ is set forth; further shewing, that said action came to a final tryal at Norwich superior court in March last, when and where on certain special pleadings had judgment was rendered on the whole in favour of the defendant; representing that as to 19 acres and 64 rods of said demanded land the defendant pleaded possession more than fifteen years next before the bringing of the writ, to which the plaintiffs pleaded by way of reply the savings of the statute in that case, as coverture, &c., which on demurrer was judged ill; further shewing, that as to said 19 acres and 64 rods they, the petitioners, missed their plea; praying for liberty of a new tryal of their said case, that so they might alter the plea with regard to said 19 acres and 64 rods of land &c., as by the petition on file may more fully appear: Resolved by this Assembly, that the petitioners have liberty of another tryal of their said cause before the superior court to be held at New London on the fourth Tuesday of September next, and have liberty to alter their plea only with respect to the 19 acres and 64 rods of land, on the petitioners giving in to said superior court sufficient bond to abide the judgment that shall be given; and the future cost only to follow such final tryal.

Upon the petition of Samuel Deming, of Boston, *vs.* Joshua Wight jun<sup>r</sup>, of Windham, shewing to this Assembly that he [18] brought his action of book-debt || against the said Wight, demanding £153 10s. 9d. lawful money, which action came to a final tryal at the superior court held at Windham by

adjournment on the 3d day of April 1755, and on plea of Owe nothing verdict and judgment thereon was by said superior court had and rendered against the said Deming in favour of said Wight, to recover his cost; representing that since said tryal he had discovered new evidence, and thereupon praying liberty of another tryal of said case, &c.: Resolved by this Assembly, that the said Samuel Deming have, and liberty is hereby granted to him to have, another tryal of said case at the superior court to be held at Windham in and for the county of Windham on the third Tuesday of September next, and of entering said cause in said court for that purpose, (he giving bond to abide the judgment therein:) and that all the cost which has arisen in said case follow the final judgment which shall be given in said case.

Upon the petition of Zebulon Shepard, of New Hartford, against Joseph Shepard, of Hartford, shewing to this Assembly that he, the said Zebulon, obtained a decree of this Assembly in October last, ordering and directing that upon the petitioner's paying to the petitionee the sum of £6 14s. 2d. lawful money within one month from the rising of said Assembly, that the petitionee should pay to one Timothy Moses and one Lemuel Roberts the sum of £14 1s. 1d. like money within six weeks from the rising of said Assembly, on pain of forfeiting to the petitioner the sum of £100 lawful money: and that upon the petitionee's paying to said Moses and Roberts the said sum of £14 1s. 1d. that the said Moses and Roberts should release to the petitioner a certain piece of land, about three acres &c.; further shewing that, agreeable to said act and decree of Assembly, the petitioner had tendered to the petitionee said sum of £6 14s. 2d. within the time by said decree limited, but that the petitionee hath not paid said sum of £14 1s. 1d. nor any part thereof to said Moses and Roberts, nor anyways complied with said decree and order of Assembly, but altogether refused to do the same; praying to have execution for said £100 against said Joseph Shepard, by him forfeited as aforesaid by reason of his non-compliance aforesaid: as by the petition on file may appear: Resolved by this Assembly, and it is hereby judged and determined by this Assembly, that the petitionee hath forfeited to the petitioner said sum of £100 lawful money by his non-compliance with the aforesaid act of Assembly in October last. And thereupon it is considered by this Assembly, that the petitioner have and recover the said sum of £100 lawful money of the petitionee, his goods &c., in usual and common form of law; and that execution go forth accordingly. *Ex. granted June 1st, 1757.*

On the petition of Joseph D'Ming against Phineas Cook, the pleadings and allegations of the parties having been fully heard, it appears to this Assembly by the evidences produced, that the said Joseph Deming is a free-born subject of the King of Portugal and belonged to the island of Bonavista, and at the time mentioned was at the said island a free man, and there agreed for his passage on board a vessel at said island of Bonavista, whereof the said Phineas Cook was master, to go to the island of Bravo, and that the said Cook did not carry him to Bravo aforesaid, as expected by said Joseph D'Ming, but transported him, said Joseph, to New England, against his will, and he hath since been treated as a slave for life: It is therefore ordered and decreed by this Assembly, that the said Joseph Deming recover of the said Phineas Cook the sum of twenty pounds damages, and that for the said misdemeanor the said Cook pay a fine of fifteen pounds to the Treasurer of this Colony for the use of the government, and pay the cost of prosecution, allowed to be £7 13s. 4*d.* lawful money, and that execution go forth accordingly. And whereas it appears that the said Joseph Deming is a minor: Therefore it is resolved by this Assembly, [19] that Capt. Thomas Seymour be || and he is appointed guardian or overseer to him, said Joseph D'Ming, to take care of his person and whatever belongs to him, and in a reasonable time to procure for him a passage home. *Ev. granted June 9th, 1757.*

This Assembly taking into serious consideration the melancholy and divided estate of the first church and society in the town of Woodstock, represented to this Assembly by a memorial and answer thereto now lying on file, preferred by the differing parties in said church and society, and being desirous of the peace and happiness of said church and society are willing to do everything that may tend to heal such unhappy division and promote unity amongst them: Therefore, this Assembly do nominate and desire the Rev<sup>d</sup>. Messrs. Peter Reynolds of Enfield, Ashbel Woodbridge of Glassenbury, Edward Eells of Middleton, Elnathan Whitman of Hartford, James Lockwood of Weathersfield, Free-grace Leavit of Somers, and Ebenezer Gay of Suffield, together with a messenger or messengers from the several churches under their respective charge, as a council, to repair to said first society in the town of Woodstock, on the request of said society, hear the contending parties in all their matters of difference, and use their utmost endeavours to accommodate and settle said parties in peace and unity. And this

Assembly do recommend to said contending parties to unite in calling said council, and to pay due deference to the advice that may be given them.

Upon the memorial of John Murdock, executor on the estate of Nathaniel Chapman late of Saybrook, deceased, shewing to this Assembly that the debts due from said estate surmount the moveable estate the sum of one hundred and thirty-three pounds lawful money, and praying that so much of the lands of the said deceased may be sold as to raise the said sum: Resolved by this Assembly, that Samuel Denison of said Saybrook be appointed, and he is hereby appointed and impowered, to sell so much of the lands of the said deceased as to raise the said sum with the charges arising on the sale thereof; taking the advice of the court of probate in the district of Guilford on the sale thereof.

Upon the memorial of Ambrose Whittlesey, administrator on the estate of Ambrose Whittlesey, Esqr, late of Saybrook, deceased, shewing to this Assembly that the debts due from said estate surmount the moveable estate the sum of £360 2s. 3¼*d.* lawful money, and praying that so much of the lands of the said deceast may be sold as to raise the said sum: Resolved by this Assembly, that the memorialist have liberty, and he is hereby impowered, to sell so much of the lands of the said deceased as to raise the said sum of three hundred sixty pounds two shillings and three pence¾, together with the charges arising on the sale thereof; taking the advice of the court of probate in the district of Guilford.

Upon the memorial of Pygan Adams, administrator on the estate of Mr. Thomas Adams late of East Haddam, deceased, shewing that the debts due from the estate of said deceased surmount the personal estate of said deceased the sum of £64 7s. 9½*d.* lawful money; praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay the said sum of £64 7s. 9½*d.* lawful money with charges thereon arising: Resolved by this Assembly, that the said Pygan Adams hath liberty, and liberty is hereby granted to the said Pygan Adams, to sell so much of the real estate of said deceased as to raise the sum of £64 7s. 9½*d.* lawful money with the necessary charge thereon arising; taking the advice of the court of probate in the district of East Haddam.

Upon the memorial of Jacob Dressor, administrator on the estate of Samuel White late of Killingly in the district of Pomfret, deceased, shewing to this Assembly that the debts due from said estate surmount the moveable estate the sum of

nineteen pounds six shillings lawful money, and moving to [20] this || Assembly for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay the sum abovesaid, taking the direction of the court of probate for the district of Pomfret therein : Resolved by this Assembly, that the said Jacob Dressor have liberty to make sale of so much of the real estate of said deceased as shall be sufficient to pay the said sum of nineteen pounds six shillings lawful money with the incident charges arising thereon ; taking the direction of the court of probate for the district of Pomfret therein.

Upon the memorial of Samuel Dorwin, Jonathan Kelsey, John Burr, Isaac Loomis, Benjamin Bissel, John Birge, Thomas Dibble, Ephraim Dorwin, Abraham Dibble, Jonathan Gillet, Joshua Austin, Shubael Griswold, Benjamin Matthews, Nathan Kelsey, Nehemiah Gaylord, David Birge, Ebenezer Winchel, Charles Mather and Aaron Yale, all inhabitants of the town of Torrington in the county of Litchfield, representing that they all live in the eastern part of said Torrington, and in such situation and at such a distance from the place of public worship in said town that they neither do nor can attend thereon, but are obliged to attend public worship in other towns ; praying for an exemption from ministerial rates and charges in said town where their public worship is now upheld, and for liberty to hire preaching among themselves, etc. : Resolved by this Assembly, that the memorialists, and such others as shall live under the same situation and circumstances in the east part of Torrington aforesaid, shall be and they are hereby exempted and discharged from paying anything towards the supporting of the present ministry where it is now upheld in the west part of said town ; and liberty is hereby granted to the memorialists to hire preaching among themselves in the winter season and such other part of the year as they shall be able.

Upon the memorial of the Rev<sup>d</sup> Benjamin Lord, representing to this Assembly that in the year 1717 he settled in the work of the ministry in the first society in Norwich, and the inhabitants of said society stipulated to give him one hundred pounds current money *per annum* for his yearly support, and that said society had not fulfilled their said stipulation with him sundry of the years between said settlement and the year 1755 ; and further, that said society had altogether neglected to pay him, said Mr. Lord, for his service for his last year's labour, with a neglect of choice of all society officers ; praying for a committee to enquire into said matters of com-

plaint etc., and that some suitable persons might be appointed to make a rate on said inhabitants and to collect the same, &c.: Resolved by this Assembly, that Thomas Wells, Joseph Pitkin and Jabez Hamlin, Esqrs, be a committee, and they are hereby appointed a committee to enquire into and adjust according to the rules of justice and equity all such arrearages of payment of said salary from the time of the said Mr. Lord's settlement in said society to the year 1755, taking into consideration all matters and things necessary to come under their consideration, and make report of such their doings thereon to this Assembly in October next. And it is further resolved by this Assembly, that said committee take under their consideration what sum is due to the said Mr. Benjamin Lord for his salary, (according to said contract,) for his last year's service, with such further sum as they shall judge just and reasonable as a reward for the collector who shall be appointed to collect the said sums; which sums the said committee having adjusted, they are hereby ordered and impowered to make a proper rate or tax on the inhabitants of said society, on their list for the year 1756, and [21] make a rate bill thereof. || And said committee, they or either of them, are impowered to grant a proper warrant in common form, fully impowering the collector the said committee shall appoint to collect and pay said moneys to said Mr. Lord (taking his receipt therefor,) saving what shall be allowed said collector as aforesaid. And the said committee are hereby authorized and fully impowered to nominate and appoint a collector to collect said moneys of said inhabitants, and when collected to pay the same to the said Mr. Benjamin Lord; and said collector to be under the same regulation and subject to the same penalties as other collectors of society rates in this Colony are.

Upon the memorial of William Lothrop of Norwich, representing that his son Ebenezer Lothrop Junr was sometime in February 1756 prosecuted on suspicion of being guilty of putting off counterfeit bills in imitation of the true bills of this Colony and had escaped from said prosecution to parts remote; and praying that the said Ebenezer might have liberty to return home to his friends and be freed and exempted from any further prosecution in that behalf, for the reasons mentioned in said memorial: Resolved by this Assembly, that no further prosecution for the matters abovesaid shall be had or made against the said Ebenezer upon his returning into this Colony: provided he find sufficient sureties for his good behaviour during the pleasure of this Assembly within ten



days after he shall so return. And Hezekiah Huntington, Esqr, is hereby impowered and directed to take such bond with sureties in the sum of one hundred pounds to the Treasurer of this Colony, that the said Ebenezer shall be of peaceable and good behaviour accordingly.

On the memorial of Elizabeth Mirick of Middleton, administratrix on the estate of Isaac Mirick late of Middleton, deceased, shewing to this Assembly that the debts and charges allowed by the court of probate for the district of Middleton against the said estate surmount the moveable part of said estate the sum of £8 17s. 11½*d.* lawful money, and thereupon praying to this Assembly for liberty to sell lands, &c.: Resolved by this Assembly, that the memorialist with the assistance of Benjamin Stilman, Esqr, of said Middleton, be impowered, and they are hereby impowered, to sell so much of the real estate of the said deceased as will procure the aforesaid sum of £8 17s. 11½*d.* together with the incident charges arising on such sale; taking the direction of the court of probate in the district of Middleton therein.

Upon the memorial of Samuel Talcott and Sarah Flagg, executors of the last will and testament of Samuel Flagg of Hartford, late deceased, representing that said Samuel Flagg in his lifetime, on or about the 26th day of January last, bargained and agreed to sell unto one Samuel Cowles of Symsbury one full right and share of land in the township of Norfolk, that is to say, one lot No. 14 in the second going over in the first division, and one lot No. 25 in the second going over in the same division, also two-thirds of three other lots in said township, which said Flagg purchased of the government in said town, together with all other divisions of land accruing on said right that should at any other time thereafter be laid out; and that the said Samuel Cowles did satisfy unto the said Samuel Flagg in consideration thereof the full sum of one hundred and forty-five pounds lawful money, the price agreed upon for said land; that some difficulty then arising with respect to a more particular description of said premises, the said Samuel Flagg became bound to said Cowles in a large sum to give him a deed of the said premises at on or before the first day of June then next, and it so happened that said Samuel Flagg died sometime since, (the said deed being unexecuted;) and the memorialists praying they may be enabled to convey said bargained premises according to the true intent and meaning of said original agreement with said Samuel Flagg in his lifetime, &c.: It is therefore resolved by [22] this Assembly, that the || said Samuel Talcott and Sarah

Flagg, executors of the last will and testament of the said Samuel Flagg deceased, be enabled and impowered, and full power and authority is hereby given unto them by deed under their hands and seals in due form of law to be executed, to convey unto the said Samuel Cowles, his heirs, &c., the aforesaid lands and right in the said township of Norfolk, according to the true intent and meaning of said original agreement made between the said Samuel Flagg and Samuel Cowles as aforesaid.

On the information of Mr. Thomas Seymour, setting forth very injurious facts committed by Phineas Cook of Wallingford against the person of a certain young man named Robert Cromwell, the consequence of which has been prejudicial to this government, as per said information on file: Resolved by this Assembly, that Andrew Burr, Esqr, be and is hereby impowered and directed to make enquiry into the truth of those facts contained in said information, both as to the injury done to the person of said Cromwell and the expence this government has been put to thereby, and take or cause to be taken such evidence as he shall find relative thereto, and lay the same before this Assembly at their session in October next.

Upon the memorial of Daniel Bissel and Daniel Haydon, &c., inhabitants of the first society in Windsor living on the north side the rivulet in said society, praying said society be divided into two distinct societies &c., as per memorial on file: Resolved by this Assembly, that Thomas Wells, Daniel Edwards and Joseph Fowler, Esqrs, be and they hereby are appointed a committee, at the proper cost and charge of the memorialists and at their special instance and request, duly to notice all persons concern'd, and at some convenient time and place by them assigned, to repair to said first society and there fully hear them on their respective reasons for or against the matters in said memorial pray'd for, and by all proper ways and means to discover as well by what expedient measures to settle and conciliate such their differences and dissatisfactions as what on failure thereof may be needful and best for this Assembly to order and resolve thereon; and of what they find with their opinion thereon to make report to the session of this Assembly in October next.

Upon the memorial of Abigail Whitmore of Middleton, preferred to this Assembly in October last, representing that William Whitmore late of Middleton, deceased, late husband of the memorialist, received a grant of the priviledge of keeping a toll-bridge over the ferry river, so called, in Middleton

until the sum of £300, or so much thereof as should content said William, should be repaid him, said sum having been by him before and at the month of October 1726 expended in building and keeping in repair said bridge; further shewing, that it would be much best for the public and the memorialists that said bridge should be free and she be repaid said sum &c.; as by the memorial on file, on which memorial a committee were appointed in said October session to enquire into and report what they should find respecting the premises, which committee made their report to this Assembly, thereon finding and setting forth that said William had such privilege of keeping said bridge until said sum should be repaid, &c., as is aforesaid; further informing, that the town of Middleton are willing to keep and maintain said bridge in case said Whitmore's claim and title aforesaid could be purchased; also shewing that one Thomas Marks of said Middleton, for £222 10s. 0*d.* borrowed of the Colony in the year 1734, did mortgage to the government 222½ acres of land lying in said Middleton, bounding east on the great river, west on a highway, [23] north on the Hurlbut's land, south on || Millers land, since which said mortgaged premises have been conveyed thro' divers hands, said mortgage monies not having been paid, and that said Abigail would be content to accept of the right of this government to said mortgaged premises as a recompence for the sums due on account of said bridge and give a quit-claim to the same and thereupon the said town of Middleton would become obliged to maintain said bridge, &c.; as by the report on file, which report hath been by this Assembly accepted and approved of: Whereupon it is resolved by this Assembly, that John Chester and Thomas Wells, Esq<sup>rs</sup>, be a committee with full power in behalf of the Governor and Company, to dispose of said mortgaged premises, either to said memorialists or otherways as they shall think just, and pay and settle with said Abigail, allowing her said sum of £222 10s. 0*d.* with proper allowance for discount and interest, and in the name of the Governor and Company to execute proper discharges and release of said mortgaged premises, as also to take a proper quit-claim of said Abigail of her right to said bridge, and proper security from said town of Middleton to maintain the same.

Upon the memorial of Hannah Boardman of Weathersfield, administratrix on the estate of Timothy Boardman late of Weathersfield, deceased, shewing to this Assembly the debts due from the estate of said deceased surmounts the moveable estate, over and above what real estate has already

been sold by order of this Assembly, the sum of thirty-one pounds seventeen shillings and six pence; praying for liberty to sell so much more of the real estate of said deceased as to make said sum with the incident charges thereon arising: Resolved by this Assembly, that the said memorialist with Jonathan Belding, Esq<sup>r</sup>, of Weathersfield, have liberty and they are hereby empowered, to sell so much more of the real estate of said deceased as to make said sum of £31 17s. 6d. with the incident charges thereon arising; taking the advice of the court of probate for the district of Hartford therein.

Upon the memorial of Robert Clelland, school-master to the Mohegan Indians, representing that the old school-house in said Mohegan (the house in which the memorialist lives) wants repairing, and praying this Assembly to grant seven pounds to be apply'd to such repairs, as per said memorial on file: Resolved by this Assembly, that there be paid out of the public treasury unto the Rev<sup>d</sup> Mr. David Jewitt the sum of seven pounds, under his direction to be apply'd to make the necessary repairs to said house; and the Treasurer of this Colony is hereby ordered to pay the same accordingly.

Upon the memorial of Joseph Meacham, Cummins Pease, Israel Kibbee, Elizur Talcott, John Meacham, Pelatiah Pease and Samuel Bartlet, representing that they are of that denomination called Baptists, and have been long embodied into church estate under the pastoral care and ministry of the said Joseph Meacham; that their place of worship is at Enfield in the county of Hartford; that nevertheless they are not eased of the burthen of charges for the support of the constitutional ministry in the places where they dwell, &c.: praying for relief, &c.: Resolved by this Assembly, that the memorialists be and they are hereby released and exempted from paying anything towards the maintenance and support of the ministry in the places where they dwell, which are settled according to the constitution of this government, and also from all charges for the building of meeting-houses in such places.

Upon the memorial of Joshua and others, Indians inhabiting the southwesterly part of the town of Kent, preferred to this Assembly in October last, complaining that in the late sale and disposition of some of the lands in the western parts of said township the said Indians were deprived of the benefit of a certain gap or opening in the mountain to get to certain lands there reserved for their use; also alledging that the government had sold some land there that they the said Indians had never sold, &c.: praying for relief in the premises.

as by the memorial on file may more fully appear; upon which memorial this Assembly at their said session in October appointed Messrs. Samuel Adams and Roger Sherman a committee to repair to said place, &c., at Kent, view the same and make report to this Assembly; which said committee here reported, that the lot No. 24, the southward half [24] thereof, || being sequestred for the use of said Indians, the northern half was sold to one Azariah Pratt, the dividing line whereof being the place of said gap or opening in the mountain complained of; the said committee run the said dividing line beginning at a heap of stones in the Colony line in the middle between the northwest and southwest corner of said lot and running eastward, to wit, east 21 d. south, to the eastward end of said lot, erecting heaps of stones and marking trees in said line; by which it appears that said Indians are not deprived of the benefit of said opening; also recommending Mr. Jabez Swift of said Kent to be overseer of said Indians, &c., as by the report on file: Which report of said committee this Assembly doth accept and approve, and do ratify and confirm said line so run. Further, this Assembly do appoint said Mr. Jabez Swift overseer of said Indians, to manage, direct and superintend said Indians and their affairs and give this Assembly such informations concerning them from time to time as he shall think proper and necessary.

Upon the memorial of Caleb Strong of Sharon, representing that he was bound over to Litchfield superior court August 1755, on a complaint or charge of perjury, and that by reason of his being arrested and held by a writ of our Lord the King in his way to said court on the first day of the court's sitting he was so detained and hindered as that he and his bondsman not getting to court in season were defaulted and called out; praying to have liberty to have said process again entred and tried in the superior court to be held at Litchfield, on his giving bond to abide judgment, &c.; as by the memorial on file: Resolved by this Assembly, that the memorialist have liberty to enter and have a tryal on said process at the superior court to be held at Litchfield in August next, on his giving in bond with good surety before said court to abide the judgment that shall be given therein.

Upon the memorial of Simon Tracy junr, Josiah Backus and others, the selectmen of the town of Norwich, shewing to this Assembly that pursuant to the law of this Colony they had taken into their care and management the person, family and estate of James Fitch of said Norwich, who by reason of

his idleness, &c., was like to be reduced to poverty and want; also shewing that the whole of the personal estate of the said Fitch in their hands is necessary for the comfortable support of the said family, and that the memorialists have taken an account of his debts and find he owes the sum of £15 18s. 3*d.* lawful money; and praying this Assembly to empower the memorialists to sell so much of the land of the said James Fitch as to enable them to pay the said £15 18s. 3*d.* and the charge of their proceedings and the incident charges arising on such sale: as per the said memorial on file: Resolved by this Assembly, that the memorialists have liberty, and they are hereby empowered, to sell so much of the lands of the said James Fitch as to enable them to pay the said £15 18s. 3*d.* and the charges aforesaid; and that they lodge an account of such their doings with the town-clerk of said Norwich.

Upon the memorial of Ben-Uncas, sachem of the Mohegan tribe, for himself and in behalf of said tribe, representing to this Assembly that the state and circumstances of the lands belonging to said tribe at Mohegan are such as render it necessary that an open highway be laid out thro' the same from Norwich line southward at or near the place where the path now goes; that those lands being under the special regulation of this Assembly no highway can be opened there without the special order thereof; and praying this Assembly to appoint, order and empower a committee to survey and lay out the same: Resolved by this Assembly, that Hezekiah Huntington, John Richards and Matthew Griswold, Esq<sup>rs</sup>, be [ 25 ] a committee, and they are hereby appointed, ordered || and empowered, to lay out and describe the said highway thro' the said Mohegan lands where it may be most advantageous to the public and least prejudicial to the improvements of the said lands, and enter such their doings with the register of the town of New London; and that the said highway being so laid out, described and recorded as aforesaid, shall be laid open for public use and all incumbrances and obstructions removed therefrom on or before the first day of May next, and shall remain to be an open public road or highway; and that said committee make return of their doings herein to this Assembly at their session in May next.

On the memorial of Matthias Smith of Weathersfield, shewing to this Assembly that he being a soldier in this Colony's service in the expedition against Crown Point in the year 1755, and in the battle there fought with the French was grievously wounded in his shoulder and his arm much perished thereby, so that he is unfit for labour for his support;

praying this Assembly to grant him some relief: Resolved by this Assembly, that the Treasurer of this Colony be and he is hereby ordered to deliver unto the said Smith five pounds lawful money out of the Colony treasury, as an assistance to the said Smith for his support.

Upon the memorial of Samuel Fairchild, administrator on the estate of Thomas Fairchild late of Haddam in the county of Hartford, deceased, shewing to this Assembly that there were debts and charges due from said estate the sum of £19 15s. 3d. lawful money, for which hitherto there had been no certificate given, and that there was no moveable estate in his hands to pay the same: It is therefore resolved by this Assembly, that the memorialist, Samuel Fairchild of Middleton, and Mr. John Camp jun<sup>r</sup> of Durham, be impowered, and they are hereby impowered, to sell so much of the lands or real estate of the deceased aforesaid as shall procure the sum of £19 15s. 3d. lawful money; taking the direction of the court of probate in the district of Middleton, and to answer the incident charges arising thereon.

Upon the memorial of John Felshaw and Damaris Chandler, administrators on the estate of Lemuel Chandler late of Killingley in the district of Pomfret, deceased, shewing to this Assembly that the debts due from said estate surmount the moveable estate the sum of eighty-five pounds fourteen shillings and three farthings lawful money, and said administrators moving to this Assembly that they shall have liberty to sell so much of the real estate of said deceased as to pay the sum abovesaid with the incident charges arising thereon: Resolved by this Assembly, that the said John Felshaw have liberty to sell so much of the real estate of said deceased as to pay the sum of eighty-five pounds fourteen shillings and three farthings lawful money with the incident charges arising thereon; taking the direction of the court of probates for the district of Pomfret therein.

Upon the memorial of Jeremiah McComber of New Haven, conservator of the person and estate of Samuel Cooper and wife of said New Haven, shewing to this Assembly that there is due to the said McComber the sum of £27 3s. 8¼d. for keeping the said Samuel Cooper and wife from the 8th day of April 1756 to the 8th of April 1757, as allowed by the county court in the county of New Haven; praying for liberty to sell so much of the lands of the said Samuel Cooper as will raise the said sum, &c.: Resolved by this Assembly, that the said Jeremiah McComber have liberty and he is hereby impowered to sell so much of the lands of the said Samuel

Cooper as will pay the said sum of £27 3s. 8½*d.* lawful money with the charges of sale.

Upon the memorial of Samuel Darling of New Haven, conservator of the person and estate of Daniel Johnson of said [26] New Haven, || shewing to this Assembly that the balance due to him from the estate of said Johnson, as conservator aforesaid, is £11 18s. 11*d.* lawful money, (which account hath been allowed by the county court in the county of New Haven,) and praying for liberty to sell so much of the lands of the said Johnson as will pay the same, &c.: Resolved by this Assembly, that the said Samuel Darling have liberty and he is hereby impowered, to sell so much of the lands of the said Daniel Johnson as will raise the said sum of £11 18s. 11*d.* lawful money with the incident charges arising on such sale.

Upon the memorial of Thomas Tousey of Newtown in the county of Fairfield, representing to this Assembly that there remains due to the Treasurer of this Colony a small sum of principal and interest on a certain bond by him given in the year of our Lord 1742, for money borrowed of this Colony to defend in a certain suit in Great Britain against him had by Samuel Clark of Milford, a suit in its defence of great importance to this Colony, and praying the remission of the remainder of said bond, and that the same may be cancelled and delivered up to him, for reasons in said memorial given, as from the same on file appears: Resolved by this Assembly, that no farther demands be made on said Tousey on said bond, but that the same be cancelled, and that Robert Walker, Esq<sup>r</sup>, one of the agents or trustees of this Colony in whose hands said bond remains, deliver the same up to the said Tousey.

Upon the memorial of Cornelius Dikeman and others, inhabitants of the northern parts of Greens Farm Society, of part of Greenfield in the township of Fairfield and part of Wilton in Norwalk in Fairfield county, praying to be a distinct ecclesiastical society, and the report of a committee in their favour: This Assembly do enact and order, that the inhabitants within the limits hereafter mentioned shall be and hereby are made and constituted a distinct ecclesiastical society, and hereby are endowed with all the privileges and immunities of such societies in this Colony, and shall be called by the name of Norfield; and that the bounds of said society shall be as follows, *viz*: beginning at the military bounds in the western line of Fairfield township twenty rods above Jehu Morehouses dwelling house, and from thence running easterly to the widow Sarah Fantons dwelling house, including the



same, and so on to Greenfield parish line; thence northward with said line to Aspetuck River; thence running northerly by said river to Gilberts highway, so called, about half a mile west of the mile of common; thence northerly by said highway up to Reading south line, and thence westerly by said south line to the westerly line of Fairfield township; then southerly as the perambulation line between the towns of Fairfield and Norwalk runs to the western branch of Sagatuck River, and then by said branch till it comes to said dividing line again; then running down with said line to said military line. Provided nevertheless, that nothing herein contained shall be construed to exempt those persons included in this society and taken out of the society of Greenfield from being taxed by the society of Greenfield their proportionable part to perform the covenant said society of Greenfield lately made with Mr. Goodsell their late pastor, to pay him a certain sum of money for and in lieu of his maintenance.

Upon the memorial of Jonathan Alger of Lyme, administrator on the estate of Roger Alger jun<sup>r</sup>, late of Lyme, deceased, shewing to this Assembly that the whole inventoried estate of said deceased amounts to the sum of £94 0s. [27] 3*d*. || lawful money, whereof £60 0s. 0*d*. is real and £34 0s. 0*d*. is personal estate; that sundry debts due from the estate of said deceased paid by said memorialist with allowance to the widow for the support of a lame helpless child amount to the sum of £25 3s. 6*d*. lawful money; that sundry necessaries set out to the widow for her use during life amount to the sum of £7 0s. 0*d*. lawful money; that the debts paid and still due from the estate of said deceased, with the allowances aforesaid surmount the personal estate of said deceased the sum of £57 15s. 7½*d*. lawful money; praying for liberty to make sale of so much of the real estate of said deceased as shall amount to the sum of £57 15s. 7½*d*. lawful money with incident charges arising thereon, as per memorial on file: Resolved by this Assembly, that said memorialist be and is hereby appointed and impowered to make sale of so much of the estate of said deceased as shall amount to the sum of £57 15s. 7½*d*. lawful money with the incident charges arising thereon; taking the direction of the court of probate in the district of New London therein.

Upon the memorial of Daniel Bradly and others, inhabitants of the north part of the first society in New Haven, shewing that they live at a great distance from the public worship in said society; praying to have a committee appointed to view the circumstances of the memorialists, &c., and, if they shall

think it meet and best, make them a distinct ecclesiastical society &c., as by the memorial on file may more fully appear: Resolved by this Assembly, that Benjamin Hall, Samuel Bassett and Nathaniel Harrison, Esq<sup>rs</sup>, be a committee, and they are hereby impowered and directed as a committee at the cost of the memorialists, to repair to said district and view the circumstances of the memorialists, notifying said first society &c., and having heard all parties concerned make their report to this Assembly in October next, what they shall think best and most suitable to be done in the premises.

On the memorial of Dorothy Grigs of Ashford in Windham county, administratrix on the estate of John Grigs late of said Ashford, deceased, shewing to this Assembly that the debts due from said estate and the charges arisen thereon surmount the personal estate of the said deceased the sum of £12 6s. 2d. lawful money, and praying that she may have liberty to sell so much of the lands that the said deceased died seized of as will pay said sum of £12 6s. 2d. lawful money and incident charges arising thereon: Resolved by this Assembly, that the said Dorothy Grigs have liberty to sell so much of the lands that the said deceased died seized of as will pay said sum of £12 6s. 2d. lawful money and the incident charges arising thereon; taking the direction of the court of probate in the district of Pomfret therein; and that Amos Babcock, Esq<sup>r</sup>, is hereby impowered to make sale of the same.

Upon the memorial of Ebenezer Childs jun<sup>r</sup>, administrator on the estate of John Brock jun<sup>r</sup>, late of Woodstock in the district of Pomfret, deceased, shewing to this Assembly that the debts due from said estate surmount the moveable estate the sum of forty-one pounds thirteen shillings and nine pence half-penny lawful money, and said administrator moving to this Assembly that he have liberty to sell so much of the real estate of said deceased as to pay the sum abovesaid with the incident charges arising thereon: Resolved by this Assembly, that the said Ebenezer Childs jun<sup>r</sup> have liberty to sell so much of the real estate of said deceased as to pay the sum of forty-one pounds thirteen shillings and nine pence half-penny lawful money with the incident charges arising thereon; taking the direction of the court of probate for the district of Pomfret therein.

On the memorial of Joseph Webb, administrator on the estate of Hezekiah Reynolds late of Greenwich, deceased, shewing to this Assembly that the debts and charges allowed by the court of probate for the district of Stanford against

said estate surmount the moveable part of said estate the sum of £234 1s. 4 $\frac{1}{2}$ d., and thereupon praying for liberty to sell [28] lands, &c.: || Resolved by this Assembly, that the memorialist be impowered and he is hereby impowered, to sell so much of the real estate of the said deceased as will procure the aforesaid sum of two hundred and thirty-four pounds one shilling and four pence three farthings together with the incident charges arising on such sale; taking the direction of the court of probate for the district of Stanford therein.

Upon the memorial of Hezekiah Lee and Samuel Hinman, inhabitants in the northeasterly part of Goshen in Litchfield county, on behalf of themselves and others the inhabitants [of] the northeasterly part of said Goshen, shewing to this Assembly that the said memorialists are by the providence of God situate so remote from the place of public worship by law established in said Goshen as to be very much obstructed and hindered from attending the public worship of God in the meeting-house in the winter season; praying this Assembly to grant liberty unto them and the rest of the inhabitants of the northeasterly part of said Goshen who live north of an east and west line to be drawn from the north end of the dwelling house of Capt. John Beach and east of a north and south line to be drawn from the east end of Ivy Mountain, to procure and have the preaching of the gospel among themselves from and after the first day of December annually till the first day of April, including four months in each year, and to exempt said memorialists from contributing to the support of the gospel with the rest of the inhabitants of said town during said four months annually, and that Ensign Joseph Lee of said Goshen, who lives adjoining to said district, may be annexed to said district: Resolved by this Assembly, that the said memorialists, together with the said Joseph Lee and the rest of the inhabitants and their associates living in said Goshen within the limits above described, have liberty and liberty is hereby granted, to procure and have the gospel preached to and amongst themselves from and after the first day of December until the first day of April annually, and that they be exempt from contributing to the support of the gospel with the rest of the inhabitants of said Goshen during said four months in which they have liberty granted to them to have the gospel preached amongst themselves annually, and that they have all powers and priviledges as other districts for winter preaching by law have. Always provided, the said memorialists procure gospel preaching amongst themselves the said four months annually.

Upon the memorial of John Payson, of Woodstock in the county of Windham, shewing that there is no tavern or house of public entertainment kept in said town of Woodstock upon or near the road leading from Hartford to Boston through the same, and that there is great necessity thereof; and the said John Payson moving to this Assembly for licence to keep such public house of entertainment in said town of Woodstock the year ensuing, he giving sufficient bond to the treasurer of the county of Windham at the next county court to be held at Windham in June next, and that said county court be enabled and directed to take such bond: Resolved by this Assembly, that the said John Payson have liberty, and licence is hereby granted to him, to keep a public house of entertainment in said town of Woodstock the year ensuing: provided he gives sufficient bond to the treasurer of the county of Windham in the next county court to be at Windham at their session in June next, for his due observation of the laws relating to keeping such public house, which said county court are hereby directed and enabled to do.

Upon the memorial of Seth Sutton, administrator on the estate of Abiel Bliss late of Hebron, deceased, shewing to [29] this Assembly that the debts and charges due from the estate of said deceased surmount the personal estate of said deceased the sum of £27 16s. 11½*d.* lawful money; praying for liberty to sell so much of the real estate of said deceased as to raise money to pay said sum with the incident charges: Resolved by this Assembly, that liberty be granted; and the said Seth Sutton is hereby appointed and empowered, to sell so much of the real estate of said Abiel Bliss, deceased, as to raise the said sum of £27 16s. 11½*d.* lawful money, (for the payment of said debts,) with the necessary charges arising on said sale; taking the direction of the court of probate in the district of East Haddam therein.

Upon the memorial of Jehiel Rose of Coventry in the county of Windham, shewing to this Assembly that the debts due from the estate of Daniel Rose of said Coventry, deceased, surmount the moveable estate of said deceased the sum of £24 lawful money; praying for liberty to sell so much of the real estate of said deceased as to enable him to pay the sum of £24 lawful money: Resolved by this Assembly, that the said Jehiel Rose have liberty, and liberty is hereby granted unto the said Jehiel Rose, to make sale of so much of the real estate of said deceased as to pay the said sum of £24 lawful money with the incident charges arising thereon; taking the direction of the court of probate for the district of Windham therein.

Upon the memorial of Mary Chandler, administratrix on the estate of William Chandler late of Woodstock in the district of Pomfret, deceased, shewing to this Assembly that the debts due from said estate surmount the moveable estate the sum of sixty-two pounds nine shillings lawful money, and said administratrix moving to this Assembly that she shall have liberty to sell so much of the real estate of said deceased as to pay the sum abovesaid with the incident charges arising thereon: Resolved by this Assembly, that the said Mary Chandler have liberty to sell so much of the real estate of said deceased as to pay the sum of sixty-two pounds nine shillings lawful money, with the incident charges arising thereon; taking the direction of the court of probate for the district of Pomfret therein.

On the memorial of Hezekiah Manning of Windham, administrator on the estate of Elias Frink jun<sup>r</sup>, late of said Windham, deceased, shewing to this Assembly that the debts due from said estate surmount the inventoried personal estate of said deceased the sum of £45 17s. 1d. lawful money; praying liberty to sell about seven rods of land with a dwelling house partly finished, being the estate of said deceased, for the paying and satisfying said sum with incident charges of sale: Which is hereby granted, and the said administrator is hereby impowered to make sale of said house and land as prayed for taking the direction of the court of probate for the district of Windham therein.

Upon the memorial of Stephen Brown, constable of Killingley, shewing to this Assembly that in February last he took a thirty-shilling bill of the late emission of the Colony of Connecticut and wrote the mans name on said bill of whom he received the same, and by drying the same by the fire said bill was accidentally burnt &c.; praying to this Assembly to grant an order to the Treasurer of said Colony to pay said sum, &c.: Resolved by this Assembly, that the Treasurer be directed, and he is hereby ordered, to pay out of said treasury to said Stephen Brown the sum of thirty shilling of the said last emission.

Upon the memorial of Jonathan Ives of New Haven, conservator of the person and estate of Ruth Ives of said New Haven, shewing to this Assembly that in taking care of and providing for said Ruth, she being deprived of the exercise of her reason, he hath expended to the amount of £72 0s. [30] 10d. || lawful money more than the moveable estate belonging to said Ruth; praying for liberty to sell so much of the real estate of said Ruth Ives as shall enable him to pay

said sum together with incident charges, as by the memorial on file: Resolved by this Assembly, that the memorialist have liberty, and he is hereby enabled and impowered, to make sale of so much of the real estate of said Ruth Ives as shall enable him to raise and pay said sum of £72 0s. 10*d.* lawful money together with incident charges of sale, and to give and execute deed or deeds accordingly.

Upon the memorial of Amzi Beach and Landa Beach, administrators on the estate of Thomas Beach late of Milford, deceased, shewing to this Assembly that since the sale of such lands of the said deceased as by liberty from this Assembly the said administrators have sold, there hath of further debts due from said estate and charges amounting to the sum of £91 11s. 4*d.* old tenor been discovered and allowed; praying further liberty to sell so much more of the lands of said deceased as to raise a sufficient sum to pay said sum of £91 11s. 4*d.* old tenor with necessary charges arising thereon: Resolved by this Assembly, that liberty be granted, and the said Amzi Beach and Landa Beach are hereby impowered, to make sale of so much of the lands of the said Thomas Beach, deceased, as to raise a sufficient sum to pay said £91 11s. 4*d.* old tenor with the necessary incident charges arising on said sale; taking the direction of the court of probate in the district of New Haven thereon.

Upon the memorial of Ruth Dickinson and James Dickinson, administrators on the estate of James Dickinson late of Somers in the county of Hartford, deceased, shewing to this Assembly that the debts and charges allowed and moveables set to the widow of the said deceased by the court of probate in the district of Hartford surmount the moveable estate of the said deceased the sum of £207 14s. 2*d.* lawful money; praying for liberty to make sale of real estate of said deceased for the payment of said debt, &c.: Resolved by this Assembly, that the said memorialists have liberty to sell land, and liberty is hereby granted to the said memorialists, to make sale of so much of the real estate of the said James Dickinson, deceased, as will procure said sum of £207 14s. 2*d.* lawful money, for the payment of said debt with incident charges of sale arising; taking the advice of the court of probate in the district of Hartford therein.

Upon the memorial of David Hartshorn the 3*d.*, administrator on the estate of Thomas Pember late of Norwich, deceased, shewing to this Assembly that the debts and charges surmount the personal estate of the said deceased the sum of £20 16s. 3*d.*, and praying for liberty to sell so much of the

real estate of the said deceased as to enable him to pay the said sum with the incident charges arising on such sale: Resolved by this Assembly, that the said administrator have liberty, and liberty is hereby granted him, to sell so much of the real estate of the said deceased as to pay the said sum of £20 16s. 3*d.* and the incident charges arising on such sale; taking direction of the court of probate in the district of Norwich therein.

Upon the memorial of Joseph Wooster, one of the owners and proprietors of the copper-mine in Kent in the pitch in the 7th division of land in said Kent, and others owners and proprietors of said mine, representing that improving the same may be to their advantage and beneficial for the public; praying for priviledges and immunities, as by their memorial [31] on file appears: Resolved and enacted by this || Assembly, that said mine shall be managed and improved by the consent and approbation of the major part of the proprietors, which majority shall arise from the greatest part of interest or propriety; and that if any of the proprietors of the said mine shall neglect or refuse to improve and carry on his or their part or proportion in the said mine in equal proportion with the rest of the proprietors, either in their labour or payment of money, that it shall be lawful for any other or all other of the proprietors to enter upon and improve the part or proportion of said mine belonging to the person so neglecting, and to hold and improve the same till from the profits thereof he or they shall be repaid the charges and expence he or they shall be at in managing said part or parts and the oar thereof. And the same rule shall also be attended in the case of orphans whose guardians shall neglect or refuse to improve their wards part or propriety in the said mine. And that the proprietors of said mine shall once every year have a general meeting, the first to be on the first Tuesday of October next, and on the following years on the first Tuesday of October, and oftner as they shall see cause to order and direct, and order and direct the affairs and business of said mine and to choose and appoint their clerk and a committee whom they may improve for the ordinary affairs of said mine or to call meetings of the proprietors on any special occasion.

Upon the memorial of Titus Tuttle of New Haven, executor of the last will and testament of Benjamin Todd junr, late of said New Haven, deceased, shewing to this Assembly that the debts due from said estate exceed the moveables the sum of £42 16s. 8½*d.* lawful money; praying for liberty to sell so

much of the real estate of said deceased as shall enable him to pay said sum, &c., as by the memorial on file: Resolved by this Assembly, that the memorialist have liberty, and he is hereby enabled, to make sale of so much of the real estate of said deceased as shall enable him to pay said sum of £42 16s. 8 $\frac{3}{4}$ d. lawful money with incident charges; taking the advice and direction of the court of probate in the district of New Haven therein.

Upon the memorial of Simeon Minor and Nathaniel Huntington, shewing to this Assembly that one Daniel Galusha, of Dover in Dutchess county in the Province of New York, was committed to goal in Norwich in the county of New London on suspicion of counterfeiting bills of credit &c., and was there kept in goal five months, for the charge of which nothing hath been paid; praying that this Assembly would order that the said charges be paid out of the treasury of this Colony, as per memorial on file: Resolved by this Assembly, that the sum of three pounds lawful money be paid out of the Colony treasury for the keeping and providing for the said Galusha while he was in goal as aforesaid; and the Treasurer of this Colony is hereby ordered to pay the same accordingly.

Upon the memorial of Richard Ranney of Newtown in the county of Fairfield, representing to this Assembly that he is one of the heirs and descendants of Robin, an Indian sachem, late of Middleton in the county of Hartford, deceased, to whom with other Indians certain lands in said Middleton on the east side of Connecticut River were granted by the proprietors of said Middleton, which are still owned and enjoyed by the descendants of said Indians; that he has been educated among the English and been christianized, and is desirous to have his right and proportion of said lands aparted and set out to him, so that he may enter upon and improve such his proportion after the English manner, but by reason of the confusion and uncertainty of the Indian titles, descents, &c., he is unable to determine in certain his proportion of right in [32] said lands, or to adjust the same || with the other Indian claimants of said lands; praying the aid of this Assembly therein, and that a committee may be appointed to enquire &c., as by the memorial on file appears: Resolved by this Assembly, that John Chester and Thomas Wells, Esqrs, be and they are hereby appointed a committee to enquire into and concerning the matters and things set forth and requested in said memorial, and make report of what they shall find, with their opinions thereon, to the General Assembly of this Colony to be holden at New Haven in October next.



Upon the memorial of George Shipman of Lyme, administrator on the estate of William Shipman of said Lyme, deceased, shewing to this Assembly that the inventoried estate of said deceased amounts to the sum of one thousand two hundred and eighty-one pounds fifteen shillings old tenor, of which seven hundred and fifty pounds is real, five hundred and thirty-one pound fifteen shillings is personal estate; that sundry debts paid by said memorialist, with charges of administration, funeral charges, allowance for nurturing an infant child, support of a sick family, &c., amounts to the sum of five hundred and sixty-two pounds seven shillings and eight pence old tenor; that sundry necessaries allowed to the widow of the deceased out of the moveable estate of said deceased amounts to the sum of eighty pounds old tenor; that there are debts still due from the estate of said deceased to the amount of £194 11s. 0*d.* old tenor; all which sums aforesaid amounts to the sum of £836 19s. 4*d.* old tenor, which surmounts the personal estate of said deceased the sum of three hundred and five pounds four shillings and four pence old tenor; praying that some suitable person might be appointed by this Assembly to make sale of so much of the real estate of said deceased as shall amount to the value of said sum of £305 4s. 4*d.* with incident charges, as per memorial on file, &c.: Resolved by this Assembly, that said memorialist be and is hereby appointed and impowered to make sale of so much of the real estate of said deceased as shall amount to the sum of thirty-eight pounds lawful money with said incident charges arising thereon; taking the direction of the court of probate for the district of New London therein.

Upon the memorial of Mary Humphry, executrix on the last will and testament of Samuel Humphry late of Symsbury, deceased, shewing to this Assembly that there are debts due from said estate to the sum of thirty-two pounds fourteen shillings and five pence farthing lawful money, for the payment of which she hath no personal estate in her hands; praying for liberty to sell so much of the lands of the said deceased as shall procure said sum with the incident charges arising thereon: This Assembly do appoint and impower the said Mary Humphry and Mr. David Phelps, of said Symsbury, to sell so much of the land of the said deceased as shall procure the said sum of thirty-two pounds fourteen shillings and five pence farthing lawful money with the incident charges arising thereon; taking the direction of the court of probate in the district of Hartford therein.

On the memorial of Phebe Miller of Middleton, administratrix on the estate of Nathan Miller late of Middleton, deceased, shewing to this Assembly that the debts and charges allowed by the court of probate for the district of Middleton against said estate surmount the moveable part thereof the sum of £28 9s. 11<sup>1</sup>/<sub>2</sub>d. lawful money, and thereupon praying for liberty to sell lands, &c.: Resolved by this Assembly, that the memorialist have liberty and she is hereby authorized and impowered, to sell so much of the real estate [ 33 ] of the said || deceased as will procure the aforesaid sum of twenty-eight pounds nine shillings and eleven pence half-penny together with the incident charges arising on such sale ; taking the direction of the court of probate for the district of Middletown therein.

Upon the memorial of the inhabitants of the first society of Pomfret, preferred to this Assembly at their session in May 1755, shewing that said society, having occasion to build a new meeting-house, moved to Windham county court June 1754, for and obtained a committee to fix a stake for the place of such meeting-house, which committee fixed the same in a place inconvenient for such purpose, whereby contention arose and thereby said society were in danger of losing the benefit of settling a young gentleman then a candidate for the ministry in said society ; further shewing, that application had been made anew to said county court for another committee, which could not be obtained ; praying for the interposition of this Assembly, and that a committee might be appointed by this Assembly to review said matter and afix<sup>ed</sup> place for said meeting-house &c.; as by the memorial on file ; upon which this Assembly did appoint a committee for said purpose, which committee did fix the stake in the home-lot of Mr. Zechariah Waldo in said society, near to the highway, and reported the same to the Assembly at their session in October 1755, which report was then accepted and approved of, as by the files and records of this Assembly may appear : Therefore resolved by this Assembly, that the place so fixed by said committee by this Assembly appointed as aforesaid be, and the same is hereby ordered to be, the place for building the meeting-house in said society.

Upon the memorial of Henry Johnson, Samuel Sage, Asahel Dudley and Israel Wilcox, inhabitants of the first ecclesiastical society in Middleton, representing that their situation is such and at such a distance from the place of public worship in said society as renders it very difficult for them to attend thereon, and that they have attended worship for many years

past with the second society in said town, which is much nearer and more convenient for them; praying to be annexed with certain lands to the said second society, &c.: Resolved by this Assembly, that the memorialists together with the lands within the following bounds and limits, to wit, beginning at the river called Beckleys River on the north side of a lot called Capt. Whites lot, running westerly until it comes to the mile and half annexed to Kinsington, then running south to the south side of the lots called the long lots, and from thence eastward until it comes to the river above-named, be annexed and they are hereby annexed to the second ecclesiastical society in said Middleton.

Upon the memorial of William Clark and Joanna Webster, administrators of the estate of Mr. Pelatiah Webster late of Lebanon, deceased, shewing this Assembly that the personal estate of said deceased is insufficient to pay the debts of the said deceased by the sum of £80 over and above £100 lawful money already sold of said estate by liberty from this Assembly at their session at New Haven in October last; praying liberty from this Assembly to sell so much more of the real estate of said deceased over and above what is already sold as may be sufficient to pay the said sum of eighty pounds lawful money together with all charges incident to the sale: Resolved by this Assembly, that the memorialists have and liberty is hereby granted to them, to make sale of so much of the real estate of said deceased as may be sufficient to pay said sum of eighty pounds lawful money together with the incident charges of sale; taking directions of the court of probate for the district of Windham therein.

Upon the memorial of David Holmes of Woodstock, praying to this Assembly for some proper allowance for his service as a doctor in the army at Lake George, November 1755, by [34] order of General Lyman, as per memorial on file: || Resolved by this Assembly, that the said David Holmes receive out of the public treasury of this Colony the sum of six pounds twelve shillings and four pence for his service aforesaid, and the Treasurer is hereby ordered to pay the same accordingly.

An Act for the better Regulation of the Treasury.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That whensoever any person or persons shall pay any sum or sums of money unto the Treasurer of this Colony for the use of the government, it shall be the duty of the Treasurer to give every such person or persons duplicate receipts for the

sum or sums of money by him so received; and the person or persons who shall receive any such duplicate receipts shall forthwith deliver one of each duplicate receipts to the Secretary of this Colony; and the Secretary shall keep a regular account of all such receipts by him received, and render an account thereof to the General Assembly when thereto required.

*Resolved by this Assembly,* That the Treasurer and Secretary for the time being be a committee, and they are hereby appointed and impowered, to release and discharge the mortgages that were made to the Governor and Company of this Colony for money loan'd out of the public treasury, upon payment of the principal and interest, and thereupon to execute releases and discharges to the mortgagers aforesaid, in as full and authentick manner as any committee heretofore by any act of this Assembly has been authorized to do.

Upon the report of a committee appointed to treat with Mr. John Green of New London, printer, to do the printing for this Colony for the future: *Resolved by this Assembly,* that the said John Green be the printer for this Colony for three years next ensuing: provided he annually print five hundred copies of the public acts or laws that may be passed by the several Assemblies, and three hundred copies of each election sermon, and such number of proclamations &c. as the Governor or General Assembly shall see cause from time to time to order and direct; for which the said John Green shall have as a yearly salary thirty pounds lawful money a year.\*

Upon the memorial of William Greenough, Jared Ingersole and Jonathan Fitch, managers of the lottery granted for the benefit of the ferry-point wharf, so called, in New Haven, preferred to this Assembly at their session in October last, shewing that in pursuance of their trust they had drawn said lottery, in which was received about one hundred and fifty pounds lawful money; further shewing that the proprietors of said wharf, for reasons in said memorial set forth, declined taking and receiving said moneys on the conditions enjoined &c. by the act of Assembly granting said lottery: praying to be directed how to dispose of said monies, as by the memorial on file: *Resolved by this Assembly,* and it is hereby ordered and directed, that the memorialists pay to the Treasurer of

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\* He was a son of Deacon Timothy Green, printer for the Colony, who died May 5, 1757, according to Miss Caulkins, ag d 78. "Sunday, Dec. 11, 1757, John Green, printer to the Governor and Company, died this afternoon of a consumption, aged near 40 I suppose." *Hempsted's Diary*. His brother Timothy succeeded him, and in May 1758, agreed to do the printing for three years on the same terms. *Finance & Currency*, IV, 201, 202.

this Colony the monies in their hands raised by said lottery, and take his receipt therefor and lodge the same with the Secretary of this Colony.

Whereas this Assembly in their session in May 1755, ordered that a rate or tax of one shilling old tenor per acre should be laid and assessed on all the lands in the township of Cornwall, excepting such lands as are already in the public list, and that the same be levied, collected and improved towards the settling of a minister in said town, as by said act appears on record, and appointed Benjamin Sedgwick of said Cornwall collector of said tax: And whereas the said Sedgwick is [35] deceased, and the said rate || is not fully paid: This Assembly appoints Woodruff Emmons of said Cornwall to collect all said rate that remains uncollected and paid, and deliver the same into the hands of the committee or selectmen of said town, appointed to improve said money to the purpose aforesaid.

Upon the report of John Chester, Jabez Hamlin and Jonathan Hale, Esq<sup>rs</sup>, a committee appointed by this Assembly to run the line dividing between the towns of Hartford and Windsor from the west bank of Connecticut River westward to the country road leading from said Hartford to Windsor, reporting that they had in this present month of May repaired to said place, had heard the agents of said towns and the evidences by them produced relative to said line and the improvements anciently adjoining thereto well agreeing together, and that it was their opinion that a line drawn from a ditch near the west bank of said river straight to a ditch on the east side of a swamp, from thence straight to a ditch on the west side of an old house late belonging to Elisha Pratt, from thence straight to a maple stump marked, from thence in a bowing line as the fence now runs to a large heap of stones where the red oak tree mentioned in Windsor patent once stood, ought to be the dividing line between the said towns from the said river westward to the said country road: It is therefore by this Assembly resolved and decreed, that the above described line from said river westward to said heap of stones shall be and the same is hereby fixed and established to be the true bounds between said towns of Hartford and Windsor from said river to said road.

This Assembly do appoint Mr. Benjamin Harris of Middleton, to keep the ferry over Connecticut River in the parish of Middle-Haddam in said Middleton, in the room and place of Capt. Cornelius Knowles, during the pleasure of this Assembly; and the fare thereof to be as stated by law.

This Assembly do appoint John Pierce, of Cornwall, a County Surveyor for the county of Litchfield, instead of Ebenezer Hill jun<sup>r</sup>, who hath resigned.

Upon the petition of John Lane of Middleton against Michael Bauldwin of Guilford, alledging that said Bauldwin obtained final judgment in his favour at the superior court held in New Haven on the last Tuesday of August last against the petitioner for the sum of twenty-seven pounds ten shillings in damages and ten pounds seven shillings and two pence lawful money cost on action of deceit for selling an unsound negro, and that the petitioner hath found new evidence not before discovered; praying for a new tryal in said case, and that he might have back the amount of the said sums which have been taken from him; as by the petition on file appears: Resolved by this Assembly, that the petitioner have liberty of a new tryal of said cause before the superior court held in New Haven on the last Tuesday of August next, and that all the cost from the beginning follow said tryal; and that whatsoever hath been taken from the petitioner by virtue of said judgment shall by the said Bauldwin be repaid to the petitioner, in case judgment in said tryal be rendered in favour of the petitioner; and that in case judgment be given in favour of the said Bauldwin that in rendering the same (as to the sum to be recovered) respect be had to what is paid upon said former judgment.

On the petition of Joseph Clark, Samuel Dewey, of Lebanon in the county of Windham, and others the heirs and descendants of William Clark and Joseph Dewey both of Lebanon, deceased, &c., *vs.* William Root of Hebron in the county of Hartford, as on file: The question was put, whether the petitioners should have liberty of another tryal of the cause referred to in said petition, as prayed for: Resolved by this Assembly in the negative. *Cost allowed respondent is £2 10s. 10d. lawful money. Ex. granted June 24th, 1757.*

[£6] On the petition of Nathaniel Chauncey of Middleton in the county of Hartford, executor of the last will and testament of the Rev<sup>d</sup>. Nathaniel Chauncey, deceased, late pastor of the church in Durham in the county of New Haven, *vs.* Nathan Camp of Durham aforesaid, one of the principal inhabitants of said Durham, and the rest of the inhabitants of the aforesaid town of Durham, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent is £3 0s. 4d. lawful money.*

On the petition of Joseph Shepard of Hartford in the county

of Hartford, *vs.* Zebulon Shepard of New Hartford in the county of Litchfield, (son of Thomas Shepard of Hartford aforesaid, late deceased,) as on file: The question was put, whether the pleas offered by the respondent in abatement of said petition are sufficient to abate the same: Resolved by this Assembly in the affirmative. *Cost allowed respondent is £1 11s. 4d. lawful money.*

On the petition of Azariah Long of Windsor in the county of Hartford, *vs.* Azariah Williams sometime of Hartford in the county of Hartford, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent is £2 17s. 8d. lawful money. Ex. granted June 23d, 1757.*

On the petition of Jonathan Pettibone of Symsbury in the county of Hartford, *vs.* Ebenezer Benton of Hartford in the county of Hartford, as on file: The question was put, whether the pleas offered by the respondent in abatement of the said petition are sufficient to abate the same: Resolved by this Assembly in the affirmative. *Cost allowed respondent is £1 16s. 10d. lawful money. Ex. granted August 27th, 1757.*

On the petition of Abraham Pierson of Farmington in the county of Hartford, *vs.* Samuel Bird of Farmington aforesaid, as on file: The question was put, whether the petitioner named in the said petition doth appear before the Assembly to prosecute said petition: Resolved by this Assembly in the negative.

On the petition of Prince Tracy, Thomas Brown, William Brewster, and the rest of the subscribers, all inhabitants of Windham in the county of Windham, *vs.* Joseph Huntington, Joseph Bingham, Nathaniel Wales jun<sup>r</sup>, Jedidiah Elderkin, Samuel Gray, Eliphalet Dyer and Joseph Bingham jun<sup>r</sup>, all of Windham aforesaid, as on file: The question was put, whether the pleas offered by the respondents in abatement of the said petition are sufficient to abate the same: Resolved by this Assembly in the affirmative. *Cost allowed respondents is £1 18s. 2d. lawful money. Ex. granted July 25th, 1758.*

On the petition of Richard Alsop of Middleton in the county of Hartford, *vs.* William Wright of Middleton aforesaid and William Southworth of Stratford in the county of Fairfield, as on file: The question was put, whether the petitioner shall have a new tryal, as prayed for: Resolved by this Assembly in the negative. *Cost allowed respondent is £2 7s. 7d. lawful money. Ex. granted June 23d, 1757.*

On the petition of Alexander Grant of Newport in the Colony of Rhode Island, administrator on the estate of Pat-

rick Grant of said Newport, late deceased, *vs.* Joseph Rockwell of Windsor in the county of Hartford, as on file: The question was put, whether the petitioner shall be allowed liberty of another tryal of the cause referred to in the petition, as prayed for: Resolved by this Assembly in the negative.

On the petition of Ebenezer Benton of Hartford in the county of Hartford, *vs.* Mary Waters, a minor &c., John Thomas and Mary Thomas his wife, of Hartford aforesaid, Abraham Waters of Farmington in the county aforesaid, Joseph Waters of Hartford aforesaid, a minor, &c., Elizabeth Waters, widow, Mary (lately called Mary Waters, now called Mary Gilbert) wife of Theodore Gilbert, and Theodore Gilbert of New Hartford in the county of Litchfield, as on file: The question was put, whether the pleas offered by the respondents in abatement of said petition are sufficient to abate the same: Resolved by this Assembly in the affirmative. *Cost allowed respondents is £1 11s. 0d. lawful money. Ex. granted June 23d, 1757.*

On the petition of David Bigelow of Colchester in the county of Hartford, *vs.* John Waters of Colchester aforesaid, as on file: The question was put, whether the prayer of the petitioner in the said petition contained should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent is £3 8s. 5d. lawful money. Ex. granted June 9th, 1757.*

On the petition of Joseph Darin of Branford in the county of New Haven, *vs.* Samuel Cook of New Haven in the county aforesaid, as on file: The question was put, whether the pleas offered by the respondents in abatement of said petition are sufficient to abate the same: Resolved by this Assembly in the affirmative. *Cost allowed respondent is £1 19s. 2d. lawful money. Ex. granted June 8th, 1757.*

On the petition of Stephen Mead and Samuel Close, of Greenwich in the county of Fairfield, *vs.* Thomas Close of [ 37 ] Greenwich aforesaid, as on file: The question was put, || whether the prayer of said petition praying for a new tryal &c. shall be granted: Resolved by this Assembly in the negative. *Cost allowed respondent is £4 15s. 7d. lawful money. Ex. granted June 5th, 1757.*

On the petition of Joshua Raymond of New London in the county of New London, Esqr, *vs.* John Coit, (town-clerk) and one of the principal inhabitants of said town of New London, and the rest of the inhabitants of said town, as on file: The question was put, whether the prayer of said petition should be granted &c.: Resolved by this Assembly in the negative.



Cost allowed Phineas Sheldon of Suffield in the county of Hartford, *vs.* Samuel Palmer of Windsor in said county, for attendance &c. to answer the petition of Samuel Palmer of Windsor aforesaid, preferred against him, which the said petitioner did not attend to prosecute, is £2 4s. 4d. lawful money. *Ex. granted June 23d, 1757.*

Cost allowed to Mr. David Rowland of Plainfield in the county of Windham, *vs.* the inhabitants of the town of Plainfield aforesaid, for his attendance &c. to answer the memorial of the said inhabitants of Plainfield, which was negatived by vote of this Assembly, as on file, is £2 2s. 4d. lawful money.

Cost allowed to John Barber of Windsor in the county of Hartford, *vs.* John Palmer of Windsor aforesaid, for his attendance &c. to answer the petition of said Palmer preferred against him to this Assembly, as on file, is £1 3s. 4d. lawful money. *Ex. granted June 23d, 1757.*

This Assembly grants to his Hon<sup>r</sup>. the Governor the sum of sixty-six pounds for his first half-year salary for the current year, to be paid out of the public treasury of this Colony.

This Assembly grants to his Hon<sup>r</sup>. the Deputy Governor the sum of thirty-three pounds, for his first half-year salary for the current year, to be paid out of the public treasury of this Colony.

This Assembly grants to his Hon<sup>r</sup>. the Governor the sum of sixty pounds, for his extraordinary services the last half year, to be paid out of the public treasury of this Colony.

This Assembly grants to Joseph Talcott, Esq<sup>r</sup>, Treasurer of this Colony, the sum of one hundred pounds, for his salary as Treasurer for the year past.

This Assembly grants to Joseph Talcott, Esq<sup>r</sup>, the sum of twenty-five pounds in addition, for his extraordinary services as Treasurer the last year.

This Assembly grants to George Wyllys, Esq<sup>r</sup>, the sum of five pounds, for his salary as Secretary to the Colony the last year.

This Assembly grants to Col. Nathan Whiting the sum of ten pounds, for his service as Quarter-Master-General the last campaign.

This Assembly grants to Mr. John Law the sum of eight pounds, for his service as Aid de Camp and Secretary to General Lyman the last campaign.

On the report of the committee relating to the balance by them found due to the estate of Mr. Timothy Green late of New London, printer to the Governor and Company of this Colony, deceased, for his salary: Resolved by this Assembly,

that the Treasurer of this Colony pay out of the public treasury unto the administrators of said deceased the sum of twenty-five pounds in bills of the late emissions, in full of what remains due as abovesaid; and that a copy of this resolve (without further order) be his warrant for such payment made.

*Resolved by this Assembly,* That Col. Gurdon Saltonstall, Col. Jabez Hamlin and Col. David Wooster be appointed a committee to purchase and equip fit for war, with the utmost expedition, a good and effectual vessel not exceeding one hundred and forty tons, for the service of this Colony and to protect the navigation and sea-coast thereof, upon the credit of this Colony until the first day of February next; and that said committee is hereby enabled to borrow, if they judge it necessary, a sum not exceeding one thousand pounds, payable at or before said first day of February with the lawful interest [38] thereon, to enable them to accomplish the || above service in the best manner for the interest of the Colony, and lay the whole account of the same before this Assembly.

This Assembly appoints John Chester, Thomas Wells, Roger Wolcott jun<sup>r</sup>, and Daniel Edwards, Esq<sup>rs</sup>, Mr. John Ledyard and Capt. Nathaniel Hooker, to attend his Hon<sup>r</sup>. the Deputy Governor, to hear the records of the acts and doings of this Assembly read off and see the same signed by the Secretary as perfect and compleat.

The whole Record of the several Acts, Grants and Resolves of this Assembly, as it stands entered on the pages of this book next preceding, was read off in the presence of his Honour the Deputy Governor and the major part of the committee above named, and signed as compleat.

GEORGE WYLLYS, Secretary.

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[39] *Anno Regni Regis Georgii secundi trigesimo-primo.*

AT A GENERAL ASSEMBLY OF THE GOVERNOR AND COMPANY OF HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA HOLDEN AT NEW HAVEN IN SAID COLONY ON THE SECOND THURSDAY OF OCTOBER, BEING THE [THIRTEENTH] DAY OF THE SAME MONTH, AND CONTINUED BY SEVERAL ADJOURNMENTS UNTIL THE THIRD DAY OF NOVEMBER NEXT FOLLOWING, ANNOQUE DOMINI, 1757.

*Present :*

The Honourable Thomas Fitch, Esquire, *Governor.*

The Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, *Deputy Governor.*

Roger Newton,	Thomas Wells,	} Esq <sup>rs</sup> , Assistants.
Ebenezer Silliman,	Benjamin Hall,	
Jonathan Trumble,	Roger Wolcott, Jun <sup>r</sup> ,	
Hezekiah Huntington,	Jonathan Huntington,	
Andrew Burr,	Daniel Edwards,	
John Chester,		

*Representatives or Deputies of the several Towns hereafter mentioned returned to attend this Assembly, viz :*

Capt. Nathaniel Hooker, Col. Joseph Pitkin, for Hartford.  
 Capt. Isaac Dickerman, Major John Hubbard, for New Haven.  
 Col. Stephen Lee, Mr. Joshua Raymond jun<sup>r</sup>, for New London.  
 Mr. David Rowland, Mr. Lothrop Lewis, for Fairfield.  
 Capt. Jonathan Reed, Capt. Samuel Murdock, for Windham.  
 Capt. Elisha Sheldon, Col. Ebenezer Marsh, for Litchfield.  
 Capt. Jabez Huntington, Capt. John Perkins, for Norwich.  
 Col. Shubael Conant, Mr. William Hall, for Mansfield.  
 Capt. Jedidiah Chapman, for Saybrook.  
 Col. David Whitney, Mr. James Beebe, for Canaan.  
 Mr. Samuel Kimberly, for Glassenbury.  
 Mr. Daniel Brainard, for East Haddam.  
 Capt. Abraham Brooks, for Haddam.  
 Col. Timothy Stone, Mr. Samuel Robinson, for Guilford.  
 Capt. Samuel Morgan, Major Samuel Coit, for Preston.  
 Capt. Samuel Ely, Capt. Matthew Marvin, for Lyme.  
 Mr. Daniel Booth, Mr. John Glover, for Newtown.  
 Mr. John Clap, Mr. Nathaniel Sacket, for Greenwich.  
 Mr. Ebenezer Wright, for Weathersfield.  
 Capt. Obadiah Johnson, Capt. Jabez Fitch, for Canterbury.  
 Capt. Joseph Phelps, Mr. Alexander Phelps, for Hebron.  
 Mr. Samuel Prentice, Capt. Amos Cheesbrough, for Stonington.  
 Col. Elihu Chauncey, for Durham.  
 Capt. Joshua West, Mr. William Williams, for Lebanon.  
 Capt. Elnathan Stephens, Mr. Benjamin Gale, for Killingworth.  
 Capt. Abijah Catlin, for Harwinton.  
 Mr. John Strong, Capt. William Wadsworth, for Farmington.  
 Mr. Ephraim Strong, Mr. Robert Treat, for Milford.  
 Capt. Nathaniel Harrison, Mr. Ithiel Russel, for Branford.  
 Col. Christopher Avery, Capt. Moses Fish, for Groton.  
 Capt. Ezekiel Pierce, Capt. Isaac Coit, for Plainfield.  
 Mr. John Gordon, Capt. Daniel Fish, for Voluntown.  
 Mr. Jabez Swift, for Kent.  
 Mr. Isaac Johnson, Col. Thomas Chandler, for Woodstock.

Mr. William Wolcott, for Windsor.

[ 40 ] Mr. David Orentt, Mr. Josiah Converse, for Stafford.

Capt. Benjamin Ruggles, Mr. John Comstock, for New Milford.

Col. Jonathan Hoit, Mr. Abraham Davenport, for Stanford.

Mr. Comfort Starr, for Danbury.

Mr. Zebulon West, Mr. Samuel Chapman, for Tolland.

Capt. Benjamin Talcott, Mr. David Strong, for Bolton.

Mr. Samuel Nash, Mr. Gideon Hurlbert, for Goshen.

Mr. Jonathan Kilbourn, Capt. Elijah Worthington, for Colchester.

Mr. Ebenezer Williams, Mr. Jonathan Dresser, for Pomfret.

Mr. James Fitch, Mr. Joseph Platt, for Norwalk.

Mr. Thomas Matthews, Mr. Gideon Hotchkiss, for Waterbury.

Mr. Elijah Hawley, for Ridgfield.

Capt. John Williams, Mr. Josiah Strong, for Sharon.

Capt. Ephraim Terry, Mr. Edward Collins, for Enfield.

Capt. Samuel Bassit, for Derby.

Major Elihu Hall, Mr. Cornelius Brooks, for Wallingford.

Mr. Jacob Dresser, Mr. Boaz Sterns, for Killingsly.

Mr. Phineas Strong, for Coventry.

Mr. Daniel Sherman, Major Benjamin Hinman, for Woodbury.

Mr. John Everts, Mr. Josiah Stoddard, for Salisbury.

Mr. Agur Tomlinson, Capt. Theophilus Nichols, for Stratford.

Capt. John Humphry, Capt. Jonathan Pettibone, for Symbury.

Mr. David Austin, for Suffield.

Mr. Jedidiah Fay, Capt. Benjamin Somner, for Ashford.

Col. Jabez Hamlin, Mr. Seth Wetmore, for Middleton.

Mr. Martin Smith, for New Hartford.

Col. Shubael Conant, Speaker	} of the House of Representatives.
Capt. Jabez Huntington, Clerk	

*Resolved by this Assembly,* That Daniel Edwards, Joseph Buckingham and John Ledyard, Esqrs, be a committee, and are hereby appointed a committee, they or any two of them, to settle and adjust the accounts between the government and the officers that were appointed for the expedition against Crown Point in the year 1756, with respect to the monies by them received for *premia*, wages &c. and the King's arms and accoutrements received for the troops raised in this Colony for said expedition; and for that end to demand and collect all such bonds, receipts or writings as have been given or executed by said officers relative thereto, and to appoint time and place proper for said officers to attend said service. And

if said officers, or any of them, shall refuse or neglect to appear and adjust said accounts, (being first duly notified thereof,) said committee are directed to deliver to Capt. Thomas Seymour said bonds, receipts and writings, who is hereby appointed agent and attorney for and in behalf of the Governor and Company, to commence and prosecute any action brought, or to be brought, on any of the said bonds, &c. when he shall be informed by said committee that the condition of said bonds have not been performed, or that said arms and accoutrements have not been returned or accounted for.

Whereas in the late alarm and march of the militia a great part, perhaps more than half thereof, proceeded either the whole or part of the way on horse-back and the residue marched on foot, and that many were either wholly or in part subsisted at their own expence on their march and the subsistence of others was had at public and private houses and small stores erected at certain stages at the cost of the [41] governments, and that || many of said militia were by the government supplied with blankets, knapsacks &c. being unable seasonably to provide for themselves: Therefore, Resolved by this Assembly, that besides the wages as by law stated there be allowed to such of said militia as subsisted themselves as abovesaid at the rate of one shilling and two pence per day, to be computed merely on the length of the time of such subsistence, and also for the travel of the horses used on said march be allowed one penny farthing per mile out, and for such of their subsistence as was not found by the government, some reasonable sum, respect being had to the circumstances of the case, not exceeding eight pence per day; and that the persons employed and faithfully attending the return of the horses so used be allowed the same with the said soldiers, both as to wages and their own and horses subsistence. And it is further resolved, that such as were supplied at the public cost with blankets, knapsacks &c. be and hereby are ordered forthwith to return them to their respective chief officers commanding on said alarm, or such other person of whom they received them; and in case any shall fail so to return them, they shall pay the value of them; and the captain or other in chief command of the several companies marching as abovesaid be and hereby is directed, as soon as may be, to find out who and how many of the soldiers in their respective companies either in whole or part subsisted themselves on their march and for what portion of the time, as near as may be, and who and how many proceeded on horseback, on

whose horses and how far; and also what persons actually attended the return of the horses as aforesaid; and of these matters as soon as practicable transmit their particular and well attested certificates to the Committee of the Pay-Table; and that said chief officer shall be allowed a reasonable reward for such extraordinary service in making up said account.

This Assembly being informed that many of the horses that strayed from the militia of this Colony that marched upon the late alarm are taken up at sundry places in the Province of New York and elsewhere: Resolved by this Assembly, that Messrs. Benjamin Stephens of Canaan and David Brown of Stanford be and hereby are appointed, as soon as may be, to repair to Albany or such other places where they shall be informed such horses are taken up, taking with them as particular and minute descriptions of the natural and artificial marks of all such horses as are wanting that were used on the occasion aforesaid as can be had, and use their utmost endeavours to recover all such horses and the same return to their respective owners. And the several and respective owners of such horses are hereby directed, as soon as may be, to carry such description of their horses and furniture to the colonel of the regiment to which they respectively belong; and the colonels are directed to send the same to the persons appointed above to recover said horses and furniture. And if any owner or owners of such horses shall neglect to send such description to the colonel as aforesaid by the 10th day of November next, they are not to expect any pay from this government therefor. And that this resolve be forthwith printed in the *Connecticut Gazette*.

Representation being made to this Assembly that many of our Indian tribes have assisted and served in the present war in our regiments as voluntiers and many of them died in the service or after it expired, and their wages and allowances have been received by their respective officers and not been paid or accounted for to any: Be it therefore resolved by this Assembly, that the selectmen of each town in this Colony, or some proper person by them appointed, in which town any Indian natives not under bondage either for term of time or for life did inhabit, shall and may demand and receive of any pay-master or officer any sums or allowances by any such pay-master or officer received for any such Indian that served in the company under the command of any such officer, and the receipt of such selectmen or their attorney or substitute for that purpose shall be a sufficient discharge for

said officer or pay-master for such sum; and that such selectmen on receipt of such sums or allowances shall improve the same for the best advantage of those to whom the same be [42] longs by the rule of the laws of this government, || either in affinity or consanguinity, having first paid and discharged debts for sickness and funeral expences (if any be): otherwise such selectmen are ordered to pay the same as the law of this government provides in the settlement of intestate estates. And in case there be no such relatives, such sum shall be paid into the public treasury for the use of this Colony, and lodge such receipt with the Secretary. And in case such pay-master or officer shall refuse or neglect to pay the same, they may and shall be prosecuted according to the directions of the resolve of this Assembly in that case made and provided for the securing and enforcing the speedy payment of the soldiers by their respective captains.

Whereas his Honour the Governor hath laid before this Assembly letters from his Lordship the Earl of Loudoun, signifying that the regiment of Connecticut now in his Majesty's service shall be dismissed as early as is consistent with the safety of the Provinces and the good of the service, and in order thereto that he expects this Colony will furnish two hundred and eighty men to remain with him thro' the winter, to be employ'd as rangers to secure the frontiers and to annoy the enemy: Therefore,

*Resolved by this Assembly,* That three companies, each to consist of ninety-four able-bodied effective men officers included, be enlisted out of the troops of this Colony now in service at Fort Edward and Number Four, to remain with his Lordship for the purposes aforesaid thro' the winter. And in case a sufficient number of officers and men fit for such service to fill the said companies shall not voluntarily enlist, then such and so many as shall be wanting to make up the same shall be holden and retained from the said regiment of Connecticut, to remain with his Lordship for the purposes aforesaid until the first day of March next, the term to which their enlistment doth extend.

*And it is further resolved,* That there shall be allowed and paid to each able-bodied effective man, as well officers as privates, who shall voluntarily enlist into the service aforesaid, the sum of three pounds, and to each man that shall be retained in said service the sum of thirty shillings: each of said sums to be in addition to the wages already stated.

And his Honour the Governor is desired to send his orders to Col. Phineas Lyman at Fort Edward, and to Lt. Col.

Nathan Whiting at Number Four, for the enlisting and furnishing the three companies aforesaid.

Whereas this Assembly have resolved that three companies, each to consist of ninety-four men officers included, be enlisted or retained from the troops of this Colony now in service at Fort Edward and at Number Four, to remain with his Excellency the Earl of Loudoun thro' the winter, to be employed as rangers, and warm clothing suitable for the season may be wanted by them: Therefore,

*Resolved by this Assembly,* That Jonathan Trumble, Esqr., be and hereby is directed to provide a sufficient quantity of suitable cloth and coating, duffield blankets, good flannen shirts, yarn hose, and good shoes, for the supply of such of the rangers aforesaid as may want them, and as soon as may be send the same to the place or places where said rangers shall be stationed, directing and consigning equal quantity of each of the aforesaid articles to the care and management of the captain of each of said companies, with an invoice shewing the quantity and price of each article as the same is purchased here. And the said captains are hereby severally ordered and directed, to take care that each man provide himself with clothing suitable for the season and service, and to deliver the articles consigned to them respectively to such of said rangers as shall want them, and charge the same accordingly and at the price entred in the invoice sent, that the same may be settled for the payment of the bounty granted them by this Assembly so far as that shall extend or of the wages that may [be] due to any of them from this Colony.

*Resolved by this Assembly,* That the Committee of the Pay-Table have full power to settle and adjust the accounts of building and equipping fit for war the Colony brigantine [43] Tartar with the committee appointed || by act of this Assembly in May last to purchase and equip for war said vessel, and to give orders on the Treasurer for the payment of their accounts on the first day of February next, agreeable to said act of Assembly in May last.

This Assembly taking into consideration the state and circumstances of the Colony brigantine Tartar now under the command of Capt. Michal Burnham, and as the season of the year is so far advanced that her continuance on her present station is not judged necessary longer than the 10th of November next, and that the said brigantine may (during the winter season) be improved to distress his Majesty's enemies and to protect our trade in the West Indies: It is therefore resolved by this Assembly, that Gurdon Saltonstall, Hezekiah



Huntington and Jabez Hamlin, Esq<sup>rs</sup>, be a committee in behalf of this government to fit out the said vessel with war-like stores and suitable provisions for a six months cruise for one hundred men including officers, and to appoint officers in case any of the officers now on board shall decline to undertake in said cruise; and to make such contract respecting the division of any prizes that may be taken by said vessel as (considering the usage and custom of other places) they shall think just and reasonable; and to give instructions to the commander-in-chief on board said vessel touching his return in the spring and the protection of the trade. Always provided, that no wages or hire be allowed by the said committee to any officers or men on board said vessel during said cruise.

This Assembly grants and orders a rate or tax of one penny half-penny on the pound on all the polls and estate rateable in this Colony according to the list brought in to this Assembly in October last with the additions, to be collected and paid by the first day of March next, in manner as the last rate was ordered to be paid.

*And it is further resolved,* That whenever any paymaster of the moneys due on settlement of any pay-roll of any of the companies, either in the militia in the late alarm or of the troops of this Colony in present service, having obtained order on the Treasurer therefor and the same exhibited for payment, the Treasurer may on sight make out orders on the constables collectors of the public tax in such town or towns whence the soldiers named in such roll were collected or that may be most convenient to facilitate the payment, payable to such paymaster or his order in such town or towns, to the amount of such pay-roll or such part thereof as shall be needful, which orders such collectors are directed by paying or discounting with such receiver to the amount, to answer in such manner as may be found most practicable and satisfactory. And the Treasurer is also directed that of all such orders to keep clear accounts, and see that each constable either by monies or return of such orders duly discharged seasonably settle and make up his with him according to law.

As the continuance and formidable aspect of the war leaves us no reason to expect any long exemption from a further share therein: As well-united councils, a preconcerted adjustment of the respective quotas and measures for duly applying the combin'd force, especially of the militia, of all those contributory therein on any sudden or extraordinary emergence is manifestly of importance to prevent dissatisfac-

tion and delay; and as we may, not without reason, expect that some meeting, at least, to consist of New York and the four New England governments, may by them or some of them or Lord Loudoun himself be ere long proposed and recommended to the abovementioned as well as other proper and necessary ends and purposes: Whereupon, and that nothing on the part of this Colony be wanting to the execution of so serviceable a design, this Assembly do appoint Ebenezer Silliman, Jonathan Trumble and William Wolcott, Esq<sup>rs</sup>, to be Commissioners in behalf of this Colony with such gentlemen as by said other governments may be duly appointed, at time and place to be ascertained, to meet and confer, as well touching the matters above specified as of such further [44] matters as by his Lordship may || be suggested or during their conference be judged proper and expedient to be treated of; and the whole result of such their conference and the various proposals and matters therein made and agitated to lay before this Assembly for their further order and resolution thereon. And his Honour the Governor is desired, on advice received of such general convention appointed, to commission said gentlemen accordingly.

This Assembly observing that the laws made for suppressing vice and immorality are well calculated for that purpose, and in order that such laws may be the more effectually executed: Therefore, His Honour the Governor is hereby desired to issue forth a Proclamation, commanding and strictly enjoying every Assistant, justice of the peace, and all grand-jurymen and other informing officers within this Colony, in their respective offices, duly to put in execution the laws made for the observation of the Sabbath or Lord's day and for preventing disorders thereon, as also for preventing and punishing profane swearing, drunkenness, uncleanness and other immoralities; and that the said officers, respectively, exert their power and influence to preserve the peace and prevent and punish every disorderly and unlawful practice; and exhorting all heads of families to be careful in the government and education of all under their care and charge; and that such proclamation be published in each ecclesiastical society within this Colony, by ordering the same to be read publicly on the Lord's day, or by some means effectually to publish the same in each town in this Colony.

*Resolved by this Assembly,* That the officers and men belonging to the battery at New London be forthwith dismissed, and his Honour the Governor is hereby desired to send proper orders accordingly.

On representation that the bonds given by the officers in the intended expedition against Canada, *anno* 1746, for their cloathing remained unpaid and uncanceled: Resolved by this Assembly, that Col. Joseph Pitkin, Mr. Robert Treat and Capt. Nathaniel Hooker be and hereby are directed to make due enquiry into said affair, and make report to this Assembly at their next sessions what allowance has been made to the government for said cloathing.

The Gentlemen that stand in Nomination for Election in May next are as follow:

The Hon<sup>ble</sup> Thomas Fitch, Esq<sup>r</sup>.

The Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>.

Roger Newton, Esq <sup>r</sup> .	Roger Wolcott, jun <sup>r</sup> , Esq <sup>r</sup> .
Ebenezer Silliman, Esq <sup>r</sup> .	Jonathan Huntington, Esq <sup>r</sup> .
Jonathan Trumble, Esq <sup>r</sup> .	Daniel Edwards, Esq <sup>r</sup> .
Hezekiah Huntington, Esq <sup>r</sup> .	The Hon <sup>ble</sup> Roger Wolcott, Esq <sup>r</sup> .
Andrew Burr, Esq <sup>r</sup> .	Col. Jabez Hamlin.
John Chester, Esq <sup>r</sup> .	Capt. Matthew Griswold.
Thomas Wells, Esq <sup>r</sup> .	Col. Shubael Conant.
Benjamin Hall, Esq <sup>r</sup> .	Col. Joseph Pitkin.
Phineas Lyman, Esq <sup>r</sup> .	Col. Joseph Fowler.

Whereas the committee appointed to admeasure and survey the lands west of Ousatonic River that are annexed to the town of Kent did survey highways and exchange some of the ungranted lands of this Colony with particular persons, and no persons appointed to ratify such exchange for the use of highways: Resolved by this Assembly, that Messrs. Roger Sherman and Jabez Swift be a committee, in the name of the Governor and Company of this Colony, to give [45] and execute deeds of exchange with any particular person or persons for highways, and to take deed or deeds accordingly and cause the same to be duly recorded, touching the lands above specified.

The Sum-total of the Lists of the several Towns in this Colony as sent into the General Assembly at New Haven October 2d Thursday 1757.

Hartford,	£39376	12	9	Colchester,	£24053	4	0
New London,	35816	3	3	Tolland,	10183	4	0
Newtown,	15841	16	9	Farmington,	45062	6	2
Kent,	9625	12	0	Windham,	27887	14	10
Woodbury,	36786	12	7	Suffield,	17269	14	0
Harwington,	4699	10	0	Haddam,	12089	13	4
Norwich,	60189	17	1	Salisbury,	10730		
Canaan,	10987	2	0	Waterbury,	23145	13	3
Woodstock,	17066	10	0	Bolton,	9447	15	0
Hebron,	18022	3	6	Stanford,	28651	4	3
Lebanon,	40603	18	0	Danbury,	21313	7	5

Enfield,	£9390	11	0	Saybrook,	£21609	0	4
Somers,	7404	4	0	Symsbury,	22590	2	0
Coventry,	18346	17	9	Durham,	11224	14	5 $\frac{3}{4}$
Ashford,	13285	2	4	Guilford,	23477	18	2 $\frac{1}{2}$
Stonington,	36232	8	6	Mansfield,	17642	12	3
Goshen,	7439	3	10	Weathersfield,	25492	7	6
Branford,	20934	3	9	Norwalk,	34879	11	6
Sharon,	11698			Wallingsford,	42410	17	2
Plainfield,	14727	4	0	Groton,	24669	16	6
Stafford,	7858	9	0	Stratford,	40700		
Pomfret,	22623			Middleton,	50653	5	0
Greenwich,	21234	3	11	Glassenbury,	13640	8	2
Ridgfield,	12357	11	9	Derby,	13468	10	10
New Milford,	15600	17	10	Milford,	25745	13	6
New Hartford,	4651	2	0	Windsor,	42389	7	11
Voluntown,	10988	11	0	Fairfield,	54145	9	10
Killingsworth,	16468	13	6	Litchfield,	15894	1	0
Lyme,	27597	1	10	New Haven,	55911	19	2
East Haddam,	21089	3	3				

Jared Ingersoll of New Haven, Esq<sup>r</sup>, Attorney to our Sovereign Lord the King, against Isaiah Tuttle of said New Haven, a justice in commission for the peace in New Haven county, instantly complains and gives this Assembly to understand, that at sundry times and in divers ways and manners within these two years last past he, the said Isaiah Tuttle, in commission as abovesaid, hath under colour of his said office and the exercise of the powers and authority thereof grievously misdemean'd himself, to the great offence, wrong and oppression of many of his Majesty's good subjects and scandal and dishonour of said important office, as on file: To all which said Isaiah Tuttle being holden to appear and answer, he appearing accordingly pleaded Not guilty. And now, the evidence in support of the matters of said information, as well as on behalf of said justice Tuttle, being fully exhibited, enforced and deliberated, this Assembly are of opinion the said Isaiah Tuttle is guilty, as charged against him. And, as a lasting testimony against such like misbehaviour so derogatory to the honour and character of a minister of justice as well as disquieting to the public tranquility: It is thereupon considered, and this Assembly against him the said Isaiah Tuttle doth resolve and decree, that his said justice's commission and all the powers and authority thereby to him derived be and become altogether null and void, and that he, said justice Tuttle, of and from all further exercise of said office in virtue of his said commission be and

he hereby is incapacitated and prohibited. And further, that he pay and answer the cost of this prosecution, allowed to be £5 17s. 0d. lawful money.

[46] Deodate Davenport, captain of the seventh military company in the second regiment in this Colony, against Isaac How of New Haven, a lieutenant of said company, now exhibited his complaint, therein setting forth that said How had for many years and during the whole time of his being in said office greatly misbehaved therein by frequently speaking and practicing things tending to mutiny and disturbance, by refusing obedience to the orders of his superiors, as well as to bear due testimony against the disorders of his inferiors in said company, so as to bring contempt on military order and authority &c.: which said How being ordered to appear and answer accordingly now appeared and pleaded Not guilty, as at large on file. And now the evidence relative thereto exhibited by the attorney for the King as well as by council in behalf of said Isaac How being fully heard and enforced, this Assembly are of opinion said How is guilty as alledged against him. And on solemn deliberation thereof had and of the perilous and evil tendency and consequence of such offences to the public peace and safety, and that due testimony be born against the same: It is thereupon considered, and this Assembly him, the said Isaac How, doth sentence and against him resolve and decree, that his said lieutenant's commission be vacated, and the same hereby is made and declared to be null and void; and he, the said Isaac How, is hereby cashiered from his said office and discharged of all further military command in said company and rendered, and hereby declared to be, forever hereafter incapable of any military commission, authority or command within this Colony; and also, that he pay and answer the full cost and charge of this prosecution, allowed to be £5 14s. 0d. lawful money. *Ex. granted March 23, 1758.*

This Assembly do appoint Major John Hubbard to be Lieutenant-Colonel of the 2d regiment in this Colony.

This Assembly do appoint Lieutenant-Colonel John Read to be Colonel of the 4th regiment in this Colony.

This Assembly do appoint Major Robert Walker to be Lieutenant-Colonel of the 4th regiment in this Colony.

This Assembly do appoint Captain James Smedly to be Major of the 4th regiment in this Colony.

This Assembly do appoint Lieutenant-Colonel Timothy Stone to be Colonel of the 7th regiment in this Colony.

This Assembly do appoint Major Aaron Elliott to be Lieutenant-Colonel of the 7th regiment in this Colony.

This Assembly do appoint Captain Jedidiah Chapman to be Major of the 7th regiment in this Colony.

This Assembly do appoint Mr. Joseph Spencer to be Major of the 12th regiment in this Colony.

This Assembly do establish Mr. Joseph Buckingham to be Captain of the 1st company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. John Shipman to be Lieutenant of the 1st company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Joshua Bushnell jun<sup>r</sup>. to be Ensign of the 1st company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Elnathan Judson to be Captain of the troop of horse in the 13th regiment in this Colony.

This Assembly do establish Mr. Zadoek Nobles to be Lieutenant of the troop of horse in the 13th regiment in this Colony.

[47] This Assembly do establish Mr. James Kesson to be Cornet of the troop of horse in the 13th regiment in this Colony.

This Assembly do establish Mr. Caleb Mallery to be Quarter-Master of the troop of horse in the 13th regiment in this Colony.

This Assembly do establish Mr. Amos Camp to be Lieutenant of the company or trainband in the parish of Miridan in the town of Wallingford.

This Assembly do establish Mr. Nash Yale to be Ensign of the company or trainband in the parish of Miridan in the town of Wallingford.

This Assembly do establish Mr. Ebenezer Banks to be Captain of the company or trainband in the parish of Greenfield.

This Assembly do establish Mr. Joseph Squire to be Captain of the first company or trainband in the town of Fairfield.

This Assembly do establish Mr. Abraham Gold to be Ensign of the 1st company or trainband in the town of Fairfield.

This Assembly do establish Mr. Benjamin Pierce to be Captain of the 5th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Ephraim Woodward to be Ensign of the 5th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Ichabod Wheeler to be Lieutenant of the first company or trainband in the town of Fairfield.

This Assembly do establish Mr. Thaddeus Cook to be Lieutenant of the troop of horse in the 10th regiment in this Colony.

This Assembly do establish Mr. Benjamin Kent to be Captain of the north company or trainband in the first society in the town of Suffield.

This Assembly do establish Mr. Elias Bates to be Ensign of the west company or trainband in the parish of Reading.

This Assembly do establish Mr. Daniel Comstock jun<sup>r</sup>. to be Lieutenant of the first company or trainband in the town of Kent.

This Assembly do establish Mr. Jethro Hatch to be Ensign of the first company or trainband in the town of Kent.

This Assembly do establish Mr. Charles Webb to be Lieutenant of the 2d company or trainband in the town of Stanford.

This Assembly do establish Mr. Murmoth Lounsbury to be Ensign of the 2d company or trainband in the town of Stanford.

This Assembly do establish Mr. David Hough to be Lieutenant of the 6th company or trainband in the town of Norwich.

This Assembly do establish Mr. Isaac Huntington jun<sup>r</sup>. to be Ensign of the 6th company or trainband in the town of Norwich.

This Assembly do establish Mr. Jasper Latham to be Captain of the 5th company or trainband in the town of Groton.

This Assembly do establish Mr. Elisha Smith to be Lieutenant of the 5th company or trainband in the town of Groton.

This Assembly do establish Mr. Josiah Olcott to be Captain of the 6th company or trainband in the town of Hartford.

This Assembly do establish Mr. John Thatcher to be Lieutenant of the 6th company or trainband in the town of Hartford.

This Assembly do establish Mr. Solomon Gilman to be Ensign of the 6th company or trainband in the town of Hartford.

This Assembly do establish Mr. Joshua Jewell to be Ensign of the first company or trainband in the town of Salisbury.

This Assembly do establish Mr. Samuel Munson to be Lieutenant of the 5th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Dan Ives to be Ensign of the 12th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Nathaniel Peck jun<sup>r</sup>. to be

Captain of the eastermost company or trainband in the town of Greenwich.

[48] This Assembly do establish Mr. Miles Merwin to be Cornet of the troop of horse in the 10th regiment in this Colony.

This Assembly do establish Mr. Levi Crocker to be Ensign of the company or trainband in the town of Cornwall.

This Assembly do establish Mr. Joseph Burton to be Captain of the company or trainband in the parish of North Stratford.

This Assembly do establish Mr. John French to be Lieutenant of the company or trainband in the parish of North Stratford.

This Assembly do establish Mr. Abraham Brinsmade to be Ensign of the company or trainband in the parish of North Stratford.

This Assembly do establish Mr. John Starr to be Captain of the 2d company or trainband in the town of Danbury.

This Assembly do establish Mr. Samuel Fairbanks to be Lieutenant of the 18th company or trainband in the 11th regiment in this Colony.

This Assembly do appoint Mr. Benjamin Morris to be Ensign of the 18th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Noah Grant to be Captain of the 4th company or trainband in the town of Stonington in the 8th regiment in this Colony.

This Assembly do establish Mr. John Randall jun<sup>r</sup>, to be Ensign of the 3d company or trainband in the town of Stonington.

This Assembly do establish Mr. Stephen Noble to be Lieutenant of the company or trainband in the parish of New Preston.

This Assembly do establish Mr. Joseph Cary to be Ensign of the company or trainband in the parish of New Preston.

This Assembly do establish Mr. John Safford to be Captain of the south-east company or trainband in the parish of Newent in the town of Norwich.

This Assembly do establish Mr. Ezra Lothrop to be Lieutenant of the south-east company or trainband in the parish of Newent in the town of Norwich.

This Assembly do establish Mr. Elisha Lothrop to be Ensign of the south-east company or trainband in the parish of Newent in the town of Norwich.

This Assembly do establish Mr. Asaph Smith to be Ensign



of the 5th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Elisha White to be Captain of the troop of horse in the 7th regiment in this Colony.

This Assembly do establish Mr. Hiel Buel to be Lieutenant of the troop of horse in the 7th regiment in this Colony.

This Assembly do establish Mr. John Waterhouse to be Cornet of the troop of horse in the 7th regiment in this Colony.

This Assembly do establish Mr. Jabez Sherwood to be Captain of the west company or trainband in the town of Greenwich.

This Assembly do establish Mr. John Mead to be Lieutenant of the west company or trainband in the town of Greenwich.

Whereas this Assembly in May last, at their sessions at Hartford, did appoint Andrew Burr, Esq<sup>r</sup>, and he was directed to enquire into the injurious treatment said to be committed by Phincas Cook of Wallingford against Robert Crombell, a young man in his care, (which has been prejudicial to this government;) and whereas he has caused said Crombell to be examined and taken only one other evidence and has reported to this Assembly that sundry persons that were eye-witnesses to the facts complained of are now at sea and not to be had; and whereas on the examination of said Crombell, if true what he on his examination hath declared, that said Cook has very injuriously treated the said Crombell: And therefore, it is resolved by this Assembly, that Thomas Seymour, Esq<sup>r</sup>, of Hartford, be authorized and directed to [49] cause said Cook to be apprehended, || and him have before this Assembly at their sessions in May next, and use proper means to take such evidences as referred to in said report and other evidences as he shall think proper, and cause said Cook to be indicted for such injurious treatment as he shall suppose him to be guilty of.

On the petition of Ebenezer Fitch of Wallingford, *vs.* John Fitch of Windham, shewing to this Assembly that said John obtained a note of twenty-seven pounds ten shillings in May last of said Ebenezer, on condition of delivering up a note of £14 18s. 0d. given by said Ebenezer to one Samuel Towsley of Salisbury and an order drawn on said Ebenezer by one Eleazer Fitch of said Windham, and that said John never discharged said sums on account of said Ebenezer but collu-

sively evaded the same, as per petition on file appears: Resolved by this Assembly, that the said Ebenezer Fitch shall recover of said John Fitch the sum of twenty-seven pounds ten shillings lawful money, the sum in said note, and also the sum of £8 19s. 5d. like money for damages sustained and cost expended in said affair and controversy mentioned in said petition, and that execution go forth accordingly. *Ex. granted Nov. 3d, 1757.*

Upon the petition of Ozias Goodwin jun<sup>r</sup>, of Hartford, representing that he brought his action against Daniel Pratt of Glassenbury, by the name of Daniel Pratt of said Hartford, to the county court held at said Hartford in November 1756, setting forth that the defendant on the 29th of October 1755 owed to the plaintiff by book the sum of one hundred and seventy-three pounds old tenor bills, for sundry goods &c, and promised to pay said sum to the plaintiff when thereto required, demanding damages twenty pounds lawful money; that said action came to a final trial by the jury at the superior court held at said Hartford in September last, on the issue whether or no the defendant did promise and assume as set forth in the declaration; that the jury after consideration brought in a verdict in favour of the defendant: complaining that the jury erred and misjudged, and praying for a new tryal, for the reasons in said petition assigned &c.: Resolved by this Assembly, that the petitioner have liberty, and liberty is hereby granted him, to have a new tryal of said action at the superior court to be held at Hartford in March next, and that the whole cost follow the final judgment.

Upon the petition of John Storer of New Haven, against Timothy Allen of said New Haven, representing to this Assembly that in 1753 he, the petitioner, set up a certain snow of about 143 tons and did good part of the carpentry work thereof, and then made and executed thereof a bill of sale to said Allen for security for the sum of seven hundred pounds old tenor, which had been advanced by one Thompson towards the building of said snow and afterwards assigned over to said Allen, and also for securing certain other sums then agreed to be advanced by said Allen for the purpose aforesaid, and that he hath proceeded and finished said snow and therein expended large sums of money and much labour, expecting to sell said snow and thereby refund the said Allen the sums by him thereon advanced, but the said Allen hath altogether refused to suffer him, said Storer, to sell said snow or to reconvey the same, but hath disposed of said snow for

a large sum to one John Eliot of New Haven; praying for relief in the premises, and that commissioners be appointed to examine into said affair &c., as by the petition on file appears: Resolved by this Assembly, that Thomas Wells, Esqr, Col. Christopher Avery and Capt. Elisha Sheldon be, and they are hereby, appointed a committee to examine and enquire into the cause which the petitioner sets forth and concerning which he hath complained in his petition, and make report of what they shall find in the premises, with their opinion of what may be just and equitable to be done therein, to the General Assembly in their present sessions.

[50] Upon the petition of John Dennison, of Stonington in the county of New London, against James Griffin, of Boston in the county of Suffolk and Province of the Massachusetts Bay, complaining of the judgment of the superior court held in Norwich in and for the county of New London on the fourth Tuesday of March last, upon the special verdict of the jury in a case in said court had by the said Griffin against the petitioner on book-debt demanding £376 13s. 3¼d., alleging that said judgment was erroneous, praying that said judgment be set aside, made null and void, and that he might have another trial of said case: as by the petition on file may appear: Resolved by this Assembly, that said judgment is erroneous, and that the same be reversed and made null and void, and the same is hereby reversed. And liberty is hereby granted to the petitioner of another tryal of said case before the superior court to be held at Norwich in and for the county of New London on the fourth Tuesday of March next.

Upon the petition of Thomas Minor, of New London in the county of New London, against Samuel Wescote, a minor, and his guardian Bette Wescote, both of said New London, representing to this Assembly that he, the said Thomas, borrowed and took upon loan one thousand pounds old tenor of Andrew Waterhouse, of Lyme in said county, one of the executors of the last will and testament of Samuel Wescote late of said New London, deceased, and for securing the payment thereof made his deed of mortgage to and in the name of Samuel Wescote, an infant son of the said deceased Samuel, the same monies so borrowed belonging to the estate of the said deceased Samuel and by his last will and testament given to his wife Bette to use for the term of fourteen years and after the expiration of said term to her and the children of the said deceased, *viz*: his three daughters and his said son Samuel, which deed is dated the 30th day of May A.D. 1752, and is expressive that the grant therein was

made upon the consideration of one thousand pounds old tenor bills of public credit paid to the petitioner by the said Andrew Waterhouse, and that the petitioner, the said Thomas Minor, conveyed to the said Samuel Wescote, said infant son of the said deceased Samuel, a certain tract or parcel of land lying situate within the township of New London aforesaid, containing forty-five acres, with a mansion-house thereon standing, which land is butted and bounded easterly with a highway that runs through the common field, northerly by land belonging to the heirs of Thomas Leach, deceased, westerly with land lately belonging to Benjamin Swetland, deceased, and southerly with the country road to Nehantick, as the same is now within fence; as also one other piece of land adjoining westerly upon the same highway that the first-mentioned piece of land adjoins easterly upon, and contains about thirty-five acres, be the same more or less, and bounds northerly with land belonging to Capt. Daniel Coit, and easterly upon land laid out to the heirs of Nathaniel Chappel, deceased, and southerly with the aforesaid country road to Nehantick, together with the privileges and appurtenances thereof, thereon or thereto belonging; to have and to hold the said granted premises, with all and singular the appurtenances, unto the said Samuel Wescote, his heirs and assigns forever, with proper covenants of seizin and warrantee in said deed: which deed was conditioned that in case the said Thomas Minor, his heirs, executors or administrators, should well and truly pay unto the said Samuel Wescote, his heirs, executors or administrators, the full sum of one thousand pounds old tenor bills of public credit that shall be equivalent [51] to or that will purchase two hundred and ninety-eight ounces and a half troy weight of silver, sterling alloy, at or before the 30th day of May 1756, then the abovesaid deed of bargain and sale should cease, determine, be null and void, but upon default thereof to stand, abide and be, remain in full force, power and virtue, to all intents and constructions in the law; and also representing that at the giving and making said deed the said Waterhouse and the said Thomas Minor agreed that the said deed should be lodged with Daniel Coit, Esqr, the town-clerk of said New London, and that the same should lye in his hands unrecorded, and that the said Bette who was to take the benefit of said mortgage also agreed that the said deed should lye unrecorded as aforesaid; and that the same deed, contrary to said agreement, is put on record and a suit at law depending in the county court of New London county in the name of the said infant Samuel by his guardian the said Bette against the said Thomas for the sur-

rendry of said mortgaged premises, whereby he, the said Thomas, is exposed to have his land and messuage taken from him for much less than the value thereof and contrary to the agreement of the parties, when he had faithfully paid the interest of said monies borrowed till the year in which said suit was commenced; praying for the interposition of this Assembly and that thereby he may have relief, and that the said Bette Wescote be authorized and ordered to make and execute a release of said mortgaged premises as she is guardian as aforesaid, as appears by the petition on file: All which matters and facts appearing to this Assembly, it is thereupon by this Assembly enacted, decreed and ordered, that upon the said Thomas Minor, his heirs, executors or administrators paying to the said Bette Wescote 323½ ounces of silver troy weight sterling alloy, it being the sum due on said mortgage, with the interest thereof from this time, and also twenty-four shillings and four pence lawful money, being the cost of said law suit, any time within one year from the rising of this Assembly, the said deed of mortgage shall be null and void, and that the said Bette Wescote, as she is guardian to the said Samuel, a minor, shall make and execute to the said Thomas Minor a deed in writing under her hand in her capacity as guardian to the said Samuel Wescote, expressive of her receiving the same upon the account of and in full payment and satisfaction of the duty of said mortgage, and shall acknowledge the same; which being put upon record in the office of the town-clerk of said New London, the said deed so given by said Bette or a copy thereof shall be evidence of the satisfaction of the duty of said mortgage and for the defeasance thereof.

Upon the petition of Benjamin Spaulding jun<sup>r</sup>, of Plainfield in the county of Windham, representing that he brought his action against Isaac Goff of Symsbury to the county court held at Hartford in the county of Hartford on the second Tuesday of April 1757, therein setting forth that the said Isaac in and by a certain bond by him well executed, dated the 20th of May 1757, bound himself to pay to the petitioner four hundred pounds in bills of credit demanding fifty pounds lawful money; that the said Isaac pleaded thereto that said bond was not his act and deed, and that said plea being only signed by council the petitioner for the same reason demurred to said plea, and that the said parties being heard thereon before the adjourned county court held at said Hartford in July last the said court were of opinion that said plea was sufficient, and accordingly rendered judg-

ment and awarded cost to the defendant; that the petitioner in demurring as aforesaid missed his plea &c.; praying for liberty of a new tryal and to alter his plea &c.: It is therefore resolved by this Assembly, that the petitioner shall have liberty of another tryal in said action by way of review at the county court to be held at Hartford in the county of Hartford on the first Tuesday of November next, and there to alter his plea; and in case the petitioner shall obtain, the future cost only shall follow the final judgment.

Upon the petition of Andrew McKenzie of New London, against Margaret Pollard of Boston, executrix to the last will and testament of Benjamin Pollard deceased, complaining of error in a judgment of the superior court held at Norwich in March last, rendered in favour of said Margaret against said Andrew McKenzie: Resolved by this Assembly, that the consideration of said petition be referred, and said petition is hereby continued to the session of this Assembly in May next; and that execution on said judgment be stayed until that time.

[52] On the petition of David Bracket of Wallingford, *versus* William Hough of Wallingford and John Fitch of Windham, therein shewing that an execution was taken out in favour of one Francis Green of said Wallingford against David Bracket and Elisha Bracket of said Wallingford, on a judgment rendered by the superior court at their adjourned sessions in New Haven in June 1753, and after said judgment was rendered said Green did discharge said David and Elisha Bracket from all suits, actions, causes of actions, judgments, executions, trespasses, dues and demands of what nature soever, and from all suits in law and recoveries from the beginning of the world to the day of the date thereof, which was executed on the 21st day of August A.D. 1753; that soon after an execution, dated September 1st, 1753, in favour of said Francis Green against said David Bracket and Elisha Bracket for the sum of five hundred pounds proclamation money for damages, and £3 5s. 9d. like money for cost, was by the procurement of said William Hough and John Fitch levied on the real estate of said David Bracket situate in Wallingford aforesaid in New Haven county, *viz*: two pieces of land, the one containing a dwelling-house, barn and orchard and about fifty-three acres of land, bounds west on highway, southerly on land belonging to the heirs of Isaac Bracket deceased, and every other way as described in the deed of John Bracket junr to said David Bracket; the other piece containing seven acres and one hundred and five rods bounds west on highway,

south and east on the first described piece, and north on the other land belonging to said David, and to extend in equal width as far north as to make up said quantity; and caused to be returned to the clerk of the superior court and there recorded; which execution was levied on the 15th day of October 1753: and that sometime after said Hough and said Fitch collusively obtained a deed of said described land and premises from said Green to said William Hough and John Fitch in due form of law executed, which bears date February the 8th A.D. 1754; praying for relief, as per his petition on file appears: Resolved by this Assembly, that the execution issued in favour of said Francis Green against David and Elisha Bracket of Wallingford aforesaid, on a judgment of the superior court in June 1753 abovementioned, which execution bears date September 1st, 1753, and all the doings thereon, be and hereby is reversed and made void, and that the said deed, bearing date February 8th 1754 above referred to, made by said Francis Green to said William Hough and said John Fitch, be and hereby is vacated and prohibited forever hereafter being given in evidence or any copy or exemplification thereof in any court; and that the said David Bracket shall recover of the said William Hough and said John Fitch eight pounds five pence lawful money and the cost of this petition, and that execution go forth for said sums accordingly. *Cost allowed petitioner is £5 4s. 5d. lawful money. Ex. granted Nov. 3d, 1757.*

On the memorial of Daniel Bradly, Israel Sperry, Joel Munson and others, inhabitants of the first society in New Haven living in the north part thereof, praying that they may be formed into a distinct ecclesiastical society, as by their memorial on file: Resolved by this Assembly, that the inhabitants and persons living within the limits and bounds following, *viz*: Beginning at the southeast corner at the mouth of Shepards Brook, so called, where said brook falls into the Mill River, thence running westward a parallel line with the line on the south side of the Half Division, so called, unto the east line of the parish of Amity, thence northward in said line to Wallingford bounds, and to extend northward from the first-mentioned bounds by said river being the west side line of North Haven parish bounds until it comes to the south side of James Ives's farm, thence east in the south line of said farm unto the highway that runs north and south, and thence north by said highway unto Ithamar Todds farm including said farm within the limits of said parish, and thence to the Blue Hills, so called, and thence easterly in

[53] the line || of said North Haven bounds until it comes to said Wallingford bounds, and thence westerly in the north side line of said New Haven bounds unto said Amity line be, and hereby are, made a distinct ecclesiastical society with all the powers, priviledges and immunities that other distinct ecclesiastical societies in this Colony already established by law have, and that the same shall hereafter be called and known by the name of Mount Carmel.

Upon the memorial of Daniel Porter, of Stratford in the county of Fairfield, overseer and conservator of Margaret Curtis of said Stratford, an idiot and impotent person, and her estate, representing to this Assembly that there has been expended for the maintenance of the said Margaret from the first day of September 1745 until the first day of February 1757, the sum of forty-four pounds fifteen shillings lawful money more than the profits and income of the said Margarets estate; praying that so much of the real estate of the said Margaret may be sold as will answer said sum with incident charges, as appears by the memorial on file: Resolved by this Assembly, that so much of the lands and real estate of the said Margaret Curtis be sold as will be sufficient to answer the said sum of forty-four pounds fifteen shillings lawful money with the incident charges, and that the money raised by such sale be used and applied for answering said expences for said maintenance and incident charges, and that the memorialist make sale and disposition of said land and make deed or deeds accordingly.

Upon the memorial of Isaac Chalker of Glassenbury, shewing to this Assembly that he is in debt to the Governor and Company of this Colony for money received by order of this Assembly, part of the sum received as abovesaid being paid, and Capt. Thomas Seymour, as agent to the Governor and Company, put the bond given for the said sum borrowed in suit and recovered judgment thereon in favour of the Governor and Company before the adjourned county court holden at Hartford on the first Tuesday of July last, and shewing that he is unable to pay and satisfy said judgment, and praying that this Assembly would give to him the whole or part of said debt, or order a delay of said execution &c.: Resolved by this Assembly, that execution on said judgment be stayed and suspended until the first day of April next, and that upon the memorialists paying by that time the sum of thirty-two pounds lawful money the remaining part of the principal sum of the bond to the said agent who put the same in suit, with the cost thereon arisen, the said agent shall



fully discharge the aforesaid judgment against the memorialist.

Upon the memorial of Timothy Peck jun<sup>r</sup> of New Haven, Elijah Thomas of Colechester, and William Bishop of New London, shewing to this Assembly that they being in the governments service in the army in the year last past in their way home were arrested by one William Rogers on an action charging them with being instrumental in firing a certain house in the county of Albany belonging to said Rogers, and are now holden to trial in the Province of New York on said action; further representing and alledging their innocence of the fact charged upon them, and that by reason of their poverty they are unable to furnish themselves with the necessary evidences to evince their innocency &c.; praying this Assembly to grant them a sum out of the public treasury to enable them to make their defence in said suit &c. as by the memorial on file: Resolved by this Assembly, that the memorialists have liberty to take and receive out of the public treasury of this Colony the sum of six pounds thirteen shillings and fourpence lawful money each, to help them in the matter above mentioned; and the Treasurer of this Colony is hereby directed to pay the same accordingly.

[54] Upon the memorial of Joseph Beckley, Joseph Deming, Ezekiel Kelsey and the rest of the inhabitants of that part of the town of Weathersfield which is annexed to the parish of Kinsington, with some other inhabitants of said Weathersfield, representing to this Assembly that they are so situated that they can have but little advantage by the school kept in said parish; that they have a sufficient number of children for a school among themselves, and that that part of Kensington with which the memorialists have been joyned in maintaining a school are willing they should be released from any future cost in maintaining said school &c.; praying for liberty to keep a distinct school by themselves: Resolved by this Assembly, that the inhabitants of that part of the town of Weathersfield which is annexed to the parish of Kinsington together with such others as now do or hereafter may dwell within the following limits, *viz*: a line drawn east from the northeast corner of Beckleys farm three quarters of a mile and a line drawn south from the east end of said line to the line dividing between Weathersfield and Middleton and the lines of that part of said Kensington annexed as aforesaid be, and they hereby are, made a distinct district by themselves for the purposes of erecting, regulating and supporting a school. And this Assembly order and enact, that the memo-

rialists &c. as above limited and described be invested, and they are hereby invested, with the same power and authority to call their first meeting, and being at any time legally met and assembled together to act, vote, order and do any and everything relating to the erecting, regulating, maintaining and supporting a school in said district as towns and parishes within this Colony by law have and are enabled to do.

Upon the memorial of John Cable and others, inhabitants in the northern part of Greenfield Parish in the town of Fairfield, representing that they live near to the parish of Northfield and remote from the meeting-house in Greenfield &c.: praying to have a small tract of land including the memorialists and some others annexed to said parish or society of Northfield, said small piece or tract of land being described and bounded as follows, *viz*: beginning at the southeast corner of the said society of Northfield by Aspetuck River, thence northeastly by said river to the west side of the mile of commons, thence following that course to Reading parish line, thence westerly by said Reading parish line to the northeast bounds of said society of Northfield, said tract being about one hundred and sixteen rods and fourteen feet wide from east to west and bounds westerly on said parish of Northfield, as by said memorial may more fully appear: Resolved by this Assembly, that said above-described tract of land be annexed and the same is hereby annexed to and made part of the said society of Northfield. Provided nevertheless, and it is hereby ordered and resolved, that the several persons living on said annexed piece of land shall be holden to pay and shall be liable to be taxed with the inhabitants of said Greenfield as heretofore for the payment of all such sums as are due from said society of Greenfield to Mr. Goodsell their late minister upon the contract or agreement made by said society with said Mr. Goodsell respecting his maintenance; anything in this act contained notwithstanding.

Upon the memorial of Lucy Dayton of New Haven, administratrix on the estate of Israel Dayton late of said New Haven, deceased, representing that the debts due from said estate surmount the moveables the sum of seven pounds fifteen shillings and one penny lawful money; praying for liberty to sell so much of the real estate of said deceased as shall enable her to pay said sum &c., as by the memorial on file: Resolved by this Assembly, that the memorialist have liberty to have so much of the real estate of said deceased sold as shall enable her to pay said sum of £7 15s. 1d. with incident charges. And this Court doth appoint and empower Ebenezer

Blachley, of said New Haven, to make sale of the same and execute deed or deeds accordingly: the advice and direction of the court of probate in the district of New Haven to be taken therein.

On the memorial of Mary Hurlburt of Symsbury, administratrix on the estate of Nathaniel Hurlburt late of Symsbury, deceased, shewing to this Assembly that the debts paid, ex-[55] hibited and allowed by the court of probate || for the district of Hartford surmount the moveable estate of the deceased the sum of £55 16s. 7½*d.*, praying for liberty that so much of the real estate of said deceased may be sold as to makè said sum with the incident charges thereon arising: Resolved by this Assembly, that John Humphry, Esqr, of Symsbury, with the memorialist have liberty, and liberty is hereby granted to them, to sell so much of the real estate of said deceased as to make the sum of £55 16s. 7½*d.* with the incident charges thereon arising; taking the advice of the court of probate for the district of Hartford therein.

Whereas at the General Assembly held at Hartford in May last, upon the memorial of Richard Ranny, of Newtown in the county of Fairfield, praying for a committee to be appointed to enquire into the title and circumstances of certain Indian lands in Middleton wherein the said memorialist claims to have a part, in order that such his part and proportion might be made out and ascertained to him, John Chester and Thomas Wells, Esqrs, were appointed a committee to enquire into and concerning the matters and things requested in said memorial, as by said memorial and act of Assembly appears; and whereas said committee have been unavoidably prevented attending said business: Resolved by this Assembly, that the said John Chester and Thomas Wells, Esqrs, be and they are hereby reappointed a committee to enquire into and concerning the matters and things set forth and requested in said memorial, and make report of what they shall find with their opinion thereon to the General Assembly of this Colony to be holden at Hartford in May next.

Upon the memorial of Samuel Phelps of Windsor, administrator upon the estate of Samuel Phelps late of Windsor, deceased, representing to this Assembly that the debts of the said deceased surmount the moveable estate of the said deceased the sum of £30 10s. 10¾*d.* lawful money; praying for liberty to sell so much of the real estate of the deceased to the amount of said sum for the payment of said debts and the incident charges arising thereon; as per memorial on file: Resolved by this Assembly, that the memorialist have liberty,

and liberty is hereby granted to the memorialist, to sell so much of the real estate of the said deceased as to make said sum of £30 10s. 10 $\frac{3}{4}$ d. and the incident charges arising thereon: the memorialist taking the direction of the court of probates in the district of Hartford thereon.

Upon the memorial of Ebenezer Knap, of Norfolk in the county of Litchfield, shewing to this Assembly that his dwelling-house and everything therein was consumed by fire, and also shews that he had burnt in said house a deed of one fifty-third part of the township of said Norfolk, well executed by Benjamin Hall, Jabez Hamlin and Elihu Chauncey, Esq<sup>rs</sup>, a committee especially appointed to make sale of said township, which deed was never recorded; and further, he had burnt at the same time two thirty-shilling bills, a twenty shilling, one ten shilling, two of two-and-six-pence, and one nine-pence, all of August emission; praying this Assembly to enact, decree and appoint the aforesaid Benjamin Hall, Jabez Hamlin and Elihu Chauncey, Esq<sup>rs</sup>, to make and execute a deed unto the said Ebenezer Knap, conveying the  $\frac{53}{100}$  part of said township to him as the deed burnt did; and also to enact &c. that the said Ebenezer Knap have liberty of drawing the same sum out of the Colony treasury as the said bills did amount to &c.: Resolved by this Assembly, that the said Benjamin Hall, Jabez Hamlin and Elihu Chauncey, Esq<sup>rs</sup>, be appointed a committee and they are hereby impowered, to [56] make and execute a good and authentick deed of one || fifty-third part of said township of Norfolk unto the said Ebenezer Knap; and also that the said Ebenezer Knap have liberty, and he is impowered, to take and receive out of the Colony treasury the like bills aforesaid, and the Treasurer for the time being is hereby ordered to pay the same.

On the memorial of Elihu Hall of Wallingford, shewing this Assembly that he was a purchaser of some land lying west of Ousatunick River, and that some persons had entered on said land, and that he had taken no benefit of or recorded said deed, and that the bond given for the payment thereof was now in suit; praying for relief, as per his memorial on file: Resolved by this Assembly, that the suit on the said bond given by said Elihu Hall with surety conditioned for the payment of about £316 0s. 0d., now pending in the county court in New Haven, shall be stayed and cease, the said Hall paying the lawful cost already arisen; and that the time of payment of said bond be postponed for the space of two years from the rising of this Assembly and the lawful interest to be paid on said bond accordingly; and the Colony agent in

whose hand said bond is deposited is directed to conform hereunto.

Upon the memorial of the inhabitants of the parish of East Greenwich in the town of Kent, praying to have a land-tax on the unimproved lands in said parish belonging to non-resident proprietors, to help support the ministry in said society &c., as by a memorial on file: Resolved by this Assembly, that the memorialists have liberty to levy and collect according to law a rate or tax of one penny lawful money per acre of the proprietors and owners of all the unimproved lands in said society, to be continued for the space and term of three years, to be improved and applied for the purpose abovesaid; and that Mr. Jonathan Sacket jun<sup>r</sup>, of said parish of East Greenwich, be a collector to levy and collect said rate or tax, who is hereby vested with the like power and authority as other town or society collectors by law have.

Upon the memorial of Joseph Murray, Joseph Smith and others, committee for building and finishing a meeting-house for divine worship in the parish of Newbury, shewing to this Assembly that said parish have proceeded to raise money by taxing the inhabitants to set up and cover said house, and praying that a tax may be granted on the uninclosed lands lying in said parish, to enable said memorialists to finish said house: This Assembly grants a tax of one penny per acre on all the uninclosed lands lying within said parish for the space of four years next coming, (exclusive of the lands belonging to the professors of the Church of England,) to be collected and paid into the said committee by the first day of October annually, and by said committee improved towards the finishing said meeting-house. And this Assembly do appoint Joseph Gun jun<sup>r</sup>, of Newtown, to collect said tax, who is hereby fully impowered by warrant from any one Assistant or justice of the peace to collect the same, who shall be accountable to the said committee therefor in the same manner that other collectors of rates in this Colony by law are.

Upon the memorial of Abraham Brooks of Haddam, administrator of the estate of Ezekiel Bayley late of said Haddam, deceased, shewing to this Assembly that the debts due from said estate surmount the moveable estate the sum of eleven pounds and eight pence lawful money, and praying that so much of the lands of the said deceased may be sold as to raise the said sum &c.: Resolved by this Assembly, that the said administrator have liberty, and that he is hereby appointed and impowered, to sell so much of the lands of the

said deceased as to raise the sum of eleven pounds and eight pence lawful money with the incident charges arising on the sale thereof; taking the advice of the court of probate in the district of Middleton on the sale thereof.

[57] On the memorial of Jane Richards, of Goshen in Litchfield county, administratrix on the estate of Daniel Richards late of said Goshen, deceast, shewing that additional debts due from the estate of the said deceast, with cost allowed the said administratrix and allowance made of necessaries to the widow, surmount both the inventoried personal estate of the said deceast, and also a former allowance of this Assembly to sell part of the real estate of the said deceast for the payment of debts due from the said estate the sum of £21 15s. 11d. lawful money; praying this Assembly that she may, with the assistance of some meet person, have liberty and be appointed to sell so much of the real estate of the said deceast as shall be sufficient for the payment of the said sum with incident charges arising on said sale: Resolved by this Assembly, that the said administratrix with the assistance of Mr. Samuel Nash of said Goshen be allowed, and they are directed and impowered, to sell so much of the real estate of the said deceased as shall amount to the said sum and the incident charges arising on the sale thereof; taking the advice and directions of the court of probate in the district of Litchfield therein.

Upon the memorial of Elijah Hawley and Thomas Hawley, administrators on the estate of Nathan Hawley late of Ridgfield, deceased, shewing to this Assembly that the debts due from said estate surmount the personal estate the sum of seventy-four pounds and one penny lawful money, and praying this Assembly to impower them to sell so much of the lands of said estate as shall be sufficient to procure said sum with the incident charges arising thereon: This Assembly grants liberty to said memorialists, and they are hereby impowered, to make sale of so much of the real estate of said deceased as shall procure the said sum of seventy-four pounds and one penny lawful money with the incident charges arising by said sale; taking the direction of the court of probates for the district of Danbury therein.

Upon the memorial of Martha Weed, late Martha Hoit, administratrix on the estate of Samuel Hoit the 3d late of Stanford, deceast, shewing to this Assembly that there were more debts brought in against the estate of the said Samuel Hoit, amounting to the sum of £44 15s. 1d. lawful money, and praying to this Assembly for liberty to sell so much of

the real estate of the said deceast as will satisfy and answer for the sum aforesaid &c.: Resolved by this Assembly, that Mr. Abram Davenport of Stanford have power, and he is hereby impowered, to sell so much of the real estate of the said deceast as will answer and satisfy the sum of £44 15s. 1*d.* lawful money with the charges arising thereon; taking the direction of the court of probates in the district of Stanford therein.

Upon the memorial of Phineas Brainard of Haddam, shewing to this Assembly that he was required as constable of said town of Haddam to collect of said inhabitants 8*d.* on the pound on their list sent in to the Assembly in October last, together with the additions thereto, cast to be £12142 2s. 0*d.* when the true list of said town was no more than £11840 0s. 6*d.*, and shewing that their true list was £302 1s. 4*d.* less than that sent in as abovesaid, and praying that he may not be obliged to collect on the said sum of £302 1s. 4*d.* and that the same may be abated to said town: Resolved by this Assembly, that the said £302 1s. 4*d.* be and the same is abated to the said town, and that the memorialist shall not collect on the same.

Upon the memorial of Sarah Munrow of Ridgfield, administratrix on the estate of Amos Munrow late of Ridgfield, deceased, representing to this Assembly that the debts due from the estate of the said deceased surmount the moveable estate of the said deceased the sum of fourteen pounds five shillings and eleven pence lawful money; praying for liberty to make sale of so much of the real estate of the said deceased as will pay said debt &c.: Resolved by this Assembly, that Nehemiah Mead of Norwalk and the said Sarah Munrow have liberty, and they are hereby appointed, to make sale of so much of the real estate of the said Amos Munrow, deceased, as will pay the sum of £14 5s. 11*d.* lawful money with the necessary charges arising on the sale thereof; taking the advice of the court of probate for the district of Danbury thereon.

[58] Upon the memorial of Thomas Fellows and Sarah Fellows, administrators on the estate of William Fellows late of Canaan in the county of Litchfield, deceased, shewing to this Assembly that the debts due from said estate surmount the personal estate the sum of £164 1s. 3¼*d.* lawful money, and praying for liberty to sell so much of the lands of said deceased as shall be sufficient to procure said sum &c.: This Assembly doth grant and liberty is hereby granted to the said memorialists, to make sale of so much of the lands of the said de-

ceased as shall be sufficient to procure the said sum of one hundred sixty-four pounds one shilling and three pence and three farthings lawful money with the incident charges arising thereon ; taking the direction of the court of probates for the district of Sharon therein.

Upon the memorial of Samuel Darling of New Haven, conservator on the person and estate of Daniel Johnson of said New Haven, shewing to this Assembly that the dwelling-house of Daniel Johnson aforesaid is very much decayed, old and perishing very fast, also a small barn standing on about one acre of land, and praying liberty to sell the same, as by his memorial on file appears : Whereupon this Assembly grants liberty and hereby impowers said Darling to sell said house, land and appurtenances, and account for said sale with New Haven county court, and the charges arising on such sale.

Upon the memorial of Thomas Wilson of Killingly, and Jonathan Eastman of Woodstock, shewing to this Assembly that on the 15th day of June 1756, being ordered out with a scouting party under the command of Lieutenant Solomon Grant was captivated by a party of the enemy Indians about 12 miles to the westward of Hosack Fort, and from thence was carried to an Indian town about eight miles from Montreal, where they were kept 13 months and underwent great fatigues and hardships, as well as the loss of time &c., and praying to this Assembly for relief : Resolved by this Assembly, that the Treasurer of this Colony pay unto the said Thomas Wilson and Jonathan Eastman out of the treasury of said Colony the sum of ten pounds to each of them in bills of the last emission.

Upon the memorial of Zebadiah Coburn of Windham, shewing to this Assembly that on the 15th day of June, 1756, being ordered out with a scouting party under the command of Lieutenant Solomon Grant was captivated by a party of the enemy Indians about 12 miles to the westward of Hosack Fort, and from thence was carried to an Indian town about 8 miles from Montreal, where he was kept 13 months and underwent great fatigues and hardships, as well as the loss of his time &c., and praying to this Assembly for relief : Resolved by this Assembly, that the Treasurer of this Colony pay unto the said Zebadiah Coburn out of the treasury of said Colony the sum of ten pounds in bills of the late emission.

Upon the memorial of Sarah Walters, of Norwich in New London county, administratrix on the estate of James Walters



late of said Norwich, deceased, shewing to this Assembly that the debts and charges surmount the personal estate of the said deceased the sum of £27 7s. 6½*d.*, and praying that some suitable person may be authorized and impowered to sell so much of the real estate of the said deceased as to enable the said administratrix to pay the said sum of £27 7s. 6½*d.* and the incident charges arising on such sale: Resolved by this Assembly, that David Hough of said Norwich be and he is hereby authorized and impowered to sell so much of the real estate of the said deceased as will enable the said administratrix to pay the said sum of £27 7s. 6½*d.* and the incident charges arising on such sale; he taking the direction of the court of probates in the district of Norwich therein.

Upon the memorial of Henry Allyn of Windsor, administrator upon the estate of Edward Egglestone late of the same Windsor, deceased, representing to this Assembly that the [59] debts of the said deceased surmount the moveable || estate of the said deceased to the sum of £56 19s. 2*d.* lawful money; praying for liberty to sell so much of the real estate of the said deceased to the amount of said sum for the payment of said debts and the incident charges arising thereon, as per memorial on file: Resolved by this Assembly, that the memorialist have liberty and liberty is hereby granted to the memorialist, to sell so much of the real estate of the said deceased as to make said sum of £56 19s. 2*d.* and the incident charges arising thereon; the memorialist taking the direction of the court of probates in the district of Hartford therein.

On the memorial of Ebenezer Kelsey, of New Hartford in the district of Hartford, administrator on the estate of Sarah Kelsey late of said New Hartford, deceased, representing that the debts and charges due from the estate of the said deceased surmount the moveable estate of said deceased six pounds one penny lawful money; praying for liberty to make sale of so much of the real estate of the said deceased as will pay said debt &c.: Resolved by this Assembly, that the said Ebenezer Kelsey have liberty and it is hereby granted, that he may make sale of so much of the real estate of the said Sarah Kelsey, deceased, as will procure the sum of £6 0s. 1*d.* lawful money with charges arising on the sale thereof; taking the advice of the court of probate in the district of Hartford therein.

On the memorial of Jonathan Hills, Esq<sup>r</sup>, of Hartford, administrator on the estate of David Forbs late of said Hartford, deceased, representing that the debts and charges due from the estate of said deceased surmount the moveable estate of said

deceased forty-eight pounds seventeen shillings and six pence one half penny lawful money; praying for liberty to make sale of so much of the real estate of the said deceased as will pay said debt &c.: Resolved by this Assembly, that William Pitkin junr, Esqr, be appointed and he is hereby appointed, to make sale of so much of the real estate of the said David Forbs, deceased, as will procure the sum of £48 17s. 6½d. lawful money with charges arising on the sale thereof; taking the advice of the court of probates in the district of Hartford thereon.

Upon the memorial of Stephen Curtis and others, listers in and for the town of Woodbury, shewing to this Assembly that they as listers the year past assessed several persons fourfold for part of their estate left out of their list, viz: John Hurd, Obadiah Wheeler, Nathan Curtis and Samuel Castle, and application being made by them to the authority and selectmen for abatement but could not obtain any, and making application to other authority whereby said assessment was abated, and praying such assessment may not be abated to the said persons, the doings of said authority notwithstanding; as per memorial on file, dated May 12th 1757: Resolved by this Assembly, that the assessment laid on said John Hurd, Obadiah Wheeler, Nathan Curtis and Samuel Castle shall stand in force to all intents, notwithstanding the doings of the authority therein complained of; which doings are by this Assembly declared null and void.

Upon the memorial of James Smedly of Fairfield, administrator on the estate of Ebenezer Dimon late of said Fairfield, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the moveable estate the sum of £31 13s. 11d. and praying that some meet person be appointed and impowered to sell so much of the real estate of said deceased as will satisfy said sum with the charges arising on such sale: Resolved by this Assembly, that the said James Smedly be impowered, and he is hereby impowered, to sell so much of the real estate of the said Ebenezer Dimon, deceased, as shall make the aforesaid sum of £31 13s. 11d. with the incident charges arising on such sale; taking the direction of the court of probate in the district of Fairfield therein.

On the memorial of William Tanner of Cornwall, shewing to this Assembly that he had built a commodious bridge over Ousatunick River between Sharon and Cornwall, near Abraham Jacksons, on private subscriptions, which failed to his great detriment; praying for relief, as per his memorial on

file: Resolved by this Assembly, that said bridge be a toll-bridge, and that said William Tanner, his heirs or assigns, be [60] allowed to demand and receive for toll according || to the following rate, *viz*: man, horse and load, 2*d*; for a foot-man 1*d*.; each horse or neat cattle 1*d*. per head; for sheep, hog or goat, one farthing per head; for each waggon or ox-team and cart four pence; during the pleasure of this Assembly; and that all persons by law exempted from paying ferriage are hereby exempted from said toll accordingly; and that all persons who made and paid their subscriptions for that purpose shall be and hereby are discharged from paying said toll.

On the petition of Joseph Phelps junr, of Hebron in the county of Hartford, *vs.* Isaac Sawyer, of Hebron in the county aforesaid, as on file: The question was put, whether the pleas offered by the respondent in abatement of said petition are sufficient to abate the same: Resolved by this Assembly in the affirmative.

On the petition of Thomas Elmore and Joseph Rockwell, both of Windsor in the county of Hartford, *vs.* John Bannister, of Newport in the Colony of Rhode Island, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent is £1 11s. 9d. lawful money. Ex. granted Feb. 16, 1758.*

On the petition of Andrew McKenzie, of New London in the county of New London, *vs.* Philip Brown and Thomas Brown, both of the City of London in Great Britain, merchants in company, as on file: The question was put, whether that in rendering the judgment of the superior court referred to in said petition manifest error hath intervened as is alleged and complained of by the petitioner: Resolved by this Assembly in the negative.

*Ordered by this Assembly,* That the Treasurer attend this Assembly on Wednesday the 2d day of instant November, provided he can procure a sufficiency of bills for the payment of the charge of this Assembly.

This Assembly grants to his Honour the Governor, for his salary for the last half of the current year, the sum of sixty-six pounds, and the Treasurer is hereby ordered to pay the same accordingly.

This Assembly grants to his Honour the Deputy Governour, for his salary for the last half of the current year, the sum of

thirty-three pounds, and the Treasurer is hereby ordered to pay the same accordingly.

This Assembly grants to his Honour the Governour the sum of thirty pounds, for his extraordinary service since May last, and the Treasurer is hereby ordered to pay the same accordingly.

*Ordered by this Assembly,* That the Treasurer pay unto Mr. John Green, printer, the sum of twenty pounds nine shillings, for his first half years salary and to balance his account for a large book for records and printing eighty copies of an Act of Parliament.\*

This Assembly appoints John Chester, Thomas Wells, Roger Wolcott jun<sup>r</sup>, and Daniel Edwards, Esq<sup>rs</sup>, and Capt. Nathaniel Hooker and Col. Joseph Pitkin, to attend his Honour the Deputy Governor to hear the record of the acts and doings of this Assembly read off and see them signed by the Secretary as perfect and compleat.

GEORGE WYLLYS Secret'y.

[61] *Anno Regni Regis Georgii secundi trigesimo-primo.*

AT A GENERAL ASSEMBLY OF THE GOVERNOR AND COMPANY OF HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA HOLDEN AT NEW HAVEN (BY SPECIAL ORDER OF THE GOVERNOR OF SAID COLONY) ON WEDNESDAY THE 8TH DAY OF MARCH AND CONTINUED BY SEVERAL ADJOURNMENTS TILL THE 24TH DAY OF THE SAME MONTH, ANNOQUE DOMINI, 1758.

*Present :*

The Honourable Thomas Fitch, Esquire, <i>Governor.</i>		
Roger Newton,	John Chester,	} Esq <sup>rs</sup> , Assistants.
Ebenezer Silliman,	Thomas Wells,	
Jonathan Trumble,	Benjamin Hall,	
Hezekiah Huntington,	Phineas Lyman,	
Andrew Burr,	Jonathan Huntington,	

\* 30th Geo. ii, Cap. ix. An Act to prohibit for a limited Time the Exportation of Corn, Grain, Meal, Malt, Flour, Bread, Biscuit, Starch, Beef, Pork, Bacon, and other Victual (except Fish and Roots and Rice, to be exported to any Part of Europe Southward of Cape Finisterre) from his Majesty's Colonies and Plantations in America, unless to Great Britain or Ireland, or to some of the said Colonies and Plantations; and to permit the Importation of Corn and Flour into Great Britain and Ireland in Neutral Ships; and to allow the Exportation of Wheat, Barley, Oats, Meal and Flour, from Great Britain to the Isle of Man, for the Use of the Inhabitants there. fo. pp. 7.

Besides the above, John Green also printed for the Colony the election sermon of 1757, and the acts of May session 1757. The acts of Oct. 1757 and May 1758 were not printed.

*Representatives or Deputies of the several Towns hereafter mentioned who attended this Assembly, viz :*

- Capt. Nathaniel Hooker, Col. Joseph Pitkin, for Hartford.  
 Capt. Isaac Dickerman, Major John Hubbard, for New Haven.  
 Col. Stephen Lee, Mr. Joshua Raymond junr, for New London.  
 Mr. David Rowland, Mr. Lothrop Lewis, for Fairfield.  
 Capt. Jonathan Reed, Capt. Samuel Murdock, for Windham.  
 Capt. Elisha Sheldon, Col. Ebenezer Mash, for Litchfield.  
 Capt. Jabez Huntington, Capt. John Perkins, for Norwich.  
 Col. Shubael Conant, Mr. William Hall, for Mansfield.  
 Capt. Jedidiah Chapman, for Saybrook.  
 Col. David Whitney, Mr. James Beebe, for Canaan.  
 Mr. Samuel Kimberly, for Glassenbury.  
 Mr. Daniel Brainard, for East Haddam.  
 Capt. Abraham Brooks, for Haddam.  
 Col. Timothy Stone, for Guilford.  
 Major Samuel Coit, for Preston.  
 Capt. Samuel Ely, Capt. Matthew Marvin, for Lyme.  
 Mr. Daniel Booth, Mr. John Glover, for Newtown.  
 Mr. John Clap, for Greenwich.  
 Mr. Ebenezer Wright, for Weathersfield.  
 Capt. Obadiah Johnson, Capt. Jabez Fitch, for Canterbury.  
 Capt. Joseph Phelps, Mr. Alexander Phelps, for Hebron.  
 Mr. Samuel Prentice, Capt. Amos Cheesbrough, for Stonington.  
 Col. Elihu Chauncey, for Durham.  
 Capt. Joshua West, Mr. William Williams, for Lebanon.  
 Capt. Elnathan Stephens, Mr. Benjamin Gale, for Killingsworth.  
 Capt. Abijah Catling, for Harwington.  
 Mr. John Strong, Capt. William Wadsworth, for Farmington.  
 Mr. Ephraim Strong, Mr. Robert Treat, for Milford.  
 Capt. Nathaniel Harrison, Mr. Ithiel Russel, for Branford.  
 Col. Christopher Avery, Capt. Moses Fish, for Groton.  
 Capt. Ezekiel Pierce, Capt. Isaac Coit, for Plainfield.  
 Mr. John Gordon, Capt. Daniel Fish, for Voluntown.  
 [ 62 ] Mr. Jabez Swift, for Kent.  
 Col. Thomas Chandler, for Woodstock.  
                                 for Windsor.  
 Mr. David Orcutt, Mr. Joshua Converse, for Stafford.  
 Capt. Benjamin Ruggles, Mr. John Comstock, for New Milford.  
 Col. Jonathan Hoit, for Stanford.  
 Mr. Comfort Starr, for Danbury.  
 Mr. Zebulon West, for Tolland.

Capt. Benjamin Talcott, Mr. David Strong, for Bolton.  
 Mr. Samuel Nash, for Goshen.  
 Mr. Jonathan Kilborn, Capt. Elijah Worthington, for Colchester.  
 Mr. Ebenezer Williams, Mr. Jonathan Dresser, for Pomfret.  
 Mr. James Fitch, Mr. Joseph Platt, for Norwalk.  
 Mr. Thomas Matthews, Mr. Gideon Hotchkiss, for Waterbury.  
 Mr. Elijah Hawley, for Ridgfield.  
 Capt. John Williams, Mr. Josiah Strong, for Sharon.  
 Capt. Ephraim Terry, Mr. Edward Collins, for Enfield.  
 Capt. Samuel Basset, for Derby.  
 Major Elihu Hall, Mr. Cornelius Brooks, for Wallingford.  
 Mr. Jacob Dresser, Mr. Boaz Sterns, for Killingsly.  
 Mr. Phineas Strong, for Coventry.  
 Mr. Daniel Sherman, Major Benjamin Hinman, for Woodbury.  
 Mr. John Everts, Mr. Josiah Stoddard, for Salisbury.  
 Mr. Agur Tomlinson, Capt. Theophilus Nichols, for Stratford.  
 Capt. John Humphry, Capt. Jonathan Pettibone, for Symsbury.  
 Mr. Edward Austin, for Suffield.  
 Mr. Jedidiah Fay, Capt. Benjamin Sumnor, for Ashford.  
 Col. Jabez Hamlin, Mr. Seth Wetmore, for Middleton.  
 Mr. Martin Smith, for New Hartford.  
 Col. Shubael Conant, Speaker } of the House of Representatives.  
 Capt. Jabez Huntington, Clerk }

Whereas his Honour the Governor hath laid before this Assembly a letter from the Right Hon<sup>ble</sup> William Pitt,\* one of his Majesty's principal Secretaries of State, dated December 30th 1757, signifying that his Majesty having nothing more at heart than to repair the losses and disappointments of the last inactive and unhappy campaign, and by the most vigorous and extensive efforts to avert, by the blessing of God on his arms, the damages impending on North America, and not doubting but his faithful and brave subjects here will cheerfully cooperate with and second to the utmost the large [63] expence and extraordinary succours || supplied by his Kingdom for our preservation and defence; and his Majesty judging that this Colony together with the Massachusetts Bay, New Hampshire, Rhode Island, New York and New Jersey, (who are more immediately obnoxious to the main irruptions of the enemy from Canada, and to each of which similar orders are sent,) are able to furnish 20000 men, to

\* Printed in *Collections of the Conn. Historical Society*, I, 329, *N. York Documents*, VII, 329.

joyn a body of the King's forces for invading Canada and carrying the war into the heart of the enemies possessions; and further signifying, that it is his Majesty's pleasure that with all possible dispatch as large a body of men be raised in this Colony as the number of its inhabitants will allow, to be in readiness to begin the operations of the campaign as soon as practicable; and that no encouragement may be wanting to so great and salutary an attempt, that strong recommendations will be made to Parliament to grant a compensation for the expences of said Provinces, according as their active vigour and strenuous efforts shall justly appear to merit: Therefore, notwithstanding this Colony (when acting with the Provinces aforesaid in three several expeditions undertaken the three preceeding years against Crown Point raised a much greater number of men than their just proportion compared with what said Provinces then raised, by means whereof the number of men in this Colony is greatly diminished and our strength much exhausted, yet that nothing may be wanting on the part of this Colony to promote the great and good design proposed by his Majesty, and relying on his royal encouragement,

*It is resolved by this Assembly,* That five thousand good and effective men, including officers, be raised, and they are hereby ordered to be levied and raised within this Colony as soon as may be, for the service aforesaid, (tho' said Assembly is sensible that it is really more than the number of men in this Colony will allow of without great difficulty, and much exceeds this Colony's just proportion even of twenty-three thousand men when joyned with the aforementioned Provinces.

*And it is further resolved,* That the five thousand men ordered to be raised as aforesaid be formed into four regiments consisting of twelve companies each, and there shall be a colonel, lieutenant-colonel and major, a chaplain, an adjutant, a quarter-master and a drum-major in each regiment; and that the colonel, lieutenant-colonel and major of each regiment shall have each of them the command of a company as captain thereof; and that a captain be appointed to each of the other companies; that a captain-lieutenant and one lieutenant and ensign be appointed for each colonel's company, and two lieutenants and an ensign for each of the other companies; that there be four sergeants, four corporals, a clerk and two drummers to each company aforesaid.

Whereas this Assembly hath resolved to raise the number of five thousand men as soon as possible, to co-operate with

and second a body of his Majesty's forces &c. in carrying the war into the possessions of his enemies by an invasion of Canada by the way of Crown Point, for the preservation and security of his subjects in North America, and to encourage able-bodied effective men voluntarily to enlist into the service aforesaid and to furnish themselves with cloathes &c. suitable therefor,

*Resolved by this Assembly,* That every such man that shall voluntarily enlist in either of the regiments now ordered to [64] be raised || and that shall furnish himself with suitable cloaths, powder-horn and shot-bag, to the acceptance of the muster-master, shall be entituled to receive four pounds, the one half thereof at the time of enlistment and the other half together with one months pay, a blanket and knapsack, before he marches out of this Colony; and that each man enlisting as aforesaid and shall not provide himself with cloaths, powder-horn and shot bag suitable for the service, to the acceptance of the muster-master as aforesaid, shall be supplied with the same by his captain out of the aforesaid bounty, and the remainder thereof, if any be, shall be paid him.

*And also, for the encouragement of both officers and soldiers to engage in said service, it is further resolved,* That the pay of the officers and soldiers raised in this Colony and employed in the service aforesaid shall be as followeth per month, accounting 28 days to a month, viz :

To a colonel of a regiment and as captain of a company, - - - - -	£15	0	0
To a lieutenant-colonel of do. and as do. - - - - -	10	15	0
To a major of do. and as do. - - - - -	9	1	4
To a captain of a company, - - - - -	6	0	0
To a captain-lieutenant of do. - - - - -	6	0	0
To a lieutenant of do. - - - - -	4	0	0
To an ensign of do. - - - - -	3	10	0
To a chaplain of a regiment, - - - - -	10	0	0
To a sergeant, - - - - -	2	0	0
To a corporal, - - - - -	1	18	0
To a clerk, - - - - -	2	0	0
To one drum-major for a regiment, - - - - -	2	0	0
To a drummer, - - - - -	1	18	0
To a surgeon, - - - - -	8	0	0
To a surgeon's mate, - - - - -	4	0	0
To a private soldier, - - - - -	1	16	0
To a quarter-master, - - - - -	3	5	0
To an adjutant, - - - - -	2	8	0

This Assembly grants to each of the colonels of the regi-



ments proposed to be raised in this Colony for the next campaign the sum of forty-five pounds, to furnish his tent and table and for the decent reception and suitable support of the chaplain of the regiment.

This Assembly grants to each of the lieutenant-colonels of said regiments proposed to be raised the sum of eighteen pounds for his tent, the support of his table and other necessaries.

This Assembly grants to each of the majors of said regiments proposed to be raised the sum of twelve pounds, for his tent, the support of his table and other necessaries.

This Assembly do nominate Phineas Lyman, Esqr, Major General of the forces now ordered to be raised in this Colony, and desire his Honour the Governor to commission him accordingly.

This Assembly do nominate and appoint Phineas Lyman, Esqr, to be Colonel of the 1st regiment and Captain of the first company in said regiment; Elihu Kent Captain-Lieutenant, John Chick Lieutenant, Seth King Ensign, of the 1st company.

[65] Nathan Payson, Esqr, Lieutenant-Colonel of the 1st regiment and Captain of the 2d company; Samuel Wells junr, 1st Lieutenant, Ebenezer Wells 2d Lieutenant, Joseph Wadsworth junr Ensign, of the 2d company.\*

William Pitkin junr, Esqr, Major of the 1st regiment † and Captain of the 3d company; David Parsons 1st Lieutenant, Joel Catling 2d Lieutenant, Nathaniel Terry Ensign, of the 3d company.

Eliphalet Whittlesey Captain, David Hubbard junr, 1st Lieutenant, Oliver Pomroy 2d Lieutenant, Josiah Wright, Ensign, of the 4th company.

Andrew Ward junr, Captain, Thomas Pierce 1st Lieutenant, Samuel Bartlet 2d Lieutenant, Reuben Chapman Ensign, of the 5th company.

Samuel Gaylord Captain, John Sumner 1st Lieutenant, Gideon Goodrich 2d Lieutenant, Francis Hollister Ensign, of the 6th company.

Timothy Hierlehey Captain, Samuel Russel 1st Lieutenant, Christopher Hamlin 2d Lieutenant, Joseph Green Ensign, of the 7th company.

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\* From a muster-roll of Lt. Col. Payson's company July 30, 1758, entered in his Orderly Book in the editor's possession, it appears that his subalterns were, Caleb Sheldon 1st Lt., John Seymour 2d Lt. and John Thacher Ensign.

† Josiah Griswold served as Major and captain of this company. *War*, viii, 16.

Judah Holcomb Captain,\* Noah Humphry 1st Lieutenant, Nathaniel Griffin 2d Lieutenant, Jonathan Case jun<sup>r</sup>, Ensign, of the 8th company.

Gideon Wolcott Captain, Jonathan Gillet 1st Lieutenant, Daniel Bissell jun<sup>r</sup> 2d Lieutenant, John Elsworth jun<sup>r</sup> Ensign, of the 9th company.

Joshua Woodroff Captain,† Judah Woodroff 1st Lieutenant, John Edgcomb 2d Lieutenant, Shubael Griswold Ensign, of the 10th company.

Isaac Turner Captain, Peleg Redfield 1st Lieutenant, Samuel Rose 2d Lieutenant, George Nettleton Ensign, of the 11th company.

Samuel Chapman Captain, Matthew Loomis 1st Lieutenant, George Cooley 2d Lieutenant, Solomon Wills Ensign, of the 12th company.‡

[66] *And in the Second Regiment,*

Nathan Whiting, Esq<sup>r</sup>, Colonel of said regiment and Captain of the first company in the 2d regiment; Jabez Thompson Captain-Lieutenant, Samuel Hawkins 2d Lieutenant, Joel Holcomb Ensign, of the 1st company in the said regiment.

Samuel Coit, Esq<sup>r</sup>, Lieutenant-Colonel and Captain of the 2d company in said regiment; William Billings 1st Lieutenant, Oliver Coit 2d Lieutenant, Moses Park Ensign, of the 2d company.

Joseph Spencer, Esq<sup>r</sup>, Major and Captain of the 3d company in said regiment; John Piercival 1st Lieutenant, Israel Harding 2d Lieutenant, Ephraim Fuller Ensign, of the 3d company.

David Baldwin Captain, Samuel Clark 1st Lieutenant, Abraham Foot 2d Lieutenant, Peter Wooster Ensign, of the 4th company.

Edmond Wells Captain, Amos Stiles 1st Lieutenant, Samuel Jones 2d Lieutenant, Abraham Tyler jun<sup>r</sup> Ensign, of the 5th company.

Amos Hitchcock Captain, Amos Sherman 1st Lieutenant, Elisha Williams 2d Lieutenant, Dan Ives Ensign, of the 6th company.

Eldad Lewis Captain, Joel Clark 1st Lieutenant, Gideon

\* Nathaniel Holcomb was captain of this company. *War*, viii, 6.

† John Stoughton was captain of this company from Aug. 22, before which time he was Brigade Major. *War*, viii, 180.

‡ Titus Olcott served as lieutenant in this company, perhaps in place of Matthew Loomis. *War*, viii, 88.

Aaron Phelps was Adjutant of this regiment, Timothy Phelps Quarter-Master till Aug. 22 and John Ellsworth from Aug. 23; Ebenezer Belknap was Sergeant Major and Abner Granger Quarter-Master Sergeant. *War*, viii, 63, 85, 91, 104.

Josiah Lee served as captain of a company—probably in this regiment. *War*, viii, 12.

Hotchkiss 2d Lieutenant, Daniel Potter Ensign, of the 7th company.

John Stanton Captain, John Heath 1st Lieutenant, Robert Niles 2d Lieutenant, Charles Avery Ensign, of the 8th company.

James Wadsworth jun<sup>r</sup> Captain, Amos Camp 1st Lieutenant, John Barns 2d Lieutenant, Asahel Hall Ensign, of the 9th company.

Ephraim Cook Captain, Benjamin Hine 1st Lieutenant, Benjamin Royce 2d Lieutenant, Edward Rogers Ensign, of the 10th company.

Joshua Barker Captain, Azel Fitch 1st Lieutenant, Ebenezer Case 2d Lieutenant, Jonathan Edgerton Ensign, of the 11th company.

[67] Henry Champion Captain, Josiah Gates jun<sup>r</sup> 1st Lieutenant, David Woodward 2d Lieutenant, Lewis Wells Ensign, of the 12th company.\*

Eliphalet Dyer, Esq<sup>r</sup>, Colonel of the 3d regiment and Captain of the 1st company in said regiment; † Elijah Simons Captain-Lieutenant, Robert Durkee Lieutenant, John Phelps Ensign, of the 1st company.

Benjamin Hinman, Esq<sup>r</sup>, Lieutenant-Colonel of the 3d regiment and Captain of the 2d company; Tarbal Whitney 1st Lieutenant, Hezekiah Baldwin 2d Lieutenant, Isaac Peck Ensign, of the 2d company.

Israel Putnam, Esq<sup>r</sup>, Major of the 3d regiment and Captain of the 3d company; Aaron Cleveland 1st Lieutenant, Joseph Payne 2d Lieutenant, Peter Levinze Ensign, of the 3d company.

Zacheus Wheeler Captain, Nicholas Bishop 1st Lieutenant, John Harris 2d Lieutenant, Andrew Dennison Ensign, of the 4th company.

Jonathan Latimore jun<sup>r</sup> Captain, Jabez Howland 1st Lieutenant, ‡ Eleazer Bishop 2d Lieutenant, Benjamin Creary Ensign, of the 5th company.

David Holmes Captain, Samuel Learned 1st Lieutenant, Hezekiah Smith 2d Lieutenant, John Robins Ensign, § of the 6th company.

\* Joel Clark was Adjutant and Azel Fitch Quarter-Master of this regiment. *War*, viii, 82, 123.

† He declined and Eleazer Fitch was appointed, who had been nominated for this position by the Upper House. *War*, vii, 160, viii, 20.

‡ Killed at Ticonderoga July 8th, 1758. *N. Y. Col. Docs.* x, 732.

§ Wounded in the skirmish near Ticonderoga July 6th, and died at Albany on the 17th, according to the journal of Lemuel Lyon, a private in this company. *Military Journals of two Private Soldiers, 1758-1775.* Poughkeepsie, 1855.

Benjamin Lee Captain, John Kagwine 1st Lieutenant, Samuel Fairbank 2d Lieutenant, Benedict Saterley Ensign, of the 7th company.

Charles Whiting Captain, John Wheatley 1st Lieutenant, Robert Kinsman 2d Lieutenant, Thomas Leffingwell Ensign, of the 8th company.

John Durke Captain, Eleazer Tracey 1st Lieutenant, Joseph Bingham 2d Lieutenant, Daniel Hide jun<sup>r</sup> Ensign, of the 9th company.

Jedidiah Fay Captain, Samuel Davis 1st Lieutenant, Nathaniel Fenton 2d Lieutenant, Josiah Smith Ensign, of the 10th company.

[68] Timothy Mather Captain, Richard Hays 1st Lieutenant, Joseph Ely 2d Lieutenant, Zebulon Butler Ensign, of the 11th company.\*

John Denison 2d Captain, William Roe Minor 1st Lieutenant, Ebenezer Prentice 2d Lieutenant, Elias Avery Ensign, of the 12th company.

John Read, Esq<sup>r</sup>, Colonel of the 4th regiment and Captain of the 1st company in said regiment; † Joseph Hoit Captain-Lieutenant, Ezra Stephens 2d Lieutenant, Noble Benedict Ensign, of the 1st company.

James Smedley, Esq<sup>r</sup>, Lieutenant-Colonel of the 4th regiment and Captain of the 2d company; ‡ Reuben Ferris 1st Lieutenant, John Burr 3d 2d Lieutenant, Ebenezer Couch jun<sup>r</sup> Ensign, of the 2d company.

John Slapp, Esq<sup>r</sup>, Major and Captain of the 3d company in said regiment; Joseph Parker 1st Lieutenant, James Hall 2d Lieutenant, Ebenezer Root jun<sup>r</sup> Ensign, of the 3d company.

David Waterbury Captain, James Hard jun<sup>r</sup> 1st Lieutenant, Timothy Lockwood 2d Lieutenant, David Maltbie Ensign, § of the 4th company.

Thomas Hobby Captain, Josiah Walker 1st Lieutenant, Stephen Olmsted 2d Lieutenant, James Mead Ensign, of the 5th company.

Gideon Tomlinson Captain, Abel Prindle 1st Lieutenant, Abraham Brinsmead 2d Lieutenant, Joseph Mead Ensign, of the 6th company.

Samuel Hubbel Captain, John Benedict jun<sup>r</sup> 1st Lieutenant,

\* Wells Ely served as Ensign in this company. *War*, viii, 80.

† He declined and David Wooster, who had been nominated by the Lower House as colonel of the 3d regiment, served in his place. *War*, vii, 160, viii, 41.

Reuben Ferris was Adjutant and Matthew Mead Quarter-Master of this regiment. *War*, viii, 83, 87.

‡ Wounded at Ticonderoga, July 8th. *N. Y. Col. Docs.*, x, 732.

§ Probably Nathan Ferris served as Ensign of this company. *War*, viii, 106.

Jedidiah Hull 2d Lieutenant, Solomon Morehouse Ensign, of the 7th company.

Isaac Isaacs Captain, Thaddeus Mead 1st Lieutenant, Josiah Stebbins 2d Lieutenant, William Seymour Ensign, of the 8th company.

Samuel Elmor Captain, Jethro Hatch 1st Lieutenant,\* Nathaniel Tuthill 2d Lieutenant, Levi Crocker Ensign, of the 9th company.

Archibald McNeal Captain, Stephen Lee 1st Lieutenant, David Hamilton 2d Lieutenant, Josiah Smith Ensign,† of the 10th company.

[69] Joseph Canfield Captain, Phineas Castle 1st Lieutenant, Elnathan Ashman 2d Lieutenant, Nathan Tibbalds Ensign, of the 11th company.

Gideon Hurlburt Captain, ‡ Nathaniel Everts 1st Lieutenant, Ebenezer Seeley 2d Lieutenant, Zebulon Gibbs Ensign, of the 12th company.

In the forces now ordered to be raised for the service of the ensuing campaign, and desire they may be commissioned accordingly. And in case any of the above named persons shall refuse, his Honour the Governour is hereby desired to supply such vacancy and give commissions accordingly.

*Resolved by this Assembly,* That each inlisting officer that shall have orders from his Honour the Governor to enlist soldiers for the next campaign pursuant to orders from this Assembly shall be allowed three shillings for each soldier he shall so inlist.

This Assembly appoints the Rev<sup>d</sup> Mr. George Beckwith of Lyme to be Chaplain to the first regiment and the Rev<sup>d</sup> Mr. Joseph Fish of Stonington to be Chaplain to the second regiment, § and the Rev<sup>d</sup> Mr. Benjamin Pomroy of Hebron to be a Chaplain to the third regiment, and the Rev<sup>d</sup> Mr. Jonathan Ingersole to be Chaplain to the fourth regiment to be raised in this Colony for the present expedition designed against the French in Canada.

*Resolved by this Assembly,* That the chief colonel, or in his absence or being otherwise improved for the ensuing campaign the next chief officer, of each of the regiments of militia within this Colony be and they are hereby appointed Muster-Masters within their respective regiments, to view and muster

\* Heman Swift served as 1st Lieutenant of this company. *War*, viii, 106. His commission is printed in *Gold's History of Cornwall*, p. 214.

† Benjamin Colver served as Ensign. *War*, viii, 84.

‡ Nathaniel Everts commanded this company as Captain. *War*, viii, 17.

§ Rev. Edward Eells, of Middletown, served as chaplain to this regiment. *War*, viii, 78.

the soldiers levied and raised in this government for the service of the next campaign. And they are hereby required carefully to inspect all such soldiers as shall be inlisted and raised for said purpose, and make up a compleat muster-roll of all such soldiers as they shall judge fit for said service, and give to the captain of such company to which such soldiers belong a duplicate of such muster-roll and transmit a copy of the same to the Committee of the Pay-Table; and that said chief officer be allowed a reasonable reward for his trouble in doing said service.

An Act for the Supply of the Treasury in the present extraordinary  
Emergencies.

Whereas this Assembly in its present session hath resolved and ordered that the number of five thousand men shall be levied and raised as soon as possible in this Colony, to cooperate with and second a body of his Majesty's forces &c. in carrying the war into the possessions of his enemies by an invasion of Canada by the way of Crown Point, for the preservation and security of his subjects in North America, and a large sum being thereupon requisite speedily to be advanced and provided on the part of this government for the purpose aforesaid, and the public treasury at present so much exhausted by reason of the great charges incurred in several unsuccessful campaigns and by the fund heretofore laid for the sinking and discharging one of the late emissions of bills of credit this present year, that the inhabitants of the Colony are unable timely to afford a supply by a tax adequate to the large expence that will necessarily arise on this important occasion: Therefore,

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That there be forthwith imprinted the sum of thirty thousand pounds in bills of credit on this government equal to lawful [70] money, of || suitable denominations from nine pence to forty shillings as the committee herein appointed shall direct, and of the same tenor of the late emissions of bills of credit of this Colony, with interest at five *per cent. per annum*, and payable at or before the first day of May, 1762, dated the day of the sessions of this Assembly. And the Hon<sup>ble</sup> William Pitkin, Esqr, John Chester, George Wyllys and Joseph Buckingham, Esq<sup>rs</sup>, or any three of them, are appointed a committee for the purposes aforesaid and to take care that the said bills be printed with all convenient speed, and to sign and deliver the same to the Treasurer, taking his receipt therefor. And the said committee shall be sworn to the faithful discharge of their trust. And the Treasurer shall pay out said bills of

credit with the interest computed thereon according to the orders of this Assembly.

And for providing and establishing an ample and sufficient fund to call in, sink and discharge the bills aforesaid, according to an act of Parliament made in the 24th year of his present Majesty's reign, entitled An act to regulate and restrain paper bills of credit in his Majesty's Colonies of Rhode Island and Providence Plantations, Connecticut, the Massachusetts Bay, and New Hampshire, in America, and to prevent the same being legal tenders in payment of money:

*Be it enacted by the authority aforesaid,* That a tax of eight pence on the pound be and is hereby granted and ordered to be levied on all the polls and rateable estate in this Colony according to the list thereof to be brought in to this Assembly in October 1760 with the additions, which shall be collected and paid into the treasury of this Colony by the last day of December 1761, which tax may be discharged by paying the bills emitted by this act or lawful money, and no other way whatsoever; and the Treasurer is hereby directed and ordered to send out his warrants accordingly.

And whereas a humble and firm reliance is had by this Assembly on a reimbursement of the charges arising from this present intended expedition, in consequence of his Majesty's encouragement to recommend the same to Parliament, and the monies for that purpose are expected from Great Britain before the time appointed for the collecting the tax last mentioned,

*Be it enacted by the authority aforesaid,* That the monies that shall arrive for the reimbursement aforesaid, or so much as shall be necessary, be and the same is hereby ordered to be applied for the sinking and discharging the bills of credit emitted by this act; and that the Treasurer be and hereby is directed to apply such money, or so much thereof as shall be necessary, for and towards the sinking and discharging said bills of credit.

*And be it further enacted by the authority aforesaid,* That in case a sum sufficient for the sinking and discharging the bills emitted by this act shall arrive from Great Britain and shall be lodged in the hands of the Treasurer before the first day of October 1761, then the tax which otherwise by this act is hereinbefore ordered to go forth is hereby made null and void.

And whereas a further supply of the treasury is necessary to be made, in order to pay the men raised on the present occasion upon their return: Therefore, this Assembly grants and orders a rate or tax of nine pence on the pound on all the polls

and rateable estate in this Colony according to the list brought [ 71 ] into this Assembly in October last with the additions, || to be collected and paid by the last day of December next, in like manner as the rate or tax granted in October last was ordered to be paid.

And whereas a sum of money is expected from Great Britain, to reimburse this Colony for the provisions furnished for the King's troops in America in 1756, the accounts of which are already transmitted, and the money may be expected before the men raised as aforesaid return from the service they are employed in : Therefore,

*Be it enacted by the authority aforesaid,* That the money which may arrive from Great Britain on the last-mentioned account be and the same is hereby ordered to be applied to defray the expences of the present intended expedition, and the Treasurer is hereby ordered on his receipt thereof to pay out the same accordingly.

And whereas the said money may fail of arriving seasonably for the aforesaid purposes, in which case other provisions are necessary : Therefore,

*Be it further enacted by the authority aforesaid,* That Jonathan Trumble, John Ledyard and David Rowland, Esq<sup>rs</sup>, be, and they and each of them are hereby directed and ordered, in the best manner they can, to borrow a sum not exceeding £25000 lawful money in specie or bills as occasion shall require, and the several and respective sums so borrowed by them and each of them they are directed to deliver into the hands of the Treasurer, taking his receipt therefor ; and the Treasurer is hereby directed to use and improve the same for the aforesaid purposes. And the Treasurer is directed and hereby ordered to make out and deliver to the said Jonathan Trumble, John Ledyard and David Rowland, or to any one of them, notes of hand for the security of the payment of the sum or sums borrowed on behalf of the Governor and Company of this Colony to the person or persons of whom the same is received and borrowed, none of which notes shall be for less than £10, and all payable at or before the 20th day of May 1761, with interest annually at the rate of six *per cent. per annum*. The tenor of which notes shall be as followeth, *viz* :

Colony of Connecticut.

No.

The . . . Day of . . . . . 1758 . . . . .  
 Received of . . . . . the Sum of . . . . .  
 for the Use and Service of the Governor and Company of the  
 Colony of Connecticut, and in Behalf of said Colony, I do



hereby promise and oblige myself and Successors in the Office of Treasurer to repay the said . . . . . or Order the 20th Day of May 1761 the aforesaid Sum of . . . . . in Lawful Money with Interest annually at the Rate of six *per cent. per annum.* Witness my Hand,

Treasurer.

And for providing and establishing an ample and sufficient fund, to repay the money borrowed and discharge the notes given by the Treasurer by virtue of this act,

*Be it enacted by the authority aforesaid,* That a tax of five pence lawful money on the pound be and the same is hereby granted and ordered to be levied on all the polls and rateable estate in this Colony according to the list to be brought in to this Assembly in October 1759 with the additions, to be collected and paid into the treasury by the last day of December 1760; which tax may be discharged by any of said notes given by the Treasurer by virtue of this act, or in lawful money, and no other way; and the Treasurer is hereby ordered to send out his warrants accordingly.

And whereas the money expected on account of the provisions furnished in 1756, as aforesaid, may not come season- [ 72 ] ably to pay the men on their return, yet may be || had timely to repay the money borrowed and discharge the Treasurer's notes given to secure the same by virtue of this act: Therefore,

*Be it enacted by the authority aforesaid,* That the money that shall arrive from Great Britain on the aforesaid account of provisions be and the same is hereby ordered to be applied to repay the money borrowed and discharge the Treasurer's notes given therefor as aforesaid, and that the Treasurer be and he is hereby directed to apply such money as he shall receive on said account, or so much as shall be necessary, to repay said money borrowed and discharge the notes given in security thereof as aforesaid.

*And be it further enacted,* That in case a sum sufficient for the repayment and discharge of the money borrowed and notes of the Treasurer given as aforesaid shall arrive from Great Britain on the last-mentioned account, and shall be lodged in the hands of the Treasurer before the first day of October 1760, the tax last mentioned and granted in this act and otherwise to be collected and paid be and the same is hereby released and made null and void.

*Resolved by this Assembly,* That Hezekiah Huntington, Jabez Hamlin, John Hubbard, Esqrs, and Capt. Theophilus Nichols, be and hereby are appointed Commissaries, to make

suitable provision for the furnishing of the forces now to be raised in this Colony with those articles necessary to be provided them by said Colony, and to receive directions therein from his Honour the Governor.

Whereas his Honour the Governor hath laid before this Assembly a letter from the Right Hon<sup>ble</sup> William Pitt, one of his Majesty's principal Secretaries of State, dated December 30th A.D. 1757, signifying his Majesty's most gracious intentions to make the most vigorous and extensive efforts to avert the impending dangers on North America and intimating his royal expectation that all his faithful and brave subjects here will cheerfully co-operate with and second to the utmost such attempts for our own preservation and defence: Therefore, the better to facilitate this great and important enterprize and to unite with the governments of the Massachusetts Bay, New Hampshire, Rhode Island, New York and New Jersey, to contribute everything in the power of these Colonies to render effectual this undertaking, that nothing may be wanting that can by the governments be done for obtaining the wish'd for success, this Assembly do appoint Ebenezer Silliman, Jonathan Trumble and William Wolcott, Esq<sup>rs</sup>, to be Commissioners in behalf of this Colony, to meet with such gentlemen as may be duly appointed by any or all of the aforementioned governments at Hartford on the 19th day of April next, or as near that time as may be, there to confer upon all proper matters relative to the ensuing campaign, and to consult upon proper measures to excite a vigorous, united and uniform proceeding therein, to prevent any delays that may otherwise happen, and to render effectual their active and cheerful services to promote his Majesty's interest and faithfully pursue his orders; and of the whole result of such their conference and the various matters and things that may be agreed on, to make report to his Honour the Governor.

*And it is further resolved,* That his Honour the Governor be desired as soon as may be, to send expresses to the aforementioned governments, to acquaint them with this proposal and to desire them to appoint commissioners for such purposes, to meet at time and place abovesaid. And his Honour the Governor is desired to commission the abovenamed gentlemen accordingly.

Whereas this Assembly at the present sessions hath resolved to raise five thousand men to co-operate with a body of the King's forces in an invasion of Canada &c.; and [73] whereas the King hath || been graciously pleased to

signify that arms, tents and provisions shall be supplied at the expence of the crown, and that he expects and requires no more of the Colonies than the levying, cloathing and pay of the men: Yet, forasmuch as it may be necessary that divers particulars preparatory to the march as well as for the better encouragement of the troops to engage and enter into this service should be ascertained and settled as soon as may be with the Commander-in-Chief of his Majesty's forces in North America: Therefore, that nothing may be wanting on the part of this government to facilitate the levies and to render them in the best manner serviceable in effectually promoting this great design, this Assembly do appoint Ebenezer Silliman, Jonathan Trumble and William Wolcott, Esq<sup>rs</sup>, or any two of them, to be Commissioners in behalf of this Colony, to attend upon and confer with the said commander-in-chief, relating to the subsistence of the troops before their arrival to the place of rendezvous, concerning the supply of arms and accoutrements, camp utensils and medicines, and as far as may be obtain a settlement of these particulars and such assurances respecting them as may not only be an encouragement to induce the men more chearfully to enlist into the service but enable them more effectually to answer the end thereof, as also to confer respecting the prospect of the general plans being vigorously carried into execution, and on all such other matters relating to the King's service as the said commissioners and the said commander-in-chief shall judge proper for promoting the same, and from time to time report the result of such conference to his Honour the Governor, who is desired to commission the said gentlemen for the purpose aforesaid.

Whereas his Majesty hath signified his royal pleasure that all the serviceable arms that can be found within this Colony be immediately collected and put into the best condition, in order that the same may be employed as far as they will go in supplying the troops in the ensuing campaign: Resolved by this Assembly, that his Honour the Governor be and hereby is desired to take every proper measure to collect all such arms in this Colony, that his Majesty's pleasure, signified as above, may be fully complied with.

An Act for laying an Embargo upon Ships and other Vessels in this Colony.

Whereas it is judged necessary by his Majesty's Commander-in-Chief of his forces in North America that an embargo should be laid upon the shipping within this Colony, and that nothing may be wanting to promote and carry on with vigour the operations of this year's campaign,

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That no vessel shall sail or depart from any port or other place of this Colony to go out of the same at any time before the 20th day of May next, without leave first obtained from his Honour the Governor; and if any vessel shall sail to any port or place out of this Colony without leave first had and obtained as aforesaid, the master of every vessel so departing shall forfeit and pay the sum of one hundred pounds; and the owner or owners of every vessel so departing shall forfeit and pay the sum of one hundred pounds, and the last-mentioned forfeiture shall and may be recovered from any or either of the owners of such vessel where more than one person shall be interested.

*And be it further enacted,* That all forfeitures that shall or may be recovered by virtue of this act shall be paid the one half into the Colony treasury for the use and benefit of this Colony, and the other half to him or them that shall inform, sue for and prosecute the same to effect.

*And be it further enacted,* That the collectors of the customs in this Colony and the naval officers be and are hereby ordered not to clear out any vessel without special leave first had and obtained from his Honour the Governor.

[74] *And be it further enacted,* That it shall and may be lawful for the Governor, at any time before the said 20th day of May next, to take off said embargo if his Majesty's service will permit.

Whereas it is his Majesty's pleasure, signified by the two letters from the Right Hon<sup>ble</sup> William Pitt, one of His Majesty's principal Secretaries of State, dated December 30th 1757, that this Colony raise as many men as the number of inhabitants will allow, to co-operate with and second to the utmost the King's forces, for the preservation and defence of his subjects in North America, and carrying war into the heart of the enemies possessions, and directing the Governor and Company of this Colony to apply to and correspond with his Excellency Major-General Abercromby, who is appointed Commander-in-Chief of the King's forces in North America, on all matters relating to the King's service, and from time to time to give his Excellency all the assistance and lights in our power in all matters relative to his command; and whereas this Assembly hath resolved to raise 5000 effective men, including officers, for the service aforesaid, to act in conjunction with the troops raised in the other New England governments and in the Provinces of New York and New

Jersey, and that said troops may unite in a most vigorous, equal and uniform procedure hath appointed Commissioners in behalf of this Colony to meet such gentlemen as may be appointed by the before-mentioned governments, or any of them, to confer together and consult on such matters and measures relative to the ensuing campaign as may render the co-operation of the provincial troops with the King's forces agreeable to each other, and by the divine blessing victorious and successful; and whereas this Assembly hath directed said Commissioners to confer with his Majesty's Commander-in-Chief in North America and concert proper measures to be pursued by this Colony to facilitate and effectuate the intentions of said Assembly in levying so great a number of men for the service aforesaid,

*It is therefore resolved by this Assembly,* That his Honour the Governor be desired, and he is hereby desired, upon information from the Commissioners appointed by this Assembly that the governments aforesaid have severally so exerted themselves in pursuance of his Majesty's pleasure as that there is a reasonable prospect of a united, vigorous and successful pursuit of his Majesty's intentions signified as aforesaid, to order the march of the troops raised in this Colony to the appointed place of rendezvous.

*And it is further resolved,* That in case the other governments should fail in exerting themselves properly on this great occasion, or any other occurrence shall happen to prevent the army from proceeding, this Assembly desire his Honour the Governor, with the advice of the Council, to recall the troops sent from this Colony at such time as they shall judge the service will admit of.

*Resolved by this Assembly,* That Major Elihu Hall be desired, and is hereby desired (at the cost of this Colony) forthwith to procure to be imprinted, by the printer at New Haven, 600 copies of an Act of Parliament now in force, entituled An act for the better recruiting his Majesty's forces on the continent of America; and for the better regulation of the army and preventing of desertion therein,\* as also the second and sixth sections of the Articles of War; and that the same be distributed, when imprinted, in some just proportion to and among the several towns of this Colony.

*Resolved by this Assembly,* That the arms belonging to this Colony in the custody of Mr. Isaac Doolittle of New Haven

\* 29th George ii, cap. 35. By a clause inserted in the Mutiny Bill, 29 G. ii, c. 3, all troops in America whilst in conjunction with the British forces, under the command of an officer commissioned by the King, were made subject to the Rules and Articles of War. *Conn. Historical Society's Collections*, I, 257.

[75] be forthwith || viewed by Capt. Amos Hitchcock of said New Haven and said Doolittle, and that such of said arms as shall be judged by said persons to be fit for service, or that can be made so without great expence, be cleansed and fitted up for use as soon as may be by said Doolittle at the charge of this Colony, and that the residue of said arms be disposed of by the selectmen of said town according to orders already given.

*Resolved by this Assembly,* That his Honour the Governor be and hereby is desired to make application, as he shall judge proper and as occasion require, to the Commander-in-Chief of his Majesty's forces in North America for the time being, or any other commanding officer where any soldiers in the pay of this Colony are retained, that they may be discharged.

This Assembly taking into consideration the great and heavy burden of expence occasioned by the late campaigns and reinforcements sent by detachments from the militia for the succour and relief of the camp and Fort William Henry besieged by the French army, and that said fort was surrendered to the French whereby great losses have been sustained,

*It is thereupon resolved,* That the most material facts attending that affair, from the arrival of the French troops, with the siege and surrender of said fortress, and the expresses dispatched and arrived here informing and advising of the approach of the French army, and the measures taken by his Honour the Governor of this Colony in raising and sending succours for the relief of Fort William Henry, be collected and the evidences thereof be authenticated, to be transmitted to such boards as the interest of the Colony and their duty to his Majesty shall and may require. And this Assembly do appoint Jonathan Trumble and Phineas Lyman, Esq<sup>rs</sup>, to assist his Honour the Governor in the affair abovementioned.

*Resolved by this Assembly,* That some proper person of this Colony be appointed an Agent for the Colony at the Court of Great Britain, and as soon as matters can be prepared for his departure that he shall proceed to London, to joyn our present Agent Partridge, in order to conduct the affairs of this Colony according to directions that they shall receive for that purpose.\*

*Resolved by this Assembly,* That the Committee of the Pay-Table be and hereby are impowered and directed to act, transact and do all matters and affairs in order to the adjust-

\* The Lower House appointed Jonathan Trumble. At the May session 1758, the Upper House concurred. He declined, for fear of the small pox and on account of the circumstances of his family. *War*, X, 369, 373.

ment and discharge of all accompts and demands relative to the troops sent to and ordered for the relief of Fort William Henry the last summer, and all other troops raised and sent from this Colony in the last campaign, according to the rules and directions given them by this Assembly for the settlement of like matters in former campaigns.

*Resolved by this Assembly,* That the Committee of the Pay-Table be and they are hereby impowered from time to time to settle and adjust the accounts of the several commissioners improved in the service of this Colony, and give the needful orders to the Treasurer for payment of the balances that may be found due to any of them; and where any balance may be found due to the Colony, to see the same paid unto the Treasurer, taking his receipt therefor.

[76] Whereas it is represented to this Assembly that in October 1755 John Brownson and Ezekiel Sanford of Waterbury had each of them an horse impressed into the service of this Colony and lost in said service, and they in the winter following received their pay for said horses of the Treasurer of this Colony, and afterward the said horses returned to their respective owners: Resolved by this Assembly, that Thomas Matthews of Waterbury, Esq<sup>r</sup>, be appointed and he is hereby appointed at his discretion to settle the affair with said Brownson and Sanford, and receive what shall be found due to the Colony thereupon and transmit the same to the Treasurer of this Colony, taking his receipt therefor, and deliver the same to the Secretary of this Colony.

*Resolved by this Assembly,* That Capt. Michal Burnham be desired and he is hereby desired, to lay before the General Assembly to be holden at Hartford in May next, an account of the guns and warlike stores that were taken out of the Colony sloop Defence, and to whom they were delivered when said sloop was ordered to be laid up, as also an account of what guns and small-arms and other warlike stores were to be found and actually received for the use of the brigantine Tartar the last summer.

*Ordered by this Assembly,* That the Treasurer of this Colony pay to John Holt or order eight pounds six shillings lawful money, for imprinting acts of Parliament and proclamations for fast.

This Assembly do establish Mr. Judah Holcomb to be Captain of the first company or trainband in the town of Symsbury.

This Assembly do establish Mr. James Hillyer jun<sup>r</sup>, to be

Lieutenant of the first company or trainband in the town of Symsbury.

This Assembly do establish Mr. Brewster Higly to be Ensign of the first company or trainband in the town of Symsbury.

This Assembly do establish Mr. Joseph Lee to be Lieutenant of the first company or trainband in the town of Saltsbury.

This Assembly do establish Mr. Isaac Holt to be Lieutenant of the company or trainband in East Haven.

This Assembly do establish Mr. Stephen Smith to be Ensign of the company or trainband in East Haven.

On the memorial of Owen Fluskey of Middleton, shewing to this Assembly that on the 21st of April 1756 he, being a soldier in this Colony service, was taken and carried by the French Indians to Canada, and there he was kept and confined until the 7th of August 1757, when he with others made their escape and soon after came to Fort Edward and that he again entered into this Colony service, having had taken from him his gun that belonged to him, his sword, blanket and cloaths &c. and that he has had nothing allowed him for the loss of his gun, sword, blanket and time he was taken and made a captive; praying for relief, as on his memorial on file: Resolved by this Assembly, that the Treasurer of this Colony pay, and he is hereby ordered to pay, unto the said Owen Fluskey twelve pounds ten shillings for the damages he sustained; taking his receipt therefor.

Upon the memorial of Paul Welch, James Hine and Roger Sherman, all of New Milford, in behalf of themselves and [ 77 ] their || associates, proprietors of the great bridge in said New Milford, shewing to this Assembly that pursuant to a liberty granted to them by the town of New Milford on the 21st of February A.D. 1757, they, the said proprietors, have at their own cost built a good sufficient bridge over Ousatanick River in said New Milford, and praying that the said bridge may be a toll bridge, and that the said proprietors may be empowered to have their proprietors meeting and by their major vote (to be computed by their respective interest) to choose a moderator and also to choose a clerk and committees and grant rates &c.: Resolved by this Assembly, that the said bridge be and the same is hereby ordered to be a toll bridge, and that the toll or fare thereof to be paid by all and every person that shall pass over the same (except the said proprietors and all that are or shall be by them exempted and all such persons as are by law exempted from paying ferriages) shall be as followeth, *viz*: two pence for each man, horse and



load; one penny for each single person; three pence for each team, cart and load; one penny for each horse or neat kine led or driven over; and one farthing for each sheep or swine that shall be driven over the same. And it is further enacted by this Assembly, that said proprietors be and they are hereby fully impowered to hold their proprietors meeting (upon warning given them by any five of the said proprietors appointing time and place of said meeting at least six days before said meeting) and by their major vote, to be computed by interest, to choose a moderator and a clerk to record their votes, and also to choose a committee or committees for managing the affairs of said bridge, and also to grant rates or taxes on said proprietors for repairing said bridge, and to appoint collectors to collect their rates; all which officers shall have full power in their respective offices and be under the same regulations as the like officers in proprietors of common-fields by law have. Said bridge to continue to be a toll bridge as long as the said proprietors shall keep the same in good repair, unless this Assembly shall order otherwise.

Upon the memorial of Josiah Brownson and Susannah Drinkwater of New Milford, administrators of the estate of William Drinkwater late of said New Milford, deceased, shewing to this Assembly that the debts due from said estate surmount the moveable part of said estate the sum of £96 2s. 0½*d.* lawful money, and praying for liberty to sell so much of the real estate of the said deceased as to pay said sum: Resolved by this Assembly, that the said Josiah Brownson and Susannah Drinkwater have liberty and liberty is hereby granted unto them, to sell so much of the real estate of the said deceased as shall make the sum of £96 2s. 0½*d.* lawful money with the incident charges arising thereon; taking the direction of the court of probate for the district of Woodbury therein.

Whereas it hath been duly proved to this Assembly that one Mary Hall of Wallingford is a distracted person, and is by her friends who by law are obliged to support her allowed to stroll about from town to town and place to place, to the great disquiet of many people where she goes by reason of her ill behaviour, and that neither her friends nor the selectmen of that town keep her restrained: Therefore it is enacted, that when and so often as the said Mary Hall shall be found out of the limits of said town of Wallingford, she shall on complaint of any person to any Assistant or justice of the peace in this Colony be, by warrant from such authority directed to the constable of such town where she shall be taken, forthwith apprehended sent to the selectmen of the

town of Wallingford, or any one of them, and the constable aforesaid shall demand of him or them four pence per mile [78] for every mile || he shall transport her, with allowance for one man and horse tendance if such he has for his assistance 4 pence a mile for such tendance, and on the return of such constables warrant with his fees thereon indorsed, and on his application to said authority his fees not paid, the authority aforesaid making out such warrant shall and may grant execution against the selectmen or selectman refusing as aforesaid for said cost and his fees, directed to the sheriff of the county of New Haven, his deputy, or either of the constables of Wallingford, to levy and return within sixty days, for the collecting such fees with the sheriff's fees and one shilling for such execution.

Upon the memorial of Ebenezer Backus, of Norwich in New London county, administrator on the estate of Mr. James Backus late of said Norwich, deceased, shewing to this Assembly that the debts due from said deceased's estate surmount the personal estate the sum of forty-six pounds eight shillings and nine pence lawful money, and praying for liberty to sell so much of said deceased's land as to raise said sum: Resolved by this Assembly, that said Ebenezer Backus be appointed and he is hereby appointed with full power, to sell so much of the lands of said James Backus, deceased, as to raise the sum of forty-six pounds eight shillings and nine pence lawful money with the incident charge; taking the direction of the court of probate for the district of Norwich therein.

Upon the memorial of Mary Palmer, administratrix on the estate of Thomas Palmer of Stonington, deceased, shewing to this Assembly that the debts due from said deceased's estate surmount the moveable estate of the said deceased the sum of thirty-eight pounds one shilling and seven pence lawful money; praying for the sale of the said deceased's land for the payment thereof: Resolved by this Assembly, that the lands be sold as prayed for. And Simeon Minor, Esqr, of said Stonington, is hereby appointed and impowered to sell so much of the lands of the said deceased Thomas Palmer as will raise the said sum of thirty-eight pounds one shilling and seven pence lawful money with the incident charges; taking the direction of the court of probates in the district of New London therein.

Upon the memorial of Jonathan Davis, Smith Park and Phebe Davis, administrators upon the estate of Ezra Davis late of Sharon, deceased, shewing that the debts due from

the estate of said Ezra Davis, with what was allowed by the court of probate to the widow for the support of the family, surmounts the personal estate of said deceased the sum of £14 18s. 11*d.* 1 lawful money, and praying for liberty to sell so much of the lands of said deceased as will be sufficient for the payment of said sum with the necessary charges of said sale: Resolved by this Assembly, that the memorialists have liberty and liberty is hereby granted them, to sell so much of the lands of the said Ezra Davis, deceased, as to procure the said sum of £14 18s. 11*d.* 1 lawful money with the incident charges arising thereon; taking the direction of the court of probate in the district of Sharon therein.

Upon the memorial of Sarah Johnson, administratrix on the estate of Elijah Johnson late of Colchester, deceased, representing to this Assembly that the debts and charges due from the estate of said deceased, together with the allowances made to said administratrix, relict of said deceased, surmount the personal estate of said deceased the sum of £54 3s. 7*d.* lawful money, and praying for liberty to sell so much of the real estate of said deceased as will raise said sum of £54 3s. 7*d.* with the incident charges arising thereon: Resolved by this Assembly, that the said Sarah Johnson have liberty and she is hereby empowered, to make sale of so much of the [79] real estate || of said deceased as shall raise £54 3s. 7*d.* lawful money with the incident charges arising thereon; taking the direction of the court of probate for the district of East Haddam therein.

Upon the memorial [of] Anna Roth, administratrix on the estate of Thomas Roth of Norwich in the county of New London, deceased, shewing to this Assembly that the debts and charges allowed against said estate surmount the personal estate the sum of £25 18s. 10*d.* and praying for liberty to sell so much of the real estate of the said deceased as to enable the said administratrix to pay the said sum of £25 18s. 10*d.* and the necessary charges arising on such sale: Resolved by this Assembly, that the said Anna Roth, administratrix on said estate, have liberty and liberty is hereby granted to the said administratrix, to sell so much of the real estate of the said deceased as to enable her to pay the said sum of £25 18s. 10*d.* and the necessary charges arising on such sale; taking the direction of the court of probate in the district of Norwich therein.

Upon the memorial of Thankful Barnum, administratrix on the estate of Nathaniel Barnum late of Danbury, deceased, shewing to this Assembly that the debts due from the estate

of the said deceased surmount the personal estate the sum of £112 18s. 8*d.* whereof the memorialist hath nothing in her hands to pay said debts &c.; praying this Assembly to impower the memorialist or some other meet person, to make sale of so much of the lands of the said deceased as to enable the memorialist to pay said sum and the necessary charges arising thereon &c.: Resolved by this Assembly, that the memorialist and Capt. Daniel Taylor of Danbury have liberty and they are hereby impowered and fully authorized, to make sale of so much of the lands of the said deceased as to pay the aforesaid sum of £112 18s. 8*d.* and the necessary charges arising thereon; taking the direction of the court of probates in the district of Danbury therein.

*Teste* GEORGE WYLLYS, Secretary.

[80] *Anno Regni Regis Georgii secundi trigesimo-primo.*  
 AT A GENERAL ASSEMBLY OF THE GOVERNOR AND COMPANY OF HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA, HOLDEN AT HARTFORD IN SAID COLONY ON THE SECOND THURSDAY OF MAY (BEING THE ELEVENTH DAY OF SAID MONTH) AND CONTINUED BY SEVERAL ADJOURNMENTS UNTIL THE EIGHTH DAY OF JUNE FOLLOWING, ANNOQUE DOMINI 1758.

*Present:*

The Honourable Thomas Fitch, Esq<sup>r</sup>, *Governor.*

The Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, *Deputy Governor.*

Jonathan Trumble,	Benjamin Hall,	} Esq <sup>rs</sup> , Assistants.
Hezekiah Huntington,	Roger Wolcott, jun <sup>r</sup> ,	
Andrew Burr,	Jonathan Huntington,	
John Chester,	Daniel Edwards,	
Thomas Wells,		

*Representatives or Deputies of the several Towns hereafter mentioned returned to attend at this Assembly, viz:*

Col. Joseph Pitkin, Mr. John Ledyard, for Hartford.

Col. John Hubbard, Mr. John Whiting, for New Haven.

Col. Stephen Lee, Mr. Joshua Raymond, jun<sup>r</sup>, for New London.

Mr. David Rowland, for Fairfield.

Col. Eliphalet Dyar, Capt. Jonathan Rudd, for Windham.

Col. Ebenezer Marsh, Capt. Elisha Sheldon, for Litchfield.

Capt. Jabez Huntington, Mr. Isaac Tracy, for Norwich.

Col. Shubael Conant, Mr. William Hall, for Mansfield.

Mr. Samuel Nash, Mr. John Beach, for Goshen.

Mr. Benjamin Gale, Capt. Theophilus Morgan, for Killingsworth.

Col. John Dyar, Mr. Elisha Paine, for Canterbury.  
Capt. Joshua West, Col. Joseph Fowler, for Lebanon.  
Col. Elizur Goodrich, for Weathersfield.  
Mr. Jeremiah Curtiss, Mr. John Strong, for Farmington.  
Capt. Samuel Lord, for Saybrook.  
Mr. Jacob Dresser, Mr. Ebenezar Leonard, for Killingsly.  
Major Elihu Hall, Mr. Enos Brooks, for Wallingford.  
Mr. Joseph Wilcockson, Mr. David Phelps, for Symsbury.  
Mr. John Wilford, Mr. Samuel Barker, for Branford.  
Mr. Erastus Wolcott, for Windsor.  
Mr. Charles Webb, Mr. Jonathan Dibble, for Stanford.  
Capt. John Hitchcock, Mr. Roger Sherman, for New Milford.  
Mr. James Fitch, Mr. Joseph Platt, for Norwalk.  
Mr. Agur Tomlinson, Capt. Theophilus Nichols, for Stratford.  
Capt. William Witter, Mr. Nathaniel Brown, for Preston.  
Mr. Hezekiah Brainard, for Haddam.  
Col. Christopher Avery, Capt. Moses Fish, for Groton.  
Mr. Christopher Holmes, for East Haddam.  
Mr. Zebulon West, Mr. Samuel Cobb, for Tolland.  
Capt. Samuel Basset, Capt. Abel Gun, for Derby.  
Mr. Martin Smith, for New Hartford.  
Mr. John Phelps, Capt. Samuel Gilbert, for Hebron.  
Mr. Comfort Starr, for Danbury.  
Capt. Timothy Judd, Mr. Stephen Hopkins, for Waterbury.  
[81] Mr. Samuel Olmsted, Mr. Elijah Hawley, for Ridgfield.  
Capt. Edward Allen, Capt. Joseph Woodruff, for Milford.  
Mr. Samuel Robinson, Col. Timothy Stone, for Guilford.  
Mr. Isaac Johnson, Col. Thomas Chandler, for Woodstock.  
Mr. Edward Collins, for Enfield.  
Mr. David Orcut, Mr. Josiah Converse, for Stafford.  
Mr. Jonathan Kilborn, Capt. Elijah Worthington, for Colchester.  
Capt. Ezekiel Pierce, Capt. Isaac Coit, for Plainfield.  
Mr. Jonathan Dresser, Mr. John Williams, for Pomfret.  
Mr. Daniel Sherman, Mr. Benjamin Hickox, for Woodbury.  
Capt. John Williams, Capt. Samuel Dunham, for Sharon.  
Capt. Samuel Kent, for Suffield.  
Mr. George Dorr, Capt. Matthew Griswold, for Lyme.  
Capt. John Bebee, Capt. Daniel Lawrence, for Canaan.  
Capt. James Landon, Mr. John Everts, for Salisbury.  
Mr. Jacob Benton, Capt. Jacob Hinsdall, for Harwington.  
Capt. Ebenezer Kingsbury, Mr. Joseph Strong, for Coventry.  
Mr. James Wadsworth, Mr. Nathan Camp, for Durham.  
Mr. Josiah Benton, for Glassenbury.  
Mr. Simeon Minor, Capt. Phineas Stanton, for Stonington.

Capt. Benjamin Talcott, Capt. Thomas Pitkin, for Bolton.

Col. Jabez Hamlin, for Middleton.

Mr. Daniel Booth, Mr. Benjamin Curtis, for Newton.

Mr. Jabez Swift, for Kent.

Capt. Benjamin Somner, Mr. Everet Smith, for Ashford.

Capt. Robert Dixson, Mr. John Smith, for Voluntown.

Col. Shubael Conant, Speaker	} of the House of Representatives.
Capt. Jabez Huntington, Clerk	

This day being appointed by the royal charter and the laws of this Colony for the election of the public officers of the Colony, *viz*: Governor, Deputy Governor, Assistants, Treasurer and Secretary, proclamation was made, and then the votes of the freemen were given in to the persons appointed by the Governor, Council and Representatives, to receive, sort and count them; which persons so appointed were: Jonathan Trumble, Hezekiah Huntington, Andrew Burr, John Chester, Thomas Wells, Benjamin Hall, Roger Wolcott jun<sup>r</sup>, Jonathan Huntington, Daniel Edwards, Esq<sup>rs</sup>, Messrs. Samuel Kent, Hezekiah Brainard, John Whiting, Timothy Stone, Benjamin Gale, Simeon Minor, David Rowland, Comfort Starr, Eliphalet Dyar, Thomas Chandler, Elisha Sheldon and John Williams, who were all sworn to a faithful discharge of that trust. And the votes of the freemen being brought in, sorted and counted,

The Honourable Thomas Fitch, Esq<sup>r</sup>, is chosen Governor of this Colony for the year ensuing.

The Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, is chosen Deputy Governor of this Colony for the year ensuing.

Roger Newton, Esq<sup>r</sup>, Ebenezer Silliman, Esq<sup>r</sup>, Jonathan Trumble, Esq<sup>r</sup>, Hezekiah Huntington, Esq<sup>r</sup>, Andrew Burr, Esq<sup>r</sup>, John Chester, Esq<sup>r</sup>, Thomas Wells, Esq<sup>r</sup>, Benjamin Hall, Esq<sup>r</sup>, Phineas Lyman, Esq<sup>r</sup>, Roger Wolcott, jun<sup>r</sup>, Esq<sup>r</sup>, Daniel Edwards, Esq<sup>r</sup>, Jabez Hamlin, Esq<sup>r</sup>, were chosen Assistants for the year ensuing.

Joseph Talcott, Esq<sup>r</sup>, is chosen Treasurer of this Colony for the year ensuing.

George Wyllys, Esq<sup>r</sup>, is chosen Secretary of this Colony for the year ensuing.

The Governor's oath prescribed by the law of this Colony, and the oath required by act of Parliament relating to Trade and Navigation, were administred by the Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, Deputy Governor, to the Hon<sup>ble</sup> Thomas Fitch, Esq<sup>r</sup>, now chosen Governor, in the presence of the Assembly. [82] The Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, (now chosen Deputy Governor) had the Deputy Governor's oath prescribed by

law administred to him by his Honour the Governor in the presence of the Assembly.

The Assistant's oath prescribed by law was administred by his Honour the Governor to Roger Newton, Esq<sup>r</sup>, Ebenezer Silliman, Esq<sup>r</sup>, Jonathan Trumble, Esq<sup>r</sup>, Hezekiah Huntington, Esq<sup>r</sup>, Andrew Burr, Esq<sup>r</sup>, John Chester, Esq<sup>r</sup>, Thomas Wells, Esq<sup>r</sup>, Benjamin Hall, Esq<sup>r</sup>, Phineas Lyman, Esq<sup>r</sup>, Roger Wolcott, jun<sup>r</sup>, Esq<sup>r</sup>, Daniel Edwards, Esq<sup>r</sup>, Jabez Hamlin, Esq<sup>r</sup>, (now chosen Assistants) in the presence of the Assembly.

The Secretary's oath provided by law was administred by his Honour the Governor to George Wyllys, Esq<sup>r</sup>, (now chosen Secretary,) in the presence of the Assembly.

*Ordered*, That Hezekiah Huntington and Jabez Huntington, Esq<sup>rs</sup>, return the thanks of this Assembly to the Rev<sup>d</sup> Mr. Benjamin Throop, for his sermon delivered (on the 11th day of instant May) before this Assembly, and desire a copy thereof that it may be printed.

This Assembly do appoint the Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, to be Chief Judge of the Superior Courts in this Colony the year ensuing.

This Assembly do appoint Ebenezer Silliman, Roger Wolcott, jun<sup>r</sup>, Joseph Fowler and Daniel Edwards, Esq<sup>rs</sup>, to be Judges of the Superior Courts in this Colony the year ensuing.

This Assembly do appoint Jabez Hamlin, Esq<sup>r</sup>, to be Judge of the County Courts in and for the county of Hartford the year ensuing.

This Assembly do appoint Roger Newton, Esq<sup>r</sup>, to be Judge of the County Courts in and for the county of New Haven the year ensuing.

This Assembly do appoint Hezekiah Huntington, Esq<sup>r</sup>, to be Judge of the County Courts in and for the county of New London the year ensuing.

This Assembly do appoint Andrew Burr, Esq<sup>r</sup>, to be Judge of the County Courts in and for the county of Fairfield the year ensuing.

This Assembly do appoint Jonathan Trumble, Esq<sup>r</sup>, to be Judge of the County Courts in and for the county of Windham the year ensuing.

This Assembly do appoint John Williams, Esq<sup>r</sup>, to be Judge of the County Courts in and for the county of Litchfield the year ensuing.

This Assembly do appoint Joseph Buckingham, Esq<sup>r</sup>, to be Judge of the Court of Probate for the district of Hartford the year ensuing.

This Assembly do appoint John Hubbard, Esq<sup>r</sup>, to be Judge of the Court of Probate for the district of New Haven the year ensuing.

This Assembly do appoint Gurdon Saltonstall, Esq<sup>r</sup>, to be Judge of the Court of Probate for the district of New London the year ensuing.

This Assembly do appoint Andrew Burr, Esq<sup>r</sup>, to be Judge of the Court of Probate for the district of Fairfield the year ensuing.

This Assembly do appoint Jonathan Trumble, Esq<sup>r</sup>, to be Judge of the Court of Probate for the district of Windham the year ensuing.

This Assembly do appoint Timothy Stone, Esq<sup>r</sup>, to be Judge of the Court of Probate for the district of Guilford the year ensuing.

This Assembly do appoint Daniel Sherman, Esq<sup>r</sup>, to be Judge of the Court of Probate for the district of Woodbury the year ensuing.

This Assembly do appoint Jonathan Hoit, Esq<sup>r</sup>, to be Judge of the Court of Probate for the district of Stanford the year ensuing.

This Assembly do appoint Joseph Spencer, Esq<sup>r</sup>, to be Judge of the Court of Probate for the district of East Hadam the year ensuing.

This Assembly do appoint Ebenezer Marsh, Esq<sup>r</sup>, to be Judge of the Court of Probate for the district of Litchfield the year ensuing.

This Assembly do appoint Thomas Benedict, Esq<sup>r</sup>, to be Judge of the Court of Probate for the district of Danbury the year ensuing.

[83] This Assembly do appoint Hezekiah Huntington, Esq<sup>r</sup>, to be Judge of the Court of Probate for the district of Norwich the year ensuing.

This Assembly do appoint John Creary, Esq<sup>r</sup>, to be Judge of the Court of Probate for the district of Plainfield the year ensuing.

This Assembly do appoint Jabez Hamlin, Esq<sup>r</sup>, to be Judge of the Court of Probate for the district of Middleton the year ensuing.

This Assembly do appoint Timothy Sabin, Esq<sup>r</sup>, to be Judge of the Court of Probate for the district of Pomfret the year ensuing.

This Assembly do appoint John Williams, Esq<sup>r</sup>, to be Judge of the Court of Probate for the district of Sharon the year ensuing.



This Assembly do appoint Joseph Buckingham, Joseph Pitkin, William Wolcott and John Humphrys, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in and for the county of Hartford the year ensuing.

This Assembly do appoint Joseph Talcott, George Wyllys, John Ledyard, Thomas Hosmer, Jonathan Hills, Daniel Bissell, Samuel Enno, Pelatiah Mills, Elizur Goodrich, Jonathan Belding, Joseph White, Thomas Johnson, Seth Wetmore, Benjamin Stilman, Joseph Southmayd, Joseph Hooker, John Hooker, Solomon Whitman, Jared Lee, Hezekiah Gridley, Joseph Hart, Joseph Wilcoxson 2d, John Owen, Jonathan Hale, David Hubbard, Hezekiah Brainard, Joseph Wells, Joseph Spencer of East Haddam, Daniel Cone, Nathaniel Foot, John Waterhouse, Jonathan Kilbourn, jun<sup>r</sup>, Joseph Phelps, John Phelps, Samuel Gilbert, jun<sup>r</sup>, Alexander Phelps, Thomas Pitkin, Zebulon West, John Mirick, Daniel Aldin, Isaac Pinney, Samuel Reynolds, Ephraim Terry, Samuel Kent, jun<sup>r</sup>, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of Hartford the year ensuing.

This Assembly do appoint Benjamin Hall, Esq<sup>r</sup>, to be Justice of the Quorum in and for the county of New Haven the year ensuing.

This Assembly do appoint John Hubbard, Elihu Chauncey, and Timothy Stone, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in and for the county of New Haven the year ensuing.

This Assembly do appoint Isaac Dickerman, John Prout, Deodate Davenport, Samuel Sherman, John Whiting, Thomas Darling, Samuel Sacket, Robert Treat of Milford, Nathan Baldwin, Joseph Woodruff, Nathaniel Harrison of Branford, Jonathan Russel, Josiah Rogers, Samuel Barker, Theophilus Rossiter of Guilford, Samuel Robinson, Nathaniel Ruggles, John Graves, Samuel Hall of Wallingford, John Hall 2d, Elihu Hall, Ezekiel Royce, Caleb Merriman, James Wadsworth of Durham, Samuel Basset of Derby, Samuel Riggs, Timothy Russel, Daniel Holbrook, Thomas Clark of Waterbury, Thomas Matthews and Thomas Brownson, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of New Haven the year ensuing.

This Assembly do appoint Mr. Charles Whittlesey to be Justice of the Peace for the county of New Haven the year ensuing.

This Assembly do appoint John Griswold, Christopher Avery, Richard Lord and Isaac Huntington, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in and for the county of New London the year ensuing.

This Assembly do appoint Elnathan Stephens, Jonathan Lane, Joseph Wilcox, Aaron Eliot, Nathaniel Clark, Jedidiah Chapman, John Tulley, Hezekiah Whittlesey, Daniel Ely, Benjamin Lee, Samuel Ely, John Lay 3d, Joshua Hemsted, Pygan Adams, Ebenezer Bacchus, Jabez Huntington, William Whiting, Jacob Perkins, Samuel Morgan, Nathaniel Brown, Samuel Coit, William Witter, Joseph Dennison, [84] Simeon Minor, || Samuel Prentice, Luke Perkins, William Williams, Nathan Smith, Ebenezer Avery, Jeremiah Miller, Ebenezer Hartshorn, Amos Chesborough, Daniel Coit and Adonijah Fitch, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of New London the year ensuing.

This Assembly do appoint Jonathan Hoit, David Rowland, Samuel Fitch and John Read, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in and for the county of Fairfield the year ensuing.

This Assembly do appoint Robert Walker, Robert Fairchild, Theophilus Nichols, Samuel Adams, Ichabod Lewis, William Peet, William Burr, Lothrop Lewis, Moses Dimon, Samuel Sherwood, Joseph Platt, James Lockwood, Elias Betts, Theophilus Fitch, Jonathan Maltbie, Abraham Davenport, Ebenezer Mead, Nathaniel Sacket, Samuel Olmsted, Samuel Smith the 3d, Thomas Benedict, Samuel Gregory, Ephraim Hubbel, Thomas Tousey, Caleb Baldwin, Benajah Case, John Ferris and Comfort Starr, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of Fairfield the year ensuing.

This Assembly do appoint Agur Tomlinson to be Justice of the Peace in and for the county of Fairfield the year ensuing.

This Assembly do appoint Shubael Conant, John Dyer, Jabez Fitch and Joshua West, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in and for the county of Windham the year ensuing.

This Assembly do appoint Ebenezer West, Jonathan Huntington, Joseph Fowler, Joseph Cady, John Creary, Joseph Clark, Eliphalet Dyer, Nathaniel Huntington, Joseph Strong, jun<sup>r</sup>, Phineas Strong, John Smith, Samuel Dannelson, Ebenezer Wales, William Metcalf, Samuel Chandler, Thomas Chandler, Benjamin Wheeler, Jeremiah Kenne, Silas Long, Timothy Sabin, Jacob Dresser, Joseph Stores, Robert Dixon, Samuel Gray, Ezekiel Pierce, Ebenezer Williams, William Osgood, Samuel Huntington of Canterbury, Jedidiah Elderkin, Stephen Fuller, Samuel Wood of Union, Amos Babcock, Thomas Williams of Pomfret, Elijah Whiton and Thomas Moffat, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of Windham the year ensuing.

This Assembly do appoint Ebenezer Marsh, Noah Hinman, Elisha Sheldon and Increase Moseley, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in and for the county of Litchfield the year ensuing.

This Assembly do appoint John Williams, Thomas Harrison, Timothy Collins, Daniel Sherman, Daniel Everit, Elisha Stoddard, Paul Welch, Bushnel Bostwick, Roger Sherman, Timothy Hatch, John Ransom, Samuel Hutchinson, James Landon, John Hutchinson, David Whitney, John Bebee, John Beach, Gideon Thompson, John Patterson, Ebenezer Lyman, John Cook, Cyprian Webster, Abijah Catlin, Isaac Kellogg, Joshua Whitney and Martin Smith, Esq<sup>rs</sup>, to be Justices of the peace in and for the county of Litchfield the year ensuing.

This Assembly do appoint Henry Castle to be a Justice of the Peace for the county of Litchfield the year ensuing.

Whereas this Assembly in March last voted to raise five thousand men in this Colony for the service of the ensuing campaign and gave great encouragements to induce able-bodied effective men voluntarily to enlist into the several regiments ordered to be raised for that purpose: but forasmuch as by voluntary enlistments the said regiments are not filled [85] up, and the season || of the year being so far advanced it appears necessary that some more effectual measures be come into for speedily compleating the levies: Therefore,

*It is resolved by this Assembly,* That the number of men to be raised, including those who have already engaged or enlisted, in the limits of the several regiments of militia in this Colony, be in the following proportion, *viz*: in the first regiment 746; in the 2d, 350; 3d, 489; 4th, 390; 5th, 314; 6th, 357; 7th, 261; 8th, 285; 9th, 346; 10th, 261; 11th, 346; 12th, 383; 13th, 472.

That the colonel, or in his absence the next field officer, of each regiment be forthwith certified either from the enlisting officers or the militia captains or chief officers of the companies what number of men belonging to or within the limits of their respective companies are enlisted into the service aforesaid and that thereupon the colonel or other field officer is hereby directed and impowered to give his orders to each captain or other chief officer of every company within the limits of which a proportion for that company hath not enlisted, to detach or impress such a number of able-bodied men out of such company or within the limits thereof as, including those before enlisted, shall make that company's proportion of the number to be raised in the regiment to which it belongs, the said proportion to be computed by the number of the training-rolls

as heretofore returned to the colonels; and that thereupon the officers receiving such orders shall, and they respectively are hereby impowered and directed in the most proper and effectual method, to proceed in detaching or impressing, and taking the advice of the civil authority in the town (if to be obtained) shall and may impress men included in the training-rolls or such as may be found within the limits of the company proper for the service; and that all such as have been in any former campaigns shall be liable to and may be impressed as well as others (their having been before in service notwithstanding).

*Provided nevertheless,* That no more than every sixth man, including those already inlisted, be detached out of any troop of horse.

*And be it further resolved,* That those who shall be so detached or impressed and shall go into the service aforesaid shall be entituled to the same wages as are given to others and shall be supplied with a blanket and knapsack, and shall receive forty shillings in case they supply themselves with shot-bags and powder-horns and proper cloathing: otherwise they shall be supplied therewith (not exceeding the value of said sum) by the captain or other officer of the company, and the overplus, if any be, to be paid them.

*Provided nevertheless,* That if any person shall enlist previous to such detachment or impressing, or within twenty-four hours after, he shall receive the same encouragement as is already given to those who have enlisted.

*Resolved by this Assembly,* That the soldiers in this Colony detached for his Majesty's service in the ensuing campaign shall by the colonels of the standing militia in this Colony, respectively, by whose order said soldiers were detached, be assigned to serve under the next officer of the company respectively going into the service aforesaid whose company is vacant; and in case such soldier so assigned shall within twenty-four hours after such assignment, or after he has opportunity by any enlisting officer of such company, enlist into the service aforesaid, he shall be allowed the same premium as heretofore allowed to those who should voluntarily enlist into the service aforesaid; and that copies of this resolve be forthwith transmitted to each of said colonels, respectively.

Whereas his Honour the Governor hath issued a Proclamation, to notify and acquaint the men raised in this Colony for [86] the || ensuing campaign that his Majesty's Commander-in-Chief in America hath engaged, that if any of the arms

brought by the troops of this Colony into the service shall be either lost in actual service or thro' real use be no longer fit for service, upon due proof thereof he will make the same good to the proprietors in money: And whereas it is found on enquiry that there is about two thousand good arms of those sent hither by his Majesty formerly and those the Colony hath provided with which the troops of this Colony may be furnished, and it is apprehended that many of the men will carry their own arms into the service on the encouragement aforesaid, provided some proper allowance be made for the common and ordinary use of them: Therefore,

*Resolved by this Assembly,* That in addition to the encouragement aforesaid all those soldiers who shall furnish themselves with good arms not exceeding the number of three thousand, and carry the same into the service, for a good firelock, bayonet, cartouch-box and belt, or for a cutlass or hatchet carried instead of a bayonet, all to the acceptance of the captain of the company to which he belongs, each man shall have and receive a bounty therefor of five shillings to be paid out of the treasury of this Colony. And the captain of each company is hereby directed to certify to the Committee of the Pay-Table as soon as may be the number so furnished in his company.

And in case a sufficient number of arms and accoutrements shall not be provided by the means already directed,

*It is further resolved,* That the captain of each company who is going in said service, or in his absence on duty the next commission officer who is present, shall apply to some Assistant or justice of the peace and give him an account of the number of arms and accoutrements that are wanted to furnish the residue of the men which he hath then belonging to his company, who is hereby authorized and impowered to issue forth a warrant directed to some suitable person or persons, to impress the number of good arms and accoutrements wanted as aforesaid from that part of the militia exempted from training, if a number sufficient may be found with such, or otherwise so far as is necessary from the other part of the militia, and order the same to be marked and appraised by two judicious persons under oath, and that due return be made to him of all such doings, and thereupon such Assistant or justice is hereby directed to deliver the same to such captain or other officer as aforesaid, taking his receipt therefor, therein expressing the names of the owners with the marks and prizes as aforesaid, and lodge the same with the Committee of the Pay-Table; and that such captain or other officer is hereby directed to deliver the said arms and accou-

trements to such of his company as want them, taking an account of the mark and price of the arms delivered each man, and leave an attested copy thereof with the Committee of the Pay-Table; and that each owner of the arms and accoutrements so impressed shall be entitled to and receive the same encouragement and bounty that is given to each soldier as above-mentioned, and that during the time his arms so impressed shall be retained from him and not paid for, if such owner be not required to train he is hereby excused from appearing and shewing his arms and ammunition on any of the days appointed for the view of arms; and if such owner doth belong to any trainband, he is hereby excused from bringing or shewing such like arms or accoutrements on any usual training day or days appointed by the law for the view of arms.

And, that authentiek accounts of such losses as may happen in the campaign and proper proof thereof be kept: Therefore, [87] *Resolved*, That the captain of each company raised in this Colony be and he is hereby directed to take account of all such losses as may happen during the campaign with the proof, and deliver it to the colonel of the regiment to which he belongs, who is hereby directed and impowered to receive all such accounts and make application to the general for payment, on receipt whereof said colonel is to take proper care that the same be duly paid to the owners or proprietors of such lost arms.

*Resolved by this Assembly*, That the commissaries forthwith collect the King's arms and the arms belonging to this Colony from the divers places in which they are reported to be lodged and, regard being had to the four hundred ninety-four arms lodged in the King's ordnance stores at Albany, deliver out all such arms as are in this Colony, in some suitable proportion, to the captains of the companies raised in this Colony for the present expedition, taking proper receipts therefor, and lodge the same with the Committee of the Pay-Table.

*Resolved by this Assembly*, That Hezekiah Huntington and Jabez Hamlin, Esq<sup>rs</sup>, be appointed and they are hereby appointed Commissaries, to provide on the most advantageous terms they can, on the account of this Colony, the following articles, *viz*: one thousand pair large shoes, one thousand pair yarn stockings, one thousand shirts, two hundred fifty great coats made of duffels or such like cloth and cloth sufficient for two hundred and fifty coats more, two hundred fifty blankets, five hundred pounds chocolate, five thousand pounds

sugar, and five thousand pounds tobacco, and order the same to be transported to Albany (with an invoice of the prime cost of all such articles,) to be delivered to the commissary that shall be appointed by this Assembly to attend the army, taking his receipt therefor; which articles said commissaries shall procure to be transported to the army and dispose of the same to the soldiers belonging to this Colony as they shall have occasion to purchase, keeping an exact account of such articles disposed of to each person and to what company such person belongs, to be charged to the soldiers at the advance of £12 *per cent.* from the prime cost, except the sugar and tobacco, which shall be charged to them at £50 *per cent.* advance from the first cost; which account the commissary shall transmit to the Committee of the Pay-Table, who are directed to stop the same out of the wages due to said soldiers before they are paid off, and that no soldier shall be allowed to purchase of said commissary except per order from his captain or chief officer and not with such order to exceed the soldiers wages. And whereas some other articles may be found necessary for the soldiers during the campaign, said commissary may, upon advice of the regimental officers there, send to the Committee of the Pay-Table an account of all such further provisions that may appear to them to be necessary, and upon receipt thereof the Committee of the Pay-Table, if they think proper that any further supplies shall be sent, then they are desired to advise said commissaries what further to send, and they are directed to purchase and forward them accordingly.

*And it is further resolved,* That said commissary shall settle with the Committee of the Pay-Table for all such goods as shall be delivered to him for the purpose aforesaid, and that said commissary shall not sell any goods to said soldiers on his own account.

This Assembly appoints Mr. Asa Spalding Chaplain to the forces stationed at Number Four, and that he be allowed for said service the sum of seven pounds per month for the space of two months.

This Assembly do appoint Elisha Lord of Norwich Surgeon, Gideon Wells of Weathersfield 1st Mate, Daniel Dwight of Somers 2d Mate, in the first regiment.

[ 88 ] Joseph Clark of Milford Surgeon, Daniel Porter jun<sup>r</sup> of Waterbury 1st Mate, William Whiting jun<sup>r</sup> of Norwich 2d Mate, in the second regiment.

John Bartlet of Lebanon Surgeon, David Adams of Canterbury 1st Mate, Benjamin Pomroy jun<sup>r</sup> of Hebron 2d Mate, in the third regiment.

Gideon Wells of Fairfield Surgeon, Silas Baldwin of Derby 1st Mate, John Wood jun<sup>r</sup> of Danbury 2d Mate, in the fourth regiment.

And desire his Honour the Governor to give them proper warrants for that purpose. And in case any of the above-named gentlemen shall refuse or otherwise shall be prevented of going into said service, his Honour the Governor is desired to supply any vacancies that may be so made.

This Assembly appoints Mr. John Williams of Norwich, to be a Commissary to repair to Albany to receive the several articles ordered by this Assembly for the soldiers going from this Colony in the present campaign and to dispose of them according to the directions of this Assembly. And in case anything should happen to prevent said commissary from prosecuting said business by reason of sickness or otherways, then the colonels of the regiments belonging to this Colony are directed to fill up said vacancy by appointing some proper person for the purpose. And for the encouragement of said commissary there shall be allowed to him five pounds per month during the time he continues in such service.

This Assembly appoints the following gentlemen to be Armourers in the regiments raised in the Colony for the present campaign, *viz*: Eleazer Done of Mansfield for the 1st regiment, Nathan Bayly of Groton for the 2d regiment, Wait Deming of Goshen for the 3d regiment, Isaac Doolittle of New Haven for the 4th regiment. And in case any of said armourers should fail of undertaking said service, the colonel of that regiment to which said armourer was appointed is directed to fill up said vacancy. And for the encouragement of such armourers as shall undertake said service and provide themselves with all proper tools for carrying on said business shall be allowed six pounds per month.

*Resolved by this Assembly,* That there be allowed to Phineas Lyman, Esq<sup>r</sup>, the sum of five pounds per month in addition to his wages already granted as he is major-general of the forces going from this Colony for the next campaign.

This Assembly grants to Phineas Lyman, Esq<sup>r</sup>, major-general of the forces raised in this Colony for invading Canada &c. and colonel of the first regiment in said forces, the sum of fifteen pounds in addition to the sum granted him as colonel &c. by the Assembly in March last, to furnish his tent and table and for the decent reception and support of the chaplain of the regiment.

*Resolved by this Assembly,* That there be paid out of the public treasury of this Colony the sum of twenty pounds law-



ful money to Major Israel Putnam, as a reward for his extraordinary services in the two last years campaigns: and the Treasurer of this Colony is hereby ordered to pay the same accordingly.

Whereas the gentlemen appointed by this Assembly at their sessions in March last to be assisting to his Honour the [ 89 ] Governor || in collecting the most material facts relative to the siege and surrendry of Fort William Henry &c. by reason of the necessary and important business of the ensuing campaign have not been able to attend said service: This Assembly do appoint Ebenezer Silliman, Jonathan Trumble, Joseph Fowler and Eliphalet Dyar, Esq<sup>rs</sup>, to be assisting to his Honour the Governor in collecting and preparing the same for the purposes recited in the resolve of this Assembly in March last.

This Assembly constitutes and appoints Jared Ingersoll of New Haven, Esq<sup>r</sup>, to be Agent or Attorney for the Governor and Company of this Colony, to appear for and represent them before the King's Most Excellent Majesty, or any of his courts, ministers of state or boards of audience in Great Britain, in all such matters and affairs as may be committed to him to be managed there by order and direction of the Governor and Company aforesaid or wherein they are or may be concerned, and in conjunction with Mr. Agent Partridge, now residing in London, or by himself as occasion may require, to solicit for a reimbursement of the expences incurred on the part of this Colony in carrying on the late as well as the present expedition, and to observe such directions and instructions as shall from time to time be given him by this Assembly relative thereto, and also as shall relate to such other matters as shall be committed to him. And his Honour the Governor is desired to cause a proper letter of procuration or agency to be made out under the public seal of this Colony to the said Jared Ingersoll, Esq<sup>r</sup>, accordingly, to be signed by his Honour and the Secretary, in the name and on behalf of the Governor and Company of this Colony.\*

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\* Instructions to Jared Ingersoll, Esq. appointed Agent for the Governor and Company of the Colony of Connecticut, at the Court of Great Britain.

1st. You are with all convenient speed to embrace the first safe and good opportunity to embark for England, and there to transact on behalf of this Colony in all the affairs and concerns thereof, joyntly or severally with Richard Partridge, of London, Esq., who hath long acted in the same capacity; and to apply to him for all such papers as therein you shall have occasion for, and to exercise your best skill and prudence in all things committed to you, to promote our service and interest.

2ly. You are to represent the state of this Colony in every needful respect, especially what share and burden it hath sustained for the defence and security

This Assembly grants to Jared Ingersoll, Esq<sup>r</sup>, a salary of one hundred and fifty pounds sterling *per annum* as Agent of this Colony at the Court of Great Britain, to commence from the first day of June 1758, and to be continued during his service in that post, and to pay all his reasonable expences there and on his voyage to London and in his return home, the article of cloathing excepted.

This Assembly desire and impower his Honour the Governor to draw a bill of exchange on Richard Partridge of London, Esq<sup>r</sup>, for such sum as his Honour shall think needful, not exceeding the sum of three hundred pounds sterling, payable to Jared Ingersoll, Esq<sup>r</sup>, for his expences during his stay in Great Britain to transact our affairs as agent there, to be settled with Mr. Partridge on account of the money now in his hands belonging to this Colony, together with a letter of advice thereof and recommendation of said Mr. Ingersoll who is sent by this Colony to joyn with him in soliciting and transacting our affairs there.

This Assembly appoint and impower Richard Partridge of the City of London, Esq<sup>r</sup>, Agent and Attorney for the Governor and Company of this Colony, to solicit for and receive

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of his Majesty's territories in these parts; the weight and burden of expences occasioned by the present war; the cheerfulness and alacrity always shewn to comply with all his Majesty's requisitions, and especially to promote and forward to the utmost the extensive plan laid by his Majesty for securing the territories in North America, for invading Canada and carrying war into the heart of his enemies' possessions this present year; and to use the best means and methods to obtain such reimbursements for the great expences incurred thereby, as our vigorous exertions in the service may appear to merit, and our difficult circumstances thereby occasioned do require.

3ly. You are to take prudent care of the affair of the Mohegan Indians, to prevent any further proceedings in that case.

4ly. You are to take due care of our interest with relation to the four towns challenged by the Massachusetts Bay, and which lye south of the line between the two governments, that no injury be done to us therein, and that all disputes about it may be prevented.

5ly. You are, as occasion may require, to represent the whole transactions relating to the Spanish ship *St. Joseph* and *St. Helena*, and her cargo, which doubt not when truly known will set us in a favourable light on that head.

6ly. You are to advise with and consult council learned in the law in any case wherein there is occasion; and in all things wherein you transact for the Colony you are to take such advice and assistance in all the measures and steps thereof as you shall judge prudent and likely to promote our interest.

7thly. You are to transmit from time to time accounts of all your proceedings, and everything done thereon relative to our affairs, by every convenient opportunity after your arrival at Great Britain, and to observe such further instructions as shall hereafter be given you by this Assembly.

Colony of Connecticut, ss. General Assembly, May, 1758.

In the Upper House: The foregoing instructions to Mr. Agent Ingersoll are approved, and the Secretary of this Colony is directed to deliver a copy thereof to him before his departure from hence.

Test. GEORGE WYLLYS Sec<sup>y</sup>.

Concurred in the Lower House,

Test Jz. HUNTINGTON, Clerk.  
War, x, 381.

all such sum and sums of money as may be granted or ordered this Colony on account of victualling the troops raised in this Colony for the expedition against Crown Point in the year of our Lord 1756, and to give proper receipts therefor in behalf of said Governor and Company. And it is hereby ordered, that a proper instrument of procuration or letter of attorney be made out in the name of said Governor and Company under the public seal and signed by the Governor and Secretary of this Colony, fully empowering the said Richard Partridge, Esq<sup>r</sup>, for the purpose aforesaid. And the said Richard Partridge, Esq<sup>r</sup>, is hereby directed on receipt of such money to send the one half of it to said Governor and Company the first good opportunity he may have safely to convey the same [ 90 ] || at a moderate insurance, and the other half to reserve in his hands to be disposed of according to such other or further orders as he shall from time to time receive from this Assembly for that purpose.

The Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, John Chester and George Wyllys, Esq<sup>rs</sup>, are appointed a committee, they or any two of them, to sell the one half of such sum or sums of money as is or shall be granted or ordered by Parliament or otherwise to this Colony on account of victualling the troops raised in the Colony for an expedition against Crown Point *anno* 1756, as soon as certain intelligence is had that said money is in the hands of Mr. Partridge. And said committee is hereby directed to sell the same for the full value thereof in silver or gold or bills of this Colony to any person or persons that shall appear to purchase the same and pay the value thereof, as aforesaid, into the treasury of this Colony. And when such contract is made and the money or bills aforesaid paid into the treasury as aforesaid, and the Treasurer's receipt produced to said committee in evidence thereof, said committee is directed to lodge the same with the Secretary of the Colony and make a proper certificate thereof to his Honour the Governor, and on receipt of such certificate his Honour is desired to draw proper bills of exchange on the said Mr. Partridge in favour of such purchaser or purchasers for the payment of such sum or sums as he or they shall have purchased as aforesaid.

*Resolved by this Assembly,* That David Rowland, Esq<sup>r</sup>, be appointed, and he is hereby appointed, to proceed to Albany with John Ledyard, to make application for the money due for billeting and carriages supply'd the troops of this government last year, and also to transact such further and other

business as they may have in charge on the behalf of this government.

Considering the awful aspect of Divine Providence on the protestant nations, and particularly on our nation and land in the calamitous and threatenng progress of a destructive war: Resolved by this Assembly, that his Honour the Governor be desired to issue a Proclamation for the observation of a day of Fasting and Prayer throughout this government, suitable to such important and interesting events and prospects.

This Assembly appoints Captain Edward Allen to be Major of the second regiment in this Colony.

This Assembly do establish Mr. Prince Aldin to be Quarter-Master of the troop of horse in the 3d regiment in this Colony.

This Assembly do establish Mr. Samuel Wells junr, to be Captain of the 5th company or trainband in the town of Hartford.

This Assembly do establish Mr. David Hills junr, to be Lieutenant of the 5th company or trainband in the town of Hartford.

This Assembly do establish Mr. Thomas Wadsworth to be Ensign of the 5th company or trainband in the town of Hartford.

This Assembly do establish Mr. John Chamberlain to be Captain of the first troop of horse in the 12th regiment in this Colony.

This Assembly do establish Mr. Daniel Brainard to be Lieutenant of the first troop of horse in the 12th regiment in this Colony.

This Assembly do establish Mr. Oliver Buckley to be Cornet of the first troop of horse in the 12th regiment in this Colony.

This Assembly do establish Mr. Samuel Gates to be Quarter-Master of the first troop of horse in the 12th regiment in this Colony.

This Assembly do establish Mr. Bevil Seymour to be Lieutenant of the 10th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Charles Hurlburt to be Ensign of the 10th company or trainband in the 6th regiment in this Colony.

[ 91 ] This Assembly do establish Mr. John Hungerford to be Captain of the company or trainband in the parish of New Cambridge in the town of Farmington.

This Assembly do establish Mr. Josiah Lewis to be Lieutenant of the company or trainband in the parish of New Cambridge in the town of Farmington.

This Assembly do establish Mr. Zebulon Peck to be Ensign of the company or trainband in the parish of New Cambridge in the town of Farmington.

This Assembly do establish Mr. Joseph Olmsted to be Captain of the 2d company or trainband in the town of Enfield.

This Assembly do establish Mr. John Mallery to be Lieutenant of the 3d company or trainband in the town of Woodbury.

This Assembly do establish Mr. David Orcut to be Lieutenant of the 7th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Caleb Chapman to be Captain of the north company or trainband in the 1st society in the town of East Haddam.

This Assembly do establish Mr. John Perseval to be Lieutenant of the north company or trainband in the 1st society in the town of East Haddam.

This Assembly do establish Mr. Joshua Brainard to be Ensign of the north company or trainband in the 1st society in the town of East Haddam.

This Assembly do establish Mr. George Griswold to be Captain of the 5th company or trainband in the town of Windsor.

This Assembly do establish Mr. Moses Griswold to be Ensign of the 5th company or trainband in the town of Windsor.

This Assembly do establish Mr. Richard Bristol to be Lieutenant of the 6th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Nathan Clark to be Ensign of the 6th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Joseph Hickox to be Ensign of the 2d company or trainband in the town of Woodbury.

This Assembly do establish Mr. Hezekiah DeForest to be Cornet of the troop of horse in the 9th regiment in this Colony.

This Assembly do establish Mr. Nehemiah Gruman to be Quarter-Master of the troop of horse in the 9th regiment in this Colony.

This Assembly do establish Mr. Samuel Leffingwell the 3d to be Captain of the 1st company or trainband in the town of Norwich.

This Assembly do establish Mr. Samuel Abbot to be Lieutenant of the 1st company or trainband in the town of Norwich.

This Assembly do establish Mr. Zechariah Huntington to

be Ensign of the 1st company or trainband in the town of Norwich.

This Assembly do establish Mr. John Peters to be Lieutenant of the company or trainband in the parish of Gilead in the town of Hebron.

This Assembly do establish Mr. Benjamin Trumble to be Ensign of the company or trainband in the parish of Gilead in the town of Hebron.

This Assembly do establish Mr. William Bolt to be Lieutenant of the company or trainband in the parish of Canaan.

This Assembly do establish Mr. Jonathan Husted to be Ensign of the company or trainband in the parish of Canaan.

This Assembly do establish Mr. Henry Green to be Captain of the 3d company or trainband in the town of Killingsly.

This Assembly do establish Mr. Thomas Whitmore to be Lieutenant of the 3d company or trainband in the town of Killingsly.

This Assembly do establish Mr. John Chamberlin to be Lieutenant of the 15th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Joseph Beecher to be Ensign of the 10th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. David Benedict to be Ensign of the 1st company or trainband in the town of Norwalk.

This Assembly do establish Mr. Thomas Starr to be Ensign of the 3d company or trainband in the town of Danbury.

[92] This Assembly do establish Mr. Josiah Starr jun<sup>r</sup>, to be Captain of the 1st company or trainband in the town of Danbury.

This Assembly do establish Mr. Comfort Hoit to be Lieutenant of the 1st company or trainband in the town of Danbury.

This Assembly do establish Mr. Thomas Benedict jun<sup>r</sup>, to be Ensign of the 1st company or trainband in the town of Danbury.

This Assembly do establish Mr. Benjamin Mead jun<sup>r</sup>, to be Ensign of the westernmost company or trainband in the town of Greenwich.

This Assembly do establish Mr. Elisha Miller to be Captain of the 2d company or trainband in the town of Lyme.

This Assembly do establish Mr. Stephen Smith to be Lieutenant of the 2d company or trainband in the town of Lyme.

This Assembly do establish Mr. Nathaniel Hoit to be Lieutenant of the 3d company or trainband in the town of Danbury.

This Assembly do establish Mr. Abel Wright to be Captain of the north company or trainband in the town of New Fairfield.

This Assembly do establish Mr. Joseph Giddings to be Lieutenant of the north company or trainband in the town of New Fairfield.

*Resolved by this Assembly,* That all owners of horses or furniture used in the late alarm and still missing (which have been or hereafter may be apprized by persons best knowing to their value, under oath,) may at any time before the first day of August next, and not after, exhibit proper evidence of such use, apprizement and loss, to the Committee of the Pay-Table, who are hereby directed to draw orders on the Colony Treasurer for payment for all such of them as they shall find to have been duly described according to the resolve of this Assembly in October last or at any time before the first day of January last, and whose owners appear not to have had opportunity by reasonable care to have received them again.

*And it is further resolved,* That all such of said missing horses and furniture as be still remaining in the hands of any of the inhabitants of this government be by the selectmen of the towns where they are forthwith duly advertized and sold at public vendue, and that the moneys on such sale arising (the charge of keeping, selling &c. first deducted) be delivered to the Treasurer of the Colony for this government's use, taking his receipt thereof and lodging the same with the Secretary; and that a sufficient number of copies of this resolve be forthwith printed, sent into and publisht in the several towns in this Colony.

Whereas sundry complaints have been exhibited to this Assembly by some of the troops of horse in this Colony, with respect to certain priviledges and immunities formerly by them enjoyed and now deprived of: In order effectually to quiet said troops as to their complaints &c.

*Resolved by this Assembly,* That any person belonging to any troop in this Colony have liberty to cause himself to be enrolled in the military foot company within the limits of which he dwells, and on his so doing, and producing a certificate thereof from the captain or chief officer of such foot company to the captain or chief officer of the troop to which he belongs, every such person shall be freed and discharged from such troop and be thenceforward only liable to do duty in the foot service: provided the same be done any time before the first day of October next; and that each and every captain of said troops send returns to the General Assembly

in their sessions in October next of the state of their troops, *viz*: the number enrolled into the foot and of what shall then remain in their respective troops, for the further ordering of said Assembly; and that the Secretary of this Colony send a copy of this resolve to each of the captains of said troops, that the same may be made public.

[93] The Sum Total of Additions sent in by the Listers from the several Towns in the Colony, May 1758.

	<i>Single additions.</i>			<i>Fourfold assessments.</i>		
	£					£
Lebanon,	340	7	0	-	-	89
Canterbury,	441	5	0	-	-	0
Mansfield,	188	19	6	-	-	127
East Haddam,	683	7	6	-	-	143
Pomfret,	560	0	0	-	-	12
Canaan,	125	6	0	-	-	8
Windham,	93	11	2	-	-	28
Ashford,	130	0	0	-	-	0
Litchfield,	85	8	0	-	-	25
Woodstock,	1469	0	0	-	-	11
Woodbury,	440	14	10	-	-	182
Danbury,	434	0	0	-	-	16
Stonington,	773	6	0	-	-	821
New Hartford,	326	7	0	-	-	12
Darby,	113	2	6	-	-	0
Newtown,	185	15	6	-	-	
Killingsly,	915	10	0	-	-	
Sharon,	47	0	0	-	-	
Salisbury,	849	7	6	-	-	
Branford,	2169	11	9	-	-	
New Milford,	624	1	0	-	-	255
Bolton,	12	0	0	-	-	12
Stanford,	366	4	1	-	-	54
Goshen,	69	11	0	-	-	173
Hebron,	1398	0	0	-	-	12
Saybrook,	1512	15	5	-	-	203
Ridgfield,	579	15	3	-	-	10
Fairfield,	1560	12	0	-	-	1276
Voluntown,	64	12	0	-	-	5
Colchester,	487	2	0	-	-	72
Waterbury,	505	18	6	-	-	94
Windsor,	727	2	0	-	-	16
Killingworth,	185	6	1	-	-	17
Preston,	519	7	6	-	-	158
Lyme,	1815	6	3	-	-	5
Suffield,	645	0	0	-	-	390
Stratford,	3854	2	0	-	-	8
						246
						8
						0



	<i>Single additions.</i>			<i>Fourfold assessments.</i>		
Norwalk,	£585	0	0	-	-	- £ 427 16 0
Groton,	742	18	6	-	-	- 1582 5 0
Kent,	500	7	0	-	-	-
Greenwich,	473	8	6	-	-	- 585 12 0
Tolland,	278	8	0	-	-	- 280 12 0
Farmington,	543	16	0	-	-	- 708 6 0
Milford,	721	15	0	-	-	-
Enfield,	177	13	0	-	-	-
Haddam,	521	14	0	-	-	-
Guilford,	314	12	2	-	-	- 337 12 0
Weathersfield,	2791	14	6	-	-	- 851 8 0
Norwich,	408	5	0	-	-	- 959 4 0
New London,	231	0	0	-	-	-
Glassenbury,	315	4	6	-	-	-
Wallingford,	1428	19	0	-	-	- 569 4 0
Symsbury,	198	0	0	-	-	-
Coventry,	290	3	6	-	-	- 900 11 0
Hartford,	1921	7	0	-	-	-
New Haven,	1299	1	6	-	-	- 2201 15 0

Whereas the sum-total of the general list of the town of Killingly for the year 1757 was brought in and accepted in the Lower House in October last, but by mistake was not entred on record in the Secretaries office nor transmitted to the Treasurer of this Colony: Resolved by this Assembly, that the sum-total of said general list of said town of Killingly for the year 1757, *viz*: which is the sum of £23095 7s. 0d. be now entred on record in the Secretaries office and a copy thereof transmitted to the Treasurer of this Colony together with the additions and fourfold assessments sent in to this Assembly by the listers of said town.

[94] *Resolved by this Assembly,* That the Secretary of this Colony be directed, and he is hereby directed and ordered, to send to the towns of New Fairfield and Cornwall to transmit their respective lists duly authenticated to the General Assembly to be holden at New Haven in October next.

*Resolved by this Assembly,* That Messrs. Joseph Pitkin, Joseph Buckingham, John Ledyard, William Pitkin junr, and John Lawrence, be a committee to audit the Colony's accounts with the Treasurer, which committee shall take the oath appointed by law therefor; and they are hereby directed to receive of the Treasurer all the bills of January emission brought in by rates or otherwise, and carefully examine and count the same, and having so done to burn and consume the same to ashes, and give their receipt to the Treasurer there-

for. And they are further directed to receive of the Treasurer all such bills of the old or middle tenor of this Colony, brought in for exchange, being true bills, and burn and consume the same to ashes, and give their receipt to the Treasurer therefor; and also, to settle and adjust the rate account and the Treasurer's account of disbursements, and see that the same are well stated and well avouched, and make return of their doings herein to this Assembly in October next.

*Resolved by this Assembly,* That Hezekiah Huntington, Gurdon Saltonstal and Jabez Hamlin, Esq<sup>rs</sup>, or any two of them, be a committee to make sale of the Colony's brigantine Tartar; and they are hereby directed to sell said vessel with or without the warlike stores belonging to her, as they shall judge may most conduce to the advantage of the Colony in such sale. And if such sale cannot be made, then said committee are hereby directed to charter out said vessel to the best advantage of said Colony, and deliver to the Treasurer of this Colony such sum or sums of money as they shall receive either from the sale or chartering out said vessel, and take his receipt therefor and lodge the same with the Secretary. And said committee are to lay the accounts of their proceedings herein before this Assembly at their sessions in October next.

*Resolved by this Assembly,* That Col. Stephen Lee be appointed and he is hereby authorized and impowered, to take into his care the Battery at New London and the stores thereto belonging, and appoint a suitable person to be gunner thereof, and also inlist or detach twenty suitable men near said battery, to be under the care and command of said Col. Lee, to assist in said battery; and that one of said men shall attend in their turn to watch and ward in said battery till the first day of October next; and that each man so watching and warding shall be allowed three shillings per day for each day he shall so ward and watch, and that said Lee shall be allowed for his service the sum of six pounds, and that said gunner shall be allowed for his service the sum of two pounds.

*Resolved by this Assembly,* That the Committee of the Pay-Table be and they are hereby directed and impowered, to settle accounts with Jonathan Trumble, Esq<sup>r</sup>, respecting the cloaths supplied by him to the rangers at Fort Edward and Number Four the last winter by order of the General Assembly in October last, and draw orders on the Treasurer for the payment thereof accordingly.

This Assembly being advised that the road or way now

often travelled from and thro' the towns of Symsbury, New Hartford and Norfolk to and thro' the norwestern parts of Canaan towards Albany, is in many respects ill chosen and unfit for use, and that some new and better road thro' said towns or some of them or the towns adjacent may be probably discovered, more direct and convenient as well for car- [95] riages as travelling, to the great accommodation || and benefit of all his Majesty's subjects, and especially in time of war, occasionally travelling or marching either from the eastern or central parts of this Colony: It is thereupon resolved, that Col. John Pitkin of Hartford, Mr. Seth Wetmore of Middleton, Mr. William Wells of Glassenbury, Col. David Whitney of Canaan, or any three of them, be and they hereby are appointed a committee as soon as conveniently may be, to repair to and thro' said towns (and towns adjacent if need be) and with all care and diligence to view and observe said road now used, and also with the utmost care to explore and find out how and where any other shorter or better way, in whole or in part, may be practicable; and their full description thereof with their opinion thereon to make report to this Assembly in their sessions at New Haven in October next.

This Assembly being informed that there is a certain piece of land belonging to this government, lying in the parish of Reading in the township of Fairfield, containing as is said eight acres three quarters and twenty rods, also said to bound northeasterly on the country road that goes from Fairfield to Danbury, northwesterly by David Knap's land, and southwesterly by land belonging to the heirs of Moses Knap, deceased, southeasterly on the country road that goes from Newtown to Ridgfield, and it is thought to be for the intrest of the government to sell and dispose of said land by vendue to the highest bidder: Resolved by this Assembly, that Ebenezer Silliman and Andrew Burr, Esq<sup>rs</sup>, be a committee to sell said land at public vendue to the highest bidder who will either pay the money therefor or will give bonds with good sureties to the acceptance of said committee to pay the same to the Treasurer of this Colony with the lawful interest for the same at or before the first day of May next. And said committee are hereby fully authorized and impowered, to make and execute a deed or deeds of conveyance, in the name and on behalf of the Governor and Company of this Colony, of said land to such purchaser or purchasers, as also to receive the money or bonds payable as aforesaid, and the same

to deliver to the Treasurer of this Colony and take his receipt therefor, and the same lodge in the hands of the Secretary.

Whereas it is apprehended to be of great necessity and conveniency to his Majesty's subjects, to have two boats constantly kept, under proper regulations, at Hartford ferry, and that proper measures may be taken by this Assembly for that purpose: Resolved by this Assembly, that the town of Hartford, as also John Jones and Benjamin Bigelow the present ferrymen, be notified to appear at the General Assembly of this Colony at their sessions in October next and be heard on the premises, if they see cause. And the Secretary is hereby ordered to cause a copy of this resolve to be left with the town-clerk of said Hartford and likewise with said Jones and Bigelow at least twelve days before the setting of said Assembly in October next.

Whereas it is thought necessary for the public good and benefit, that there be a boat kept on the east side of Stratford Ferry River, so called, for the transportation of travellers &c. across said river on the country or post-road, and that the same be done as soon as conveniently it may be: Resolved by this Assembly, that the towns of Milford and Stratford, and also Mr. Josiah Curtis of Stratford that tends the ferry on the west side said river, be notified thereof, and that they appear before this Assembly in their session at New Haven in October next, if they or any of them see meet, to shew reason, if any be, why such boat should not be kept at said place. And for such notice the Secretary is hereby directed to send an attested copy of this act to the town-clerk of each of said towns and to the said Mr. Curtiss.

This Assembly doth appoint Ashbel Porter of Waterbury to be a Surveyor of Lands in the county of New Haven.

This Assembly appoints Mr. David Ferriss of New Milford a Surveyor of Lands for the county of Litchfield, in the room of Roger Sherman, Esq<sup>r</sup>, who has resigned that trust.

Whereas an information hath been exhibited by the attorney for our Lord the King against Phineas Cook, of Wallingford in the county of New Haven, mariner, giving this Assembly to understand that the said Phineas Cook wickedly contriving and intending to disburthen himself of the care and charge of one Robert Cromwell, a poor, helpless, decrepid boy, an apprentice to the said Phineas for a term not yet expired, did on [ 96 ] or about the 10th day of September A. D. 1755, || at Wallingford aforesaid, take the said Robert, transport him to Long Island in the Province of New York, and there compelled and left him on shore in a helpless and suffering condition on a

desolate point of said island remote from inhabitants, where he, the said Robert, was afterwards discovered, sent back to the town of Greenwich in this Colony, where he has been ever since at the government's charge &c., against the peace &c. And the said Phineas Cook having been brought before this Assembly and fully heard, together with the evidences relative to the said matters in said information, and found guilty as therein is set forth: It is therefore ordered and decreed by this Assembly, that the said Phineas Cook shall pay to the Treasurer of this Colony the sum of £69 10s. 0*d.* lawful money for the charges already expended by the government for the support and relief of the said Robert Cromwell under his helpless and decrepit circumstances since he was sent back in this Colony as aforesaid, and also pay the cost of this prosecution allowed to be £3 9s. 8*d.* And it is further ordered and decreed, that the said Phineas Cook shall become bound unto the Treasurer of this Colony with sufficient sureties in the sum of £500 lawful money, with condition that he shall from time pay all future costs and charges that shall accrue for the maintenance, support and relief of the said Robert Cromwell until such time as this Assembly shall order otherways. And he shall stand committed till this sentence and decree be complied with.

Whereas on presentment made by the grand-jurors of the town of Waterbury to Thomas Matthews of said town, Esqr, a justice of the peace for New Haven county, of one Daniel Scot of the same Waterbury, against him informing and complaining that, on the 4th day January 1758, he, said Scot, had in said town wickedly uttered, publisht and declared certain false, opprobrious and scandalous words and expressions in contempt of his Honour the Governor and the General Assembly of this Colony; he, the said Justice Matthews, him, the said Scot, causing to come before him on cognizance of said complaint taken and examination of him duly had on the 2d of May then next, thereupon proceeded to order him to become bound &c. and he, the said Scot, in compliance with such order and determination then and there before said justice entred into a recognizance of £50 lawful money, payable to the Treasurer of this Colony on his failure to appear before this Assembly &c. all which at large on file appears; and he, the said Daniel Scot, being now accordingly three times solemnly called to appear and answer to said complaint according to the tenor of his said recognizance, he appeared not but altogether made default: Whereupon it is resolved by this Assembly, that the said recognizance of said Daniel Scot

be and the same hereby is declared forfeit in law, and that the King's attorney for the county of Hartford sue out a writ of *scire facias*, signed by the Secretary, against him, said Scot, returnable to this Assembly in its sessions at New Haven in October next, duly noticing him then and there to appear, to shew reason wherefore said sum of £50, the amount of said forfeited recognizance, should not be adjudged due and payable to said Treasurer and execution issue to levy the same according to law.

Whereas Benjamin Allen of Windsor preferred his memorial to the General Assembly in May 1757, representing therein that he was captain of a company in an expedition towards Crown Point in the year 1756, and that he received several orders on the Treasurer of this Colony for and towards paying the first months wages of the company under his command and also for the payment of the sum due on his muster-roll of said company, and that said Treasurer refused to make full payment of said last-mentioned order, on account of an over-payment of said first order by his, said Treasurer's, mistake; praying said Assembly would appoint a committee to adjust said affair and make report thereon; and thereupon Messrs. Thomas Wells and Jabez Hamlin, Esqrs, were by said Assembly appointed to enquire into the matters alledged in said representation and make report &c.; and accordingly said Wells and Hamlin enquired into said affair, heard the said Allen and Joseph Talcott, Esqr, Treasurer, on the matters contained in said representation, and have exhibited their report under their hands to this Assembly, that the said Treasurer had paid to the said Allen more than said orders [97] the sum of twenty-five || pounds seventeen shillings and nine pence three farthings, as by said report appears; and now the said Allen and said Talcott being fully heard by this Assembly for and against the acceptance of said report, and having considered thereof do approve and accept of said report: Whereupon it is resolved and decreed by this Assembly, that said Benjamin Allen shall pay to said Joseph Talcott the said sum of twenty-five pounds seventeen shillings and nine pence three farthings, and that execution be issued therefor by the Secretary of said Colony accordingly. *Ex. granted Sept. 25th, 1758.*

On the memorial of the Mohegan Indians: Resolved by this Assembly, that Pygan Adams of New London, Esqr, be one of the overseers of said Indians, and he is hereby added to and enabled to act with the rest of the overseers of said Indians in the affairs committed to them.

Upon the petition of Peter Bulkley and Susannah his wife, Dinah Newton and Lodena Newton, all of Colchester in the county of Hartford, representing that Samuel Tozar of said Colchester and Dorothy his wife before the superior court held at Hartford in the county of Hartford on the first Tuesday of September 1757, in an action by them brought counting on a promise &c., recovered a judgment against the petitioners for the sum of £30 13s. 4d. damages and £7 12s. 10d. costs, from which judgment they were allowed to have review, but that by mere mistake it so happened that no bond for prosecution was entred with the clerk of said court, and that execution had since issued on the judgment aforesaid; praying for liberty to enter the said action at the superior court to be held at said Hartford in September next, and to have another tryal &c.: Resolved by this Assembly, that the petitioners shall have liberty, and leave and liberty is hereby given unto them, to enter said action by way of review at the said superior court to be held at said Hartford on the first Tuesday of September next, upon entering sufficient bond with the clerk of said court for the prosecution thereof &c. and thereupon to have another tryal therein, and that the whole cost follow the final judgment that shall be given therein, and all proceedings on the execution issued on the said former judgment shall be stayed.

Upon the petition of Amos Judd of Farmington, against Samuel Bird of said Farmington, shewing to this Assembly that the said Samuel Bird before the superior court held at Hartford in March last recovered judgment against the petitioner for about thirty acres of land lying in said Farmington, which he claimed by devise of Nathaniel Bird, deceased; representing that said deceased Nathaniel by his last will ordered that his debts should be paid by his executrix Sarah Bird, and of his certain moveables if they should be sufficient, and if not that his said executrix should sell his out-lands, being the lands in controversy, and that said executrix had sold said lands to Anthony Judd, the petitioner's father, from whom the same derived to the petitioner, which said Sarah sold said lands on the score of there being debts due from the estate of said Nathaniel sufficient to warrant such sale, which debts had not been allowed by the court of probate but an account of them preserved and left attested to by said executrix by her setting her hand thereto &c.; shewing that it had not been customary for the court of probate in the day of said transactions and payment of said debts to pass such accounts, alledging that the same were nevertheless truly paid by said

executrix; praying to have the same examined into and if found to good satisfaction to have been really and truly paid to have the same allowed and put on the records of the court of probate &c. as by the petition may more fully appear: Resolved by this Assembly, that Thomas Wells, Hezekiah Brainard and Jonathan Hills, Esq<sup>rs</sup>, be a committee to examine, and they are hereby impowered and directed to examine said account of debts charged by said executrix as aforesaid, and find out as far as may be the truth and justness of the same, and make report of what they shall find to this Assembly in October next.

Upon the petition of William Southworth of Stratford, against Richard Alsop of Middleton, setting forth that said Alsop having brought his action of book-debt against the petitioner and one William Wright, demanding three hundred and fifty pounds fifteen shillings lawful money, the same came to a final tryal at the superior court held in Hartford in March term last past, wherein by said court upon a demurrer to the plaintiff's replication judgment was rendered in favour of the plaintiff, that the replication was sufficient and that the plaintiff should recover of the defendant said £350 15s. [98] 0d. || damages and cost, and complaining that said court erred in law in rendering said judgment; praying this Assembly to reverse said judgment and grant a new tryal in said case, as by his petition on file appears: Resolved by this Assembly, that said judgment be reversed and the same is hereby reversed, set aside and made null and void, and the execution on said judgment and all the doings thereon, and that the petitioner have another tryal of said case at the superior court to be held at Hartford in and for the county of Hartford on the first Tuesday of September next, and that all the cost follow the said final tryal, and that in case the petitioner shall neglect or refuse to enter said action at said superior court the said Alsop shall have liberty and authority to enter his said action and take judgment of said court thereon.

On the petition of John Lane of Middleton, *versus* Michael Baldwin of Guilford, shewing to this Assembly that said Baldwin having brought his action against him for selling an unsound negro, demanding £100 damages, as per writ dated October 27th 1755, some unfair proceedings were had in taking a deposition *ex parte* improved on a tryal of said case at the superior court held at New Haven in August last, by which the jury in said case were principally induced to find their verdict against said Lane, on which judgment was rendered against him; praying for another tryal of said case, as per



his petition on file: Resolved by this Assembly, that liberty be and the same is hereby granted unto said John Lane of another tryal of said action at the superior court to be held at New Haven on the last Tuesday of October next, and all costs in and about said tryal, and that whatsoever sums hath been taken from said Lane on former judgments in said action shall by said Baldwin be repaid in case judgment in said tryal be rendered in favour of said Lane; and in case judgment be given in favour of said Baldwin, (as to the sum to be recovered,) respect to be had to what has been already paid by said Lane in damages on former judgments.

Upon the petition of Isabel Eagleston of Windsor, against Joseph Eagleston of said Windsor, shewing to this Assembly that her late husband Ephraim Egglestone of said Windsor in his life-time and until and at his death had and owned a certain piece of land in said Windsor containing about fourteen acres, bounded east on the country road, west on land of said Ephraim, south on Benjamin Loomis's land, and north on Timothy Loomis's land, with certain buildings thereon, said lands being comprehended and described in a certain deed from William Pitkin jun<sup>r</sup>, Esq<sup>r</sup>, to said Ephraim, which deed not being recorded after the death of said Ephraim was by said Joseph Eggleston given up to said Pitkin and a new deed taken to him, said Joseph, of the same estate, to the wrong and injury of said petitioner, to whom said Ephraim devised the same by his last will; further representing, that said Joseph had made waste on the premises; praying to have it enjoyned on said Joseph to execute to the petitioner a proper deed of conveyance of said described premises and make good said damages &c. as by the petition at large may more fully appear: Resolved by this Assembly, that said Joseph Eggleston do at or before the first day of August next execute to said Isabel Egglestone a good authentick deed of conveyance of said described about fourteen acres of land and appurtenances, and also pay her £3 15s. 11d. for the costs of this prosecution, on pain of forfeiting to the petitioner the sum of three hundred pounds lawful money.

Upon the petition of Martha Coit of New London, (minor) daughter, only child and heir of Richard Coit late of said New London, deceased, shewing to this Assembly that sometime about the year 1740, Daniel Coit, Esq<sup>r</sup>, of said New London, and his late wife Lydia, formerly Lydia Christophers, made and executed to said Richard a deed, by way of gift, of a certain piece of land situate in said New London, called the wheat field, containing about fifty acres, about two-thirds of

which was the estate of said Lydia, which Lydia had no children, and said Richard being her sister's child she, the said Lydia, was minded to give the same to said Richard, the other third part of said given premises belonging to said Daniel, and he having no children at that time intended also to give his said part in and of the premises to said Rich- [99] ard || being his near kinsman, which deed was lodg'd in the hands of John Coit, father to said Richard, to hold until the death of one of said grantors and then to go on record, the use of the premises to be to said grantors and the longest liver of them; further representing, that said Lydia dying childless said Daniel married again and had children, and having gotten said deed into his hands the same had not been put on record but he, said Daniel Coit, held the same given and granted premises an estate to himself; praying that said Daniel Coit may be ordered to execute to the petitioner a deed of conveyance of so much of said granted premises as belonged to said Lydia, being about two-thirds of said about fifty acres, to be taken in a place least incommodious to the residue of said Daniel's land parcel of the premises, and the buildings on the same to be left on said Daniel's part, as by the petition on file may more at large appear: The parties now appearing declared that it was by and between them fully consented to and agreed, that it be resolved, and it is accordingly resolved by this Assembly, that said Daniel Coit do execute to the petitioner a good authentick deed of conveyance of the part and proportion of the lands mentioned above which belonged to said Lydia, saving to him, said Daniel, the use only during his natural life, on pain of forfeiting to the petitioner the sum of three hundred pounds lawful money. And it is further resolved, that Joshua Hemstad and Pygan Adams, Esqrs, and Mr. Jeremiah Chapman, all of said New London, be a committee, and they are hereby appointed and impowered as such, to repair to the premises as soon as conveniently may be, and having notified the parties to examine and find out the quantity of land that belonged to said Lydia and set out so much of said about fifty acres as they shall find that to be in the most convenient place for the parties, leaving said buildings on the part to be left to said Daniel, having no regard to the value of said buildings or fences; which being done, the said Daniel Coit to execute such deed as aforesaid of such part so set out, and pay to the petitioner such costs as said committee shall judge just and equitable within one month after the same shall be so set out and judged, reasonable notice thereof being given to said Daniel.

Upon the petition of Benajah Packer of Groton, against John Dean of Stonington, representing to this Assembly that in April 1755, he moved for an appeal from a decree of the court of probate in the district of New London with regard to the estate of John Packer the elder, deceased, to the superior court then to be held in New London in said New London county on the fourth Tuesday of September 1755, which appeal by said court of probate was granted and by said Benajah was in due time in said superior court entered, and for want of copies from the said probate court the said Benajah was not ready for tryal, and said cause thereby not being ready and the said superior court ordered said cause to proceed, the turn thereof being come, and said Benajah not being able to get ready, said Benajah Packer in said cause was nonsuited; praying for liberty to enter his said cause or appeal at the superior court to be holden at New London in said county on the fourth Tuesday of September next, he giving bond &c.: Resolved by this Assembly, that said Benajah Packer have liberty of entering said cause in the said superior court to be holden at said New London on the fourth Tuesday of September next, and try the same as if the same came to said superior court by appeal from said court of probate, the said Benajah giving bond in said superior court to prosecute said action in due form of law, and the future cost only to follow the judgment.

[100] Upon the petition of Josiah Tabor of Stonington, against John Randal of said Stonington, representing to this Assembly that on the 22d day of March last past he was by Mr. Justice Nehemiah Palmer of said Stonington, on the complaint of said Randal, convicted of stealing a certain sheep, and that he moved for an adjournment of said court (some little time) to get witnesses &c. which was by said justice denied, and that he was ignorant that he had liberty of an appeal from said judgment; praying for liberty to enter said cause at the county court to be holden at New London within and for the county of New London on the second Tuesday of June next, and the same there be tryed as if said cause came to said county court by appeal from said judgment &c.: Resolved by this Assembly, that the said Tabor have liberty to enter said cause at the county [court] to be holden at New London within and for said county on the second Tuesday of June next, and have the same there tried as if the same came to said court by appeal from said judgment, he, said Tabor, giving sufficient bond for prosecution of said cause, and that the fine, damages and costs, which said Randal hath taken

from said Tabor by execution on said justice's judgment be by said county court taxed as cost against said Randal in case final judgment be in favour of said Tabor, and said Tabor have his cost from the beginning of said suit.

Upon the petition of William Cleaver, of Middleton in the county of Hartford, against Samuel Willis of said Middleton, setting forth that Mrs. Cornelia Grier, lately of the island of Barbadoes but more lately of said Middleton, did in said Barbadoes on the 22d day of November 1749, make her last will and testament, bearing date the same 22d day, and therein gave several specific legacies and ordered the residue of her clear estate to be sold for ready money, and the avails thereof with the monies she should die possessed of gave two third parts of it to the petitioner and one third part thereof to the wife of the said Samuel Willis, and constituted and appointed William Eversly and Elias Munviele of said Barbadoes and the said Willis and the petitioner executors of said will, and that the said Willis took out letters of administration of said estate at the court of probate for the district of Hartford and afterwards got the said will proved in said Barbadoes, but took out no letters testamentary nor accepted the trust of executor, and that the said Eversley is deceased having never accepted the trust, and that the said Munviele renounced the trust of executor, and that the petitioner obtained letters testamentary upon said will having accepted the trust of executor and duly qualified himself to act upon said will as executor thereof, and that the said Willis having gotten the estate into his possession holds and withholds the same from the petitioner, to his grievous damage; praying this Assembly to grant relief, as by his petition on file appears: Resolved by this Assembly, that Jonathan Trumble, John Chester and Elisha Sheldon, Esq<sup>rs</sup>, be a committee to take cognizance of the several matters set forth and referred to in said petition and hear and examine the parties and their evidences relative thereto, and make report of what they find therein with their opinion thereon to the General Assembly in October next.

Upon the petition of Charles Phelps, of Stonington in New London county, against Abraham Skinner and Caleb Waddams, both of Colchester in Hartford county, representing to this Assembly that he, said Charles Phelps, brought his action at the adjourned county court held at Hartford in Hartford county on the 4th Tuesday of January last against Abraham Skinner and Caleb Waddams aforesaid, demanding the seizin and possession of about eight acres of land lying in

Colchester aforesaid, at which court the parties appeared and the defendants pleaded not guilty, and issue was joyned thereon and said action committed to the jury, who brought [101] in their verdict that the defendants were not || guilty, and judgment by said court was rendered thereon in favour of the defendant, and that the said Phelps through mistake of his attorneys did not enter his review of said action, as he designed to have done, to the then next county court to be held at Hartford in Hartford county on the first Tuesday of November then next; praying for liberty to enter said cause by way of review at the said county court to be held at Hartford in and for the county of Hartford on the first Tuesday of November next, he the said petitioner giving bond &c.: Resolved by this Assembly, that the said Charles Phelps have liberty of entering said cause at said November county court and try the same as if the same had come to said court by review from said adjourned county court held at Hartford in Hartford county in January last, and that only the future cost follow the final judgment: the said Phelps giving bond with surety to prosecute said action to effect.

Upon the petition of Gideon Moor and Ashbel Moor, late of Symsbury in the county of Hartford now of the Nine Partners in the Province of New York, representing that their father, Jonathan Moor of said Symsbury, transiently residing in Salisbury in the county of Litchfield, who now and for a long time had been under the care of the selectmen of said town of Symsbury together with his estate, brought his action against the petitioners and their brother Simon Moor of said Salisbury to the county court held at Litchfield in the said county of Litchfield on the fourth Tuesday of September 1757, on a bond given to their said father by the petitioners and said Simon for his maintenance and support, and that judgment thereon was had and rendered by said court against the petitioners and said Simon for £100 lawful money debt and costs of court £1 7s. 9d. like money, and that the same was obtained by collusion between the said Jonathan the father and Simon the brother without the knowledge or privity of the petitioners and against the will and advice of the selectmen of said Symsbury; that execution hath since been issued on said judgment and levied only on the estate of the petitioners, viz: on lands in said Symsbury formerly purchased of the said Jonathan Moor their said father, in part, and partly of the said Simon Moor their said brother, in consequence of which judgment, execution and levying as aforesaid they were deprived of their inheritance, without

opportunity of making their defence &c.; praying for relief in the premises &c: Resolved by this Assembly, that the aforesaid judgment, execution and all the doings thereon be and the same are hereby wholly vacated, set aside and made null and void, and either plaintiff or defendants in said action shall and may have liberty to enter the aforesaid action at the county court to be held at said Litchfield on the fourth Tuesday of September next, and the parties thereto may plead or be impleaded therein as tho' said action had been first brought or commenced before said county court in September next as aforesaid: *Cost allowed petitioners against respond. is £4 11s. 0d. lawful money.*

On the petition of Sarah Chilson of Killingly, shewing to this Assembly that in an action depending at the superior court held at Windham in and for the county of Windham on the 3d Tuesday of March last, wherein Joseph Moffit &c. were plaintiffs and the said Sarah defendant, at which court judgment was had and rendered against her in said cause, and that said tryal by course of law not being final she had right of a review of said cause to the then next superior court to be held at said Windham on the third Tuesday of September next, and on motion to said March superior court for a review of said cause and surety therefor produced who unexpectedly was objected against by the then plaintiff whereby she was prevented of a review &c.; praying liberty of this Assembly to enter said cause at said superior court to be held at Windham in September next &c.: Resolved by this Assembly, that the petitioner have liberty, and liberty is hereby granted her, to enter said action by way of review at the superior court to be held at said Windham on the 3d Tuesday of September next, she then at said court giving sufficient bond for the prosecution thereof &c. and thereupon to have another tryal of said cause; and that all cost follow the judgment of said September superior court therein, and that all proceedings on the execution issued on said former judgment be stayed.

Upon the petition of John Sherman of New Haven, against Samuel Darling of New Haven, shewing to this Assembly [102] that said Darling had commenced || process against the petitioner, charging him with forging two certain notes given him by one James Warren, and by means thereof procured from the petitioner a note to him, said Darling, for eight pounds lawful money and afterwards put the same note in suit and recovered judgment thereon and enforced such judgment by levying execution thereon, whereby he was put to

great cost and expence; further representing that said notes so by said Darling alledged to be forged were true and genuine and that he, the petitioner, had been prevented from making the same appear to certain referees, agreed upon by the parties, to examine into the same until the term agreed upon was expired, and that said Darling refused to lengthen out said time &c. and that said note was given for no just and good consideration; praying to have the damages by the petitioner sustained in the premises refunded by said Darling &c. as by the petition on file may appear: Resolved by this Assembly, that the said John Sherman, the petitioner, have and recover of said Samuel Darling for his said damages the sum of eighteen pounds lawful money and cost of the prosecution on said petition the sum of £4 10s. 11d. and that execution go forth accordingly. *Ex. granted June 2d 1758.*

Upon the memorial of Ebenezer Jackson, of Sharon in the county of Litchfield, administrator upon the estate of Joshua Jackson late of said Sharon, deceased, shewing to this Assembly that the debts due from said deceased with what was allowed to the widow by the court of probate for the district of Sharon for necessary subsistence surmount the personal estate of said deceased the sum of £42 8s. 7 $\frac{1}{4}$ d. and praying for liberty to sell lands of the said deceased for the payment of the same with cost of sale: Resolved by this Assembly, that the memorialist have liberty to sell so much of the lands of said Joshua Jackson, deceased, as to procure said sum of £42 8s. 7 $\frac{1}{4}$ d. with the incident charges arising on said sale; taking the direction of the court of probate in the district of Sharon therein.

Upon the memorial of John Kirby jun<sup>r</sup>, Amos Porter, David Sage jun<sup>r</sup>, Richard Hubbard and Ephraim Crofoot, all of the first society of Middleton in Hartford county, shewing to this Assembly that the several places of their abode is distant from the public worship in said society more than seven miles, and that not any of them more than three miles from the public worship in Kinsington parish, and thereupon praying they may be annexed to said parish with their families during the pleasure of this Assembly and pay ministerial charges to the support of the ministry in said parish, as per their memorial on file: Resolved by this Assembly, that the said memorialists be exempted from paying ministerial taxes to said first society in Middleton and pay taxes to the support of the ministry in the parish of Kensington, and they with their families be annexed and they are hereby annexed to the parish of Kensington during the pleasure of this Assembly.

Upon the memorial of Timothy Blakeman, of Stratford in Fairfield county, administrator on the estate of Benjamin Blakeman late of said Stratford, deceased, shewing to this Assembly that the estate of the deceased Benjamin Blakeman with the credits due to said estate amounts only to the sum of £104 3s. 1½*d.* lawful money, whereof £100 15s. 0*d.* is real estate and the residue being £3 8s. 1½*d.* which is moveable estate, and that the debts due from said estate amount to £38 5s. 11½*d.* lawful money and no more, so that the debts due from said estate surmount the moveable estate the sum of £34 17*d.* 10s. lawful money, and that there is no moveable estate or assets to pay the same, and praying to this Assembly for liberty to sell so much of the real estate of the said deceased as to procure the said sum of £34 17s. 10*d.* with the incident charges arising thereon: Resolved by this Assembly, that so much of the real estate of the said deceased be sold as to procure the sum of £34 17s. 10*d.* lawful money with the incident charges, and that the said Timothy Blakeman and Rob't Fairchild, Esq<sup>r</sup>, are appointed and empowered to make sale thereof accordingly; taking the advice of the court of probate in the district of Fairfield therein.

[103] Upon the memorial of Seth Wetmore, *administrator de bonis non* on the estate of Jeremiah Wetmore late of said Middleton, deceased, shewing to this Assembly that at a General Assembly held at Hartford in May 1756, Abigail Wetmore, late administratrix on the estate of said Jeremy, deceased, obtained liberty for the sale of part of the real estate of said deceased, that since that time new debts have come in against said estate to the amount of £39 2s. 5*d.* lawful money, which are allowed by the court of probate for the district of Middleton, for satisfying of which there is no personal estate in his hands, and praying for liberty to sell so much of the real estate of said deceased as to answer said debts: Resolved by this Assembly, that said Seth Wetmore have liberty and he is hereby appointed to sell so much of the real estate of said deceased as shall be sufficient to raise said sum together with the incident charges of sale; taking the directions of the court of probate for the district of Middleton therein.

Upon the memorial of the proprietors of the town of Norfolk, representing to this Assembly that the time of payment of the several bonds given for the several sums agreed on by the purchasers of the several rights in said township was out on the first of November 1756, and that they were like to be great losers by making said purchases unless relieved by



this Assembly; praying this Assembly to postpone the payment of said several bonds for the space of four years from said first of November 1756, and to remit to them the interest due on said bond for two years &c.: Resolved by this Assembly, that the several bonds referred to in said memorial may be anew taken by the first day of October next under the directions of the committee who took the former bonds, payable within four years from the time of payment mentioned in said former bonds, including the interest due on said bonds.

Upon the memorial of Henry Allen of Windsor, administrator of the estate of Edward Egglestone late of said Windsor, deceased, shewing to this Assembly that there is due from said estate the sum of £20 16s. 9d. lawful money, and that there is no moveable estate of said deceased to pay the same; praying for liberty to sell so much of the real estate of said deceased as will procure said sum &c.: Resolved by this Assembly, that the memorialist have power and he is hereby empowered to sell so much of the real estate of the said deceased as shall be sufficient to pay said sum of £20 16s. 9d. together with the incident charges arising on such sale; taking the direction of the court of probate for the district of Hartford therein.

On the prayer of Daniel Stark of Groton, executor to the last will and testament of Daniel Stark late of said Groton, deceased, representing to this Assembly that the debts due from said estate surmount the moveable estate the sum of £23 4s. 11d. lawful money: Resolved by this Assembly, that Pelatiah Fitch of said Groton be hereby empowered to sell so much of the lands of the said Daniel Stark, deceased, as to pay and satisfy the said sum of £23 4s. 11d. lawful money with the incident charge arising thereon; taking the direction of the court of probate for the district of New London therein.

On the memorial of Hannah Boardman, administratrix on the estate of Timothy Boardman late of Weathersfield, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the inventoried personal estate of said deceased the sum of £46 14s. 8d.; praying for liberty to sell the real estate of said deceased &c.: Resolved by this Assembly, that the said administratrix have liberty, and she is hereby empowered together with Jonathan Belding, Esq<sup>r</sup>, of said Weathersfield, to sell so much of the real estate of said deceased as shall amount to the said sum of £46 14s. 8d. with incident charges of sale; taking the direction of the court of probate for the district of Hartford therein.

Upon the memorial of Experience Glading of Seybrook, exe-

cutrix on the estate of Joshua Glading late of said Seabrook, deceased, shewing to this Assembly that the debts due from said estate surmount the moveable estate the sum of £40 5s. 11½*d.* and praying for liberty to sell so much of the real estate of said deceased as will pay said sum &c.: Resolved by this Assembly, that Travis Ayers of said Seabrook be impowered and he is hereby impowered, to sell so much of the real estate [104] of said deceased || as will pay the said sum of £40 5s. 11½*d.* with the incident charges arising thereon; taking the direction of the court of probate for the district of Guilford therein.

Upon the memorial of Sarah Sutliff, administratrix on the estate of Samuel Squire late of Durham, deceased, representing to this Assembly that the charges which have accrued in supporting George Squire of said Durham more than the improvement of said Samuel Squires estate comes to, since liberty was granted by this Assembly for selling some of the lands of said Samuel for defraying former charges, amounts to the sum of £25 12s. 1½*d.* and praying that some meet person may be appointed and impowered by this Assembly, to sell so much of the real estate of said deceased as shall be sufficient to pay and satisfy said sum of £25 12s. 1½*d.* with the incident charges arising on such sale: Resolved by this Assembly, that Silas Crane, of said Durham, be appointed and he is hereby appointed and impowered, to make sale of so much of the real estate of the said deceased Samuel Squire as will be sufficient to pay and satisfy said sum of £25 12s. 1½*d.* lawful money with the incident charges arising on such sale; taking the directions from the court of probate in the district of Guilford therein.

Upon the memorial of William Clark of Colchester, administrator on the estate of Joshua Gillet late of Colchester, deceased, representing to this Assembly that the debts and charges due from said deceased's estate surmount the personal estate of said deceased the sum of £3 3s. 0*d.* and praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to raise said sum with the incident charges arising thereon: Resolved by this Assembly, that said William Clark have liberty to sell so much of said deceased's estate as will be sufficient to raise said sum of £3 3s. 0*d.* lawful money with the incident charges arising thereon; taking the direction of the court of probate in the district of East Haddam therein.

Upon the memorial of Thomas Sanford and Ebenezer Sanford, both of Fairfield, administrators on the estate of Thomas

Sanford late of said Fairfield, deceased, representing to this Assembly that the debts due from the estate of said deceased surmount the moveable estate the sum of £49 8s. 1½*d.* and praying that some meet person may be appointed to sell so much of the real estate of said deceased as shall raise said sum &c.: Resolved by this Assembly, that Nathaniel Sealy jun<sup>r</sup>, of said Fairfield, be appointed and he is hereby appointed and impowered to sell so much of the real estate of the said deceased Thomas Sanford as shall be sufficient to pay and satisfy said sum of 49 8s. 1½*d.* with the incident charges arising on such sale; taking the directions of the court of probate in the district of Fairfield therein.

Upon the memorial of Elisha Baxter, administrator on the estate of Joshua Wolcott late of Weathersfield, deceast, representing to this Assembly that said Joshua in and by his last will and testament ordered that his lands at East Hartford should be sold to pay his just debts and no person by said Joshua appointed to sell said lands, and that his two daughters should have paid them £200 old tenor each out of his moveable estate, and that the debts due from said estate with said two legacies surmounted the moveable estate of said Joshua the sum of £20 5s. 4½*d.* lawful money; praying liberty from this Assembly to sell so much of said land in East Hartford as to pay said sum of £20 5s. 4½*d.*: Resolved by this Assembly, that the said Elisha Baxter have liberty to sell so much of said farm in East Hartford which belonged to said Joshua, deceased, as to make said sum of £20 5s. 4½*d.* lawful money and the incident charges arising thereon; taking the direction of the court of probate in the district of Hartford therein.

On the memorial of Joseph Sheldon, of Springfield in the county of Hampshire, administrator on the estate of James Terry jun<sup>r</sup>, late of Stafford in the county of Hartford, de- [105] ceased, representing that the debts || and charges due from the estate of the said deceased surmount the moveable estate of the said deceased nine pound one shilling and seven pence farthing lawful money; praying for liberty to make sale of so much of the real estate of the said deceased as will pay said debt &c.: Resolved by this Assembly, that Josiah Converse of Stafford have liberty, and it is hereby granted, that he may make sale of so much of the real estate of the said James Terry jun<sup>r</sup> as will procure the sum of £9 1s. 7½*d.* lawful money with charge arising on the sale thereof; taking the advice of the court of probate in the district of Hartford therein.

Upon the memorial of Elisha Waterman of Norwich, shewing to this Assembly that his son Elisha Waterman was appointed a lieutenant in the forces raised by this Colony in the year 1755, and ordered to remain at Fort Edward and parts adjacent thro' the winter season, to keep garrison &c. and that in April 1756, was made a prisoner by a French party and carried to Quebeck, and while there a prisoner under necessitous circumstances obtained money of Col. Peter Schyler to the amount of £79 18s. 0*d.* New York currency, and in order to repay said Schuyler drew an order on the Hon<sup>ble</sup> Thomas Fitch, Esq<sup>r</sup>, for that sum, said order drew in favour of Col. John Dyar to be improved by him to pay said Schyler, but said order not being answered and said Schyler not yet paid, and praying this Assembly to grant him said sum in order to pay said Schyler: Resolved by this Assembly, that the sum of forty pounds lawful money be granted to said Waterman out of the treasury of this Colony, in order to enable him to pay said Schuyler said sum lent his son at Quebeck, and the Treasurer is hereby order'd to pay said sum of forty pounds accordingly, taking his receipt therefor.

Upon the memorial of George Ranny of Middleton, conservator on the estate of Sarah Hale of said Middleton, representing that the said Sarah for about thirty years past hath been in great measure deprived of her reason, and that her father, Thomas Hale, deceased, by his last will gave the said Sarah half his house, homested and other lands in said Middleton; that he hath expended for the support of the said Sarah besides the earnings or incomes of her estate and what thereof had been before sold for her former subsistence to the amount of £98 12s. 1*d.* lawful money, allowed by the county court in the county of Hartford before whom his accounts were examined; praying liberty to sell her lands to defray the same &c.: Resolved by this Assembly, that the memorialist have liberty, and liberty, power and authority is hereby granted to him, to make sale of all the real estate of the said Sarah Hale and thereof to satisfy himself the aforesaid £98 12s. 1*d.* lawful money allowed him by said county court, and the residue of the monies arising by such sale, if any be, to lodge in the hands of Jabez Hamlin, Esq<sup>r</sup>, of said Middleton, to be improved for the use of the said Sarah Hale as occasion hereafter may require; taking the advice also of the said Hamlin in the disposition and sale of said estate.

Upon the memorial of John Coleman, keeper of the goal in Hartford in the county of Hartford, representing that the famous Moll Rogers was on the 8th of May 1757, by virtue

of a *mittimus* signed by Samuel Kent, Esqr, justice of the peace, grounded on a prosecution against the said Moll by the name of Sarah Alderson, committed to prison, and that she thereafter was supported at the cost of the memorialist the space of twenty-seven weeks, when she broke the said goal and escaped, and that during her said imprisonment he provided sundry articles of cloathing as well as staples and shackles; praying to be allowed therefor &c.: Resolved by this Assembly, that the county court for the county of Hartford, upon the memorialist laying his accounts before them, may examine and adjust the same and pass an order to the Treasurer of this Colony for the payment of such sum to the memorialist as they shall find to be just and reasonable for the several articles expended for support, cloathing &c. as aforesaid.

Upon the memorial of James Nichols, lieutenant of the troop of horse in the first regiment in this Colony, and Richard Seymour one of said troop, in behalf of themselves and the rest of the said troop, shewing to this Assembly that in the late alarm in August last, by order of the colonel of said regiment, said troop marched to Fort Edward; praying to have a meet allowance for their said service and the [106] service of their horses, as by the memorial on file: || Resolved by this Assembly, that said troopers be allowed the same wages that the foot soldiers were allowed that went forth on that service, and that they be allowed for the service of their said horses the same as was allowed for the other horses of the militia that were improved in said service.

Upon the memorial of Gideon Barnum of Kent, administrator on the estate of Richard Barnum late of said Kent, deceased, representing to this Assembly that the debts due from said estate surmount the personal estate of said deceased the sum of £53 9s. 11d. and praying that David Barnum of said Kent might be authorized and impowered to sell so much of the lands of the said Richard Barnum, deceased, as will be sufficient to procure said sum and the cost of sale: Resolved by this Assembly, that said David Barnum have liberty and he is hereby impowered, to sell so much of the lands of said Richard Barnum, deceased, as will procure the said sum of £53 9s. 11d. with incident charges arising on said sale; taking the direction of the court of probate for the district of Sharon therein.

On the prayer of Arabella Herrick, of Preston in New

London county, shewing to this Assembly that whereas Joseph Avery of Norwich, by two certain notes dated January 1756, was justly indebted to her the sum of £46 16s. 0*d.* old tenor bills, which still remains unpaid, and that some time since the giving said notes said Avery by the superior court held in New London county has been convicted of knowingly uttering and putting off counterfeit bills, and the penalty of the law in that case executed, and the whole of said Avery's estate, which was considerable, forfeited to this Colony; praying for an allowance of said debt &c. And whereas said Avery's estate is since sold for the use of this Colony and security taken to the Colony Treasurer for the avails thereof: Thereupon, resolved by this Assembly, that the said memorialist have the sum of £3 10s. 6*d.* lawful money out of the Colony treasury, being an equivalent to said sum of £46 16s. 0*d.* old tenor, and the same is hereby granted, and the Treasurer of this Colony is hereby ordered and directed to pay to the memorialist said sum of £3 10s. 6*d.* when and as soon as the avails of said estate is paid into said treasury accordingly.

On the memorial of Hezekiah Manning of Windham, administrator on the estate of Elias Frink jun<sup>r</sup> late of said Windham, deceased, representing to this Assembly that the debts due from the estate of said deceased surmount the inventoried personal estate of said deceased the sum of £9 0s. 0*d.* lawful money beside what real estate of said deceased has already by liberty of this Assembly been sold; thereupon praying liberty to sell so much more of the real estate of said deceased as may amount to said sum of £9 0s. 0*d.* lawful money with incident charges of sale &c.: Resolved by this Assembly, that the memorialist have liberty and he is hereby impowered, to sell so much of the real estate of said deceased as shall amount to said sum of £9 0s. 0*d.* lawful money with incident charges of sale; taking the direction of the court of probate for the district of Windham therein.

Upon the memorial of Simeon Stuart of Norwalk, shewing to this Assembly that the debts due from the estate of Thaddeus Stuart late of Norwalk, deceased, surmount the moveable estate and credits the sum of £48 7s. 3*d.* lawful money, and there being no moveable estate or assets to pay the same, praying this Assembly that he may be appointed and impowered to sell so much of the real estate of the said deceased as shall raise the sum aforesaid &c.: Resolved by this Assembly, that he, the said Simeon Stuart, be appointed and he is hereby impowered, to make sale of so much of the lands of

the said deceased Thaddeus Stuart as shall raise the sum of £48 7s. 3*d.* lawful money with the incident charges arising thereon; taking the advice of the court of probates for the district of Fairfield therein.

Upon the memorial of John Lockwood of Norwalk, administrator on the estate of Still John Lockwood late of Greenwich, deceased, shewing to this Assembly that the debts due [107] from said estate surmount || the personal estate the sum of £18 15s. 8 $\frac{3}{4}$ *d.* lawful money, there being no moveable estate or assets to pay the same; praying this Assembly that he may be appointed and impowered to sell so much of the real estate of the said deceased as shall raise the sum aforesaid &c.: Resolved by this Assembly, that the aforesaid John Lockwood be appointed and he is hereby impowered, to make sale of so much of the real estate of the said deceased Still John Lockwood as shall raise the sum of £18 15s. 8 $\frac{3}{4}$ *d.* lawful money with the incident charges arising thereon; taking the direction of the court of probate in the district of Stanford therein.

On the memorial of John Northrop jun<sup>r</sup>, of Ridgfield, and Betty Northrop his wife, administrators on the estate of Jonathan Olmsted late of Ridgfield, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the moveable estate the sum of £11 19s. 4 $\frac{1}{2}$ *d.* lawful money; praying liberty for some meet person to sell so much of the real estate of said deceased as to raise the sum aforesaid &c.: Resolved by this Assembly, that John Benedict of Ridgfield have liberty and he is hereby impowered, to make sale of so much of the deceased's real estate as to pay the aforesaid sum of £11 19s. 4 $\frac{1}{2}$ *d.* lawful money with the incident charges arising thereon; taking the direction of the court of probates in the district of Danbury therein.

Upon the memorial of Samuel Spencer, of East Haddam in Hartford county, administrator on the estate of Samuel Spencer late of said East Haddam, deceased, representing to this Assembly that the debts and charges due from said estate surmount all the personal estate of said deceased the sum of £280 10s. 7 $\frac{1}{2}$ *d.* lawful money, and praying this Assembly for liberty to sell so much of the real estate of said deceased as shall be sufficient to raise said sum together with the incident charges of sale &c.: Resolved by this Assembly, that said administrator have liberty and he is hereby appointed, to make sale of so much of said real estate as shall be sufficient to raise said sum with the incident charges arising thereon; taking the direction of the court of probate for the district of East Haddam therein.

Upon the memorial of Meriday Bostwick of Greenwich and Hannah his wife, which said Hannah is administratrix on the estate of David Lockwood late of said Greenwich, deceased, shewing to this Assembly that the debts due from said deceased surmount the moveable estate the sum of £59 8s. 3½*d.* lawful money; praying for liberty to sell so much of the deceased's real estate as to pay said sum &c.: Resolved by this Assembly, that Samuel Peck of said Greenwich have liberty and he is hereby impowered, to sell so much of the real estate of said deceased as shall amount to said sum of £59 8s. 3½*d.* with incident charges of sale; taking the direction of the court of probate for the district of Stanford therein.

Upon the memorial of Ambrose Whittlesey, of Saybrook in New London county, administrator on the estate of Ambrose Whittlesey late of said Saybrook, deceased, representing that there are debts due from said estate newly come to the knowledge of said administrator amounting to £15 17s. 1½*d.* which is no personal estate to satisfy; praying for liberty to sell so much of said real estate as to raise said sum together with the incident charges of sale &c.: Resolved by this Assembly, that Hezekiah Whittlesey, Esqr, of said Saybrook, have liberty and is hereby appointed, to sell so much of the real estate of said deceased as shall amount to said sum together with the incident charges of sale; taking the direction of the court of probate for the district [of] Guilford therein.

Upon the report of John Chester and Thomas Welles, Esqrs, who were appointed by this Assembly a committee to enquire into the title and circumstances of certain Indian lands in Middleton in the county of Hartford lying on the east side of Connecticut River on both sides of the highway that runs by the meeting-house, some part whereof is bounded by said river, wherein Richard Ranney, of Newton in the county of Fairfield, claims to have an interest, and to make out the proportion which the said Richard ought to have and to ascertain the same &c.; reporting that some time in April last they repaired to said Middleton, viewed and considered the circumstances, situation and title of said lands; that they found that in the year 1675, two pieces of land in said Middleton, the one containing two hundred and seventy-nine acres, the other twenty acres, were granted and duly recorded to thirteen Indians by name; that the said Richard Ranney is descended from Robbin, one of the said thirteen, to whom said lands were granted as aforesaid; that it was their opinion [108] that ten acres be set out and confirmed || to the said



Richard &c.: It is therefore resolved and ordered by this Assembly, that the said Richard Ranny shall have liberty and authority is hereby granted, to have laid out, apparted and surveyed to him by the surveyor for the county of Hartford ten acres of the first-mentioned larger parcel of land, to begin at the highway about twenty rods eastward from said meeting-house and to extend about twenty rods on said highway, and then to run from said highway northerly the same width until it shall include said quantity of ten acres, and the same being so surveyed, laid out and ascertained by proper meets and bounds, and recorded in the public records of said town of Middleton, shall be good and sufficient evidence for the holding the same in severalty to him, the said Richard Ranny, his heirs and assigns for ever; and further liberty and power is given unto the said Richard Ranny, to cultivate and improve as much of the residue of said lands adjoining to said ten acres as conveniently he can, until some other of the descendants of said Indians claimants of said land appear and make out their claim and title to said lands and have occasion to improve the same.

Upon the memorial of Catherine Cutler, of Killingly in the county of Windham, administratrix on the estate of Ezekiel Cutler late of said Killingly, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the personal estate of said deceased the sum of eleven pounds thirteen shillings and nine pence lawful money, and moving to this Assembly for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay the abovesaid sums with the incident charges arising thereon: Resolved by this Assembly, that the said Catherine Cutler have liberty to sell so much of said deceased's real estate as shall be sufficient to pay said sum of eleven pounds thirteen shillings and nine pence lawful money with the incident charges arising thereon; taking the direction of the court of probate in the district of Pomfret therein.

Upon the memorial of Hezekiah Sabin of Killingly, and John Williams and Mary Sabin, both of Pomfret in the county of Windham, administrators on the estate of Capt. Noah Sabin late of said Pomfret, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the personal estate of said deceased the sum of one thousand and fifty-one pounds sixteen shillings and three pence three farthings lawful money, and praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay the abovesaid sums with the incident charges

arising thereon: Resolved by this Assembly, that the said administrators have liberty to sell so much of the real estate of said deceased as shall be sufficient to pay the abovesaid sum of one thousand and fifty-one pounds sixteen shillings and three pence three farthings lawful money with the incident charges arising thereon; taking the directions of the judge of probates in the district of Pomfret therein.

Upon the memorial of Lt. Thomas Gallop of Plainfield, representing that in the year 1756 he went in the expedition against Crown Point as first lieutenant in the company under Capt. Israel Putnam in Col. Lyman's regiment, and faithfully discharged his duty therein from the time of his appointment until he was taken sick and unable further to serve, and that thereupon he returned home to Plainfield where he arrived on the 6th day of October in the same year, and that he had not ever been able to receive more than his first months pay for his service &c. for the reasons as in said memorial set forth; praying relief &c.: Resolved by this Assembly, that the said Thomas Gallop shall be paid in full for his wages in the capacity aforesaid from the time of his said appointment unto the said 6th day of October, 1756, exclusive of the first months pay which he has already received. And the Committee of the Pay-Table are hereby directed to draw their order on the Treasurer for payment of the same.

Upon the memorial of Margaret Brown of New London, administratrix on the estate of Abner Brown jun<sup>r</sup> late of said [109] New London, deceased, shewing || to this Assembly that the debts due from said estate surmount the personal estate thereof the sum of thirty-seven pounds and five shillings lawful money; praying for liberty to sell some of the said deceased's land to raise said sum to pay said debt: Resolved by this Assembly, that the said Margaret Brown have liberty and liberty is hereby granted to said Margaret Brown, to sell so much of the real estate of said deceased as shall be sufficient to raise the said sum of £37 5s. 0d. lawful money, for the payment of said debt, with the necessary charge thereon arising; taking the advice of the court of probate in the district of New London.

Upon the memorial of Daniel Lee as agent for the society of East Greenwich in the town of Kent, shewing that this Assembly at their session at New Haven in October last granted a tax on the unimproved land in said society toward defraying the charges of settling a minister in said society, and appointed Mr. Jonathan Sacket jun<sup>r</sup> to collect said tax, who wholly refuses to undertake said service; praying this

Assembly to appoint Mr. Joseph Carter of said society to collect said tax: This Assembly do appoint the said Joseph Carter and fully empower him to collect said tax according to the directions of the act of this Assembly above referred to.

*Resolved by this Assembly,* That Mr. John Griswold and Mr. Richard Lord be appointed and they are hereby authorized and empowered, to adjust and settle accounts with the collectors within the county of New London who have been appointed to receive the duties on lumber exported and goods imported &c. and to report their doings thereon to this Assembly in October next.

Upon the memorial of Thomas Noble and Anna Noble, both of New Milford, administrators of the estate of John Noble jun<sup>r</sup> late of said New Milford, deceased, shewing to this Assembly that the debts due from said estate surmount the moveable estate of said deceased the sum of ten pounds fifteen shillings and eight pence half-penny lawful money; praying this Assembly to empower said memorialists to sell so much of the real estate of said deceased as shall be sufficient to pay said sum &c.: Resolved by this Assembly, that the memorialists have power and they are hereby empowered, to sell so much of the real estate of said deceased as shall be sufficient to pay said sum together with the incident charges arising thereon; taking the direction of the court of probate for the district of Woodbury therein.

Upon the memorial of Abraham Wing, of Beekmans Precinct in the county of Dutchess in the Province of New York, shewing that on the 6th day of October 1749, one Jabez Park, then of New Fairfield in the Colony of Connecticut, (since deceased,) for the consideration of the sum of £120 old tenor money, by a good deed of sale under his hand and seal by him executed and delivered to the memorialist, sold and conveyed to the memorialist a certain tract of land situate in said New Fairfield containing twenty acres, bounded as in said deed expressed, and there being no proper authority present to take the acknowledgment of said deed the same was not acknowledged at the time of executing the same, and that the said Jabez Park sometime after died and did not acknowledge said deed; praying this Assembly to enact that said deed may be recorded with the affidavit thereon endorsed, (being the testimony of the witnesses to said deed that the same was duly executed,) and that said deed being so recorded may be given in evidence of the memorialist's title to said land as if the same had been acknowledged &c.: Resolved by this Assembly, that the memorialist have liberty to have

said deed with said endorsement thereon recorded in the public records of lands in the town of New Fairfield, and the same being so recorded may be given in evidence and shall be as good and effectual to all intents and purposes as if the same had been acknowledged by the said Jabez Park in his lifetime.

Upon the memorial of John Felshaw and Damaris Chandler, administrators on the estate of Lemuel Chandler late of Killingly, deceased, representing to this Assembly that the debts due from said estate surmount the personal estate the sum of £24 17s. 8 $\frac{1}{2}$ d. lawful money; praying for liberty to sell so much of the said deceased's real estate as to make said sum with the incident charges: Resolved by this Assembly, that the said John Felshaw and Damaris Chandler have liberty and they are hereby impowered, to sell so much of the real estate of the said Lemuel Chandler as is sufficient to procure [110] said sum of £24 17s. 8 $\frac{1}{2}$ d. || lawful money with the necessary charges arising on such sale; taking the direction of the court of probate for the district of Pomfret therein.

Upon the memorial of Lydia Whitney, administratrix on the estate of James Whitney late of Ridgfield, deceased, representing to this Assembly that the debts due from the estate of said deceased surmount the moveable estate the sum of £16 4s. 8d.; praying this Assembly to impower the memorialist, or some other meet person, to make sale of so much of the said deceased's real estate as to enable the memorialist to pay the aforesaid debts with additional cost arising thereon &c.: Resolved by this Assembly, that Recompence Thomas of Ridgfield have liberty and he is hereby impowered, to make sale of so much of the real estate of said deceased as shall enable the said administratrix to pay the said debt with incident charges arising thereon; taking the advice of the court of probate in the district of Danbury therein.

Upon the memorial of Stephen Nott of Saybrook, shewing to this Assembly that in the night season next after the ninth of May instant his dwelling-house &c. with forty-five pounds in bills of public credit on this Colony were burnt and consumed to ashes; praying that the Treasurer of this Colony might be ordered and directed to pay to said memorialist the said sum of forty-five pounds lawful money, as per memorial on file: Resolved by this Assembly, that the Treasurer of this Colony be and he is hereby ordered and directed to pay to said Stephen Nott out of the public treasury of this Colony the sum of forty-five pounds in bills of credit on this Colony; taking his receipt for the same.

Upon the memorial of Sarah North of Canaan, administratrix of the estate of James North late of said Canaan, deceased, shewing to this Assembly that the debts due from said deceased surmount his moveable estate the sum of seventy-one pounds ten shillings and four pence one farthing lawful money; praying this Assembly to empower the memorialist, or some other meet person, to sell so much of the real estate of said deceased as shall be sufficient to pay said sum and the incident charges &c.: Resolved by this Assembly, that the memorialist have power and she is hereby empowered, to sell so much of the real estate of said deceased as shall be sufficient to pay said sum together with the incident charges arising thereon; taking the direction of the court of probate for the district of Sharon therein.

Upon the memorial of Lucy Dewolf of Lyme, administratrix on the estate of Simon Dewolf late of Lyme, deceased, shewing to this Assembly that at the court of probate held at New London on the 24th of September 1756, said memorialist settled her account which surmounted the personal estate of said deceased the sum of thirty-nine pounds sixteen shillings and five pence lawful money for which she obtained an order of Assembly to sell so much of the real estate of said deceased as should amount to that sum; that said memorialist applied to the court of probate held at New London on the 11th of April 1758, and produced an account of sundry debts paid by her (not included in her former account) amounting to the sum of fifteen pounds eighteen shillings and three pence half-penny lawful money, as also two debts still due amounting to six pounds sixteen shillings lawful money, which two last-mentioned sums amount to twenty-two pounds fourteen shillings and three pence lawful money, and that the remaining real estate of said deceased amounts to the sum of forty-four pounds thirteen shillings and seven pence lawful money; praying for liberty to sell so much of the real estate of said deceased as shall amount to the sum of twenty-two pounds fourteen shillings and three pence lawful money, as per memorial on file &c.: Resolved by this Assembly, that said memorialist be and she is hereby empowered, to make sale of so much of the remaining real estate of said deceased as shall amount to the sum of twenty-two pounds fourteen shillings three pence half-penny lawful money with the incident charges arising thereon; taking the advice and direction of the court of probate for the district of New London therein.

Upon the memorial of Isaac Hall of Lyme, administrator on the estate of George Hall late of said Lyme, deceased,

shewing to this Assembly that the real estate of said deceased [111] amounts to the sum of £5696 6s. 8*d.* old tenor, || which was equal to the sum of £517 16s. 10*d.* lawful money at the time of making the inventory of said estate; that Eunice Hall, the former administratrix on said estate, made up an account with the court of probate held at New London the 10th of May 1757, and produced a list of debts due from said estate which surmounted the personal estate of said deceased the sum of £689 2s. 6*d.* which being reduced to lawful money makes the sum of £62 13s. 2*d.*; that said memorialist exhibited an account of sundry debts due from said deceased and paid by said memorialist with charge of administration amounted to £16 8s. 2*d.* lawful money allowed by the court of probate held at New London aforesaid on the 9th of May 1758, and also produced a list of debts still due from the estate of said deceased, amounting to the sum of £19 16s. 9*d.* lawful money, both which sums amount to £36 4s. 11*d.* lawful money, none of which are included in the former settlement, which debts, charges &c. surmount the personal estate of said deceased the sum of £98 18s. 1*d.* lawful money; praying for liberty to sell so much of the real estate of said deceased as shall amount to said sum of £98 18s. 1*d.* lawful money with incident charges, as per memorial on file: Resolved by this Assembly, that said memorialist be and he is hereby appointed and impowered, to make sale of so much of the real estate of said deceased as shall amount to the sum of ninety-eight pounds eighteen shillings and one penny lawful money with the incident charges arising thereon; taking the advice and direction of the court of probate for the district of New London therein.

Upon the memorial of Jabez Dewolf of Lyme, shewing to this Assembly that on the 23d day of April A.D. 1754 he, the said Jabez, purchased of Josiah Dewolf of said Lyme, and Simon Dewolf late of said Lyme, deceased, a certain tract of land of about ten acres and then had a deed thereof dated the same 23d day of April, which deed was by said grantors sign'd, seal'd and delivered, but never was acknowledged by said Simon in his life time: Therefore, resolved by this Assembly, that said deed shall by the register of said Lyme be entered and recorded in the records of said Lyme, and that the same shall be valid and effectual in the law as though the same had been duly acknowledged in the life time of said Simon deceased, and may be given in evidence of the title of said land.

On the memorial of Matthias Smith of Lebanon, shewing

to this Assembly that by his wounds received in the battle near Lake George in the year 1755, he has been ever since, and still is, unfit for labour, and has been at considerable expence for his board for the year past &c. ; praying for a grant of this Assembly for the payment thereof, and also a license for pedling within this Colony for three years next ensuing &c.: Resolved by this Assembly, that the memorialist have, to defray his past expences for board &c. the sum of £10 0s. 0d. lawful money, and the Treasurer of this Colony is hereby ordered to pay the said sum to the said Smith accordingly; and liberty is hereby granted to the said Smith of pedling and selling goods by small quantities throughout this Colony for the space of three years next coming, without paying any sum as by law provided for a license therefor.

Upon the memorial of David Hurd, of Woodbury in the county of Litchfield, representing that he being of the old society in said Woodbury but living so near the society of Roxbury that he can more conveniently attend the public worship of God in said society of Roxbury; praying that he may be taken from the said old society and with his dwelling-house and farm adjoining thereto may be annexed to said Roxbury society: Resolved by this Assembly, that the said David Hurd and his dwelling-house and farm adjoining be and the same are hereby taken from the said first society and annexed to the said society of Roxbury.

Upon the memorial of Joseph Ranny and Prudence Savage, administrators on the estate of Joseph Savage late of Middleton in said Colony, deceased, shewing to this Assembly that the debts and charges due from said estate surmount the moveable part thereof the sum of £58 5s. 6d. lawful money, and thereupon praying for liberty to sell real estate &c.: Resolved by this Assembly, that the memorialist have liberty and liberty is hereby granted them, to sell so much of the real estate of said deceased as will procure the aforesaid sum of fifty-eight pounds five shillings and six pence together with the incident charges arising thereon; taking the direction of the court of probate for the district of Middleton therein.

[112] Upon the memorial of Mary Payson, of Woodstock in the county of Windham, administratrix on the estate of Mr. Asa Payson late of said Woodstock, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the personal estate the sum of one hundred forty-five pounds two shillings and nine pence lawful money, and moving to this Assembly for liberty to make sale of so much

of the real estate of said deceased as shall be sufficient to pay the abovesaid sums with the incident charges arising thereon: Resolved by this Assembly, that the said administratrix have liberty to sell so much of the real estate of said deceased as shall be sufficient to pay the said sum of one hundred forty-five pounds two shillings and nine pence lawful money with the incident charges arising thereon; taking the direction of the judge of probate in the district of Pomfret therein.

Upon the memorial of Abigail Woodward, administratrix on the estate of Samuel Woodward late of New Haven in the county of New Haven, shewing to this Assembly that the debts due from the estate of the said Samuel surmount his personal estate the sum of £19 11s. 8d. lawful money; praying for liberty to sell so much of the real estate of the said deceased as will enable her to pay said sum with the incident charges arising on such sale: Resolved by this Assembly, that the said administratrix be impowered and she is hereby impowered, to sell so much of the said real estate as to make said sum with the incident charges; taking the direction of the court of probate for the district of New Haven therein.

Upon the memorial of the inhabitants of the parish of Mount Carmel, representing that in describing the bounds of said parish by the committee that lately laid out the same there was a mistake or uncertainty with respect to a highway referred to lying eastward of James Ives farm on the eastward side of said parish, also greater certainty wanting in the bounds on the southward side of the Blue Hills; further representing that it would be convenient and best, to have the bounds on the east near said Ives and Ithamar Todds farm enlarged a small matter, and also on the south to have the bounds extended down as low as the south bounds of North Haven parish; praying to have said enlargements made, or a committee to view &c., as by the memorial on file may more fully appear: Resolved by this Assembly, that Roger Newton, Esq<sup>r</sup>, Capt. Moses Hawkins and Mr. Enos Brooks be a committee, and they are hereby impowered and directed on the application and at the cost of said inhabitants, to repair to said parish and having notified the neighbouring parishes, *viz*: New Haven First Society and North Haven, to view the situation and circumstances of said parish and said neighbour parishes, and make report in the premises to this Assembly in October next.

Upon the memorial of Peter Bowen, of Brookfield in the county of Worcester and Province of the Massachusetts Bay, administrator on the estate of Mr. John Bowen late of Ash-



ford, deceased. shewing to this Assembly that the debts due from the estate of said deceased surmount the personal estate the sum of twelve pounds nineteen and nine pence lawful money, and moving to this Assembly for liberty to make sale of so much of said deceased's real estate as shall be sufficient to pay said sum with the incident charges arising thereon: Resolved by this Assembly, that the said administrator have liberty to sell so much of the real estate of said deceased as shall be sufficient to pay the sum of twelve pounds nineteen shillings and nine pence lawful money with the incident charges arising thereon; taking the direction of the judge of probate in the district of Pomfret therein.

Upon the memorial of Peter Chandler and Mary his wife, both of Pomfret in the county of Windham, which Mary is administratrix on the estate of William Chandler jun<sup>r</sup> late of Woodstock. deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the personal estate of said deceased the sum of twenty-five pounds five pence three farthings lawful money, and moving to this Assembly that the said memorialist may have liberty to sell so much of said deceased's real estate as shall be sufficient to pay the abovesaid sum with the incident charges arising thereon: Resolved by this Assembly, that the said Peter Chandler and Mary his wife have liberty to sell so much of the real estate of said deceased as shall be sufficient to pay said sum of twenty-five pounds five pence three farthings lawful money with the incident charges arising thereon; taking the direction of the judge of probate for the district of Pomfret therein.

[113] Upon the memorial of Micah White, of Braintry in the county of Suffolk and Province of the Massachusetts Bay, and Nathan Pearl. of Ashford in the county of Windham, administrators on the estate of Nehemiah White late of said Ashford. deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the personal estate the sum of twelve pounds one shilling lawful money, and moving to this Assembly for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay the abovesaid sum with the incident charges arising thereon: Resolved by this Assembly, that the said administrators have liberty to sell so much of the real estate of said deceased as shall be sufficient to pay the abovesaid sum of twelve pounds one shilling lawful money with the incident charges arising thereon; taking the direction of the judge of probate in the district of Pomfret therein.

Upon the memorial of Micah White, of Braintry in the county of Suffolk and Province of the Massachusetts Bay, and Nathan Pearl, of Ashford in the county of Windham, administrators on the estate of Mrs. Ruth White late of said Ashford, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the personal estate the sum of twenty pounds twelve shillings and eight pence three farthings lawful money, and praying to this Assembly for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay said sum with the incident charges arising thereon: Resolved by this Assembly, that the said administrators have liberty to make sale of so much of the real estate of said deceased as shall be sufficient to pay said sum of twenty pounds twelve shillings and eight pence three farthings lawful money with the incident charges arising thereon; taking the direction of the judge of probate in the district of Pomfret therein.

Upon the memorial of Noah Smith and Experience Smith, both of New Fairfield, shewing that the memorialists dwell in the south society in said New Fairfield near the north line thereof, and the farm whereon they dwell being about 140 acres of land belonging to the memorialists and the rest of the heirs of Noah Smith late of said New Fairfield, deceased, lieth part in the north society in said New Fairfield, and that it is much more convenient for the memorialists to attend the public worship of God and enjoy other society priviledges in said north society than it is in said south society, they being about ten miles distant from the south society meeting-house and but about four miles from the north society meeting-house; therefore praying this Assembly that the dwelling-houses of the memorialists and that part of said farm which lieth in said south society may be annexed to the north society &c.: Resolved by this Assembly, that the memorialists' dwelling-houses and all that part of their said farm that lieth in said south society shall be annexed and the same is hereby annexed to the north society in said New Fairfield, and that the memorialists and others that may and do dwell on said farm shall for the future be excused from paying taxes to said south society and shall pay society taxes and enjoy society priviledges in said north society

Upon the memorial of Sarah Smith, administratrix on the estate of Daniel Smith late of Norwich, deceased, shewing to this Assembly that the debts and charges allowed against the estate of the said deceased surmount the personal estate of the said deceased the sum of £52 0s. 10½*d.* and praying this

Assembly to grant to the memorialist liberty to sell so much of the real estate of the said deceased as to pay the said sum of £52 0s. 10½*d.* and the necessary charges arising on such sale: Resolved by this Assembly, that the memorialist have liberty and liberty is hereby granted to her, to sell so much of the real estate of the said deceased as to enable her to pay the said sum of £52 0s. 10½*d.* and the necessary charges arising on such sale; taking the direction of the court of probate in the district of Norwich therein.

Upon the memorial of Hezekiah Treadwell of Stratford, administrator on the estate of Enos Beardslee late of said Stratford, deceased, representing to this Assembly that the debts due from the estate of said deceased surmount the moveable estate the sum of £9 12s. 7*d.* lawful money, and praying that he may be appointed to sell so much of the real estate of said deceased as may be sufficient to raise said sum &c.: Resolved by this Assembly, that the said Hezekiah [114] Treadwell be appointed and he is hereby appointed and || impowered to make sale of so much of the real estate of the said deceased Enos Beardslee as will be sufficient to pay and satisfy said sum of £9 12s. 7*d.* with the incident charges arising on such sale; taking directions from the court of probate in the district of Fairfield therein.

Upon the memorial of Thomas Belding and David Goodrich 2d, administrators on the estate of Amos Belding late of Weathersfield, deceased, representing to this Assembly that the debts due from the estate of said Amos Belding surmount the moveable estate the sum of £527 19s. 4½*d.* lawful money; praying for liberty to sell so much of the real estate of said Amos as to pay said sum: Resolved by this Assembly, that the said administrators have liberty to sell so much of the real estate of said Amos Belding, deceased, as to make said £527 19s. 4½*d.* lawful money with the incident charges arising thereon; taking the directions of the court of probate in the district of Hartford therein.

Upon the memorial of Hannah Keeny of New London, administratrix on the estate of John Keeny sen<sup>r</sup> late of said New London, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the personal estate of said deceased the sum of thirty-four pounds and six pence lawful money, and praying for liberty to sell so much of the said deceased's real estate as shall raise the said sum: Resolved by this Assembly, that the said Hannah Keeny shall have liberty and liberty is hereby granted to the said Hannah Keeny, to sell such a part of the real estate of

said John Keeny, deceased, as shall be sufficient to raise the sum of £34 pound and six pence lawful money with the necessary charge thereon arising: taking the advice of the court of probate within the district of New London.

On the petition of William Brattle and Martha Brattle his wife and Andrew Oliver jun<sup>r</sup>, all of Boston in the county of Suffolk and Province of the Massachusetts Bay, *versus* Israel Foot of Colchester and his wife, and Joseph Williams, Barret Phelps, Thomas Loveland jun<sup>r</sup>, Isaac Tilden, Jonathan Tillotson, James Tillotson, Mary Owen the daughter of Noah Owen jun<sup>r</sup> deceased, (a minor,) John Rowe, Nathaniel Root, Matthew Williams jun<sup>r</sup>, and John Brown, all of Hebron in the county of Hartford, and John Williams of Lebanon in the county of Windham, on file, the question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent* £2 2s. 0d. *lawful money.* *Ex. granted June 9th 1758.*

On the petition of Joseph Phelps jun<sup>r</sup>, of Hebron in the county of Hartford, *versus* Isaac Sawyer of Hebron aforesaid, on file, the question was put, whether the petitioner should have a new tryal as prayed for: Resolved by this Assembly in the negative. *Cost allowed respondent* £2 10s. 0d. *lawful money.* *Ex. granted July 12th 1758.*

On the petition of James Ely, of Lyme in the county of New London, *versus* Richard Lord of Lyme aforesaid, on file, the question was put, whether the pleas offered by the respondent in abatement of said petition are sufficient to abate the same: Resolved by this Assembly in the affirmative. *Cost allowed respondent is* £1 18s. 6d. *lawful money.* *Ex. granted Sept. 15th 1758.*

On the petition of James Marvin, of Lyme in the county of New London, *versus* Lewis Dewolf of Lyme aforesaid, on file, the question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent* £1 18s. 0d. *lawful money.* *Ex. granted Sept. 15th 1758.*

[115] On the petition of Andrew Mackenzie and Joseph Chew, of New London in the county of New London, *versus* Margaret Pollard, of Boston in the county of Suffolk and Province of the Massachusetts Bay, executrix of the last will and testament of Benjamin Pollard late of Boston aforesaid, deceased, on file, the question was put, whether the superior court in proceeding to and rendering judgment manifest error hath intervened: Resolved by this Assembly in the negative.

*Cost allowed respondent is £1 14s. 6d. lawful money. Ex. granted Nov. 20th 1758.*

On the petition of Samuel Chandler, Esqr, Isaac Johnson, John Morse, Benjamin Bugbee &c., inhabitants of the first society in Woodstock in the county of Windham, *versus* the Rev<sup>d</sup> Mr. Abel Stiles of said Woodstock and Daniel Lyon, a principal inhabitant in the first society aforesaid, and the rest of the inhabitants of said first society, on file, the question was put, whether the matters requested and prayed for in the said petition should be granted: Resolved by this Assembly in the negative.

On the petition of Thomas Elmor, of Windsor in the county of Hartford, *versus* Nathaniel Porter of Windsor aforesaid, on file, the question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent £2 1s. 8d. lawful money. Ex. gr. July 21st 1758.*

On the petition of Samuel Beers, of Stratford in the county of Fairfield, and Sarah his wife late known by the name of Sarah Wetmore of Middletown in the county of Hartford, administrators on the estate of Hezekiah Wetmore late of Middleton aforesaid, *versus* Richard Alsop of said Middleton, on file, the question was put, whether the judgment of the county court referred to in said petition is erroneous, as the petitioner hath alledged and complained of in his petition: Resolved by this Assembly in the negative. *Cost allowed respondent is £2 0s. 10d. lawful money. Ex. granted Sept. 8th 1758.*

Upon the petition of James Champlin and Prudence his wife, late of New London, in the county of New London, now of Westerly in the county of Kings County and Colony of Rhode Island, *versus* John Hallam, of Stonington in the county of New London, on file, the question was put, whether the said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent is £2 4s. 2d. lawful money. Ex. granted May 20th 1759.*

On the petition of Thomas Elmor and Joseph Rockwell, both of Windsor in Hartford county, *versus* John Bannister, of Newport in the Colony of Rhode Island, on file, the question was put, whether the petitioners should have liberty of a new tryal of the causes referred to in said petition, as therein prayed for: Resolved by this Assembly in the negative. *Cost allowed respondent £2 7s. 0d. lawful money. Ex. gr. July 21st 1758.*

This Assembly grants to his Honour the Governor the sum

of sixty-six pounds, for his first half-years salary the current year, and the Treasurer is hereby ordered to pay the same accordingly.

This Assembly grants to his Honour the Governor the sum of sixty pounds, for his extraordinary service since October last, and the Treasurer is hereby ordered to pay the same accordingly.

This Assembly grants to his Honour the Deputy Governor the sum of thirty-three pounds, for his first half-years salary the current year, and the Treasurer is hereby ordered to pay the same accordingly.

[ 116 ] This Assembly grants to Joseph Talcott, Esq<sup>r</sup>, the sum of one hundred pounds, for his service as Treasurer of this Colony the last year, and the Treasurer is hereby ordered to pay the same accordingly.

This Assembly grants to Joseph Talcott, Esq<sup>r</sup>, Treasurer of this Colony, the sum of thirty pounds, for his extraordinary service in the year past.

This Assembly grants to George Wyllys, Esq<sup>r</sup>, the sum of five pounds, for his service as Secretary of this Colony the last year, and the Treasurer is hereby ordered to pay the same accordingly.

This Assembly grants to Mr. Timothy Green the sum of six pounds twelve shillings, for his service in printing for the Colony the last half year, and the Treasurer is hereby ordered to pay the same accordingly.

This Assembly appoints John Chester, Thomas Wells, Roger Wolcott jun<sup>r</sup> and Daniel Edwards, Esq<sup>rs</sup>, Mr. John Ledyard and Col. Joseph Pitkin, to attend his Honour the Deputy Governor, to hear the records of the acts and doings of this Assembly read off and see the same signed by the Secretary as perfect and compleat.

On the petition of Joseph Holland, of Pomfret in the county of Windham, *vs.* David Cook jun<sup>r</sup>, of Wallingford in the county of New Haven, as on file, the question was put, whether the petitioner should have liberty of another tryal of the action referred to in the petition &c.: Resolved by this Assembly in the negative. *Cost allowed respondent* £1 15s. 10d. *Ex. granted June 6th 1758.*

On the petition of Hezekiah Cogswell, of Hebron in the county of Hartford, *vs.* William Brattle, Esq<sup>r</sup>, and Martha his wife and Andrew Oliver, jun<sup>r</sup>, all of Boston in the county of Suffolk in the Province of the Massachusetts Bay, as on file, the question was put, whether the petitioner appeared &c.: Resolved by this Assembly in the negative.

*Teste* GEORGE WYLLYS Secret'y.

[117] *Anno Regni Regis Georgii secundi trigesimo-secundo.*  
 AT A GENERAL ASSEMBLY OF THE GOVERNOR AND COMPANY OF  
 HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW  
 ENGLAND IN AMERICA, HOLDEN AT NEW HAVEN IN SAID COL-  
 ONY ON THE SECOND THURSDAY OF OCTOBER (BEING THE  
 TWELFTH DAY OF SAID MONTH) AND CONTINUED BY SEVERAL  
 ADJOURNMENTS UNTIL THE FIRST DAY OF NOVEMBER NEXT  
 FOLLOWING, ANNOQUE DOMINI 1758.

*Present:*

The Honourable Thomas Fitch, Esq<sup>r</sup>, *Governor.*

The Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, *Deputy Governor.*

Roger Newton,	Thomas Wells,	} Esq <sup>rs</sup> , Assistants.
Ebenezer Silliman,	Benjamin Hall,	
Jonathan Trumble,	Roger Wolcott, jun <sup>r</sup> ,	
Hezekiah Huntington,	Daniel Edwards,	
Andrew Burr,	Jabez Hamlin,	
John Chester,		

*Representatives or Deputies of the several Towns hereafter  
 mentioned returned to attend at this Assembly, viz:*

Col. Joseph Pitkin, Mr. John Ledyard, for Hartford.

Col. John Hubbard, Mr. John Whiting, for New Haven.

Mr. David Gardner, Mr. William Hilhouse, for New London.

Mr. David Rowland, Mr. William Burr, for Fairfield.

Mr. Nathaniel Wales, Mr. Samuel Gray, for Windham.

Col. Ebenezer Marsh, Capt. Elisha Sheldon, for Litchfield.

Capt. Jabez Huntington, Capt. John Perkins, for Norwich.

Col. Elizur Goodrich, Mr. Hez. May, for Weathersfield.

Col. Shubael Conant, Mr. William Hall, for Mansfield.

Col. Elihu Chauncey, Mr. John Camp, for Durham.

Capt. Hezekiah Whittlesey, Capt. John Murdock, for Say-  
 brook.

Capt. Macock Ward, Mr. Enos Brooks, for Wallingford.

Col. John Dyar, Capt. Benjamin Pierce, for Canterbury.

Mr. John Clap, Mr. Nathaniel Sacket, for Greenwich.

Mr. Erastus Wolcott, for Windsor.

Col. Hezekiah Sabin, Capt. Samuel Danielson, for Killingsly.

Mr. Samuel Kimberly, Mr. John Wells, for Glassenbury.

Mr. James Fitch, for Norwalk.

Mr. Jonathan Kilborn, Capt. Elijah Worthington, for Col-  
 chester.

Col. David Whitney, Capt. John Bebee, for Canaan.

Mr. Joseph Wilcockson, Mr. David Phelps, for Symsbury.

Mr. Solomon Whitman, Mr. Jeremiah Curtis, for Farmington.

Capt. Theophilus Nichols, Mr. Ichabod Lewis, for Stratford.

Mr. Samuel Barker, Capt. Robert Foot, for Branford.

Mr. Daniel Sherman, Mr. Benjamin Hickox, for Woodbury.  
 Mr. Samuel Olmsted, Mr. Stephen Smith, for Ridgfield.  
 Mr. Christopher Holmes, for East Haddam.  
 Mr. Daniel Aldin, for Stafford.  
 Mr. Ebenezer Williams, Mr. Jonathan Dressor, for Pomfret.  
 Mr. James Bradford, Capt. Isaac Coit, for Plainfield.  
 Mr. Daniel Booth, Capt. Henry Glover, for Newton.  
 Mr. Comfort Starr, Mr. Thomas Benedict, for Danbury.  
 Capt. Robert Dixon, Mr. John Smith, for Voluntown.  
 Capt. John Williams, Mr. John Pardee, for Sharon.  
 Mr. Stephen Heaton, Mr. Gideon Thompson, for Goshen.  
 Mr. Roger Sherman, Mr. Jehiel Hawley, for New Milford.  
 [118] Mr. John Phelps, for Hebron.  
 Mr. Josiah Stoddard, Mr. John Hutchinson, for Salisbury.  
 Mr. Seth Wetmore, Capt. Matthew Talcott, for Middleton.  
 Capt. Benjamin Kent, for Suffield.  
 Capt. Elnathan Stephens, Capt. Theophilus Morgan, for Killingworth.  
 Mr. Zebulon West, Capt. Joshua Wills, for Tolland.  
 Mr. Joseph Wells, for Haddam.  
 Mr. Everit Smith, Capt. Benjamin Somner, for Ashford.  
 Mr. Martin Smith, for New Hartford.  
 Mr. Jabez Swift, Mr. Daniel Lee, for Kent.  
 Capt. Ebenezer Kingsbury, for Coventry.  
 Mr. Isaac Johnson, Col. Thomas Chandler, for Woodstock.  
 Capt. Thomas Pitkin, Capt. Benjamin Talcott, for Bolton.  
 Capt. Samuel Basset, Capt. Abel Gun, for Derby.  
 Capt. Joshua West, Mr. William Williams, for Lebanon.  
 Mr. Simeon Minor, Capt. Joseph Denison, for Stonington.  
 Maj. Edward Allin, Mr. Ephraim Strong, for Milford.  
 Col. Timothy Stone, Mr. Samuel Robinson, for Guilford.  
 Capt. Timothy Judd, Mr. Stephen Hopkins, for Waterbury.  
 Capt. William Witter, Mr. John Tyler, for Preston.  
 Mr. Jonathan Dibble, Mr. Charles Webb, for Stanford.  
 Mr. Edward Collins, for Enfield.  
 Capt. Matthew Griswold, Mr. Uriah Rowland, for Lyme.  
 Col. Christopher Avery, Mr. Luke Perkins, for Groton.  
 Mr. Jacob Benton, for Harwinton.  
 Col. Shubael Conant, Speaker } of the House of Representatives.  
 Capt. Jabez Huntington, Clerk }

Whereas 'tis represented to this Assembly, that sundry persons legally warned to appear and attend the appointed musters of several military companies of this Colony, in order to the enlistment or detachment of soldiers for the present campaign, refused so to appear, and that sundry of those who,



pursuant to the order of this Assembly in May last, were detached for said service refused also and altogether fail'd to joyn said troops, in contempt of the laws of this Colony in such case made and provided,

*It is thereupon resolved by this Assembly,* That the captains or other chief officers of the respective military companies in this Colony be, and they hereby are, required forthwith diligently to enquire after all offences above mentioned by any of the soldiery of their respective companies committed, and of their names with an account of such evidence thereof as they may discover, to inform the colonels or chief officers of the respective regiments to which they belong, which together with such other evidence as they, said colonels, shall be knowing to shall be by them speedily transmitted to the King's attornies of the several counties to which such offenders may belong, and such King's attorneys are hereby also impower'd and directed speedy complaint thereof to make to the next Assistant or justice of the peace in such county, whose duty it shall thereupon be forthwith to cause the person or persons so complain'd of to be apprehended and had before proper authority to be examin'd thereof and dealt with as to law and justice appertain.

*And it is further ordered,* That John Chester, Esqr, apply to the printer in this town, to imprint forthwith 350 copies of this act, that they may by the members of this Assembly be as soon as may be sent into the various parts of this Colony, that the various officers therein mentioned may conform themselves accordingly.

**An Act providing for the Quartering and Billeting Recruiting Officers and Recruits in his Majesty's Regular Forces employ'd for the Defence of his Majesty's North American Dominions.**

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That when and as often and during the continuance of this [ 119 ] act, application || shall be therefor made by any such recruiting officer or officers to any Assistant or justice of the peace inhabiting in any town within this Colony, such Assistant or justice of the peace are hereby required, with all convenient speed, to quarter and billet such recruiting officers and recruits in his Majesty's service in any of the public houses within such town licensed for the retailing strong liquors by small quantities: and the officers and soldiers so quartered and billeted shall be received and supplied with diet and small beer or cyder by the occupiers of such licenced houses; payment and allowance to be made therefor by such recruiting officers at the rate hereafter particularly exprest, *viz:* for one commission officer of foot under the degree of

a captain, for his diet and small beer *per diem*, one shilling sterling, and if such officer shall have an horse or horses, for hay for each *per diem* six pence sterling, and for each foot-soldier of any such recruiting party, for diet and small beer *per diem* four pence sterling.

*It is further enacted*, That if the occupier of any such public licensed house shall refuse to receive and victual any such officer or soldier so quartered and billeted upon him according to the directions of this act, and be thereof duly convicted before any one Assistant and justice of the peace, or two justices of the same county (one being of the quorum,) every person so offending shall forfeit to and for the use of this Colony the sum of forty shillings lawful money, to be levied by distress and sale of the goods of the person so offending, by warrant under the hands of said authority before whom such conviction shall be, to be directed to the sheriff of said county, his deputies, or constables of the town wherein such offender shall dwell.

This act to be and continue in force from the rising of this Assembly until the last day of November one thousand seven hundred and fifty-nine, and no longer.

An Act relating to Quarters for his Majesty's Regular Forces in this Colony.

Whereas it may be found necessary during the continuance of the war in America that some of his Majesty's regular troops be quartered in this Colony in the winter: Therefore,

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same*, That when and so often as his Honour the Governor of this Colony shall find it necessary for his Majesty's service that some of his Majesty's regular troops be quartered or billeted in this Colony for and during the winter season or for any shorter term or time, that the Governor be, and he is hereby, desired by and with the advice of the Council, to canton out such troops in such towns and places as he shall judge most beneficial for his Majesty's service and in the easiest manner for the inhabitants of this Colony, and accordingly to issue proper orders to the civil authority and selectmen of such towns, to provide quarters and make out billets for such troops.

*And be it further enacted by the authority aforesaid*, That such civil authority and selectmen, on their receiving such orders from the Governor, be and hereby are fully authorized and empowered to assign the particular room, house or houses, in which such and so many of such officers and soldiers (as shall be ordered to such town or place) shall be quartered,

and to proportion the number to each room or house, according to the state and circumstances thereof; and if need so require, to impress such room, house or houses, by warrant signed by any two or more of such civil authority.

And whereas by an act made and passed by the Parliament of Great Britain, entituled An Act for punishing mutiny and desertion and for the better payment of the army, it is enacted and among other things provided, that during the continuance of said act soldiers in England, Wales and the town of Berwick upon Tweed may be billeted in inns, livery-stables, ale-houses, victualing-houses and all houses of persons selling brandy, strong waters, cyder and metheglin by retail to be drank in such houses &c., the owners of which houses on whom soldiers shall be billeted as a reward for such entertainment and billeting shall be paid for one commission officer of foot under the degree of a captain, for his diet and small beer *per diem* one shilling, and for one foot-soldier's diet and small beer *per diem* four pence: And whereas this part of said act is not by the Parliament extended to the plantations, nor is any rule settled for quartering soldiers in this Colony, but the same is left to be settled by the Governor or government here, and there not being a sufficient number of inns, ale-houses &c. among us for the [120] reception and || entertainment of such and so many of his Majesty's regular troops as his service may require to be quartered here during the winter season, neither can such officers and soldiers be quartered here at the several rates stated and fixed by said act of Parliament for the payment of soldiers quarters in England; and although six pence sterling *per diem* is allowed by the crown for victualing his Majesty's troops in America, yet no more than four pence sterling *per diem* can be obtained of any officer or pay-master here for victualing such troops, when the same cannot be done here for less than six pence without manifest loss: Therefore,

*Be it further enacted by the authority aforesaid,* That every person in this Colony on whom any commission-officer under the degree of a captain, non-commissioned officer or foot soldier shall be quartered or billeted, in pursuance of this act, as a reward for such entertainment and billeting over and above the several respective allowances mentioned in said act of Parliament shall be entituled to two pence sterling *per diem* for each officer and soldiers diet &c., to be paid out of the treasury of this Colony for and on account of the crown.

*Provided always, and be it further enacted,* That any person or persons on whom such officers and soldiers shall be

quartered, who shall be permitted by or have the order of the Governor to provide for them only candles, vinegar, salt, small beer, and also allow them the use of fire and the necessary utensils for dressing and eating their meat, shall be allowed and paid out of the treasury of this Colony for each officer and soldier *per diem* three pence lawful money in like manner for and on account of the crown.

*And be it further enacted by the authority aforesaid,* That in case any person or persons on whom any officers or soldiers shall be quartered as aforesaid and he or they shall provide for them diet and small beer as aforesaid and shall not be duly paid the several rates and allowances as stated and fixed by the aforesaid act of Parliament for inn-keepers &c. in England &c. to receive for victualing such officers and soldiers according to the settled rules and customs for the payment of soldiers quarters there, then and in such case every such order or warrant for billeting or quartering such officers and soldiers (tho' otherwise made according to the directions of this act) shall cease and become void, and every such person or persons shall be wholly discharged and indemnified for refusing to entertain any such officer or soldier.

*And be it further enacted by the authority aforesaid,* That there shall no billets be allowed, nor shall any but effective men be billeted on any inhabitant in this Colony; anything in this act to the contrary notwithstanding.

And whereas it hath been found by experience that private soldiers carrying their arms, not only when on duty but at other times, hath been the occasion of notorious breaches of the peace, to the terror and disquiet of his Majesty's good subjects: For the remedy whereof,

*Be it further enacted by the authority aforesaid,* That his Honour the Governor be and he is hereby desired to correspond with his Majesty's Commander-in-chief or other chief officer on that head, and give proper orders to prevent such soldiers carrying their arms at any time except when called to do duty.

*Be it further enacted,* That this act shall continue and be in force for the space of one year from the rising of this Assembly, and no longer.

[121] *Resolved by this Assembly,* That for the more convenient and comfortable return of the troops raised in this Colony from the camp, the Committee of the Pay-Table draw on the Treasurer for the sum of one thousand pounds, to be delivered to Elisha Sheldon, Esqr, who is hereby appointed to receive the same and as soon as may be carry said sum

and deliver two hundred and fifty pounds to each colonel or chief officer of the regiments raised as aforesaid, and take receipts for the sums so delivered: that each colonel or chief officer shall pay two hundred and twenty pounds of the money received by him as aforesaid to the captains or chief officer of the several companies in his regiment in equal proportion, taking receipts therefor; that each of said captains or chief officer shall pay out the sum by him received in equal proportion to the company under his command, as part of their wages; that the sum of thirty pounds remaining in the hands of each of said colonels be by them severally improved in making such needful provision for the sick and infirm of their respective regiments as they shall judge best for their comfortable return; that the said colonels provide passages by water, if to be had, for such of the sick as may be better accommodated that way, and carts, waggons or horses for such of the sick as can't so conveniently return by water, according to their best discretion. And if any of said troops on their return shall by sickness, lameness or any casualty, be rendered altogether unable to march or unfit to be transported in such carriages as may be provided for that purpose, they shall be committed to the care of the selectmen of the respective towns in this Colony where they shall be left, who shall make suitable provision for them until they are able to march or are fit to be transported home; accounts whereof being laid before the Committee of the Pay-Table shall be by them adjusted and payment thereof ordered out of the Colony treasury.

*Provided nevertheless,* That nothing in the foregoing resolves prevent or be taken or intended to prevent any proper application being made to his Excellency General Abercromby for such sum or sums of money as may be necessary to defray such cost and charges as may arise in providing carriages of any kind for transporting the baggage belonging to said troops and also such of said troops themselves as by reason of sickness &c. are unable to travel: but that said colonels be directed to apply to said General for such sums as may be judged needful for the purposes aforesaid.

*And it is further resolved by this Assembly,* That the chief officer of each regiment take effectual care that the regiment under his command are regular and orderly in their march home, and that none of said regiment be allowed to depart from the company to which they belong without liberty first had from some officer proper to grant the same, and that the officer under whose immediate command each company shall be shall continue with his company until he arrives at the

place where such company may properly be dismissed, who shall then dismiss them and make and keep an account of the time of such dismission.

The Gentlemen that stand in Nomination for Election in May next are as follow:

The Hon <sup>ble</sup> Thomas Fitch, Esq <sup>r</sup> .	Phineas Lyman, Esq <sup>r</sup> .
The Hon <sup>ble</sup> William Pitkin, Esq <sup>r</sup> .	Roger Wolcott jun <sup>r</sup> , Esq <sup>r</sup> .
Roger Newton, Esq <sup>r</sup> .	Daniel Edwards, Esq <sup>r</sup> .
Ebenezer Silliman, Esq <sup>r</sup> .	Jabez Hamlin, Esq <sup>r</sup> .
Jonathan Trumble, Esq <sup>r</sup> .	Capt. Matthew Griswold.
Hezekiah Huntington, Esq <sup>r</sup> .	Col. Shubael Conant.
Andrew Burr, Esq <sup>r</sup> .	Col. Joseph Pitkin.
John Chester, Esq <sup>r</sup> .	Col. Joseph Fowler.
Thomas Wells, Esq <sup>r</sup> .	Capt. Elisha Sheldon.
Benjamin Hall, Esq <sup>r</sup> .	Col. Eliphalet Dyer.

[122] The Sum Total of the Lists of the several Towns in this Colony as sent in to the General Assembly at New Haven October 2d Thursday 1758.

		s.	d.		s.	d.
Guilford,	£33319	3	9	Canterbury,	£16333	3 3
Stratford,	40970	19	0	Norwich,	54760	4 6½
Waterbury,	23204	0	6	Ridgfield,	11276	18 3
Saybrook,	22181	1	9	Danbury,	20185	11 11
Windham,	26952	1	4	Colchester,	25695	7 0
Suffield,	16702	2	0	Woodbury,	37983	16 7
Coventry,	19021	8	2	Canaan,	10091	4 6
Hebron,	17358	12	0	Wallingford,	41498	3 6
New Milford,	15862	4	6	Pomfret,	20113	13 3
Mansfield,	16904	1	6	Tolland,	10158	0 0
Windsor,	40540	18	9	Goshen,	7705	0 0
Preston,	19969	14	0	Haddam,	11776	4 7
Durham,	10731	14	3	Enfield,	8374	18 0
Plainfield,	12341	19	6	Somers,	5434	11 0
Farmington,	42653	10	2	Killingsley,	21837	0 0
Stonington,	34656	13	0	Glassenbury,	15663	0 6
Ashford,	12608	9	9	Symsbury,	22079	2 0
Kent,	9802	12	0	Voluntown,	10125	5 0
Salisbury,	10784	7	10	Hartford,	38688	7 2
Sharon,	11711	17	6	New London,	33984	1 6
Norwalk,	35956	12	10½	Lyme,	25919	16 9
Bolton,	8769	5	0	Litchfield,	15501	8 9
Branford,	23202	5	5	Harwington,	4804	1 0
Stafford,	7756	1	0	Stanford,	26839	12 10
East Haddam,	21499	11	11	New Haven,	52703	16 6
Killingsworth,	15993	6	3	Groton,	23276	9 2
Weathersfield,	26933	19	6	New Hartford,	4941	17 0
Newtown,	14563	5	4	Derby,	13218	18 0

	s.	d.		s.	d.
Woodstock, £16500	0	0	Middleton, £47532	5	4
Greenwich, 18859	15	10	Fairfield, 52653	15	5
Lebanon, 37295	6	0	Milford, 26578	8	3 $\frac{1}{4}$

*Resolved by this Assembly,* That the Committee of the Pay-Table be directed, and they are hereby directed, to settle and adjust the account of expence for the carriages employ'd in assisting the troops of this Colony on march to Albany and No. 4 the current year, and draw on the Treasurer for what they shall find due for that service, and keep a clear and distinct account of all orders they shall draw for the above-mentioned charges; and when said accounts are adjusted that said committee form an account of all the charges arising thereon and make application to his Majesty's Commander-in-chief, or other proper person, for a reimbursement thereof.

*Resolved by this Assembly,* That John Ledyard, Esqr, be appointed, and he is hereby appointed and impowered, to repair to the executor or administrator of Col. Nathaniel Stanly late of Hartford, deceased, and request of him or them to deliver to the said Ledyard the several bonds given by Col. Elisha Williams, deceased, Col. Samuel Talcott and the rest of the officers appointed in the late intended expedition to Canada, (for to provide them suitable clothing,) which said bonds were lodged with the said Stanly deceased, as Treasurer of this Colony, and received to give his receipt for the same, and deliver said bonds when received to Joseph Talcott, Esqr, Treasurer of this Colony, taking his receipt therefor, and lodge the same with the Secretary of this Colony. And the Treasurer, after he has received said bonds, is [ 123 ] desired to notify the several debtors || that unless they speedily pay and take up their said bonds, that they will be sued for the same. And on failure of such payment the Treasurer is hereby ordered and directed to put the same in suit accordingly.

The committee appointed by this Assembly at their sessions in May last to sell or charter the Colony brigantine Tartar having now represented to this Assembly that they have not been able to do either in such manner as to them it appeared might be advantageous to the Colony: It is now resolved, that Hezekiah Huntington, Gurdon Saltonstall and Jabez Hamlin, Esqrs, the aforesaid committee, or any two of them, be authorized, and they are hereby fully authorized and impowered, to charter out or sell said vessel as in their judgment may most conduce to the advantage of this Colony, and on the part of this Colony to make and execute such instruments

in writing as may be necessary for the purpose aforesaid. And they are directed to deliver to the Treasurer of this Colony such sum or sums of money as they shall receive, take his receipt therefor, and lodge the same with the Secretary, and lay the accounts of their proceedings before this Assembly in May next.

Whereas it was resolved by this Assembly at their session in May last, that such horses and furniture as were lost in the service of this Colony in the alarm in August 1757, and not returned to the owners should be paid for out of the public treasury of this Colony, provided the owners should exhibit proper evidence to the Committee of the Pay-Table of such loss and of the apprizement of such horses &c. by persons under oath &c. by the first day of August then next, and not after: And whereas this Assembly is informed that many of the inhabitants of this Colony whose horses &c. were lost in said service had no knowledge of said resolve until after said first day of August was past, and so did not apply to the Committee of the Pay-Table for payment within the time limited as aforesaid: It is therefore resolved by this Assembly, that all such owners of horses and furniture lost in said service who shall exhibit such proper evidence thereof to the Committee of the Pay-Table, as in the aforesaid resolve is expressed, by the first day of March next (and not after) shall be paid for their horses and furniture so lost in the same manner and form as if they had exhibited the same within the time limited by the aforesaid resolve.

Whereas it appears by the return of the committee appointed by this Assembly in May last to settle accounts with the collectors of the duty on lumber &c. in the county of New London, that a balance is due to this Colony from the estate of Ambrose Whittlesey, Esq<sup>r</sup>, late of Saybrook, deceased: Therefore, it is resolved by this Assembly, that Capt. Matthew Griswold be and he is hereby appointed and empowered to demand and receive of the administrators on the estate of said deceased the sum or sums of money due from said estate to this Colony, and to commence and prosecute any action proper for the recovery of the same, if need be, and to deliver such sum or sums so received to the Treasurer of this Colony and take said Treasurer's receipt for the same and lodge a duplicate thereof with the Secretary of this Colony, as is already provided by law.

*Resolved by this Assembly,* That the soldiery in pay of this government the present campaign be exempted from having their polls put into the public list of this Colony the current year.



Whereas this Assembly in their sessions in May last resolved that it was necessary for the public good that there should be a boat kept on the east side of Stratford Ferry River for [124] the || transportation of travellers &c. cross said river on the country or post road, and that the towns of Stratford and Milford, and also Mr. Josiah Curtis of Stratford, ferryman, should be cited before this Assembly, to shew reason if any they had why there should not be such a boat kept at said place; and the said towns and the said Curtis appearing before this Assembly in their present sessions were heard in the premises: Whereupon it is resolved and enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, that there be a boat kept on the east side of Stratford Ferry River for transporting travellers &c. on the country and post road at or near the place where the ferry now is, and the liberty and privilege of keeping said boat is hereby granted to the town of Milford, upon the condition of their erecting a dwelling-house at or near said ferry place, commodious for the reception and entertainment of travellers, and procuring and keeping a good boat with all proper utensils thereto for transporting travellers, and other things proper for ferry-men to carry, and that within six months from the rising of this Assembly; and that the said ferry so set up shall be under the regulation of the laws of this Colony respecting ferries; and that thereupon the fees or fares of said ferry, both for the east and west side of said ferry, shall be as follows, *viz*: For man, horse and load, four pence; for a led horse, two pence; for a footman, two pence; for an ox or neat kine, five pence; for a hog, one penny; for sheep and goat, half penny.

This Assembly being advised that the road or way now often travelled in from and thro' the towns of Symsbury, New Hartford and Norfolk, to and thro' the north-western parts of Canaan towards Albany, is in many respects ill chosen and unfit for use, and that some new and better road thro' said towns or some of them, or the towns adjacent, may be probably discovered more direct and convenient as well for carriages as travelling, to the great accommodation and benefit of all his Majesty's subjects, and especially in time of war, occasionally travelling or marching thither from the eastern or central parts of this Colony: It is thereupon resolved, that Col. John Pitkin of Hartford, Mr. Seth Wetmore of Middleton, Mr. William Wells of Glassenbury, Col. David Whitney of Canaan, or any three of them, be and they hereby are appointed a committee, as soon as conveniently may be,

to repair to and thro' said towns, and towns adjacent if need be, and with all care and diligence to view and observe said road now used, and also with utmost care to explore and find out how and where any other shorter or better way, in whole or in part, may be practicable, and their full description thereof with their opinion thereon to make report to this Assembly in their session at Hartford in May next, or in any intervening sessions of this Assembly that may happen sooner.

[125] On the petition of Christopher Christophers, Esqr, sheriff of the county of New London, shewing to this Assembly that whereas Stephen Lee of New London brought his action against the petitioner at the county court held at New London on the second Tuesday of June 1757, complaining that one Frank Vallee being in goal in said New London on an execution in his, the said Lee's, favour, granted on a judgment given by Ambrose Whittlesey, Esqr, and that while the said Frank Vallee was in said goal on said execution the petitioner suffered the said Frank to escape out of said goal &c., demanding in damages £30 0s. 0d. lawful money, which said action by sundry removes came to a final tryal at the superior court held at New London in and for said county on the 4th Tuesday of September 1758, on the plea of not guilty, at which tryal the petitioner exhibited sundry evidences and exhibits in his justification on said tryal, but that said jury brought in their verdict that the petitioner was guilty, on which said court rendered their judgment against your petitioner &c. Further shewing, that said jury on the matter and evidence produced missed the law in rendering their verdict as aforesaid; praying for a new tryal of said cause &c. as by said petition at large may appear: Whereupon it is resolved by this Assembly, that the petitioner have liberty and the same is hereby granted to him, to have another tryal of said cause at the next superior court to be holden at Norwich in and for said county of New London on the 4th Tuesday of March next, and that all cost follow the judgment of said next March superior court therein.

Upon the petition of Jonathan Lounsbury, of Stanford in the county of Fairfield, representing to this Assembly that certain controversies having arisen between the petitioner and his brother, Monmouth Lounsbury of said Stanford, of and concerning the estate real and personal of their mother Sarah Lounsbury late of said Stanford, deceased, whereon the said Monmouth was administrator, they mutually agreed to refer the same to the arbitrament of certain arbitrators by

them mutually chosen, and gave notes of £500 0s. 0*d.* money old tenor each only to oblige them to abide by the award of the said arbitrators ; which arbitrators having awarded in a manner disagreeable to the petitioner he did not abide by said award, and the note by him given being given up to said Monmouth was by him put in suit with several other actions and suits for the recovery of the personal estate of said Sarah, and the petitioner, being terrified by the threats of said Monmouth, not appearing at Fairfield county court in April 3*d* Tuesday A.D. 1751, where said actions were depending, judgment was rendered against him on default in all said suits, for the whole demands thereof, and execution taken on said action on said £500 0s. *d.* note and levied on the petitioner's homestead in said Stanford, containing in quantity about twenty-two acres and an half with a dwelling house thereon standing, bounded westwardly on highway, southwardly on said Monmouth's own land, northwardly on land belonging to the heirs of said Sarah in part and partly on said Monmouth's own land, and eastwardly on said Monmouth's land, and said Monmouth so having levied said execution on said land pulled down said house and removed the fences standing on said land ; alledging that the said proceedings of said Monmouth were injurious and oppressive, for that he, said Monmouth, had before by the levy of said other executions taken out on the judgments in said other suits obtained full satisfaction for such part of said Sarah's estate as was by the petitioner detained from said administrator &c. ; praying for relief in the [126] premises, and that the said judgment on || said £500 0s. 0*d.* note and the execution and proceedings thereon may be disannulled and he restored to his said land, the said note being but as forfeiture &c., as by said petition on file appears : Resolved by this Assembly, that said judgment on said £500 0s. 0*d.* note in said petition referred to, and said execution and all the proceedings thereon, be and the same are hereby reversed, set aside and made null and void, and that the petitioner shall and may enter into, use, possess and improve the said twenty-two and an half acres of land with the appurtenances, as fully to all intents and purposes as he might or could have done if said judgment and execution and the levy thereof never had been obtained or made.

Upon the petition of Gershom Breed, of Norwich, against Lebbeus Harris, of Colchester, setting forth that the said James Harris brought his action against the petitioner upon a bond demanding £600 old tenor, which action at the final tryal thereof before the superior court held at Norwich on the

4th Tuesday of March 1757, the said James being deceased, the said Lebbeus prosecuting as administrator on the estate of the said James, the petitioner plead in bar the condition of said bond, and according thereunto and the facts and circumstances of two certain carroons\* in the City of London, about which said condition was conversant, nothing was due on said bond, and the said plea being in question upon demurrer thereto, said court judged said plea insufficient; which judgment the petitioner alledged was erroneous, praying that the same might be reversed and set aside, and that he might have liberty of another tryal of said cause, as by his petition on file appears: Resolved by this Assembly, that said judgment of the superior court be reversed, and the same is hereby reversed and set aside, and the execution thereon, and the doings on and in consequence of said execution; and liberty is hereby granted to the petitioner to have another tryal of said case before the superior court to be held at Norwich on the 4th Tuesday of March next; and that all the cost from the beginning follow said tryal, and on judgment being rendered by said next March superior court in favour of the said Breed, that said superior court be and they are hereby directed and empowered to award in damage to said Breed against the said Lebbeus Harris all such sum or sums that the said Harris hath recovered and obtained against the said Breed by virtue of said former judgment.

Upon the memorial of Singleton Church of New London, shewing to this Assembly that on the 26th of May 1755, said memorialist purchased of Capt. Richard Durfey late of New London, deceased, a certain piece of beach-land with a mansion-house and a wharf thereon, for which land &c. said memorialist agreed to give the value of eight hundred pounds old tenor at the end of one year &c. and that to secure the payment thereof said memorialist executed to said Capt. Durfey, deceased, a bond conditioned for the payment of one hundred and fourteen Spanish dollars with interest in one year, which was agreed to be for the one half of said eight hundred pounds old tenor, and to secure the payment of the other moiety thereof said memorialist executed to said Richard [127] Durfey a mortgage deed of the whole of said || land, house &c., defeasible upon the payment of one hundred and fourteen dollars in one year; that said memorialist paid and discharged said bond, but lapsed the time of redemption &c. of said land &c.; praying this Assembly that upon said memo-

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\* Carroon, a rent received for the privilege of driving a car or cart in the city of London. *Bailey's Dictionary.*

rialist's paying said sum in said mortgage deed with interest &c. that the title to said land &c. might be released &c. as per memorial on file: Resolved by this Assembly, that Sarah Durfey, administratrix on the estate of said Richard Durfey deceased, be and she is hereby impowered and directed (upon said memorialist's paying to said administratrix the sum of one hundred and fourteen dollars with the lawful interest arisen thereon since the date of said mortgage deed) to make and execute to said memorialist a deed of release of all the right and interest that accrued to said Richard Durfey, deceased, by virtue of said mortgage deed from said memorialist; which deed so to be given by said administratrix to be duly recorded as the proper evidence of the title of said house, land &c. to said memorialist.

Upon the memorial of Joseph Wade of Lyme, shewing to this Assembly that he borrowed of Capt. John Sears late of Lyme, deceased, the sum of eight hundred pounds old tenor, and to secure the repayment executed to said Sears an absolute deed of the house in which said memorialist dwells with the lot adjoining; that said deceased executed to said memorialist a bond to reconvey said house and lot upon repayment of said sum borrowed with interest &c.; that said deceased died before the time of redemption expired, and that said memorialist made sundry payments to said deceased before his death and paid to the executors to the last will and testament of said deceased, since the death of said deceased, the full balance of the principal, interest &c. of said sum borrowed; praying this Assembly to appoint one or both of said executors to make a reconveyance of said house and lot to said memorialist &c., as per memorial on file: Resolved by this Assembly, that John Sears of Lyme, who is one of said executors, be and he is hereby appointed, impowered and directed, to make and execute to said memorialist a deed of release of all the right and interest that accrued to said deceased by virtue of said deed from said memorialist; and that the deed so to be given by said executor shall be duly recorded as the proper evidence of the title of said memorialist to said house &c.

Upon the memorial of Lemuel Hull, John Pierson and Stephen Wilcox, selectmen of the town of Killingsworth, shewing to this Assembly that Thomas Hull and Deborah his wife are and have been for some time impotent and unable to take care of themselves; that said selectmen have been obliged to expend the sum of ten pounds ten shillings and eight pence lawful money for the support of said impotent

persons over and above the profits and income of the small estate that belongs to said Thomas; that said small estate belonging to said Thomas consists almost wholly of lands; that said charge of supporting said impotent persons cannot be discharged without the sale of some of the lands of said Thomas Hull, as per memorial on file &c.: Resolved by this Assembly, that Jonathan Wilcox of said Killingsworth be and he is hereby appointed and impowered, to make sale of so much of the real estate of said Thomas Hull at public vendue to the highest bidder as shall amount to the sum of ten pounds ten shillings and eight pence lawful money with the incident charges arising thereon; taking the advice and direction of civil authority and selectmen of said Killingsworth therein.

[128] Upon the memorial of Thomas Walker, lately of Liverpool in England, now of Middleton in the county of Hartford, being minded to come and settle in this Colony came into Connecticut River with his wife and family and a quantity of European goods and merchandizes, and having them on board a vessel water-borne, in compliance with the laws of this Colony having obtained the approbation of the authority and selectmen of said Middleton therefor, purchased a dwelling-house and lot of land in said Middleton on or about the 10th day of January, and having thereby obtained a settlement and became a legal inhabitant landed his said goods in order for sale, and notwithstanding the memorialist being an inhabitant as aforesaid, John Bacon, collector of excise in said Middleton, exacted and took of the memorialist a bond for the duty of said goods for the sum of sixty-eight pounds seven shillings and a penny, payable to the Treasurer of this Colony, which is now outstanding; praying for a release of said bond on his paying to the excise-master his fees, as by his memorial on file appears: Resolved by this Assembly, that the memorialist be and he is hereby released and discharged from said bond, and that the same be given up to the memorialist to be cancelled on his paying said fees.

On the memorial of Thankful Allen of Middleton in the county of Hartford, shewing to this Assembly that she had a twenty-shilling bill of this Colony of August emission burnt and consumed in fire in February last in her father's house when burnt; praying this Assembly to grant that she may be paid out of the treasury of this Colony the sum of said bill: Resolved by this Assembly, that the sum of twenty-three shillings and one penny  $\frac{1}{2}$  be paid out of the public treasury of this Colony to the said Thankful Allen by the Treasurer of this Colony.

Upon the memorial of Tryphena Allyn, administratrix on the estate of Theophilus Allyn late of Windsor in Hartford county, deceast, shewing to this Assembly that the debts and charges with moveables set to the memorialist for necessary use surmount the moveable estate of the deceast the sum of thirty-two pounds fourteen shillings and two farthings lawful money; praying that the memorialist and Epaphras Sheldon of Windsor have liberty to make sale of so much of the real estate of the said deceast as will procure said sum of £32 14s. 0½*d.* lawful money: Resolved by this Assembly, that the memorialist and Mr. Epaphras Sheldon of Windsor have liberty, and liberty is hereby given them, to make sale of so much of the real estate of the said Theophilus Allyn late of Windsor, deceased, as will procure said sum of thirty-two pounds fourteen shillings and two farthings lawful money with the incident charges arising thereon; taking the direction of the court of probate for the district of Hartford therein.

[129] Upon the memorial of Thomas Marvin of Suffield, shewing to this Assembly that the ferry crossing Connecticut River from Suffield to Enfield, known by the name of Gilly's Ferry, is now out of repair and wants a good boat and wharf for the conveniency of landing and safety of travellers; that said memorialist is willing to be at the expence aforesaid, provided the fare of said ferry might be settled upon him for five years or longer if this Assembly thought proper; praying that priviledge might be granted to him &c. as per memorial on file: Resolved by this Assembly, that said memorialist be and he is hereby granted the liberty and priviledge of keeping and taking the fare of said ferry under the same regulation as already fixed and established by law, and that no other person shall have liberty to set up or improve any ferry in the said town of Suffield northward of the place called the fall, upon said memorialist's building a ferry-boat and convenient wharf at said landing place. This liberty and priviledge granted to said memorialist to continue during the pleasure of this Assembly, and no longer.

Upon the memorial of Elijah Fitch, of Ashford in the county of Windham, shewing to this Assembly that the memorialist being a soldier in Major Slap's company and on his march near Kinderhook, being on horseback his horse stumbled, whereby a breach was made in the body of the memorialist, whereby he is rendered unable to labour for support of himself and family, and not having wherewith otherwise to support them, therefore praying for liberty to peddle English

goods for the space of two years without paying the duty thereon by law provided: Resolved by this Assembly, that the memorialist have liberty, and liberty is hereby granted to him, to use the business or employment of a pedlar within this Colony for and during the term of two years next ensuing, without paying any duty for the same; any law to the contrary notwithstanding.

On the memorial of the inhabitants of the towns of Fairfield, Milford, Stratford, Norwalk and Stanford, praying for the reimbursement of the charge and expence for quartering Col. Frasier's Highland Battalion the last winter: Resolved by this Assembly, that the Treasurer of this Colony be and hereby is ordered and directed to pay out of the Colony treasury to the inhabitants of the town of Fairfield the sum of four hundred forty-nine pounds sixteen shillings and three pence money or bills, and to the inhabitants of the town of Milford four hundred twenty-nine pounds twelve shillings and four pence half-penny, and to the inhabitants of the town of Stratford the sum of four hundred thirty-five pounds ten shillings and eleven pence half-penny, and to the inhabitants of the town of Norwalk three hundred forty-eight pounds seven shillings and two pence half-penny, and to the inhabitants of the town of Stanford the sum of three hundred sixty-nine pounds thirteen shillings and four pence half-penny, for the charges and expences above referred to; and the several sums abovementioned shall be allowed and paid by the said Treasurer out of the public tax on the inhabitants of this Colony ordered to be brought into the said treasury in December next.

On the memorial of William Rhoads &c., shewing to this Assembly that one John Carpenter of Woodstock was and is justly indebted to them in sundry sums of money, and that the said John being indicted at the superior court held at Windham &c. on the 3d Tuesday of March last, for knowingly uttering a counterfeit bill &c., at which court Daniel Pain and [130] Caleb Grosvenor bound themselves to the || Treasurer of this Colony &c. in the sum of £300 0s. 0d. that said Carpenter should abide judgment &c., and that for a security to the said Grosvenor &c. the said Carpenter made over his estate to the said Grosvenor to near that sum, whereby said creditors are like to be wronged &c.; praying some relief &c.: Whereupon it is resolved by this Assembly, that the superior court to be held at Windham &c. on the 3d Tuesday of March next (at which said court an action against the said Grosvenor &c. on said £300 0s. 0d. bond by review is depend-



ing,) be and they are hereby directed and impowered in judgment thereon had, to chance said bond down to the sum of £132 0s. 0d. and render judgment thereon only for said sum of £132 and cost.

Whereas at the sessions of the Assembly at Hartford in May last, on the petition of William Clever of Middleton, *versus* Samuel Wyllys of said Middleton, Jonathan Trumble, John Chester and Elisha Sheldon, Esq<sup>rs</sup>, were appointed a committee to hear and examine the matters of complaint and grievance in said petition set forth and alledged, and to report their opinion thereon to this Assembly, and they have already entered upon said business and examination, but from the intricacy of said affair they are not yet prepared to make such their report: Therefore, that said commissioners may have full time to accomplish said affair in the best manner, resolved by this Assembly, that said committee be and they are hereby reappointed and have full power to proceed in such their examination &c. and to make report of what they shall find and adjudge in the premises to this Assembly in May next. And the said petition and all further proceedings thereon are referred to the consideration of said Assembly.

Upon the memorial of Israel Calkin, late sergeant in Capt. Ephraim Preston's company in Col. Lyman's regiment of foot in the troops raised by this Colony in the year 1757, representing that on the 5th of August 1757, being in actual service going express from General Webb at Fort Edward to Col. Monroe at Fort William Henry, then besieged by the French troops, he was taken prisoner by the enemy and from thence carried to Canada and transported to old France, through innumerable hardships, sickness and fatigue; that at length he got thence into England in a cartel and lately returned home; praying that an allowance may be made him of his wages &c., as by said memorial on file appears: Resolved by this Assembly, that in consideration of the fidelity of the said Israel Calkins while in the service of this Colony and the calamities he has sustained in his said captivity, that the sum of thirty pounds be paid him out of the public treasury of this Colony; and the Treasurer of this Colony is accordingly directed to pay the said Israel Calkins the said sum of thirty pounds on his producing and delivering to him a copy of this act.

Upon the memorial of Robert Walker of Stratford, Jabez Hurd of Newtown, John Warner and Thomas Noble both of New Milford, owners and proprietors of the bed of iron oar lying in Kent in a tract of land called Fairweather's Purchase,

led the Oar Hill, and the rest of the proprietors of said iron oar, praying that they might have liberty and authority to have and hold meetings among themselves and manage and improve said oar to their advantage and the good of the public, and that they should be accountable each one according to their use of said oar, as by their memorial on file appears: Resolved by this Assembly, that the proprietors of said iron oar from time to time have liberty, and power and authority to them is hereby given, to meet and hold their [131] meetings among themselves and in their meeting || agree upon such rules and methods for improving said oar as to them shall be thought fit, and to choose their clerk to enter their votes, agreements and conclusions, and to give copies thereof, and to choose a committee to order the prudentials of said oar, and that said proprietors shall meet the first time at Newtown in the county of Fairfield at the dwelling-house of Caleb Bawldwin, Esqr, on the 2d Tuesday of December next, and on the 2d Tuesday of December yearly at said Newtown from year to year unless said proprietors in their meetings shall by their vote alter the time and place of their meetings: Provided, that all said votes shall be computed according to the interest the proprietors have and own in said bed, and that each proprietor have power and authority, and power and authority is hereby given to said proprietors and each and every of them, by suit at law or otherwise, to call their fellow proprietors or commoners in said oar and each or every of them to account for what he or they have received, sold or expended of said oar more than his or their share or shares, proportion or proportions, which they own in said oar; and also power is hereby given to said proprietors to call any persons to account who have no interest in said oar for what they have or shall have received of said oar.

Upon the memorial of Edmund Curtis and Samuel Wells, both of Stratford in Fairfield county, administrators on the estate of Samuel Southworth late of said Stratford, deceased, representing to this Assembly that the whole of the estate of said deceased, being two hundred forty pounds ten shillings and five pence half-penny, whereof forty pounds ten shillings and five pence half-penny only is personal estate, and that the debts due from said estate amounts to the sum of one hundred eighty-nine pounds two shillings and nine pence farthing, so that said debts surmount said personal estate the sum of one hundred forty-eight pounds twelve shillings and three pence three farthings, and that the real estate of two hundred pounds consists of a house and about an acre of land;

praying liberty and authority to sell said house and land, as by their memorial on file appears: Resolved by this Assembly, that said house and land be sold to answer said debts and for the benefit of the legal representatives of the deceased; and the memorialists are hereby authorized and impowered to make sale of said house and land (taking the direction of the judge of the court of probate for the district of Fairfield therein).

Upon the memorial of Samuel Clark and Stephen Clark, both of Saybrook, executors to the last will and testament of Samuel Clark late of Saybrook, deceased, shewing to this Assembly that the debts due from said estate, charges of administration, allowances made by the court of probate, surmount the personal estate of said deceased the sum of one hundred and sixty-two pounds nineteen shillings and ten pence half-penny lawful money; praying this Assembly to impower the said Samuel Clark to make sale of so much of the real estate of said deceased as shall amount to the sum of one hundred and sixty-two pounds nineteen shillings and ten pence half-penny lawful money with incident charges &c. as per memorial on file &c.: Resolved by this Assembly, that the said Samuel Clark be and is hereby appointed and impowered to make sale of so much of the real estate of said deceased as shall amount to the sum of one hundred and sixty-two pounds nineteen shillings and ten pence half-penny lawful money with the incident charges arising thereon; taking the advice and direction of the court of probate for the district of Guilford therein.

[ 132 ] Whereas on the memorial of the inhabitants of the society of Mount Carmel, preferred to the General Assembly held at Hartford in May last, representing that the bounds of said parish were by the terms of the original grant thereof uncertain and indeterminate; praying that the said bounds might be ascertained and said parish somewhat enlarged; the said Assembly appointed Roger Newton, Esqr, Mr. Joseph Hawkins and Mr. Enos Brooks, a committee to repair to said parish, view the bounds thereof, examine the matters and things in said memorial set forth and alledged &c. and report their opinion thereon to this Assembly; which committee have accordingly reported, that said parish ought not to be enlarged as prayed for, but that the bounds thereof ought to be ascertained in manner as set forth in said report; and said report hath been read, accepted and approved of by this Assembly; as by said memorial, appointment and report of said committee on file appears: It is therefore resolved by

this Assembly, that the bounds of said parish for the future shall be as follows, *viz*: Beginning at the southeast corner at the mouth of Shepherds Brook, where said brook falls into the Mill River, thence, running westward a parallel line with the line on the south side of the half-division, so called, unto the east line of the parish of Amity, thence northward in said line to Wallingford bounds, and to extend northward from the first mentioned bounds by said river, being the west side line of North Haven Parish bounds, until it comes to the south side of James Ives's farm, and to run eastwardly a parallel line with the south line of said James Ives's farm until it comes to a highway four rods wide, thence north by said highway unto Ithamar Todd's farm, including said farm within the limits of said parish, and thence to the Blue Hills, so called, and to run eastwardly by a highway four rods wide that is by the southward side of the Blue Hill land, so called, until it comes to a highway six rods wide that runs northwardly by the east side of Lt. Blacksley's house, to run by said highway until it comes north of the widow Todd's dwelling-house, thence eastwardly on the southward side of said Blue Hill until it comes to Wallingford bounds at the east end of said hill, and thence westwardly in the north side line of said New Haven bounds unto said Amity line.

On the memorial of John Chester, administrator *cum testamento annexo* on the estate of William Leeds of Groton in the county of New London, shewing to this Assembly that said Leeds had not made any provision in his will for selling any of his real estate for the payment of his debts, and that the debts surmount the moveable estate of said deceased the sum of sixty-five pounds nine shillings and two pence three farthings lawful money; praying for liberty to sell so much of the real estate of said deceased as to raise said sum, as by the memorial on file may appear: Resolved by this Assembly, that Mr. Jabez Smith of Groton have liberty, and he is hereby enabled, to sell so much of the real estate of said deceased as to make said sum of £65 9s. 2¼d. with the incident charges thereon arising; taking the advice of the court of probate for the district of New London therein.

Upon the memorial of Jeremiah Drake, of Harwinton in the county of Litchfield, representing that he served an apprenticeship in the Province of New York to a tanner, where he was born and brought up, and that since he has worked at the trade in this government as a journeyman, and that in the summer past he had purchased hides, stuff &c. and was making preparation to set up said business, and that being a

[133] stranger he had never heard or thought it necessary to his so doing that he should obtain a license from the county court until within a short time; that if he should wait till an opportunity would offer for his applying to the county court for such license it would retard his designs and greatly damage and obstruct his affairs for the ensuing year; praying the aid and license of this Assembly: It is therefore resolved by this Assembly, that the said Jeremiah Drake, having now manifested his skill in the art and trade of a tanner, shall have liberty, and liberty and license is hereby granted unto him, to set up and exercise the trade, mystery and business of a tanner in this Colony.

On the memorial of Mary Barns, administratrix on the estate of Israel Barns late of New Haven, deceased, shewing to this Assembly that the debts due from the estate of the said deceased, including charge of administration, surmount the moveable estate of the said deceased £9 19s. 8½*d.* lawful money, and praying for liberty to sell so much of the real estate of the said deceased as shall enable her to pay said sum &c. as per memorial on file: Resolved by this Assembly, that the memorialist have liberty, and she is hereby enabled, to sell so much of the real estate of the said deceased as shall raise a sum sufficient to pay said sum of £9 19s. 8½*d.* lawful money with incident charges; taking the direction of the court of probate in the district of New Haven therein.

Upon the memorial of Nathaniel Gains, administrator on the estate of Nathaniel Gains late of Glassenbury, deceased, shewing to this Assembly that the debts due from said estate with necessary moveables to the widow of the said deceased surmount the moveable estate of said deceased the sum of £8 18s. 2½*d.* lawful money, and praying for liberty to sell so much of the real estate of the said deceased as shall make said sum: Resolved by this Assembly, that the said administrator have liberty, and liberty is hereby granted to the abovesaid Nathaniel Gains, administrator, to make sale of so much of the real estate of the said deceased as shall make the sum of £8 18s. 2½*d.* lawful money with incident charges arising thereon; taking the direction of the court of probate in the district of Hartford therein.

On the memorial of William Downer of Norwich, executor of the last will and testament of the late Joseph Downer of Norwich, (deceased,) and Giles Yeomans and Levina Yeomans his wife, both of Stonington, shewing to this Assembly that the said Joseph Downer in his life time was administrator on the estate of James Cushman of Lebanon, (de-

ceased,) which said Cushman was the late husband of the said Levina, and that the said Giles is the guardian of all the children of the said Cushman, and that in the administration on the said Cushman's estate it appeared that the debts and charges and allowances made by the court of probate in the district of Windham surmounted the personal estate of said deceased Cushman the sum of sixty pounds lawful money, and that thereupon the said Joseph Downer, administrator as aforesaid, obtained liberty from this Assembly, in May 1755, to make sale of so much of said deceased Cushman's land as should enable him to pay the said sixty pounds with the incident charges arising thereon, taking the direction of said probate court therein, which liberty granted with directions given thereon he pursued and made sale of the lands which did belong to said Cushman sufficient to pay the said sum and costs thereon, and that the said Joseph Downer, the administrator as aforesaid, died before he had executed a deed or deeds of the lands so sold by him, altho' the said deceased administrator raised the money on said sale of said lands and the same paid out in discharge of the debts of said deceased Cushman; praying that the sales aforesaid may be confirmed by deed, and that the said Giles Yeomans and [134] Levina his wife may be || authorized and impowered to make a deed or deeds of conveyance to the person or persons to whom the same was sold by the said deceased Joseph Downer, in conformity to and accomplishment of the sale or sales by him, said Downer, made as aforesaid: Granted, that the said Giles Yeomans and Levina his wife have liberty, and full liberty and authority is hereby given to them, to make and execute a deed or deeds of conveyance to the person or persons to whom the lands which did belong to said deceased Cushman were sold by the said deceased Joseph Downer as administrator on said Cushman's estate, in conformity unto and accomplishment of the sales by him, said administrator, made as aforesaid.

Upon the memorial of Esther Roots, administratrix upon the estate of Joshua Roots late of Canaan in the county of Litchfield, deceased, shewing to this Assembly that the debts due from the estate of said deceased with what was allowed by the court of probate to the widow for necessary subsistence surmount the personal estate of said deceased to the sum of £20 2s. 8d. lawful money; praying for liberty to sell real estate of said deceased to pay the same: Resolved by this Assembly, that the memorialist be and she is hereby allowed and impowered to sell so much of the real estate of the said Joshua

Roots, deceased, as to procure said sum of £20 2s. 8*d.* lawful money with incident charges arising thereon; taking the direction of the court of probate for the district of Sharon therein.

Upon the memorial of Daniel Spencer jun<sup>r</sup>, of Haddam in the county of Hartford, administrator upon the estate of David Clark late of said Haddam, deceased, shewing to this Assembly that the debts and charges exhibited by the administrator on said estate to the court of probate for the district of Middleton and allowed by said court, together with some allowance made by said court of probate to the widow of said deceased, surmount the moveable part of said estate the sum of £50 16s. 5*d.* lawful money; praying that some meet person may be impowered to make sale of so much of the real estate of said deceased as to procure said sum with incident charges, as per memorial on file appears: Resolved by this Assembly, that Capt. Jabez Brainard, of said Haddam, be impowered and he is hereby authorized, to make sale of so much of the real estate of the said David Clark, deceased, as to procure said sum of £50 16s. 5*d.* lawful money with incident charges arising thereon; taking the direction of the court of probate in the district of Middleton therein.

Upon the memorial of William Downer, of Norwich in New London county, executor of the last will and testament of Mr. Joseph Downer late of said Norwich, deceased, shewing to this Assembly that the debts and charges allowed by the court of probate for the district of Norwich against the estate of the said deceased, together with an allowance to the widow of the deceased of necessaries for the upholding of life, surmounts the sum of the personal estate of the said deceased the sum of £140 5s. 8 $\frac{3}{4}$ *d.*, and praying this Assembly for liberty to sell so much of the real estate of the said deceased as to enable him to pay the said sum of £140 5s. 8 $\frac{3}{4}$ *d.* and the [135] incident charges: || Resolved by this Assembly, that the memorialist have liberty, and liberty is hereby granted to the said William Downer, to sell so much of the real estate of the said deceased as to raise the said sum of £140 5s. 8 $\frac{3}{4}$ *d.* and the necessary charges arising on such sale; taking the direction of the court of probate in the district of Norwich therein.

Upon the memorial of Joseph Lockwood of Norwalk, administrator on the estate of Still John Lockwood late of Greenwich in Fairfield county, deceased, shewing to this Assembly that there were more debts brought in against the estate of the said Still John Lockwood, amounting to the sum of £5 12s. 2*d.* lawful money; praying to this Assembly for

liberty to sell so much of the real estate of the said deceased as will be sufficient to pay said sum &c.: Resolved by this Assembly, that the said John Lockwood have power, and he is hereby impowered, to sell so much of the real estate of the said deceased as will answer and satisfy the sum of £5 12s. 2*d.* lawful money with the charges arising thereon; taking the direction of the court of probates in the district of Stanford therein.

Upon the memorial of Nathan Hoit and Samuel Grumon, both of Norwalk, administrators on the estate of Samuel Ruscoe late of said Norwalk, deceased, shewing to this Assembly that the debts due from said estate, with a small allowance made to the widow, surmount the moveable estate the sum of £39 19s. 7*d.* lawful money, and praying for liberty to sell so much of the real estate of said deceased as will be sufficient to pay said sum &c.: Resolved by this Assembly, that the said Nathan Hoit and Samuel Grumon be impowered, and they are hereby impowered, to sell so much of the real estate of the said deceased Samuel Ruscoe as will be sufficient to pay and satisfy said sum of £39 19s. 7*d.* lawful money with the incident charges on such sale; taking directions of the court of probate in the district of Fairfield therein.

Upon the memorial of Isaac Waterman of Middleton, administrator of the estate of Isaac Waterman late of Middleton, deceased, shewing that the debts due from said estate, with some allowances made by the court of probate to the widow, surmount the moveable estate of the said deceased the sum of £62 lawful money; praying for liberty to sell real estate &c.: Resolved by this Assembly, that the memorialist have liberty, and he is hereby impowered, to sell so much of the real estate of said deceased as shall be sufficient to procure said sum of sixty-two pounds together with the incident charges arising on such sale; taking direction of the court of probate of the district of Middleton therein.

Upon the memorial of the first ecclesiastical society in the town of New London, shewing to this Assembly that said society have lately settled a minister of the gospel among them to their almost universal satisfaction, and that the raising their minister's salary (which is large) by a tax in the ordinary way is attended with great difficulty, there being many poor people in said society that are unable to pay the tax that must be laid upon them in the common form of taxing, the present taxes of the Colony being very high &c., and the said society, being willing that the poor should have the gospel preached to them freely, have agreed to raise a great



part of their minister's salary by laying a tax on the several pews in their meeting-house, to be paid by the proper owners of said pews for the time being, which method of taxing will have a direct tendency to relieve the poorer sort of people and [136] cast the burthen of paying their minister's salary || chiefly on the more wealthy and able in said society: therefore praying this Assembly to order and enact that the several proprietors (for the time being) of said pews shall stand charged with and be obliged to pay the several sums annually that each pew is respectively assessed at, as is in said memorial set forth, during the term of three years commencing the 18th day of November next; the first annual payment to be the 18th day of May 1759, and so annually until said term be ended; and to enable said society to appoint a collector or collectors annually to collect said sums &c. And whereas a great number of the proprietors of said pews have by a writing under their hands, dated the 7th day of October 1758, manifested and declared their free consent and willingness to have their several pews in said meeting-house rated as aforesaid: It is therefore enacted by this Assembly, that all the pews in said meeting-house which belong to those persons in said society who have so manifested their consent to such taxing as aforesaid, or which may hereafter in writing under their hands so declare their consent to the same, shall be rated annually for three years next ensuing at the respective sums by said society agreed upon as in said memorial is mentioned, the first of which rates shall be paid by the owners of said pews by the 18th day of May next, and the second rate by the 18th of May 1760, and the third rate by the 18th of May 1761. And the committee of said society for the time being are hereby impowered, some convenient time before the respective times of payment aforesaid, to make a rate on such persons in said society as for the time being shall be owners or part owners of such pews ordered to be taxed as aforesaid, therein setting down each ones just proportion of such tax, which rates shall be collected by such person or persons as said society shall appoint for that purpose, who shall have power to levy and collect the same in the same manner as other society rates are by law ordered to be collected; which rates when collected shall be improved toward paying the minister's salary in said society. And if any persons shall be assessed wrongfully or more than their just proportion in any of the rates that shall be made by virtue of this act they shall have the same remedy for relief as is by law provided for persons wrongfully assessed in other rates.

Upon the memorial of Joseph Hart and others, inhabitants of the society of Northington in the town of Farmington in the county of Hartford, representing the infant state and circumstances of said society, and praying that all the improved lands therein belonging to non-residents may be taxed for the support of the charges of said society &c.: Resolved by this Assembly, that all rateable and improved lands lying within the limits of said Northington Society which do belong to non-residents who live within the first society in said Farmington shall and may for the future be taxed for the defraying of the said society charges in said Northington, in the same manner as if the owners of such lands belonged to said society of Northington.

Upon the memorial of Josiah Brownson and Susannah Drinkwater, administrators of the estate of William Drinkwater late of said New Milford, deceased, shewing to this Assembly that there are debts due from the estate of said deceased amounting to £41 9s. 8d. that have appeared since the memorialists applied to this Assembly for liberty to sell lands &c. in May last, and that there is no personal estate of said deceased to pay the same; praying this Assembly for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay said sum: Resolved by this Assembly, that the memorialists have liberty, and they are hereby impowered, to sell so much of the remaining real estate of said deceased as shall be sufficient to procure said sum of £41 9s. 8d. together with the incident charges || arising thereon; taking direction of the court of probate for the district of Woodbury therein.

Upon the memorial of Caleb Daton of New Milford, administrator of the estate of Josiah Daton late of said New Milford, deceased, shewing that the debts due from said estate surmount the moveable estate the sum of £87 16s. 10½d. lawful money; praying this Assembly for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay said sum &c.: Resolved by this Assembly, that the memorialist have liberty, and he is hereby impowered, to sell so much of the real estate of the said deceased as shall be sufficient to procure said sum of £87 16s. 10½d. together with the incident charges arising on such sale; taking direction of the court of probate for the district of Woodbury therein.

Upon the memorial of Nehemiah Beardslee and Jemima Beardslee, administrators on the estate of Serajah Beardslee late of New Fairfield, deceased, shewing to this Assembly that the debts &c. due from said estate surmount the moveable

estate of the said deceased £30 0s. 5*d.* and praying for liberty to sell so much of the real estate of the said deceased as to enable them to pay said debts &c., as per memorial on file: Resolved by this Assembly, that the memorialists have liberty, and they are hereby impowered, to make sale of so much of the real estate of the said deceased as shall enable them to pay said sum of £30 0s. 5*d.* with incident charges; taking the direction of the court of probate in the district of Danbury therein.

Upon the memorial of Abigail Richards, administratrix on the estate of Benjamin Richards of Hartford in the county of Hartford, deceased, representing that the debts due from said estate surmount the moveable part thereof the sum of £22 19s. 0*d.* lawful money; praying for liberty to sell of the real estate &c.: Resolved by this Assembly, that the said Abigail Richards shall have liberty, and liberty and authority is hereby given to her, to make sale of so much of the real estate of said deceased as will be sufficient to procure said sum of £22 19s. 0*d.* lawful money; taking the direction of the court of probate for the district of Hartford therein; together with the incident charges of such sale.

On the memorial of John Turner, Jedidiah Richards, Ebenezer Burr and others, all of Norfolk in the county of Litchfield, shewing to this Assembly that there are settled in said township forty-three families; praying that said inhabitants may have town priviledges as other towns in this Colony have, and also have power to procure the gospel to be preached among them &c., as by their memorial on file appears: Resolved by this Assembly, that the said memorialists and others, inhabitants of said Norfolk, be and they are hereby made and created an entire town by the name of the town of Norfolk in the county of Litchfield. And this Assembly do also grant to said town of Norfolk all such rights, powers, priviledges and immunities as each or any of the towns in this Colony by law already have; and that Mr. George Palmer and Mr. Ezra Knap, both of said town, be and they are hereby appointed and impowered to give due warning and notice to all the inhabitants of said town to meet at some suitable place in said town on the second Tuesday of December next, and when met to choose all such town officers as the other towns in this Colony by law have right to choose and appoint.

On the memorial of Samuel Wardwell, David Wardwell, Rafe Wardwell, Return Powers (widow,) Ebenezer Rockwell jun<sup>r</sup> and Martha his wife, and Zebulon Cross and Mary his wife, and Abigail Wardwell, the only children and heirs of

Samuel Wardwell late of the town of Somers in the county of Hartford, deceased, representing that the said Samuel, deceased, just before his death, *viz*: on the 12th of March 1756, made and executed three certain deeds of gift to his said sons Samuel, David and Rafe, of certain pieces of land in said deeds mentioned and described, for their advancement and [138] by way of settlement of his || estate, which deeds were dated the same 12th day of March 1756, and were well executed by said deceased and attested by three witnesses thereunto subscribing, but that it so happened that no opportunity was had to acknowledge said deeds before the death of the said grantor, there being no authority then in said town: praying that said deeds may nevertheless be recorded in the town-clerk's office in said Somers, and thereupon be severally deemed and accounted full and compleat evidence of the transfer of the title of said lands therein severally granted &c., the same being made *bona fide* and all parties concern'd agreeing thereunto, as by said memorial on file appears: Resolved by this Assembly, that the said several deeds in said memorial mentioned and referred to shall and may (with a copy of this act) be recorded in the town-clerk's book in said Somers, and that the same, or the exemplification thereof, shall and may severally be deemed and accounted full and compleat evidence of the transfer and conveying the title to said lands therein severally described, granted and conveyed, and in the same manner to all intents and purposes as if the same had been duly acknowledged according to law.

Upon the memorial of Sarah Walters, administratrix on the estate of James Walters late of Norwich in New London county, deceased, shewing to this Assembly that since the resolve of this Assembly at their sessions in October last empowering Mr. David Hough of said Norwich to sell of the real estate of the said deceased so much as to enable the said administratrix to pay the sum of £27 1s. 6½*d.* then found to be due from the estate of the said deceased, there is since debts &c. found to be due from said estate not before allowed the sum of £18 19s. 11*d.*, and praying this Assembly to empower the said Mr. David Hough to sell so much more of the said real estate as to enable the memorialist to pay the said sum of £18 19s. 11*d.* and the incident charges arising on such sale: Resolved by this Assembly, that the said David Hough be empowered, and he is hereby empowered, to sell so much more of the real estate of the said deceased as to enable the said administrator to pay the said sum of £18 19s. 11*d.* and the incident charges arising on such sale; he taking

the direction of the court of probate in the district of Norwich therein.

Upon the petition, Amos Judd &c. (of Farmington in the county of Hartford,) children and heirs to Mr. Anthony Judd late of said Farmington, deceased, representing to this Assembly that in the year 1755, one Samuel Bird, of said Farmington, brought his action of disseizin against one Abraham Pierson of said Farmington, demanding the seizin and possession of about six acres of land in said Farmington, with the appurtenances &c., which action came to a final tryal at the adjourned superior court held at Hartford in and for said county on the fourth Tuesday of December 1756, at which final tryal judgment was rendered in said cause in favour of said Bird against said Person, on a demurrer to the declaration, that the said Bird should recover said land sued for with £50 0s. 0*d.* damages and cost, and that said judgment was soon after put into execution; and further representing that said Person purchased said land of your petitioner's said father, Mr. Anthony Judd, with covenant of warrantee &c., and that said Peirson in the year 1757, brought his action against said Amos &c. on said covenant, which action came to a final tryal at the superior court held at Hartford in and for said county on the first Tuesday of September last, when and where said Pierson recovered judgment in said cause for £141 7s. 0*d.* damages and a large bill of cost; praying that this Assembly would reverse and set aside said judgment by said [139] Bird recovered against || said Pierson and grant another tryal of said cause at the superior court to be holden at Hartford in said county on the first Tuesday of March next, and that the petitioner have liberty to prosecute said action in the name of said Pierson at said next superior court, on the petitioner's giving security to said Person to pay all future cost that may arise in said action: Resolved by this Assembly, that the said judgment by said Bird recovered against said Pierson in the year 1756, with all the doings and proceedings thereon be set aside and be null and void, and that another tryal of said cause is granted, to be tryed at the superior court to be held at Hartford in said county on the first Tuesday of March next, and the petitioner have liberty to prosecute said action in the name of said Pierson at said court, they, said petitioners, giving security to said Pierson (to the acceptance of said superior court) to pay all future cost that shall arise in said action by means of said new tryal; and the future cost only to follow said final judgment.

On the petition of Amos Judd, of Farmington in Hartford

county, to the General Assembly held at Hartford in May last and from thence continued to this sessions, shewing that Samuel Bird of Farmington brought his action against your petitioner to Hartford adjourned county court, July first Tuesday 1757, therein demanding the surrendry of about thirty acres of land lying in Farmington aforesaid, which he claimed by devise of Nathaniel Bird, deceased, which action came to final judgment at Hartford superior court March term 1758, when and where, on plea of not guilty, verdict and judgment was had and rendered in favour of the said Bird for surrendry of the said demanded lands &c.; further shewing that on said tryal it did appear that by the last will of the said Nathaniel that his wife Sarah Bird was made executrix of said will, and therein it was directed that in case his, said Nathaniel's, moveables over and above what he had therein given the said Sarah should not be sufficient to pay his debts &c. that then she should sell his out-lands &c., and that said Sarah did sell said out-lands to Deacon Anthony Judd, your petitioner's father, from whom said lands came to your petitioner, and that it was conceded that in case said lands had not been sold by the said Sarah they would have belonged to the said Samuel Bird; so that the question on said tryal was the right of said Sarah to sell said land to pay the debts &c. and that, in order to evince the said Sarah's right to sell said lands, your petitioner produced in evidence a certain list of debts which said executrix had made and attested &c. amounting to about sixty pounds, as paid by said executrix as due from the estate of the said Nathaniel, but that said list of debts ought not to be allowed as evidence of payment as the same had not been allowed and passed by the court of probate was objected to by the said Samuel, which objection took place on said tryal, whereby your petitioner lost said land and is also exposed to lose other parcels of land comprehended in the sale of the said Sarah. Also further shewing, that if said list of debts should appear to be true and genuine, and that said debts were truly paid, that then those who purchased of her on that foundation ought to have the benefit thereof &c. Thereupon praying the Assembly, either by themselves or by a committee by them appointed, to examine into the truth of said debts &c. and if the same be found to have been really paid and justly charged by said executrix, to allow the same and grant liberty to have the same entered on the records of said court of probate, that the same might be exhibited as good evidence on any future occasion &c. and that said judgment recovered might be set aside and another tryal [140] granted &c.: On which this Assembly at their || ses-

sions in May last appointed Thomas Wells, Hezekiah Brainard and Jonathan Hills, Esq<sup>rs</sup>, a committee to examine said debts charged by said executrix, to find out the truth and justness of the same &c. and thereon to make report to this Assembly, and in pursuance thereof said committee met, notified the parties, them fully heard, and examined all evidences relative thereto, found and reported to this Assembly that the several articles of said account as charged by said executrix are justly and truly charged, except the said article of £10 for settling said estate: an exact list of which debts by them approved and allowed was by them made out and specified in said committee's report to this Assembly: Whereupon it is resolved by this Assembly, that the said report of said committee be and the same is hereby accepted and approved, and the petitioner is hereby allowed to have the account of said debts referred to and approved by said report entered on the records of the court of probate for the district of Hartford for and to the purpose prayed for, and that copies of the same from thence be received as evidence on any future tryal as fully as if the same had been received, approved and entered by said court of probate in the day thereof. And also liberty is hereby granted to the petitioner to have another tryal of said cause at the superior court held at Hartford in and for the county of Hartford on the first Tuesday of March next, and that in case judgment should then be rendered in favour of the petitioner, that said superior court be and they are hereby enabled and directed to award back the cost and damages that the said Bird hath recovered from the petitioner and that the petitioner hath paid and suffered by and in consequence of said last judgment in said cause: and that all cost follow the final judgment in said cause.

Upon the petition of William Vanderburgh, of Pekepsey in the county of Dutchess in the Province of New York, representing that having brought his action upon note of hand against Samuel Dunham, of Sharon in the county of Litchfield, to the county court in Litchfield county on the 4th Tuesday of September 1757, demanding forty-eight pounds five shillings, which came to a final tryal at the county court held in Litchfield on the fourth Tuesday in April 1758, at which tryal upon issue of the defendant's having made full payment, the jury, misconceiving their evidence &c., brought in their verdict that the defendant had made full payment of said note, and that the court gave judgment accordingly, whereby he was wronged; praying that said judgment of said county court in April 1758, should be reversed, as by the

petition on file appears: Resolved by this Assembly, that the petitioner have liberty of another trial of said case at the county court to be held at said Litchfield on the fourth Tuesday of April next, and that all the cost from the beginning follow said trial.

On the memorial of Sarah Morley, administratrix on the estate of John Morley late of Glassenbury, deceased, shewing to this Assembly that the debts due from [the] estate of the said deceased surmount the moveable estate the sum of eight pounds fifteen shillings and ten pence three farthings; praying for liberty that some suitable person be appointed to sell so much of real estate of said deceased as to make said sum of £8 15s. 10<sup>3</sup>/<sub>4</sub>d.: Resolved by this Assembly, that the said Sarah Morley be appointed and she is hereby appointed, to sell so much of the real estate of the said deceased as to make said sum with the incident charges arising thereon; taking the advice of the court of probate for the district of Hartford therein.

[141] Upon the memorial of Daniel Osborn of Fairfield, conservator of Thaddeus Osborn of said Fairfield, representing to this Assembly that the said Thaddeus hath been for two years last past distracted and unable to provide for himself and now continues under the same circumstances, and that there hath been expended upon him, the said Thaddeus, during said term for his support &c. over and above his whole personal estate the sum of £25 18s. 8d. lawful money; praying that the selectmen of said Fairfield, or some other meet persons, may be appointed to make sale of so much of the real estate of said Thaddeus as shall be sufficient to pay and satisfy said sum: Resolved by this Assembly, that the selectmen of said Fairfield be impowered, and they are hereby impowered, to sell so much of the real estate of the said Thaddeus Osborn as shall be sufficient to pay and satisfy the aforesaid sum of £25 18s. 8d. with the incident charges arising on such sale.

Upon the memorial of Josiah Curtis of Stratford, shewing that the memorialist being keeper of Stratford ferry did carry over said ferry soldiers on their march who claimed the privilege of passing ferriage free, for which the memorialist received nothing for such his labour, *viz.*: of the soldiers of this Colony one hundred and ninety-two that went to No. 4 in the year 1757, and of the regulars of Col. Frasier's regiment to the number of 320 in March last; praying this Assembly to grant to the memorialist out of the public treasury of this Colony the sum of the ferriage of said soldiers &c., as



by his memorial on file: Resolved by this Assembly, that the memorialist shall have paid to him out of the public treasury of this Colony the sum of £1 1s. 4*d.* lawful money for his service in transporting said soldiers across his said ferry; and the Treasurer of this Colony is hereby ordered to pay the same to him accordingly.

On the petition of Jedidiah Frink, of Voluntown in the county of Windham, *vs.* Nathaniel Backus jun<sup>r</sup>, of Norwich in the county of New London, on file, the question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent is £2 9s. 2d. lawful money.*

On the petition of John Gay, of Lebanon in the county of Windham, *vs.* Jonathan Finney, of Kent in the county of Litchfield, and Phebe his wife, which is on file, the question was put, whether the petitioner should have a new tryal, as prayed for: Resolved by this Assembly in the negative. *Cost allowed respondents is £4 0s. 4d. lawful money. Ex. granted October 31st 1758.*

On the petition of Andrew McKenzie, of New London in the county of New London, *vs.* John Simpson, of Norwich in the county aforesaid, (late of said New London,) dated August 29th 1758, on file, the question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent is £2 1s. 3d. lawful money.*

On the petition of Andrew McKenzie, of New London in the county of New London, *vs.* Joseph Chew, of New London aforesaid, dated October 5th 1758, on file, the question was put, whether in proceeding to and rendering the judgment of the superior court referred to manifest error hath intervened &c.: Resolved by this Assembly in the negative. *Cost allowed respondent is £1 11s. 8d. lawful money. Ex. granted Oct. 31st 1758.*

On the petition of James Ely, of Lyme in the county of New London, *vs.* Richard Lord of Lyme aforesaid, dated May 27th 1758, on file, the question was put, whether the pleas offered on the part of the respondent in abatement of said petition are sufficient to abate the same: Resolved by this Assembly in the affirmative. *Cost allowed respondent is £1 8s. 10d. lawful money. Ex. granted Oct. 31st 1758.*

[142] On the petition of Samuel Darling, of New Haven in the county of New Haven, *vs.* John Sherman, of Rye in the county of West Chester in the Province of New York, dated

September 28th 1758, on file, the question was put, whether the pleas offered by the respondent in abatement of said petition are sufficient to abate the same: Resolved by this Assembly in the affirmative. *Cost allowed respondent is £1 7s. 6d. lawful money.*

On the petition of Justus Bush, of Greenwich in the county of Fairfield, *vs.* Gilbert Miller, of Rye in the county of West Chester in the Province of New York, dated September 20th 1758, on file, the question was put, whether the petitioner shall have liberty of a new tryal, as prayed for: Resolved by this Assembly in the negative.

Whereas Matthew Griswold, Esqr, King's attorney for the county of New London, to Daniel Coit, Esqr, one of his Majesty's justices of the peace for said country, complained and gave information against one James Haney of said New London, representing that on the 8th day of March last, at Port Luce at the island of Jamaica in the West Indies, he, the said James Haney, did with force and arms make an assault on the body of one Patrick Ward of said New London, then and there at said Port Luce in the peace of God and the King being, and him, the said Patrick Ward, with a gun laden with powder and shot shot thro' the head and him thereby so mortally wounded as that he thereupon instantly dyed at said Jamaica; all against the peace of our lord the King &c., and thereupon praying he, said Haney, might be apprehended and caused to appear before this Assembly: And whereas said James Haney being accordingly arrested and had before said justice was by him, said Daniel Coit, Esqr, on due examination had bound with sureties for his appearance before this Assembly, to attend and abide the order of this Assembly thereon to be given, as on file appears: And whereas the said James Haney appeared according to his said recognizance, and many evidences touching the matters of said complaint being exhibited, it thereby appeared to this Assembly that said Haney and said Ward were (at the time of doing said facts, or when they are alledged to have been done,) both belonging and subject to the rules and orders of a certain English privateer sloop, then lying at anchor in harbour at said Port Luce, and said Haney then on board: that said Patrick Ward with sundry others of said crew had then at the same time in a mutinous and disorderly manner gotten into and taken possession of said sloop's boat, and the same having cut loose were gotten some small distance and about to desert and run away therewith from said service, there at the same time being much mutinous and dangerous behaviour among some

of them that remained on board said sloop; that the discharge of the gun by which said Ward was killed appears to have been by or on request of a centry set and appointed aboard said sloop for prevention or suppression of outrages and disorders, and was to such purpose fired upon or into said boat to compel their return to duty and prevent their running away as abovesaid, and with no other purpose or design: And thereupon, being of opinion that neither this Assembly nor any court of judicature in this Colony have in any wise jurisdiction or further cognizance of the premises, it is thereupon resolved and ordered by this Assembly, that he, the said James Haney, pay and answer the full cost and charge of his prosecution, allowed to be £9 19s. 2½*d.*, and be thereupon from his said bond fully discharged.

[143] This Assembly do appoint Capt. Ezekiel Pierce to be Major of the eleventh regiment in this Colony.

This Assembly do establish Mr. Joseph Mather to be Captain of the 1st company or trainband in the town of Lyme.

This Assembly do establish Mr. John Sill to be Lieutenant of the 1st company or trainband in the town of Lyme.

This Assembly do establish Mr. John Peck to be Ensign of the 1st company or trainband in the town of Lyme.

This Assembly do establish Mr. Joseph Palmer to be Captain of the 6th company or trainband in the town of Stonington.

This Assembly do establish Mr. Samuel Brown to be Lieutenant of the 6th company or trainband in the town of Stonington.

This Assembly do establish Mr. Gershom Palmer to be Ensign of the 6th company or trainband in the town of Stonington.

This Assembly do establish Mr. Thomas Noble to be Lieutenant of the 2d company or trainband in the town of New Milford.

This Assembly do establish Mr. Jehiel Hawley to be Ensign of the 2d company or trainband in the town of New Milford.

This Assembly do establish Mr. William Samuel Johnson to be Captain of the 1st company or trainband in the town of Stratford.

This Assembly do establish Mr. Agur Tomlinson to be Lieutenant of the 1st company or trainband in the town of Stratford.

This Assembly do establish Mr. Abijah Beach to be Ensign of the 1st company or trainband in the town of Stratford.

This Assembly do establish Mr. Daniel Denison to be Lieutenant of the 5th company or trainband in the town of Stonington.

This Assembly do establish Mr. Gershom Hubell to be Captain of the company or trainband in the northern parts of Stratfield and North Stratford parishes.

This Assembly do establish Mr. Wait Hinman to be Captain of the south company or trainband in the town of Woodbury.

• This Assembly do establish Mr. Ephraim Sanford to be Captain of the western company or trainband in the parish of Redding.

This Assembly do establish Mr. Samuel Barns to be Lieutenant of the 3d company or trainband in the town of East Haddam.

This Assembly do establish Mr. Joseph Cone to be Ensign of the 3d company or trainband in the town of East Haddam.

This Assembly do establish Mr. Andrew Southworth to be Lieutenant of the 13th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Gideon Waterhouse to be Ensign of the 13th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Ebenezer McCaul to be Ensign of the company or trainband in the parish of Marleborough.

This Assembly do establish Mr. Amos Morriss to be Captain of the 3d company or trainband in the town of New Haven.

This Assembly do establish Mr. Elijah Backus to be Captain of the 2d company or trainband in the town of Norwich.

This Assembly do establish Mr. John Abel to be Lieutenant of the 2d company or trainband in the town of Norwich.

This Assembly do establish Mr. Samuel Gifford to be Ensign of the 2d company or trainband in the town of Norwich.

This Assembly do establish Mr. Joseph Williams jun<sup>r</sup> to be Captain of the 5th company or trainband in the town of Norwich.

This Assembly do establish Mr. Zebadiah Andrus to be Lieutenant of the 5th company or trainband in the town of Norwich.

This Assembly do establish Mr. Elijah Bruester to be Ensign of the 5th company or trainband in the town of Norwich.

[144] This Assembly do establish Mr. Ephraim Woodward

to be Lieutenant of the 5th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Peter Adams to be Ensign of the 5th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Ebenezer Holbrook to be Captain of the 10th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Joshua Grosvenor to be Lieutenant of the 10th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Samuel Sumner to be Ensign of the 10th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Josiah Bissel to be Captain of the 2d company or trainband in the town of Windsor.

This Assembly do establish Mr. Charles Hazelton to be Cornet of the troop of horse in the 7th regiment in this Colony.

This Assembly do establish Mr. Azariah Mather to be Quarter-Master of the troop of horse in the 7th regiment in this Colony.

This Assembly grants to his Honour the Governor the sum of sixty-six pounds lawful money, for his salary for the last half of the current year, and the Treasurer is ordered to pay the same accordingly.

This Assembly grants to his Honour the Deputy Governor the sum of thirty-three pounds lawful money, for his salary for the last half of the current year, and the Treasurer is ordered to pay the same accordingly.

This Assembly grants to his Honour the Governor the sum of thirty-four pounds lawful money, for his extraordinary services since May last, and the Treasurer is ordered to pay the same accordingly.

His Honour the Governor having now laid before this Assembly his account of the use and improvement (for the service of this Colony) of thirty pounds put into his hands in February 1756, for the purpose aforesaid, by which it appears there is a balance due to him of £2 6s. 6d.: It is now resolved and ordered, that the Treasurer of this Colony pay the aforesaid balance to his Honour the Governor, and also deliver to him or his order a further sum of twenty pounds lawful money, to be by him used and improved for the use and service of this Colony as emergencies may require.

This Assembly grants to Mr. Timothy Green the sum of

eighteen pounds nine shillings and one penny, in full for his salary and printing for the Colony the last half-year and for certain other charges, as per his account now exhibited, to be paid him out of the public treasury.

On the petition or memorial of Benjamin Allyn, of Windsor in the county of Hartford, *vs.* Joseph Talcott of Hartford, Esq<sup>r</sup>, Treasurer of the Colony of Connecticut, as on file, the question was put, whether the prayer of the same should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent is £1 13s. 9d. lawful money. Ex. granted Nov. 27th 1758.*

Cost allowed to David Cook jun<sup>r</sup>, of Wallingford in the county of New Haven, for his attendance &c. to answer the petition of Timothy Jones, of New Haven in the county of New Haven, preferred to this Assembly and by the petitioner withdrawn, is £1 9s. 10d. lawful money.

Cost allowed to Thomas Hill of Fairfield, Esq<sup>r</sup>, sheriff of the county of Fairfield, for his attendance &c. to answer the petition of John Ray of the City and Province of New York, preferred to this Assembly and by the petitioner withdrawn, is £1 6s. 11d. lawful money. *Ex. granted Oct. 30th 1758.*

*Teste*

GEORGE WYLLYS Secret'y.

[146] *Anno Regni Regis Georgii secundi trigesimo-secundo.*

AT A GENERAL ASSEMBLY OF THE GOVERNOR AND COMPANY OF HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA HOLDEN AT NEW HAVEN (BY SPECIAL ORDER OF THE GOVERNOR OF SAID COLONY) ON THE SEVENTH OF FEBRUARY, ANNOQUE DOMINI 1759.

*Present:*

The Honourable Thomas Fitch, Esq<sup>r</sup>, *Governor.*

The Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, *Deputy Governor.*

Roger Newton,	Thomas Wells,	} Esq <sup>rs</sup> , Assistants.
Ebenezer Silliman,	Benjamin Hall,	
Jonathan Trumble,	Phineas Lyman,	
Hezekiah Huntington,	Roger Wolcott, Jun <sup>r</sup> ,	
Andrew Burr,	Daniel Edwards,	
John Chester,	Jabez Hamlin,	

*Representatives or Deputies of the several Towns hereafter mentioned who attended at this Assembly, viz:*

Col. Joseph Pitkin, Mr. John Ledyard. for Hartford.

Col. John Hubbard, Mr. John Whiting, for New Haven.

Mr. David Gardner, Mr. William Hillhouse, for New London.

Mr. David Rowland, Mr. William Burr, for Fairfield.

Mr. Nathaniel Wales, Mr. Samuel Gray, for Windham.

Col. Ebenezer Marsh, Capt. Elisha Sheldon, for Litchfield.

Capt. Jabez Huntington, for Norwich.

Col. Elizur Goodrich, Mr. Hezekiah May, for Weathersfield.

Col. Shubael Conant, Mr. William Hall, for Mansfield.

Col. Elihu Chauncey, Mr. John Camp, for Durham.

Capt. Hezekiah Whittlesey, Capt. John Murdock, for Saybrook.

Capt. Macock Ward, Mr. Enos Brooks, for Wallingsford.

Col. John Dyer, Capt. Benjamin Pierce, for Canterbury.

Mr. John Clap, Mr. Nathaniel Sacket, for Greenwich.

Mr. Erastus Wolcott, for Windsor.

Col. Hezekiah Sabin, Capt. Samuel Danielson, for Killingsly.

Mr. Samuel Kimberly, Mr. John Wells, for Glassenbury.

Mr. James Fitch, for Norwalk.

Mr. Jonathan Kilborn, Capt. Elijah Worthington, for Colchester.

Col. David Whitney, Capt. John Bebee, for Canaan.

Mr. Joseph Wilcockson, Mr. David Phelps, for Symsbury.

Mr. Solomon Whitman, Mr. Jeremiah Curtis, for Farmington.

Capt. Theophilus Nichols, Mr. Ichabod Lewis, for Stratford.

Capt. Robert Foot, for Branford.

Mr. Daniel Sherman, Mr. Benjamin Hickox, for Woodbury.

Mr. Samuel Ohmsted, for Ridgfield.

Mr. Christopher Holmes, for East Haddam.

Mr. Daniel Aldin, for Stafford.

Mr. Ebenezer Williams, Mr. Jonathan Dresser, for Pomfret.

Capt. Isaac Coit, for Plainfield.

Mr. Daniel Booth, Capt. Henry Glover, for Newtown.

Mr. Comfort Starr, for Danbury.

Mr. Robert Dixon, Mr. John Smith, for Voluntown.

Capt. John Williams, Mr. John Pardee, for Sharon.

[147] Mr. Stephen Heaton, Mr. Gideon Thompson, for Goshen.

Mr. Roger Sherman, Mr. Jehiel Hawley, for New Milford.

Mr. John Phelps, for Hebron.

Mr. Josiah Stoddard, for Salisbury.

Mr. Seth Wetmore, Capt. Matthew Talcott, for Middleton.

Capt. Benjamin Kent, for Suffield.

Capt. Elnathan Stephens, Capt. Theophilus Morgan, for Killingworth.

Mr. Zebulon West, Capt. Joshua Wills, for Tolland.

Mr. Joseph Wells, for Haddam.

Mr. Everit Smith, Capt. Benjamin Somner, for Ashford.  
for New Hartford.

Mr. Jabez Swift, for Kent.

Capt. Ebenezer Kingsbury, for Coventry.

Mr. Isaac Johnson, Col. Thomas Chandler, for Woodstock.

Capt. Thomas Pitkin, Capt. Benjamin Talcott, for Bolton.

Capt. Samuel Basset, Capt. Abel Gun, for Derby.

Capt. Joshua West, Mr. William Williams, for Lebanon.

Mr. Simeon Minor, Capt. Joseph Dennison, for Stonington.

Major Edward Allen, Mr. Ephraim Strong, for Milford.

Col. Timothy Stone, Mr. Samuel Robinson, for Guilford.

Capt. Timothy Judd, Mr. Stephen Hopkins, for Waterbury.

Capt. William Witter, Mr. John Tyler, for Preston.

Mr. Jonathan Dibble, Mr. Charles Webb, for Stanford.

Mr. Edward Collins, for Enfield.

Mr. Uriah Rowland, for Lyme.

Col. Christopher Avery, for Groton.  
for Harwinton.

Col. Shubael Conant, Speaker	} of the House of Repre-
Capt. Jabez Huntington, Clerk	

An Act to provide for emitting Bills of Credit and for laying a Fund to  
sink and discharge the Same.

Whereas this Colony have paid large taxes ever since the present war and lately have paid two taxes, one to discharge the expences of the last campaign, and the other for the sinking and discharging of the bills of credit emitted in March 1755, and not in a capacity to supply money timely for raising forces for the ensuing campaign: Therefore,

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That there be forthwith imprinted the sum of twenty thousand pounds in bills of credit on this government, equal to lawful money, of suitable denominations from nine-pence to forty shillings as the committee herein appointed shall direct, and of the same tenor of the late emissions of bills of credit of this Colony, with interest at five *per cent. per annum* and payable at or before the first day of May 1763, dated the day of this Assembly. And the Hon<sup>ble</sup> William Pitkin, Esqr, John Chester, George Wyllys and Joseph Buckingham, Esq<sup>rs</sup>, or any three of them, are appointed for the purposes aforesaid, and to take care that the said bills be printed with all convenient speed, and to sign the same and have them ready to be disposed of according to the orders of this Assembly. And the said committee shall be sworn to a faithful discharge of their trust.

And for providing and establishing an ample and sufficient



fund to call in, sink and discharge the bills aforesaid, according to the act of Parliament made in the 24th year of his present Majesty's reign, entitled An act to regulate and restrain paper bills of credit in his Majesty's Colonies of Rhode Island and Providence Plantations, Connecticut, the Massachusetts Bay and New Hampshire, in America, and to prevent the same being legal tenders in payment of money,

*Be it enacted by the authority aforesaid,* That a tax of five pence on the pound be and is hereby ordered to be levied on all the polls and rateable estate in this Colony, according to the list thereof to be brought into this Assembly in October 1761, with the additions, which shall be collected and paid into the treasury of this Colony by the last day of December 1762; which tax may be discharged by paying the bills emitted by this act, or lawful money, and no other way whatsoever. And the Treasurer is hereby directed and ordered to send out his warrants accordingly.

[148] *Resolved by this Assembly,* That the colonel or chief officer of each regiment in this Colony forthwith demand of the captain or chief officer of each military company or troop in his regiment a true and exact roll of the officers and soldiers belonging to said company or troop, and also a list or roll of all within the limits of said company who are required to bring forth their arms to be viewed on days appointed for viewing arms, from sixteen years of age to seventy, which captain or chief officer shall immediately on such demand cause the clerk of his company to make up a compleat roll of all such as are, or by law ought to be, in the training-roll of said company, and a list or roll of all such within the limits of said company as are required to bring forth their arms to be viewed as aforesaid; which rolls being attested by the clerk shall be sent to the colonel demanding the same as soon as may be.

*And it is further resolved,* The several colonels or chief officers of said regiments shall transmit to his Honour the Governor an account of the number of men in each company in their respective regiments, and also of the number of those within the limits of each company required to keep arms, as soon as they shall receive the same as aforesaid.

An Act in Addition to an Act entitled An Act relating to Quarters for his Majesty's regular Forces in this Colony.

Whereas in said act no distinction is made in the reward for quartering officers and soldiers, it is now resolved, that in lieu of the three pence *per diem* mentioned in said act, there be allowed and paid out of the treasury of this Colony to the persons on whom they are quartered, as a reward for

quartering each commission-officer under the degree of captain, the sum of six shillings per week during the time they have or shall billet such officer.

Whereas representations are made to this Assembly that many of the soldiers belonging to the troops raised by this Colony for his Majesty's service in the last campaign complain and are uneasy, that while they were in said service they purchased sundry articles of cloathing, provisions and other necessaries, of the sutlers and others in the camps, who took advantage of their necessities to ask exorbitant prices for such articles, whereby the soldiers are injured and wronged: For the redress of which matters of grievance, and that justice may be done, therefore,

*It is resolved by this Assembly,* That the several sutlers and others, who were concerned in supplying the soldiers as above mentioned, be and they are hereby notified to appear (if they see cause) before the General Assembly at their next sessions, to shew reasons why their accounts should not be examined and in some proper manner adjusted and settled before the payment thereof, and that they may conform to such orders as may be given thereon. And the officers of the respective companies who pay the soldiers of such company are hereby directed to stop in their hands the money for the discharge of each man's account to the sutlers until the several accounts may be adjusted. And the Secretary of this Colony is directed forthwith to give notice of this act to the several sutlers and others whoever sold as above mentioned, that they may appear (if they see cause) for the purposes aforesaid.

Whereas there is in the towns of New Haven and Norwich sundry chests of medicine, arms, accoutrements and camp utensils, belonging to this Colony, some part of which 'tis apprehended unfit for further service: It is therefore resolved, that Messrs. Aaron Day and Daniel Hubbard of New Haven, and Hezekiah Huntington, Esqr, of Norwich, be appointed, and they are hereby appointed in the respective towns in which they dwell, to sell such articles as they shall judge unfit to be repaired or preserved for further service, and also put in good repair such articles they shall judge may be well repaired, and settle their accounts with the Committee of the Pay-Table, and pay in to the Treasurer of this Colony the balance of their accounts so settled, and take duplicate receipts of the Treasurer, and one of them lodge with the Secretary of this Colony.

[149] *Resolved by this Assembly,* That the Treasurer of this Colony for the time being be and he is hereby authorized and directed, in the name of the Governor and Company of this

Colony, to bring actions of account and the same to pursue to final judgment and execution against those persons appointed by the several towns in this Colony receivers of the country produce paid to the respective constables for any of the country rates granted by this Assembly who have received any such produce and have neglected or shall hereafter neglect in a reasonable time to dispose of and account for the same and pay the avails thereof into the treasury of this Colony according to the direction of the act of the General Assembly of this Colony in such case provided.

Upon the memorial of Enos Hull, executor to the last will and testament of Thomas Hull late of Killingsworth, deceased, shewing to this Assembly that the debts and charges exhibited due from the estate of the said deceased surmount the moveable estate of said deceased the sum of £8 12s. 9d. and that there is no provision made in the last will of said deceased to pay the same, and praying to this Assembly to grant liberty and authority to your memorialist, or some other proper person, to sell so much of the real estate of said deceased as shall be sufficient to raise the said sum of £8 12s. 9d. lawful money with incident charges of sale &c.: Resolved by this Assembly, that Capt. Lemuel Hull of Killingsworth be impowered, and he is hereby impowered, to sell so much of the real estate of the said deceased as shall be sufficient to pay the said sum of £8 12s. 9d. lawful money with the incident charges of sale; taking the direction of the court of probate in the district of Guilford therein.

On the memorial of Sarah Keeler of Ridgfield and Thomas Gibs of Milford and Hannah his wife, representing to this Assembly that sometime in December last a large dwelling-house in Fairfield, belonging to said Sarah and Hannah and in the occupancy and improvement of Capt. Saint Leger of his Majesty's forty-eighth regiment, casually took fire and burnt down; praying for licence for a public lottery in Fairfield for the raising the sum of one hundred pounds lawful money, to be to them a recompence for the loss of said house and to prevent any dispute in the law that might arise about paying for the same: Resolved by this Assembly, that there be a public lottery in said Fairfield for the raising one hundred and thirty pounds, concerted and drawn in the usual and proper form of public lotteries, for recompensing said memorialist and preventing the dispute aforesaid and for the charge of said lottery. And it is further enacted, that Messrs. Ebenezer Wakeman, David Burr jun<sup>r</sup> and Gold Selleck Silliman, all of said Fairfield, be and hereby are appointed direc-

tors and managers of said lottery, and shall forthwith proceed therein and may appoint their clerks for said purpose; and said directors and clerks by them appointed shall be sworn before the Governor or some Assistant in this Colony to the faithful discharge of their trust; and said directors as a reward for their service in said affair shall receive the sum of thirty pounds, to be deducted out of said sum of one hundred and thirty pounds, or such other sum as shall be finally raised by said lottery. And it is further enacted, that if any person shall forge, counterfeit or alter any ticket in imitation of any ticket signed by said directors, or either of them, or any other person by their order, or if any person shall by virtue of any such forged, counterfeited or altered ticket, knowing the same to be such, claim any prize in said lottery, he shall incur the same penalty on conviction thereof as persons by law are liable to in other cases of forgery. And the money which shall be raised by deducting ten *per-centum* only out of all the benefit tickets in said lottery and the charge of said lottery being taken out of that sum, the remainder shall be by said directors delivered unto the said Sarah and Hannah for the purpose aforesaid.

Upon the memorial of the selectmen of the town of Milford in the Colony of Connecticut, by their agent Edward Allen, shewing to this Assembly that the committee of the Hon<sup>ble</sup> General Assembly at their session in May last that were appointed to examine the accounts of the selectmen of [150] said || Milford with respect to billeting his Majesty's regular forces stationed at said Milford, made a mistake in their cast of £8 8s. 0d. in billeting 253 soldiers 17 weeks at 1s. 9d. per week, the said committee made the footing of said account to be £367 18s. 9d., and no more, whereas it should have been £376 6s. 9d., and praying to this Assembly to allow to the said town of Milford the said £8 8s. 0d. &c.: Resolved by this Assembly, that the Treasurer of this Colony pay to the said Edward Allen, agent as aforesaid, for the use of said town, the sum of £8 8s. 0d. lawful money, and he is hereby ordered to pay the same to the said Edward Allen for the use of said town, taking his receipt therefor.

Upon the memorial of Benjamin Wetmore and Francis Wetmore, administrators on the estate of Richard Anthony late of Middleton in said Colony, deceased, shewing to this Assembly that the debts and charges due from the estate of said deceased surmount the moveable part of said estate the sum of £13 12s. 8½d. lawful money, and thereupon praying to this Assembly for liberty to sell real estate &c.: Resolved

by this Assembly, that the said Benjamin Wetmore have liberty, and liberty is hereby granted, to sell so much of the real estate of said deceased as will procure said sum of £13 12s. 8½*d.* lawful money together with the incident charges arising on such sale; taking the direction of the court of probate in the district of Middleton therein.

Upon the memorial of Sarah Russel of New Haven, late guardian to Timothy Russel a minor, late of said New Haven, deceased, and administratrix on the estate of said deceased, shewing to this Assembly that the allowance made by the court of probate for the district of New Haven to the memorialist, for maintaining said minor from four years old till six and charge of sickness and funeral, amount to the sum of £30 15s. 0*d.* and that said minor had no personal estate; praying for authority to sell so much of the real estate of said deceased as to raise [said] sum &c.: Resolved by this Assembly, that the said Sarah Russel have authority, and she is hereby authorized and impower'd, to sell so much of said real estate as to raise said sum with the incident charges arising on said sale; taking the direction of the said court of probate therein.

This Assembly is adjourned until the 15th day of March next, to meet at Hartford, unless the Governor or in his absence the Deputy Governor shall see cause to call it to meet sooner.

*Teste* GEORGE WYLLYS Secret'y.

[151] *Anno Regni Regis Georgii secundi tricesimo-secundo.*  
AT A GENERAL ASSEMBLY OF THE GOVERNOR AND COMPANY OF HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA HOLDEN AT HARTFORD (BY SPECIAL ORDER OF HIS HONOUR THE GOVERNOR) ON THE EIGHTH DAY OF MARCH ANNOQUE DOMINI 1759.

*Present:*

The Honourable Thomas Fitch, Esq<sup>r</sup>, *Governor.*

The Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, *Deputy Governor.*

Roger Newton,	Thomas Wells,	} Esq <sup>s</sup> , Assistants.
Ebenezer Silliman,	Benjamin Hall,	
Jonathan Trumble,	Phineas Lyman,	
Hezekiah Huntington,	Roger Wolcott Jun <sup>r</sup> ,	
Andrew Burr,	Daniel Edwards,	
John Chester,	Jabez Hamlin,	

*Representatives or Deputies of the several Towns hereafter mentioned who attended at this Assembly, viz:*

- Col. Joseph Pitkin, Mr. John Ledyard, for Hartford.  
 Col. John Hubbard, Mr. John Whiting, for New Haven.  
 Mr. David Gardner, Mr. William Hilhouse, for New London.  
 Mr. David Rowland, Mr. William Burr, for Fairfield.  
 Mr. Nathaniel Wales, Mr. Samuel Gray, for Windham.  
 Col. Ebenezer Marsh, Capt. Elisha Sheldon, for Litchfield.  
 Capt. Jabez Huntington, Capt. John Perkins, for Norwich.  
 Col. Elizur Goodrich, Mr. Hezekiah May, for Weathersfield.  
 Col. Shubael Conant, Mr. William Hall, for Mansfield.  
 Col. Elihu Chauncey, Mr. John Camp, for Durham.  
 Capt. Hezekiah Whittlesey, Capt. John Murdock, for Saybrook.  
 Capt. Macock Ward, Mr. Enos Brooks, for Wallingsford.  
 Col. John Dyer, Capt. Benjamin Pierce, for Canterbury.  
 Mr. Nathaniel Sacket, for Greenwich.  
 Mr. Erastus Wolcott, for Windsor.  
 Col. Hezekiah Sabin, Capt. Samuel Danielson, for Killingsly.  
 Mr. Samuel Kimberly, Mr. John Wells, for Glassenbury.  
 Mr. James Fitch, for Norwalk.  
 Mr. Jonathan Kilborn, Capt. Elijah Worthington, for Colchester.  
 Col. David Whitney, for Canaan.  
 Mr. Joseph Wilcockson, Mr. David Phelps, for Symsbury.  
 Mr. Solomon Whitmore,\* Mr. Jeremiah Curtis, for Farmington.  
 Capt. Theophilus Nichols, Mr. Ichabod Lewis, for Stratford.  
 Mr. Samuel Barker, Capt. Robert Foot, for Branford.  
 Mr. Daniel Sherman, Mr. Benjamin Hickox, for Woodbury.  
 Mr. Samuel Olmsted, for Ridgfield.  
 Mr. Christopher Holmes, for East Haddam.  
 Mr. Daniel Aldin, for Stafford.  
 Mr. Jonathan Dressor, for Pomfret.  
 Mr. James Bradford, Capt. Isaac Coit, for Plainfield.  
 Mr. Daniel Booth, Capt. Henry Glover, for Newtown.  
 Mr. Comfort Starr, for Danbury.  
 Mr. Robert Dixon, Mr. John Smith, for Voluntown.  
 Capt. John Williams, Mr. John Pardee, for Sharon.  
 Mr. Stephen Heaton, Mr. Gideon Thompson, for Goshen.  
 Mr. Roger Sherman, Mr. Jehiel Hawley, for New Milford.  
 Mr. John Phelps, for Hebron.  
 Mr. Josiah Stoddard, Mr. John Hutchinson, for Salisbury.  
 Mr. Seth Whitmore, Capt. Matthew Talcott, for Middleton.

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\* So in the record, but should read Whitman.

Capt. Benjamin Kent, for Suffield.  
 Capt. Elnathian Stephens, Capt. Theophilus Morgan, for Killingworth.  
 Mr. Zebulon West, Capt. Joshua Wills, for Tolland.  
 [152] Mr. Joseph Wells, for Haddam.  
 Mr. Everit Smith, Capt. Benjamin Somner, for Ashford.  
 Mr. Martin Smith, for New Hartford.  
 Mr. Jabez Swift, Mr. Daniel Lee, for Kent.  
 Capt. Ebenezer Kingsbury, for Coventry.  
 Mr. Isaac Johnson, Col. Thomas Chandler, for Woodstock.  
 Capt. Thomas Pitkin, Capt. Benjamin Talcott, for Bolton.  
 Capt. Samuel Basset, Capt. Abel Gun, for Derby.  
 Capt. Joshua West, Mr. William Williams, for Lebanon.  
 Mr. Simeon Minor, Capt. Joseph Dennison, for Stonington.  
 Maj. Edward Allen, for Milford.  
 Col. Timothy Stone, Mr. Samuel Robinson, for Guilford.  
 Capt. Timothy Judd, Mr. Stephen Hopkins, for Waterbury.  
 Capt. William Witter, Mr. John Tyler, for Preston.  
 Mr. Jonathan Dibble, Mr. Charles Webb, for Stamford.  
 Mr. Edward Collins, for Enfield.  
 Capt. Matthew Griswold, Mr. Uriah Rowland, for Lyme.  
 Col. Christopher Avery, for Groton.  
 Mr. Jacob Benton, for Harwinton.

Col. Shubael Conant, Speaker } of the House of Representatives.  
 Capt. Jabez Huntington, Clerk }

Whereas his Honour the Governor hath laid before this Assembly a letter from the Right Hon<sup>ble</sup> William Pitt, one of his Majesty's principal Secretaries of State, dated December 9th 1758,\* signifying that his Majesty having nothing so much at heart as to improve the great and important advantages gained the last campaign as well as to repair the disappointment at Ticonderoga and by the most vigorous and extensive efforts to avert, by the blessing of God on his arms, all dangers which may threaten North America from any irruptions of the French, and not doubting that all his faithful and brave subjects here will cheerfully co-operate with and second to the utmost the large expences and extraordinary succours supplied by his Kingdom for our preservation and defence: and his Majesty considering that the several Provinces in particular from proximity and accessibility of situation more immediately obnoxious to the main irruptions of the enemy from Canada are of themselves well able to furnish at least twenty thousand men to joyn a body of the King's forces for invading Canada by the way of Crown Point and

\* Printed in *N. Y. Colonial Documents*, vii, 350. *R. I. Colonial Records*, vi, 178.

carrying war into the heart of the enemies possessions, and that it is the King's pleasure that with all possible dispatch at least as large a body of men be raised in this Colony as was done for the last campaign, and even as many more as the number of its inhabitants may allow, to be in readiness to begin the operations of the campaign as soon as practicable: and that no encouragement may be wanting to this great and salutary attempt, that strong recommendation will be made to Parliament to grant a proper compensation for such expences as above, according as the active vigour and strenuous efforts of the respective Provinces shall fully appear to merit: Whereupon this Assembly considering that in several former expeditions against Crown Point a greater number of men was raised here than our just proportion, compared with the other Provinces; that the last year, animated with great zeal to second the very extraordinary and ample succours supplied by his Majesty, this Colony agreed to raise a larger body of men than it was able fully to compleat upon a diligent tryal and exertion; that many of our men have died or become unfit for duty by reason of the last years service; that many of our inhabitants have lately inlisted for recruits to the King's regiments here, and others engaged in battoe and carriage service, by all which means our numbers are diminished [153] and our strength and treasure || exhausted, and no other way can be devised that is practicable to supply the public treasury but only by emitting a large sum in bills of credit, which cannot be refunded by the inhabitants without great difficulty and distress: Yet that the great and salutary designs of his Majesty may be promoted to the utmost ability of this Colony, with a firm and humble reliance on his royal and most gracious encouragement,

*It is resolved and ordered by this Assembly,* That three thousand six hundred good and effective men, including officers, be raised, and they are hereby ordered to be levied and raised within this Colony as soon as may be; which number this Assembly is fully of opinion is as great as the number of its inhabitants will allow for the service aforesaid.

*And it is further resolved,* That the three thousand six hundred men aforesaid be formed into four regiments consisting of ten companies each, and there shall be a colonel, lieutenant-colonel and major, a chaplain, an adjutant, a quarter-master, a serjeant-major and a drum-major in each regiment, and that the colonel, lieutenant-colonel and major of each regiment shall have each of them the command of a company as captain thereof, and that a captain be appointed to each of the other companies; that a captain-lieutenant and one lieutenant



and an ensign be appointed for each colonel's company, and two lieutenants and an ensign for each of the other companies; that there be four sergeants, four corporals, a clerk and two drummers to each company aforesaid.

Whereas this Assembly hath resolved to raise the number of three thousand six hundred men as soon as possible, to cooperate with and second the extraordinary succours supply'd by his Majesty for the preservation and defence of his subjects in North America, and to induce such non-commission officers and soldiers as have been in his Majesty's service in either of the campaigns to continue and enlist themselves accordingly, and to encourage able-bodied and effective men voluntarily to inlist into the service aforesaid,

*It is resolved by this Assembly,* That every such able-bodied effective man, as well non-commission officers as soldiers, who has been in the service in either of the late campaigns, who shall voluntarily inlist himself to continue in said service, shall be entituled to have and receive full wages and pay at the respective rates given to such non-commission officer and soldier in the service of this Colony the last year, to be computed from the first day of December last until the fifth day of April next: provided they voluntarily inlist before the 16th day of April. And each able-bodied effective man who hath not heretofore been in such service, who shall voluntarily inlist himself therein, shall have and receive a bounty of four pounds lawful money. That each man inlisting on either of the encouragements aforesaid shall provide for himself cloaths, powder-horn and shot-bag, to the acceptance of the muster-master, and on failure thereof such man shall be supply'd with the same by his captain out of the aforesaid wages and bounty, and the remainder shall be then paid to him. That each man raised in this Colony who shall go in said service shall have and receive one month's advance pay with a good blanket and knapsack, and also a bounty of thirty-five shillings to be improved by each man to purchase a lapelled coat.

And to encourage both officers and soldiers to engage in said service,

*It is further resolved,* That the wages, both of officers and soldiers raised in this Colony and employed in the service aforesaid, shall be as follows per month, accounting 28 days to a month, *viz* :

To a colonel of a regiment and as captain of a company, - - - - -	£25	0	0
To a lieutenant-colonel of do. and as do. - - - - -	15	0	0
To a major of do. and as do. - - - - -	12	0	0

To a captain and captain-lieutenant, - - -	£8	0	0
To a lieutenant, - - - - -	5	0	0
To an ensign, - - - - -	4	0	0
To a chaplain, - - - - -	12	0	0
To one sergeant-major to each regiment, - -	2	10	0
To a sergeant, - - - - -	2	0	0
[154] To a corporal, - - - - -	1	18	0
To a clerk, - - - - -	2	0	0
To 1 drum-major to each regiment, - - -	2	0	0
To a drummer, - - - - -	1	18	0
To each private soldier, - - - - -	1	16	0
To a quarter-master to each regiment, - -	3	0	0
To an adjutant, - - - - -	3	0	0

*And it is further resolved,* That said troops shall be held in service no longer than is necessary for the ensuing campaign of the current year and shall be dismissed when the same is ended; and that his Honour the Governor be desired, and he is hereby desired by and with the advice of the Council, to recall said troops when they judge the service will admit thereof.

An Act for the speedy Compleating the Levies ordered to be raised in this Colony for the ensuing Campaign.

Whereas this Assembly in the present sessions hath ordered the number of three thousand six hundred men to be raised in this Colony for the next campaign and hath given large encouragements to induce that number of able-bodied effective men, including officers, voluntarily to engage and inlist in said service: Yet, forasmuch as the King's service requires the greatest dispatch in making the levies, and it may unexpectedly happen that they may not be compleat by the time it will be necessary for them to march, and that nothing may be wanting on the part of this government in getting its troops in readiness in season for the intended service, for which purpose it may be found necessary to detach or impress men: Therefore, to prevent delay and loss of time,

*It is resolved and enacted by this Assembly,* That in case the said levies shall not by voluntary inlistments be compleated by the sixteenth day of April next, the same shall be filled up by detachments or impresses. And for effecting the same, this Assembly orders and enacts, that the quota and proportion of men to be raised in the respective regiments of militia in this Colony shall be, exclusive of commission and staff officers who living within the same shall engage in said service, shall be as follows, *viz:* For the

First regiment,	537	8th regiment,	183
2d, regiment,	245	9th regiment,	213

3d regiment,	288	10th regiment,	204
4th regiment,	264	11th regiment,	232
5th regiment,	205	12th regiment,	261, and for the
6th regiment,	244	13th regiment,	360
7th regiment,	182		

*And it is further resolved and enacted,* That the colonel, or in his absence the next field-officer, of each regiment of militia shall proportion the number of men to be raised in the troop and several foot-companies in his regiment according to the training-rolls returned to him in pursuance of the order of this Assembly in February last, and inform the captains or chief officers of the said companies thereof, and order them forthwith to cause warning to be given to their respective companies and all living within the limits thereof who are obliged to shew arms, to meet at some proper time and place on the said 16th day of April, and then and as soon after as may be to detach and impress so many able-bodied effective men belonging to or living or to be found within the limits of their respective companies and that are proper to be employ'd in the service as shall be then found necessary to make, with those in the limits thereof who have before enlisted, such [155] || companies proportion assigned and ascertained as aforesaid, which the said officers are hereby impowered to do. And all those who have been in the last or any former campaigns shall be liable rather than others to be impressed, unless there be some special reason or circumstance attending them or their affairs other than their having before been in the service, to exempt them: Provided no more than every 9th man, including those who inlist, shall be detached out of any troop of horse.

*Provided also,* That each man detached or impressed as aforesaid who shall, within twenty-four hours after he is assigned to and ordered to joyn any company, voluntarily inlist himself therein shall be entituled to receive the same bounty and allowance given to those not having been in any former campaign who have inlisted in said service. And every person detached or impressed as aforesaid and ordered to joyn any company as aforesaid shall be holden to attend said service and accordingly shall proceed therein on the penalty of the law in that case already provided, unless he shall within twenty-four hours after such order pay down to the officer who detached or impressed him the sum of ten pounds for the use mentioned in the law for disposing of said fine; any law or custom to the contrary notwithstanding.

*Provided nevertheless,* That no detachment or impresses

shall be made in any regiment within the limits of which there shall voluntary enlist before the detachment is begun the number of effective men assigned for and as that regiment's proportion to be raised for the service aforesaid.

*Provided also, and it is further resolved and enacted,* That after the said detachments and impresses are made, the enlisting officers of every company shall have liberty and they are directed to endeavour to enlist as many more men into their several companies as they can: provided no company exceed the number of one hundred men including the officers thereof; and all such men as shall thereupon so enlist shall be entitled to the same allowance given to others not before having been in any of the former campaigns who shall have inlisted.\*

*This Assembly do appoint* Phineas Lyman, Esq<sup>r</sup>, to be Major-General of the troops ordered to be raised by this Assembly for the ensuing campaign, and Colonel of the first regiment.

Nathan Payson, Esq<sup>r</sup>, Lieutenant-Colonel, John Slapp, Esq<sup>r</sup>, Major, of the 1st regiment.

Nathan Whiting, Esq<sup>r</sup>, Colonel, Joseph Spencer, Esq<sup>r</sup>, Lieutenant-Colonel, David Baldwin, Esq<sup>r</sup>, Major, of the 2d regiment.

David Wooster, Esq<sup>r</sup>, Colonel, James Smedly, Esq<sup>r</sup>, Lieutenant-Colonel, David Waterbury, Esq<sup>r</sup>, Major, of the 3d regiment.

Eleazer Fitch, Esq<sup>r</sup>, Colonel, Israel Putnam, Esq<sup>r</sup>, Lieutenant-Colonel, John Durkee, Esq<sup>r</sup>, Major, of the 4th regiment.

*This Assembly do appoint* Major-General Phineas Lyman Captain, Elihu Kent Captain-Lieutenant, Seth King Lieutenant, Ebenezer Belknap Ensign, of the 1st company.

Lieutenant-Colonel Nathan Payson Captain, Caleb Sheldon 1st Lieutenant, John Thacher 2d Lieutenant, Jonathan Gillet Ensign, of the 2d company.

[156] Major John Slapp Captain, Nehemiah Eastabrook 1st Lieutenant, Josiah Smith 2d Lieutenant, Thomas Lyon Ensign, of the 3d company.

John Jeffers Captain, Judah Woodruff 1st Lieutenant, John Edgcomb 2d Lieutenant, David Andruss Ensign, of the 4th *regiment* [company.]

Eliphalet Whittlesey Captain, David Hubbard jun<sup>r</sup> 1st Lieutenant, Josiah Goodrich 2d Lieutenant, Samuel Gridley Ensign, of the 5th company.

Samuel Gaylord Captain, John Sumner 1st Lieutenant,

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\* This act was printed on one leaf by James Parker and Company. The paging is independent of other printed laws.

Gideon Goodrich 2d Lieutenant, Josiah Stow Ensign, of the 6th company.

Timothy Hierlihey Captain, Christopher Hamlin 1st Lieutenant, Jonathan Johnson 2d Lieutenant, Stephen White Ensign, of the 7th company.

Gideon Wolcott Captain, Edward Bernard 1st Lieutenant, Solomon Wills 2d Lieutenant, Ebenezer Fitch Bissel Ensign, of the 8th company.

David Parsons Captain, John Elsworth jun<sup>r</sup> 1st Lieutenant, Nathaniel Terry 2d Lieutenant, Amory Pease Ensign, of the 9th company.

Noah Humphry Captain, John Chick 1st Lieutenant, Shubael Griswold 2d Lieutenant, Silas Holcomb Ensign, of the 10th company, in the first regiment.

Colonel Nathan Whiting Captain, Jabez Thompson Captain-Lieutenant, Edward Rogers Lieutenant, David Collins Ensign, of the 1st company.

Lt. Colonel Joseph Spencer Captain, Daniel Brainard 1st Lieutenant, Israel Harding 2d Lieutenant, James Wells Ensign, of the 2d company.

Major David Baldwin Captain, Samuel Hawkins 1st Lieutenant, Peter Perret jun<sup>r</sup> 2d Lieutenant, Jacob Foot Ensign, of the 3d company.

Eldad Lewis Captain, Joel Clark 1st Lieutenant, Benjamin Culver 2d Lieutenant, Jotham Hitchcock Ensign, of the 4th company.

Henry Champion Captain, Levi Wells 1st Lieutenant, Samuel Jones 2d Lieutenant, Thomas Sumner Ensign, of the 5th company.

[157] Andrew Ward jun<sup>r</sup> Captain, Thomas Pierce 1st Lieutenant, Samuel Bartlet 2d Lieutenant, Enos Bishop Ensign, of the 6th company.

James Wadsworth jun<sup>r</sup> Captain. Jonathan Bebee 1st Lieutenant, James Arnold 2d Lieutenant, Abner Curtis Ensign, of the 7th company.

Isaac Turner Captain, Peleg Redfield 1st Lieutenant, Abraham Tiler jun<sup>r</sup> 2d Lieutenant, Edward Shipman Ensign, of the 8th company.

Azel Fitch Captain, Ebenezer Case 1st Lieutenant, David Woodward 2d Lieutenant, Daniel Moulton Ensign, of the 9th company.

Gideon Stoddard Captain, Phineas Castle 1st Lieutenant, Nathaniel Tuttle 2d Lieutenant, Isaac Morse Ensign, of the 10th company, in the second regiment.

Colonel David Wooster Captain, Samuel Clark jun<sup>r</sup> Captain-Lieutenant, Israel Kimberley 2d Lieutenant, Benjamin Davis Ensign, of the 1st company.

Lt. Colonel James Smedley Captain, Josiah Walker 1st Lieutenant, Ebenezer Couch jun<sup>r</sup> 2d Lieutenant, Stephen Thorp Ensign, of the 2d company.

Major David Waterbury Captain, Josiah Stebbins 1st Lieutenant, Nathan Ferris 2d Lieutenant, Moses Smith jun<sup>r</sup> Ensign, of the 3d company.

Thomas Hobby Captain, Jabez Hall 1st Lieutenant, James Mead 2d Lieutenant, Joseph Mead Ensign, of the 4th company.

Samuel Hubbel Captain, Noble Benedict 1st Lieutenant, Solomon Morehouse 2d Lieutenant, Nathan Gregory Ensign, of the 5th company.

Gideon Tomlinson Captain, Abel Prindle 1st Lieutenant, Elijah Beach 2d Lieutenant, Isaac Botchford Ensign, of the 6th company.

Samuel Elmore Captain, Heman Swift 1st Lieutenant, Isaac Peck 2d Lieutenant, Nathaniel Buell Ensign, of the 7th company.

Archibald McNeal Captain, Josiah Smith 1st Lieutenant, Nathan Tibballs 2d Lieutenant, Gideon Harrison Ensign, of the 8th company.

Thaddeus Mead Captain, William Bolt 1st Lieutenant, Daniel Potter 2d Lieutenant, Matthew Smith Ensign, of the 9th company.

[158] Tarball Whitney Captain, Hezekiah Baldwin 1st Lieutenant, John Wright 2d Lieutenant, Ebenezer Dibble Ensign, of the 10th company, in the third regiment.

Colonel Eleazer Fitch Captain, Robert Durkee Captain-Lieutenant, Patrick Walsh 2d Lieutenant, John Phelps Ensign, of the 1st company.

Lt. Colonel Israel Putnam Captain, John Cotton 1st Lieutenant, Charles Avery 2d Lieutenant, John Spalding jun<sup>r</sup> Ensign, of the 2d company.

Major John Durkee Captain, Joseph Bingham 1st Lieutenant, Thomas Leffingwell jun<sup>r</sup> 2d Lieutenant, Jonathan Birge Ensign, of the 3d company.

Jonathan Lattimer jun<sup>r</sup> Captain, Thomas Rogers 1st Lieutenant, James Chapman jun<sup>r</sup> 2d Lieutenant, Fithin Sill Ensign, of the 4th company.

John Stanton Captain, William Roe Minor 1st Lieutenant, Robert Niles 2d Lieutenant, Elias Avery Ensign, of the 5th company.

Charles Whiting Captain, John Wheatley 1st Lieutenant, Daniel Bishop 2d Lieutenant, Jehiel Peck Ensign, of the 6th company.

David Holmes Captain, Peter Levins 1st Lieutenant, Jona-

than Child 2d Lieutenant, Nathaniel Ormsby Ensign, of the 7th company.

John Tyler Captain, Christopher Palmer 1st Lieutenant, Moses Park 2d Lieutenant, James Brown Ensign, of the 8th company.

Joseph Parker Captain, Zebulon Butler 1st Lieutenant, Robert Miller 2d Lieutenant, Daniel Grenold Ensign, of the 9th company.

Jabez Fitch jun<sup>r</sup> Captain, Benedict Saterly 1st Lieutenant, James McGunnigall jun<sup>r</sup> 2d Lieutenant, David Paine Ensign, of the 10th company.

This Assembly do appoint Major John Patterson to be a Captain in the first regiment of the forces ordered to be raised by this Assembly, in the room of Capt. John Jeffers.

[159] This Assembly appoints the Rev<sup>d</sup> George Beckwith of Lyme to be Chaplain to the first regiment.

The Rev<sup>d</sup> Edward Eells of Middleton Chaplain to the second regiment.

The Rev<sup>d</sup> Jonathan Ingersole of Ridgfield Chaplain to the third regiment.

The Rev<sup>d</sup> Benjamin Pomroy of Hebron Chaplain to the fourth regiment ordered to be raised in this Colony for the ensuing campaign.

This Assembly appoints Mr. Elisha Lord of Norwich Surgeon of the first regiment and Principal Director of the Hospital Stores, Daniel Dwight of Enfield Surgeon's Mate, for the first regiment.

Daniel Porter jun<sup>r</sup> of Waterbury Surgeon, Samuel How of Ashford Surgeon's Mate, in the second regiment.

Gideon Wells of Fairfield Surgeon, Gershom Dorrance of Voluntown Surgeon's Mate, in the third regiment.

David Adams of Canterbury Surgeon, Benjamin Pumroy jun<sup>r</sup> of Hebron Surgeon's Mate, in the fourth regiment ordered to be raised in this Colony for the ensuing campaign.

*Resolved by this Assembly,* That there be appointed one surgeon and one surgeon's mate for each regiment ordered to be raised for the ensuing campaign, and that one of the said surgeons shall be appointed principal director of the hospital stores supply'd by this Colony; and it shall be the duty of the said principal director to have a general care and inspection over all the hospital stores and medicines, that they are not unjustly embezzled, and when the campaign is over to take special care to collect the said stores, medicines and instruments, and (if he can) send them home to some one of the commissaries that may be appointed to make the necessary provision to be ordered by this Assembly, and if no

opportunity presents to do the same, then to lodge the same with some trusty person in Albany on account of this Colony and take receipt therefor and deliver the same to some one of the commissaries as aforesaid.

*And further it is resolved,* That the wages to be allowed to the said principal director &c. be as follows, *viz.*: To the surgeon principal director of the hospital stores and medicines per month, accounting 28 days to each month, £12 0s. 0d.; to a surgeon per do. £9 0s. 0d.; to a surgeon's mate per do. £4 10s. 0d.

An Act for securing of Soldiers listed and taken into his Majesty's Service from Arrests.

Whereas a number of troops may be raised in this Colony for his Majesty's service who may be liable to be taken out of his Majesty's service, by unjust or fraudulent arrests, whereby his Majesty and the public may be deprived of their service: Which to prevent,

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That no person whatsoever who is duly enlisted or shall so list and enter himself a volunteer, or shall be impressed into his Majesty's service, during the continuance of this act, shall be liable to be taken out of his Majesty's service by any process or execution other than for some criminal matter, unless for a real debt or other just cause of action arisen before their entry into such service, and unless before the taking out of such process or execution, not being for a criminal matter, the plaintiff or plaintiffs therein, or some other person or persons on his or their behalf, shall make affidavit before the authority or officer granting such process or execution, (who are impowered to administer the same,) or before some other proper authority, that to his or their knowledge the original sum justly due or owing to the plaintiff or plaintiffs from the defendant or defendants in the action or cause of action on which such process or execution shall issue amounts to the value of ten pounds sterling at least, a memorandum of which affidavit shall be marked on the back of such process or execution; and if any person shall be arrested contrary to the intent of this act, it shall and may be lawful for any one Assistant and one justice, or two justices, (*quorum unus,*) upon complaint made thereof by the party himself or by any of his superior officers, to examine into the same by the oath of the parties or otherwise, and by warrant under their hands to discharge such soldier so arrested contrary to the intent of this act, upon due proof made before them that such soldier [160] so arrested was legally listed or impressed || as a soldier into his Majesty's service and arrested contrary to the



intent of this act, and to award reasonable costs to the party complaining, and grant execution therefor accordingly.

*Provided nevertheless,* That nothing in this act shall be construed to extend to prohibit or hinder any process or execution going out against the estate of such soldiers in due form of law.

This act to continue in force till the end of the sessions of this Assembly in October next.\*

*Resolved by this Assembly,* That Hezekiah Huntington, Jabez Hamlin, John Hubbard and Theophilus Nichols, Esq<sup>rs</sup>, be and hereby are appointed Commissaries, to make provision for furnishing of the forces ordered by this Assembly to be raised within this Colony with such articles as are to be provided by this Colony for the same, according to the orders and resolves of this Assembly, and to receive the directions of his Honour the Governor in such cases wherein no special orders are made.

*Resolved by this Assembly,* That Hezekiah Huntington, Jabez Hamlin, John Hubbard and Theophilus Nichols, Esq<sup>rs</sup>, be appointed, and they are hereby appointed and fully empowered, as soon as may be to collect and put into the best condition all the arms and accoutrements that can be found in this Colony belonging to his Majesty, in order that the same may be improved as far as they will go in arming the troops raised in this Colony for the ensuing campaign: and when they are put into good condition, to deliver the same to some chief officer of some one or more of the companies to be raised in this Colony for the ensuing campaign, taking proper receipts therefor, and lodge the same with the Committee of the Pay-Table.

*Resolved by this Assembly,* That the commissaries appointed to provide the necessary supplies for the troops to be raised in this Colony be and they are hereby directed, with all convenient speed, to purchase and send to the commissary appointed to reside at Albany, who is directed to forward the same to the commissaries appointed to attend the army, the following articles, *viz* :

20 hogsheads of rum.	7000 weight of tobacco.
10 pipes of wine.	2000 weight of chocolate.
500 gallons of brandy.	100 weight of tea.
5000 weight of muscovado sugar.	1200 weight of raisins.
300 weight of loaf sugar.	500 weight of coffee.
10 hogsheads of molasses.	2000 weight of soap.
2000 weight of ginger.	

\* Green printed this act, together with that passed in February, relating to quarters for the regulars, (*ante*, p. 215,) but they were not paged consecutively with other laws by him printed.

And a suitable quantity of cheese, candles, vinegar and other small stores; which articles the commissaries appointed to attend the army are directed to sell and deal out to the soldiers in the pay of this Colony according to the instructions given them by this Assembly. That the commissaries provide so many teams in the Colony as they shall judge needful to carry up the goods from Albany. That in case the troops of this Colony shall be in want of any articles that are truly necessary for their health and comfort, which cannot timely be procured from this government, the chief officers of the regiments are directed to give notice thereof to the commissary residing at Albany, who is hereby ordered to provide the same. That in case the regimental officers shall think any more or other goods shall be hereafter needed for the comfort of the soldiery, they are directed to apply to his Honour the Governor for any further supplies, and in case the Governor think such supplies needed he is desired to direct the commissaries to provide and forward the same, or such part as his Honour may suppose to be expedient.

*Resolved by this Assembly,* That the commissaries appointed to make provisions for furnishing the forces ordered to be raised by this Assembly be directed to provide the officers tents in the same manner as was directed last campaign.

*Resolved by this Assembly,* That Mr. John Law of Milford be appointed a Commissary to reside at Albany, there to receive, secure and forward the supplies to be provided for the troops of this government and take into custody guns and [161] other stores that shall be returned from the army || and ship them to the commissaries in the Colony.

That Col. Thomas Chandler be appointed a Commissary of the first regiment, Mr. Anthony Carpenter of Norwalk of the second regiment, David Seymour of Hartford of the third regiment, and John Williams of Norwich of the fourth regiment, to be raised by this Colony for the ensuing campaign; each of which abovementioned commissaries shall have eight pounds per month, accounting twenty-eight days to a month, for their service, and their necessary expence allowed them.

. That the four last mentioned commissaries attend the respective regiments they are appointed to and deliver out to the officers and soldiers of such regiment the goods of the Colony put into their hands, as they shall receive orders from the captain or other principal officer of each company belonging to the regiment, and no otherwise, unless it be to supply a regiment destitute of any article, and

then not without the direction of the chief officer of the regiment he is appointed to. That said commissaries keep clear and regular accounts of every article they shall receive and dispose of and to whom. Also that said commissaries shall not sell to the soldiery any manner of goods or merchandize besides those they shall receive of the government. That the commissaries who purchase the stores shall forward exact invoices of the cost of what goods they so purchase to the commissary at Albany, who is hereby directed to forward an account thereof to the regimental commissaries unto whom the goods shall be ordered for sale. That the regimental commissaries shall add 50 *per cent.* on the cost of all liquids, cheese, tobacco, sugar, tea, raisins, coffee, candles and soap, and 25 *per cent.* on the cost of cloathing and what other articles shall be delivered to them for sale not above specified, at which advances, and no other, said regimental officers shall dispose of this Colony's goods. That when any of the soldiery of this Colony shall be regularly permitted to return home during the continuance of the campaign and shall be in want of a small sum of money for rendering his march comfortable, on application the commissary residing at Albany shall supply him with what said commissary shall judge expedient, not exceeding in any instance eight shillings lawful money, and all money so paid shall be charged to the receiver. That in order to enable said last mentioned commissary to supply such needy soldiery, the Committee of the Pay-Table are hereby directed to draw on the Treasurer in favour of the said commissary for what they shall judge necessary for the purpose. That whatever stores of any kind may remain at the conclusion of the campaign undisposed of and can't be sold for the benefit of the Colony, the regimental commissaries take care to return well packt in a safe and careful manner to the commissary at Albany, to be by him safely shipt directed to some one or other of the commissaries in the Colony who purchased the same, sending a particular invoice with such return'd stores, and directly forward to the Committee of the Pay-Table their accounts of the goods disposed of.

*It is further resolved,* That the regimental officers of the troops of this Colony be directed, and they are hereby directed, to do what in them lies to prevent all sutlers and others (not appointed by this government,) selling or otherwise disposing of any sort of wares or merchandize whatsoever to the soldiery of this Colony during the course of said campaign.

*Resolved by this Assembly,* That the Committee of the Pay-

Table be and they are hereby directed and impowered to take bonds with sufficient sureties, payable to the Governor and Company of this Colony, of each of the commissaries appointed by this Assembly to attend the army and of him to receive the goods and stores of this Colony sent to Albany to be forwarded with the regiments of this Colony in the intended expedition against Canada, conditioned for their faithfully discharging the trust committed to them by this Assembly and to account to the Governor and Company of this Colony when said expedition is over.

*Resolved by this Assembly,* That the Committee of the Pay-Table be directed, and they are hereby directed, to take sufficient bond with surety of every captain or other officer who shall be appointed and undertake to act as pay-master to any one of the companies to be raised for his Majesty's service in pay of this Colony the ensuing campaign, and that in such bond it be provided every pay-master shall be obliged faithfully and justly to dispose of the money he shall receive for the purpose, and account with the Committee of the Pay-Table for the same.

[162] *Resolved by this Assembly,* That the several enlisting officers appointed for the ensuing campaign shall be paid out of the public treasury of this Colony three shillings lawful money for each able-bodied effective man they shall enlist in the forces ordered by this Assembly to be raised for the service of said campaign, as a recompence for their trouble and expence.

Whereas the several regiments and companies of soldiers in this Colony raised for his Majesty's service stand distinguished in their appointment by enumeration only, which tho' happening in mere point of convenience yet may chance to occasion some challenge or expectation of rank among the officers respectively appointed to command them: Which to prevent,

*It is resolved by this Assembly,* That no name or distinction of number of said regiments or companies be intended or understood in any wise to determine or settle the rank of their respective officers, but that their just rank be left and reserved to be hereafter settled and ascertained according to the rules and customs of the army; any priority or posteriority of number notwithstanding.

*Resolved by this Assembly,* That if any of the staff or warrant officers appointed by this Assembly to serve in the following campaign shall decline or be render'd incapable of the service, that his Honour the Governor be and he is hereby desired to supply every such vacancy.

An Act for the Supply of the Treasury in the present extraordinary  
Emergencies.

Whereas this Assembly in its present session hath resolved and ordered that the number of three thousand six hundred men shall be levied and raised as soon as possible in this Colony, to co-operate with and second to the utmost the large expence and extraordinary succours supplied by his Majesty for the preservation and defence of his Majesty's subjects in North America, and a large sum being thereupon requisite speedily to advance and provide on the part of this government for the purpose aforesaid, and the public treasury at present so much exhausted by reason of the great charges incurred in several late campaigns and by the fund heretofore laid for the sinking and discharging one of the late emissions of bills of credit this present year that the inhabitants of this Colony are unable timely to afford a supply by a tax adequate to the large expence that will necessarily arise on this important occasion: Therefore,

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same.* That there be forthwith imprinted the sum of forty thousand pounds in bills of credit on this government equal to lawful money, of suitable denominations from nine-pence to forty-shillings, as the committee herein appointed shall direct, and of the same tenor of the late emissions of bills of credit of this Colony, with interest at five *per cent. per annum* and payable at or before the first day of March 1764, dated the day of the sessions of this Assembly. And the Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, John Chester, George Wyllys and Joseph Buckingham, Esq<sup>rs</sup>, or any three of them, are appointed a committee for the purpose aforesaid, and to take care that said bills be printed with all convenient speed, and to sign and deliver the same to the Treasurer, taking his receipt therefor. And the said committee shall be sworn to a faithful discharge of their trust. And the aforesaid committee are hereby directed to deliver to the Treasurer of this Colony the twenty thousand pounds bills of credit of this Colony [163] emitted by act of this Assembly at || their sessions in New Haven in February last, taking his receipt therefor. And the said Treasurer is hereby directed to pay out all the aforesaid bills of credit with the interest computed thereon according to the orders of this Assembly.

And for providing and establishing an ample and sufficient fund to call in, sink and discharge the aforesaid forty thousand pounds, according to an act of Parliament made in the 24th year of his present Majesty's reign, entituled An act to regulate

and restrain paper bills of credit in his Majesty's Colonies of Rhode Island and Providence Plantations, Connecticut, the Massachusetts Bay and New Hampshire, in America, and to prevent the same being legal tenders in payment of money,

*Be it enacted by the authority aforesaid,* That a tax of ten pence on the pound be and is hereby granted and ordered to be levied on all the polls and rateable estate in this Colony according to the list thereof to be brought in to this Assembly in October 1762, with the additions; which shall be collected and paid into the treasury of this Colony by the last day of December 1763; which tax may be discharged by paying the bills emitted by this act or lawful money, and no otherwise whatsoever. And the Treasurer of this Colony is hereby directed and ordered to send forth his warrants accordingly.

And whereas a humble and firm reliance is had by this Assembly on a reimbursement of the charges arising from this present intended expedition, in consequence of his Majesty's encouragement to recommend the same to Parliament, and the monies for that purpose is expected from Great Britain before the time appointed for collecting the tax abovementioned,

*Be it enacted by the authority aforesaid,* That in case a sum sufficient for the sinking and discharging the bills emitted by this act shall be reimbursed on account of the present intended expedition, and shall arrive from Great Britain and be lodged in the hands of the Treasurer of this Colony at or before the first day of May 1763, the same shall be and is hereby appropriated for the sinking and discharging the bills aforesaid, and the Treasurer is hereby directed to pay out the same accordingly, and then the tax which otherwise by this act is hereinbefore ordered to go forth is hereby made null and void.

And whereas a further supply of the treasury is necessary to be made, in order to pay the men raised on the present occasion upon their return: Therefore this Assembly grants and orders a rate or tax of seven pence on the pound on all the polls and rateable estate in this Colony, according to the list brought in to this Assembly in October last with the additions, to be collected and paid by the last day of December next in lawful money, or bills of credit of this Colony payable in lawful money.

*And it is further resolved,* That whenever any pay-master of the moneys due on settlement of any pay-roll of any of the companies employed in the service of the ensuing campaign having obtained order on the Treasurer therefor and the same exhibited for payment, the Treasurer may on sight make out

orders on the constables collectors of the public tax in such town or towns whence the soldiers named in such roll were collected, or that may be most convenient to facilitate the payment, payable to such pay-master or his order in such town or towns, to the amount of such pay-roll or such part thereof as shall be needful, which orders such collectors are directed to answer in such manner as may be most practicable and satisfactory. And the Treasurer is also directed to keep clear accounts of all such orders and see that each constable, either by money or return of such orders duly discharged, seasonably settle and make up his account with him according to law.

*Resolved by this Assembly,* That the commanding officers of each of the regiments raised in this Colony for his Majesties service the ensuing campaign be ordered and directed, and they are hereby ordered and directed, to keep an exact account of the ranks and names of all officers and the names of the soldiers under their respective command, and of all advancements, deaths, discharges and desertions that shall happen in their respective regiments during the campaign, and of the day of the return of each company from the service, and of every alteration necessary to be known in order to make up an exact pay-roll for such regiment, and a return thereof to make to his Honour the Governor and another to the Committee of the Pay-Table, as soon as the campaign is over, and at any other time when his Honour the Governor shall please to order the same to be done.

[164] This Assembly grants to Phineas Lyman, Esqr, Major-General of the forces to be raised in this Colony for the ensuing campaign, in addition to the wages already granted him as colonel of a regiment and captain of a company, the sum of four pounds per month during the ensuing campaign.

*Resolved by this Assembly,* That his Honour the Governor be and he is hereby desired to render the thanks of this Assembly to Andrew Oliver, of Boston, Esqr, for his care and trouble about the seven chests of money which came per Capt. McTaggart from Mr. Agent Partridge for the account of this Colony, and inform that the same came safe to the hands of our Treasurer, and the contents on examination found to be right, and that this Colony is extremely willing to make a reasonable allowance for any accidents he was answerable for, and would gladly know what sum will be satisfactory to him.

Whereas this Assembly is inform'd there are considerable sums of money due to several companies of the Colony's troops for their billeting last campaign that could not be

obtained from the King's forces appointed to discharge those dues: Therefore,

*Resolved by this Assembly,* That the captain or other chief officer of every company that has demands for billeting as abovementioned is hereby directed to draw out a fair and particular account thereof and forward the same to the Pay-Table, to be transmitted to Major-General Lyman, and that application be by him made to his Excellency General Amherst for allowance and payment thereof.

*Resolved by this Assembly,* That Jabez Hamlin, Esq<sup>r</sup>, David Rowland, Mr. John Whiting and Mr. Samuel Grey be a committee, to examine the seven chests of money lately received from Great Britain, weigh the same and see how they compare with the invoice therewith sent by Mr. Agent Partridge, and count the same out in lawful money as established in this Colony, and deliver the said lawful money to the Treasurer of this Colony that thereby he may be enabled to deliver the same out according to the directions of this Assembly and to accompt regularly for the same, and to take the Treasurer's receipt for such sum they shall so deliver and lodge the same with the Secretary of this Colony.\*

*Resolved by this Assembly,* in order to prepare and expedite the accounts of the expence of this government in the last campaign &c. to be sent to England, that Jonathan Trumble, Esq<sup>r</sup>, be appointed to joyn the Committee of the Pay-Table in performing that service.

This Assembly do appoint Capt. Titus Hurlburt to take into his care the battery at New London together with all the stores thereto belonging; and he is hereby authorized and impowered to receive of Col. Stephen Lee of New London all the stores committed to his care the last year that are left, with an account of what was used and improved during the time said Lee had the care thereof. And the said Hurlburt is further impowered to appoint some suitable person to be gunner thereof, and that on the 10th day of May next he inlist or detach twenty men near said battery, to be under the care and command of said Hurlburt, to assist him in said battery, and that one of said men duly attend the said captain's command in his turn, to watch and ward in said battery from the said 10th day of May next until said 1st day of October next. That said Capt. Titus Hurlburt shall be allowed for his service six pounds. That the gunner shall be

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\*The committee reported that they found silver and gold amounting to £7475 18s. 0d. lawful money.—*Finance & Currency*, iv, 229.



allowed for his service two pounds, and that each man shall be allowed for his service three shillings per day for each day he shall ward and watch.

This Assembly do establish Benjamin Wilkinson to be Lieutenant of the 16th military company in the 11th regiment in this Colony.

[165] This Assembly do establish Mr. Daniel Marsh to be Ensign of the 1st company or trainband in the town of Hartford.

This Assembly do establish Mr. Phineas Green to be Ensign of the 12th military company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Philip Mortimer to be Captain of the 2d company or trainband in the 6th regiment in this Colony.

Whereas this Assembly is informed that Mr. Benjamin Lee of Plainfield, who was appointed to be captain of a company in the pay of this Colony the last campaign and that, to enable him to pay the bounty and other sums to the company he was then to raise, he received by orders from the Pay-Table sundry sums of money out of the treasury of this Colony and sundry blankets and knapsacks of the commissary, of which it is said the whole has not been appropriated to the use for which it was drawn out of said treasury: Therefore this Assembly do appoint Mr. Jedidiah Elderkin of Windham, and he is hereby appointed; impowered and directed, forthwith to apply to the aforesaid Capt. Lee to account for said sums of money &c. by him so received, and receive of him the balance thereof in his hands due to this Colony, and pay the same to the Treasurer of this Colony, taking his receipt for the same; and in case the aforesaid Capt. Lee shall refuse to account and pay the balance in his hands, then to commence and prosecute a proper action or actions in the law for the recovery of the same for the use of this Colony and pay such sum or sums (which may be so recovered) when received to the Treasurer as aforesaid, taking his receipt for the same, and also deliver such of said blankets &c. he shall receive of the aforesaid Capt. Lee to some one of the commissaries appointed by this Assembly.

Upon the memorial of Israel Putnam of Pomfret, shewing to this Assembly that sometime in the month of August last he, being then in the service of this Colony, had the misfortune to be taken prisoner and carried to Canada, where he continued for the space of three months and suffered much hardship and was obliged to expend about sixty guineas for his

necessary support; praying this Assembly to order said sum to be refunded him &c. as per memorial on file &c.: Resolved by this Assembly, that the Treasurer of this Colony be and he is hereby ordered and directed to pay to said Putnam out of the public treasury of this Colony the sum of seventy pounds lawful money, taking his receipt for the same.

Upon the memorial of Elisha Waterman jun<sup>r</sup> of Norwich, shewing to this Assembly that he was a lieutenant in the service of this Colony in the year 1756, and while in that service was taken prisoner and carried to Canada and from thence sent to England, during which time [he] borrowed large sums of money of Col. Peter Schuyler and others, to support him while in captivity and pay the charges of sickness &c.; praying this Assembly to grant him a proper sum out of the public treasury to enable him (with the forty pounds already granted) to pay said sum borrowed, and likewise grant his wages during said time, as per memorial on file &c.: Resolved by this Assembly, that said Waterman shall have the sum of twenty pounds lawful money paid him out of the treasury as a grant on said memorial, and the Treasurer is hereby ordered to pay the same accordingly, taking his receipt for the same.

Upon the memorial of Samuel Hoit jun<sup>r</sup> of Stanford, shewing to this Assembly that his son Joseph Hoit (who is under his parental care) was the last summer a volunteer soldier in his Majesty's service under the command of Capt. David Waterbury of said Stanford, in Col. Wooster's regiment, and in the battle of Ticonderoga was wounded by the enemy, and that he was by the officers sent home and on the 27th of July last he got home, to which time he received wages and no longer, from which time he continued lame with said wounds to the last of November last; praying for allowance &c.: This Assembly grants to the memorialist the sum of eight pounds to be paid out of the Colony treasury, and the Treasurer is hereby ordered and directed to pay the same accordingly.

On the memorial of Hope Hart, of Farmington in the county of Hartford, administratrix on the estate of Elias Hart, of said Farmington, deceased, shewing to this Assembly that the debts due from said estate, with some necessaries set out to his widow, surmount the moveable estate of said deceased the sum of thirty-eight pounds eighteen shillings three pence; [166] praying for liberty to sell || so much of the real estate of said deceased as to make said sum, taking the advice of the court of probate for the district of Hartford therein, as per memorial on file: Resolved by this Assembly, that the said

memorialist, with Mr. John Judd of Farmington, be appointed and they are hereby appointed and impowered, to sell so much of the real estate of said deceased as to make said sum of £38 18s. 3*d.* lawful money with the incident charges thereon arising; taking the direction of the court of probate for the district of Hartford therein.

Upon the memorial of Silas Hamilton, Benjamin Benedict, Thomas Stevens, Comfort Hoit and Thomas Starr junr, listers for the town of Danbury for the year 1757, shewing to this Assembly that the memorialists sent in to this Assembly at their session at Hartford in May 1758, additions to the list of the town of Danbury for the year 1757, of fourfold assessments the sum of £434, and that by mistake said additions were return'd to the Treasurer of this Colony as single additions, whereby the memorialists are deprived of one half of the money collected on said fourfold additions; praying this Assembly to order the Treasurer of this Colony to pay the same to them: Resolved by this Assembly, that the Treasurer of this Colony pay, and he is hereby ordered to pay, to the memorialists one half of the money that hath been or that shall be collected and paid into the treasury of this Colony upon said fourfold additions.

Upon the memorial of Lemuel Dean of Plainfield, representing that in the fight with the enemy under Major Putnam in the year past he received a grievous wound in his wrist, and thereby was laid under difficult circumstances and had been for a long time unable to do anything for support of himself or family; praying for some relief, as per memorial on file &c.: It is therefore granted and resolved by this Assembly, that the said Lemuel Dean shall be paid out of the public treasury of this Colony the sum of fifteen pounds lawful money, and a copy of this resolve shall be a sufficient warrant to the Treasurer to pay the same.

Upon the memorial of Peter Wooster of Darby, shewing to this Assembly that the memorialist being an ensign in Col. Whiting's regiment in the service of this Colony for the last campaign, and being in the engagement at Wood Creek on the 8th of August last had the misfortune to have six musket balls shot thro' him, his left elbow and wrist and hand broke to pieces by the blows of a hatchet, and had nine blows on his head with a hatchet, till he was kill'd as the enemy supposed, on which they scalped and stripped him and left him on the ground, but being taken up by his friends is recovered to a considerable degree of health, but that his arms are so disabled as to be almost useless in the common labours

of life &c.; praying this Assembly to make him such grant or allowance as they shall think just &c.: Resolved by this Assembly, that the memorialist shall have paid to him out of the treasury of this Colony the sum of forty pounds lawful money, and the Treasurer is hereby ordered to pay the same to him accordingly.

Upon the memorial of Rufus Chapman of New London, shewing to this Assembly that he enlisted into the service of this Colony in the expedition designed against Canada in the year 1758, in the company under the command of Capt. Jonathan Latimer jun<sup>r</sup> of said New London, and accordingly went into the service aforesaid and exerted himself therein to the utmost of his power till sometime in the month of August last, being on a scout with Major Rogers and Putnam, he was [167] taken || prisoner by the enemy and lost his cloathing, and himself carried to Canada and there held prisoner till he was redeemed by Col. Schuyler for the sum of seven pounds ten shillings sterling money; that on the request of said memorialist Col. Eleazer Fitch paid said sum to said Col. Schuyler; praying that this Assembly would grant the said memorialist should be paid the said sum out of the public treasury of this Colony, as per memorial on file &c.: Resolved by this Assembly, that the Treasurer of this Colony be and he is hereby ordered and directed to pay (of the bills of credit on this Colony in his hands) to said memorialist the sum of ten pounds lawful money, taking his receipt for the same.

Upon the memorial of Elijah Brunson of Farmington, shewing to this Assembly that on the 24th or 25th day of January last he received of Judah Hart one thirty-shilling bill of the Colony of Connecticut of August emission, delivered the same to his wife, and she let the same accidently drop into the fire, and notwithstanding she did all that she could to save the same, yet it was almost consumed and entirely lost; and praying to have the value of the same paid to him out of the treasury of this Colony: Resolved by this Assembly, that the Treasurer of this Colony pay said Brunson the value of said bill, and he is hereby ordered to pay the same accordingly.

Upon the memorial of William Clark of Lebanon, administrator on the estate of Pelatiah Webster of said town, (deceased,) shewing that the moveable estate of said deceased, besides what real estate hath been already sold by leave from the General Assembly, is insufficient to pay the debts due from said estate the sum of twenty-five pounds lawful money; praying leave to sell so much of the real estate of said deceased as will enable him to pay the same: Resolved by this

Assembly, that the memorialist be and he is hereby empower'd to sell so much of the real estate of the said deceased as will enable him to pay said sum of twenty-five pounds in lawful money yet due from said estate, with the incident charges arising thereon; taking the direction of the court of probates for the district of Windham therein.

Upon the memorial of John House jun<sup>r</sup> of Glassenbury, shewing to this Assembly that on the 11th day of March instant his father, John House of said Glassenbury, being then delirious, took the pocket-book of said memorialist, wherein he then had of the bills of credit of this Colony, *viz*: one ten-shilling bill emitted August 27th 1755, and also one forty-shilling bill, and also one twenty-shilling bill, both emitted March 8th 1758; that said John House then and there threw said pocket-book and bills into the fire, by which the said pocket-book and all said bills were consumed &c.; praying that said memorialist might be paid the value of said bills out of the public treasury &c. as per memorial on file: Resolved by this Assembly, that the Treasurer of this Colony be and he is hereby ordered and directed to pay to the afore-said John House jun<sup>r</sup> the sum of three pounds fourteen shillings and seven pence in the bills of credit on this Colony now in his hands; taking the receipt of said House for the same.

Upon the memorial of the selectmen of the town of Norwalk, representing that the inhabitants of said town omitted carrying into their accounts of the charges and expences for quartering and billeting two companies of Col. Frazer's highland battalion, which were had before and allowed at the General Assembly in October last, several articles of charges and expences for quartering, billeting &c.; praying for a reimbursement of the same: Resolved by this Assembly, that the Treasurer of this Colony be and hereby is ordered and directed to pay out of the Colony treasury to the selectmen of Norwalk, for the use of the inhabitants of Norwalk, the sum of five pounds fifteen shillings and seven pence lawful money, for the charges and expence above referred to.

This Assembly is adjourned until the Governor, or in his absence the Deputy Governor, shall see cause to call it to meet again.

*Teste* GEORGE WYLLYS Secret'ry.

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[169] *Anno Regni Regis Georgii secundi tricesimo-secundo.*  
 AT A GENERAL ASSEMBLY OF THE GOVERNOR AND COMPANY  
 OF HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW  
 ENGLAND IN AMERICA HOLDEN AT HARTFORD IN SAID COLONY  
 ON THE SECOND THURSDAY OF MAY (BEING THE TENTH DAY  
 OF SAID MONTH,) AND CONTINUED BY SEVERAL ADJOURNMENTS  
 UNTIL THE SEVENTH DAY OF JUNE NEXT FOLLOWING, ANNOQUE  
 DOMINI 1759.

*Present :*

The Honourable Thomas Fitch, Esq<sup>r</sup>, *Governor.*

The Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, *Deputy Governor.*

Roger Newton,	Thomas Wells,	} Esq <sup>rs</sup> , Assistants.
Ebenezer Silliman,	Benjamin Hall,	
Jonathan Trumble,	Roger Wolcott Jun <sup>r</sup> ,	
Hezekiah Huntington,	Daniel Edwards,	
Andrew Burr,	Jabez Hamlin,	
John Chester,		

*Representatives or Deputies of the several Towns hereafter  
 mentioned who attended at this Assembly, viz :*

Col. Joseph Pitkin, Col. Samuel Talcott, for Hartford.

Mr. John Whiting, Mr. Daniel Lyman, New Haven.

Mr. David Gardner, Capt. Pygan Adams, for New London.

Mr. David Rowland, Mr. William Burr, for Fairfield.

Col. Eliphalet Dyer, Mr. Samuel Gray, for Windham.

Capt. Elisha Sheldon, Mr. Jacob Woodruff, for Litchfield.

Capt. Jabez Huntington, Mr. Isaac Tracy, for Norwich.

Col. Shubael Conant, Mr. William Hall, for Mansfield.

Col. Robert Walker, Capt. Samuel Adams, for Stratford.

Col. Andrew Ward, Mr. James Robinson, for Guilford.

Col. Joseph Fowler, Mr. William Williams, for Lebanon.

Major Edward Allin, Capt. Joseph Woodruff, for Milford.

Mr. Josiah Converse, Mr. David Orcut, for Stafford.

Mr. Jacob Dressor, Mr. Ebenezer Learned, for Killingsly.

Mr. Charles Webb, Mr. Abraham Davenport, for Stanford.

Mr. Seth Wetmore, Capt. John Fisk, for Middleton.

Mr. John Clap, Capt. Jabez Sherwood, for Greenwich.

Mr. Hezekiah Brainard, for Haddam.

Capt. Elijah Worthington, Mr. Dudley Wright, for Colchester.

Mr. William Tully, Capt. John Murdock, for Saybrook.

Capt. Mathew Griswold, (*chosen Assistant,*) Mr. Uriah Row-  
 land, (*excluded,*) for Lyme.

Mr. Samuel Barker, Capt. William Hodely, for Branford.

Col. Christopher Avery, Capt. Jabez Smith, for Groton.

Capt. Robert Dixon, Mr. Robert Jemison, for Voluntown.

Capt. Samuel Morgan, Capt. Nathan Leonard, for Preston.

Mr. Gideon Thompson,\* Capt. Samuel Pettebone, for Goshen.  
 Mr. Nathaniel Davis, Capt. Abijah Catling, for Harrington.  
 Col. John Williams, Capt. John Balding, for Stonington. e  
 Mr. James Wadsworth, Col. Elihu Chauncey, for Durham.  
 Mr. Erastus Wolcott, for Windsor.  
 Mr. Daniel Sherman, Capt. Increase Mosely, for Woodbury.  
 Mr. Charles Whittlesey, Capt. Samuel Hall, for Wallingford.  
 Mr. Roger Sherman, Mr. Bushnel Bostick, for New Milford.  
 Mr. Samuel Olmsted, Mr. John Benedict, for Ridgfield.  
 Mr. David Phelps, Capt. Jonathan Pettibone, for Symsbury.  
 Mr. Comfort Starr, Capt. Lemuel Bebee, for Danbury.  
 Capt. Obadiah Johnson, Capt. Jabez Fitch, for Canterbury.  
 Mr. Daniel Brainard, for East Haddam.  
 [170] Mr. Daniel Booth, Mr. Richard Fairman, for Newton.  
 Capt. James Landon, Capt. Samuel Moor, for Salisbury.  
 Mr. Joseph Platt, for Norwalk.  
 Major Ezekiel Pierce, Capt. Benjamin Wheeler, for Plainfield.  
 Capt. Timothy Judd, Mr. Gideon Hotchkiss, for Waterbury.  
 Mr. Benjamin Gale, Col. Aaron Elliot, for Killingsworth.  
 Mr. Zebulon West, Capt. Joshua Wills, for Tolland.  
 Mr. Joseph Sexton, for Somers.  
 Mr. Joseph Strong, for Coventry.  
 Mr. Alexander Phelps, Mr. John Phelps, for Hebron.  
 Capt. Samuel Basset, Mr. Daniel Holbrook, for Derby.  
 Mr. Isaac Johnson, Mr. Manasah Hosmer, for Woodstock.  
 Capt. Isaac Kellogg, for New Hartford.  
 Mr. Isaac Kimberly, Mr. John Wells, for Glassenbury.  
 Mr. Elijah Hammond, Capt. Joel White, for Bolton.  
 Mr. Ebenezer Williams, Mr. Jonathan Dressor, for Pomfret.  
 Mr. Elisha Williams, for Weathersfield.  
 Mr. Amos Babcock, Capt. Jedidiah Fay, for Ashford.  
 Capt. Samuel Kent, Capt. Benjamin Kent, for Suffield.  
 Mr. Edward Collins, Capt. Joseph Olmsted, for Enfield.  
 Mr. John Strong, Capt. William Wadsworth, for Farmington.  
 Capt. Benjamin Cole, Mr. Andrew Stephens, for Canaan.  
 Col. Shubael Conant, Speaker, } of the House of Repre-  
 Capt. Jabez Huntington, Clerk, } sentatives.

This day being appointed by the royal charter and the laws of this Colony for the Election of the public officers of the Colony, viz: Governor, Deputy Governor, Assistants, Treasurer, and Secretary, proclamation was made, and then the votes of the freemen were given in to the persons appointed by the Governor, Council and Representatives, to receive, sort and

\* Mr. Thompson died May 21st, 1759, in his 56th year, and lies buried in the old cemetery at Hartford.

count them; which persons so appointed were, Ebenezer Silliman, Jonathan Trumble, Hezekiah Huntington, Andrew Burr, John Chester, Thomas Wells, Benjamin Hall, Roger Wolcott jun<sup>r</sup>, Daniel Edwards, and Jabez Hamlin, Esq<sup>rs</sup>, Messrs. Samuel Talcott, Elisha Williams, Elihu Chauncey, Edward Allin, Christopher Avery, Pygan Adams, David Rowland, Joseph Plat, Samuel Gray, Obadiah Johnson, Daniel Sherman and Increase Mosely, who were all sworn to a faithful discharge of that trust. And the votes of the freemen being brought in, sorted and counted,

The Honourable Thomas Fitch, Esq<sup>r</sup>, is chosen Governor of this Colony for the year ensuing.

The Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, is chosen Deputy Governor for the year ensuing.

Roger Newton, Esq<sup>r</sup>, Ebenezer Silliman, Esq<sup>r</sup>, Jonathan Trumble, Esq<sup>r</sup>, Hezekiah Huntington, Esq<sup>r</sup>, Andrew Burr, Esq<sup>r</sup>, John Chester, Esq<sup>r</sup>, Thomas Wells, Esq<sup>r</sup>, Benjamin Hall, Esq<sup>r</sup>, Roger Wolcott jun<sup>r</sup>, Esq<sup>r</sup>, Daniel Edwards, Esq<sup>r</sup>, Jabez Hamlin, Esq<sup>r</sup>, Matthew Griswold, Esq<sup>r</sup>, were chosen Assistants for the year ensuing.

Joseph Talcott, Esq<sup>r</sup>, is chosen Treasurer of this Colony for the year ensuing.

George Wyllys, Esq<sup>r</sup>, is chosen Secretary of this Colony for the year ensuing.

The Governor's oath prescribed by the law of this Colony and the oath required by act of Parliament, relating to Trade and Navigation, were administred by the Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, Deputy Governor, to the Hon<sup>ble</sup> Thomas Fitch, Esq<sup>r</sup>, now chosen Governor, in the presence of this Assembly. [171] The Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, (now chosen Deputy Governor,) had the Deputy Governor's oath prescribed by law administred to him by his Honour the Governor in the presence of the Assembly.

The Assistant's oath prescribed by law was administred by his Honour the Governor to Roger Newton, Esq<sup>r</sup>, Ebenezer Silliman, Esq<sup>r</sup>, Jonathan Trumble, Esq<sup>r</sup>, Hezekiah Huntington, Esq<sup>r</sup>, Andrew Burr, Esq<sup>r</sup>, John Chester, Esq<sup>r</sup>, Thomas Wells, Esq<sup>r</sup>, Benjamin Hall, Esq<sup>r</sup>, Roger Wolcott jun<sup>r</sup>, Esq<sup>r</sup>, Daniel Edwards, Esq<sup>r</sup>, Jabez Hamlin, Esq<sup>r</sup>, Matthew Griswold, Esq<sup>r</sup>, (now chosen Assistants,) in the presence of the Assembly.

The Secretary's oath prescribed by law was administred by his Honour the Governor to George Wyllys, Esq<sup>r</sup>, (now chosen Secretary,) in the presence of the Assembly.

*Ordered,* That John Chester, Esq<sup>r</sup>, and Mr. Elisha Williams



return the thanks of this Assembly to the Rev<sup>d</sup> Mr. James Lockwood, for his sermon delivered before this Assembly, (on the 10th instant,) and desire a copy thereof that it may be printed.

This Assembly do appoint the Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, to be Chief Judge of the Superior Courts in this Colony the year ensuing.

This Assembly do appoint Ebenezer Silliman, Roger Wolcott jun<sup>r</sup>, Joseph Fowler and Daniel Edwards, Esq<sup>rs</sup>, to be Judges of the Superior Courts in this Colony the year ensuing.

This Assembly do appoint Jabez Hamlin, Esq<sup>r</sup>, to be Judge of the County Court in and for the county of Hartford the year ensuing.

This Assembly do appoint Roger Newton, Esq<sup>r</sup>, to be Judge of the County Court in and for the county of New Haven the year ensuing.

This Assembly do appoint Hezekiah Huntington, Esq<sup>r</sup>, to be Judge of the County Court in and for the county of New London the year ensuing.

This Assembly do appoint Andrew Burr, Esq<sup>r</sup>, to be Judge of the County Court in and for the county of Fairfield the year ensuing.

This Assembly do appoint Jonatham Trumble, Esq<sup>r</sup>, to be Judge of the County Court in and for the county of Windham the year ensuing.

This Assembly do appoint John Williams, Esq<sup>r</sup>, to be Judge of the County Court in and for the county of Litchfield the year ensuing.

This Assembly do appoint Joseph Buckingham, Esq<sup>r</sup>, to be Judge of the Court of Probate in the district of Hartford the year ensuing.

This Assembly do appoint John Hubbard, Esq<sup>r</sup>, to be Judge of the Court of Probate in the district of New Haven the year ensuing.

This Assembly do appoint Gurdon Saltonstall, Esq<sup>r</sup>, to be Judge of the Court of Probate in the district of New London the year ensuing.

This Assembly do appoint Andrew Burr, Esq<sup>r</sup>, to be Judge of the Court of Probate in the district of Fairfield the year ensuing.

This Assembly do appoint Jonathan Trumble, Esq<sup>r</sup>, to be Judge of the Court of Probate in the district of Windham the year ensuing.

This Assembly do appoint John Creary, Esq<sup>r</sup>, to be Judge of the Court of Probate in the district of Plainfield the year ensuing.

This Assembly do appoint Timothy Stone, Esqr, to be Judge of the Court of Probate in the district of Guilford the year ensuing.

This Assembly do appoint Daniel Sherman, Esqr, to be Judge of the Court of Probate in the district of Woodbury the year ensuing.

This Assembly do appoint Jonathan Hoit, Esqr, to be Judge of the Court of Probate in the district of Stanford the year ensuing.

This Assembly do appoint Joseph Spencer, Esqr, to be Judge of the court of Probate in the district of East Haddam the year ensuing.

This Assembly do appoint Ebenezer Marsh, Esqr, to be Judge of the Court of Probate in the district of Litchfield the year ensuing.

This Assembly do appoint Thomas Benedict, Esqr, to be Judge of the Court of Probate in the district of Danbury the year ensuing.

This Assembly do appoint Hezekiah Huntington, Esqr, to be Judge of the Court of Probate in the district of Norwich the year ensuing.

This Assembly do appoint Jabez Hamlin, Esqr, to be Judge of the Court of Probate in the district of Middleton the year ensuing.

This Assembly do appoint Ebenezer Williams, Esqr, to be Judge of the Court of Probate in the district of Pomfret the year ensuing.

This Assembly do appoint John Williams, Esqr, to be Judge of the Court of Probate in the district of Sharon the year ensuing.

[172] Whereas Joseph Spencer, Esqr, is appointed by this Assembly to be judge of probate for the district of East Haddam for the year ensuing, and considering that he is now gone Lt. Colonel in one of the regiments raised in this Colony for the service of the present campaign, and that it is not convenient that said district remain destitute of a judge of probate during his absence in said service: Therefore, this Assembly do appoint Alexander Phelps, Esqr, to be Judge of Probate for the district of East Haddam until the first day of November next, in the room of said Joseph Spencer, Esqr.

This Assembly do appoint Zebulon West, Esqr, to be Judge of Probate for the district of Stafford for the year ensuing.

This Assembly do appoint Joseph Buckingham, Joseph Pitkin, William Wolcott, John Humphry, Esqrs, to be Justices

of the Peace and Quorum for the county of Hartford for the year ensuing.

This Assembly do appoint Phineas Lyman, Esq<sup>r</sup>, Joseph Talcott, George Wyllys, John Ledyard, Thomas Hosmer, Jonathan Hills, Elizur Goodrich, Jonathan Belding, Daniel Bissell, Samuel Eno, Pelatiah Mills, Joseph White, Thomas Johnson, Seth Wetmore, Joseph Southmayd, Joseph Hooker, Solomon Whitman, John Hooker, Jared Lee, Hezekiah Gridly, Joseph Hart, Joseph Wilcockson the 2d, John Owen, Samuel Kent jun<sup>r</sup>, Jonathan Hale, David Hubbard, Hezekiah Brainard, Joseph Wells, Joseph Spencer of East Haddam, Daniel Cone, Nathaniel Foot, John Watrous, Jonathan Kilborn jun<sup>r</sup>, Joseph Phelps, John Phelps, Samuel Gilbert jun<sup>r</sup>, Alexander Phelps, Zebulon West, Thomas Pitkin, Ephraim Terry, Samuel Reynolds, Isaac Pinney, John Mirick, Samuel Talcott, Daniel Brainard the 2d, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of Hartford for the year ensuing.

This Assembly do appoint Benjamin Hall, Esq<sup>r</sup>, Justice of Quorum in the county of New Haven the year ensuing, and John Hubbard, Elihu Chauncey, Timothy Stone, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in and for the county of New Haven the year ensuing.

This Assembly do appoint John Prout, Deodate Davenport, Samuel Sherman, John Whiting, Samuel Sacket, Thomas Darling, Samuel Robinson, Theophilus Rossiter, Nathaniel Ruggles, John Graves, Robert Treat, Nathan Baldwin, Joseph Woodruff, Nathaniel Harrison, Jonathan Russell, Josiah Rogers, Samuel Barker, Samuel Hall, Elihu Hall, John Hall, Ezekiel Royce, Caleb Merriman, Charles Whittlesey, James Wadsworth, Thomas Clark, Thomas Matthews, Thomas Brunson, Samuel Bassitt, Samuel Riggs, Timothy Russel, Daniel Holbrook, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of New Haven for the year ensuing.

This Assembly do appoint John Griswold, Christopher Avery, Richard Lord, Isaac Huntington and Pygan Adams, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in and for the county of New London the year ensuing.

This Assembly do appoint Elnathan Stephens, Jonathan Lane, Joseph Wilcocks, Aaron Eliot, Benjamin Gale, Nathaniel Clark, Jedidiah Chapman, John Tully, Hezekiah Whittlesey, Samuel Ely, John Lay 3d, Daniel Coit, Pygan Adams, John Richards, Jeremiah Miller, Luke Perkins, William Williams, Nathan Smith, Ebenezer Avery, Simeon Minor, Joseph Denison, Samuel Prentice, Amos Cheesborough, Samuel Morgan, Samuel Coit, William Witter, Ebenezer Backus, Jabez

Huntington, William Whiting, Jacob Perkins, Ebenezer Hartshorn, and William Hilhouse, Esq<sup>rs</sup>, to Justices of the Peace in and for the county of New London the year ensuing.

This Assembly do appoint Jonathan Hoit, David Rowland, Samuel Fitch and John Read, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in and for the county of Fairfield the year ensuing.

[173] This Assembly do appoint Robert Fairechild, Robert Walker, Agur Tomlinson, Samuel Adams, Ichabod Lewis, William Peat, Theophilus Nichols, William Burr, Lothrop Lewis, Moses Dimmon, Samuel Sherwood, James Lockwood, Joseph Platt, Elias Betts, Theophilus Fitch, Abraham Davenport, Jonathan Maltbie, Nathaniel Sacket, John Ferris, Samuel Olmsted, Samuel Smith 3d, Thomas Benedict, Samuel Gregory, Comfort Starr, Thomas Tousey, Caleb Baldwin, Ephraim Hubbel, Benajah Case, Richard Fairman, Thomas Fitch jun<sup>r</sup>, Silas Betts, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of Fairfield the year ensuing.

This Assembly do appoint Shubael Conant, John Dyar, Jabez Fitch, Joshua West, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in and for the county of Windham the year ensuing.

This Assembly do appoint Jonathan Huntington, Stephen Fuller, Joseph Fowler, Joseph Stores, Phineas Strong, Elijah Whiton, Jacob Dressor, Thomas Chandler, Ebenezer Williams, Robert Dixon, Samuel Wood, Nathaniel Huntington, Samuel Gray, Joseph Clark, John Creary, Samuel Huntington (of Canterbury,) Silas Long, Joseph Cady, Thomas Moffitt, Timothy Sabin, Thomas Williams, Jeremiah Kenney, William Williams, Eliphalet Dyar, Jedidiah Elderkin, William Metcalf, Benjamin Wheeler, Joseph Strong jun<sup>r</sup>, Amos Babcock, Samuel Danielson, Samuel Chandler, William Osgood, John Smith, and Ebenezer Wales, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of Windham the year ensuing.

This Assembly do appoint Ebenezer Marsh, Elisha Sheldon, Increase Moseley, Roger Sherman, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in and for the county of Litchfield the year ensuing.

This Assembly do appoint John Williams, Timothy Collins, Daniel Sherman, Daniel Everit, Elisha Stoddard, Henry Castel, Paul Welch, Bushnal Bostwick, Isaac Kellogg, Martin Smith, Cyprian Webster, Abijah Catlin, John Beach, Gideon Thompson, David Whitney, John Bebee, James Landon, John Hutchinson, Samuel Hutchinson, Timothy Hatch,

John Ransom, Ebenezer Lyman, John Cook, John Patterson, Joshua Whitney, Benjamin Hinman and Jacob Woodruff, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of Litchfield the year ensuing.

This Assembly do appoint Jabez Fitch, Esq<sup>r</sup>, to be Judge of the Court of Probate in and for the district of Plainfield for the year ensuing, in the room of John Creary, Esq<sup>r</sup>, deceased.

This Assembly do appoint Samuel Pettibone, Esq<sup>r</sup>, to be a Justice of the Peace in and for the county of Litchfield the year ensuing.

An Act providing for the Encouragement of one thousand Men voluntarily to inlist into the Service of the present Campaign.

Whereas this Assembly at the sessions in March last voted and resolved to levy and raise thirty-six hundred men in this Colony for the then ensuing campaign, and ordered the same to be filled up by impresses or detachments, and gave further encouragements for four hundred men more to inlist for said service: And whereas his Honour the Governour in his speech at the opening of this Assembly recommended the serious consideration of the necessity of a vigorous exertion of our utmost abilities upon this urgent, important and decisive crisis: Whereupon, considering that notwithstanding this Colony is greatly exhausted by the expences incurred in the late campaigns, that the taxes already laid on its inhabitants are extream heavy, that its credit is very much endangered by the necessary use of such large sums in bills, and that the number of its inhabitants is very much lessened [174] by their inlisting into || his Majesty's regular troops the last winter, and as rangers, battoe-men and team-drivers, and into the pay of the neighbouring governments for this campaign, to which very many have been induced by large sums offered and given them by persons from the other governments to take the places of such of them who ought to have gone in the service, and also by the great loss of men sustained in the several late campaigns, this Assembly is of opinion that the thirty-six hundred men voted and ordered last March to be levied and raised for said service and filled up by impress or detachment, with the encouragements then given to four hundred men more to inlist therefor, is as many as the number of the inhabitants will allow: Yet, considering the very great importance of exerting ourselves in the present critical and decisive moment for the security of our country, and from a deep sense of our duty to the King and of the gratitude we owe to the Kingdom of Great Britain for the very great expence and succours supplied for the immediate defence and for the future safety of our rights and possessions

in America, and humbly relying on the gracious assurances which the King was pleased to allow his Secretary of State to give, that recommendations shall be made to Parliament to grant a reasonable compensation as his Colonies shall appear to merit, and that the zeal and ardour of the people may be enlivened and quickened to go forth in defence and for the future safety of our country, and all proper encouragements given and motives used to promote the raising as many more men as can any ways be induced to inlist themselves and go in said service: Therefore,

*It is resolved and enacted by this Assembly,* That one thousand able-bodied men, in addition to the four thousand aforementioned, be and they are hereby allowed the following encouragements to inlist into the aforesaid service: That every able-bodied man, as well non-commission officer as soldier, who hath been in either of the late campaigns and shall voluntarily inlist himself for the present campaign, shall receive full wages and pay at the respective rates allowed such non-commission officer and soldier in the pay of this Colony the last year, to be computed from the 1st day of December last until the 25th day of instant May, and that every able-bodied man not having hitherto been in such service who shall inlist himself as aforesaid shall receive a bounty of seven pounds; that each man so inlisted shall be allowed thirty-five shillings to purchase a lapelled coat, and shall provide for himself other suitable cloaths, powder-horn and shot-bag, all to the acceptance of the muster-master, and on failure thereof such man shall be supplied with the same by his captain out of the aforesaid wages and bounty and the remainder shall be then paid to him; that each man so inlisted shall receive one month's pay before his march out of the Colony, and shall be seasonably supplied with a good blanket and knapsack; that the pay of both officers and soldiers, their subsistence, the time of their dismissal, and every other part of the establishment for the present levy, shall be the same as was made for the levy voted and ordered by this Assembly in March last; that each recruiting officer shall have and receive ten shillings for every man he shall inlist and that shall pass muster; that the colonel or in his absence the next chief officer of each regiment of militia in this Colony be and is hereby appointed to muster such company, the captain of which liveth within the limits of his regiment, and make up two muster-rolls and certify the same, one of which to be transmitted to his Honour the Governor and the other delivered to the captain who is commissioned for said service; that ten captains, twenty lieutenants and ten ensigns

be appointed and sorted together in the several parts of this Colony, who shall receive beating orders from his Honour the Governor and shall forthwith apply themselves to the business of inlisting and raising men for said service; [175] that such captain who shall raise twenty-five men, such lieutenant who shall raise fifteen men, such ensign who shall raise fifteen men, or who shall collectively raise such numbers, shall respectively receive the Governor's commission for the office for which he is nominated: that no company consist of more than ninety-six men nor of less than fifty men, exclusive of officers; that each company consisting of seventy men or more shall have two lieutenants, and such as shall not raise the number assigned them as aforesaid shall not be intituled to a commission; that any officers nominated who shall fail of raising such numbers as shall intitule them to commissions shall (if thereto required by this Assembly or his Honour the Governor) turn over the men they have inlisted to such officer as they shall be required and ordered to do, and accordingly deliver the inlistments of such men to the officer to whom they are turned over, and on their being dismissed shall be allowed their pay from the date of their beating-orders until the 15th day of June next and the ten shillings as aforesaid for each effective man they have inlisted and whose inlistments they shall deliver up as aforesaid; that each officer shall use his utmost diligence to inlist and raise men for said service until the fifteenth day of June next, and then make return of his doings to this Assembly or to his Honour the Governor; that whatever forces are raised by the foregoing provisions shall be joyned to the regiments already formed by the act of this Assembly in March last.

This Assembly do appoint Samuel Wells of Hartford Captain, Gideon Goodrich of Glassenbury 1st Lieutenant, Samuel Gridley of Farmington 2d Lieutenant, Roger Riley of Weathersfield Ensign, of a company in the 1st regiment.

John Hungerford of Farmington Captain, Benjamin Carter of Hebron 1st Lieutenant, Timothy Moses of Symsbury 2d Lieutenant, Amos Walbridge jun<sup>r</sup> of Stafford Ensign, of a company in the 1st regiment.

Giles Hulls of Guilford Captain, Cornelius Higgins of Hadam 1st Lieutenant, Ebenezer Belknap of Windsor 2d Lieutenant, Jonas Wild of Colchester Ensign, of a company in the 1st regiment.

James Peck jun<sup>r</sup> of New Haven Captain, Benjamin Hind of Milford 1st Lieutenant, Peter Wooster of Derby 2d Lieutenant, Stephen Marvin of Wallingford Ensign, of a company in the 2d regiment.

Benjamin Ruggles of New Milford Captain, Adam Hinman of Woodbury 1st Lieutenant, Daniel Lee of Goshen 2d Lieutenant, Noah Stevens of Canaan Ensign, of a company in the 2d regiment.

Nathaniel Hall of Mansfield Captain, Joshua Burges of Union 1st Lieutenant, William Lyman of Lebanon 2d Lieutenant, John Avery of Ashford Ensign, of a company in the 2d regiment.

Samuel Whiting of Stratford Captain, David Hamilton jun<sup>r</sup> of Sharon 1st Lieutenant, Timothy Clark of Waterbury 2d Lieutenant, Nehemiah Burr of Fairfield Ensign, of a company in the 3d regiment.

Reuben Ferris of Greenwich Captain, Timothy Lockwood of Greenwich 1st Lieutenant, Lemuel Benedict of Danbury 2d Lieutenant, Levi Taylor of Norwalk Ensign, of a company in the 3d regiment.

[176] Charles Whiting of Norwich Captain, Benjamin Creary of Voluntown 1st Lieutenant, Joseph Farnum jun<sup>r</sup> of Canterbury 2d Lieutenant, Samuel Prentice jun<sup>r</sup> of Stonington Ensign, of a company in the 4th regiment.

Nicholas Bishop of New London Captain, Daniel Griswold of Killingworth 1st Lieutenant, Wells Ely of Lyme 2d Lieutenant, Benjamin Woodworth of Groton Ensign, of a company in the 4th regiment.

*Resolved by this Assembly,* That his Honour the Governor be desired, and he is hereby desired, to supply such vacancies as may happen by any of the officers refusing to undertake in the service of the present campaign for which they were respectively appointed by this Assembly, and give commissions accordingly.

*Resolved by this Assembly,* That there be one armourer appointed for each regiment raised in this Colony for the ensuing campaign, and that each armourer that shall undertake and perform said service and provide himself with tools and utensils sufficient therefor shall be allowed six pound per month.

It being represented to this Assembly that its necessary for the good order of the army that there should be such an officer among the troops of this Colony as a brigade-major: Therefore, resolved by this Assembly, that the wages for such officer for the present campaign shall be four pounds per month.

An Act for the Supply of the Treasury.

Whereas this Assembly in its present sessions have resolved and ordered the encouragement of one thousand men



voluntarily to inlist into the service of the present campaign, whereby a large sum may become necessary to be advanced and the public treasury already exhausted by the provisions made by this Assembly in March last for levying and raising the troops then ordered: Therefore,

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That there be imprinted the sum of ten thousand pounds in bills of credit on this government equal to lawful money, of suitable denominations as the committee herein appointed shall direct, and of the same tenor of the late emissions of bills of credit of this Colony, with interest at 5 *per cent. per annum* and payable at or before the first day of May 1763, dated the day of the session of this Assembly. And the Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, John Chester, George Wylls and Joseph Buckingham, Esq<sup>rs</sup>, or any three of them, are appointed a committee for the purpose aforesaid and to take care that the said bills, or so many of them as they shall judge best, be printed, and to sign and deliver the same to the Treasurer, taking his receipt therefor. And the said committee shall be sworn to a faithful discharge of their said trust. And the Treasurer is hereby directed to pay out the aforesaid bills of credit with the interest computed thereon according to the orders of this Assembly.

And for providing and establishing an ample and sufficient fund to call in, sink and discharge the aforesaid sum of ten thousand pounds, according to an act of Parliament made in the 24th year of his present Majesty's reign,

[177] *Be it enacted by the authority aforesaid,* That a tax of two pence one farthing on the pound be and is hereby granted and ordered to be levied on all the polls and rateable estate in this Colony, according to the list thereof to be brought in to this Assembly in October 1761, with the additions, which shall be collected and paid into the treasury of this Colony by the last day of December 1762; which tax may be discharged by paying the bills emitted by this act or lawful money, and no other ways whatsoever. And the Treasurer of this Colony is hereby directed and ordered to send forth his warrants accordingly.

And whereas the said sum of ten thousand pounds may not be found necessary to be improved for defraying the expences of this Colony before the next sessions of this Assembly: Therefore,

*It is further resolved and ordered by this Assembly,* That the aforesaid committee be and they are hereby directed to take care that the said sum or part thereof be printed, signed

and delivered as the same shall be judged by them to be necessary.

Whereas this Assembly at their session in March last did enact that any person or persons who should be detached or impressed into his Majesty's service for the then ensuing campaign in the pay of this Colony should be holden as a soldier and go in said service unless he paid into the hand of the captain or other officer who detached or impressed him within twenty-four hours after he was ordered to joyn the company to which he was assigned the sum of ten pounds to be by such officer paid into the hand of the town treasurer to which he belonged for the use of such town, which penalty was designed to promote the raising men for said service, and the appropriating such money paid as a penalty as aforesaid to hire others to go in said service being the most likely means to promote that design: Therefore,

*Resolved by this Assembly,* That any officer or officers who have any such money paid to him or them on account of such penalty now in his or their hands is hereby directed and empowered to improve the same to hire any able-bodied man or men for said service, taking the advice of any one or more of the selectmen in such town. And in case any such money is paid into the hands of any town treasurer, such treasurer is hereby directed, taking the advice of the major part of the selectmen of such town therein, to pay back the same to such officer from whom he received it, to be by him improved to hire a man or men to go in said service in manner as aforesaid.

Whereas sundry persons legally warned to attend the general muster ordered by this Assembly to be attended on the sixteenth day of April last and also on such other days as were appointed by the chief officers of the military companies in this Colony soon after said 16th day, in order that a number of men might be detached or impressed sufficient to compleat the 3600 ordered by this Assembly in March last to be levied and raised for the present campaign, did refuse or neglect to appear according to such warning, and sundry others who did appear and were impressed for said service and assigned to and ordered to joyn some particular company raised for the same did utterly refuse to joyn according to such order and to attend and proceed therein according to the direction of the act of Assembly in that case provided,

*It is therefore resolved by this Assembly,* That the captains or other chief officers of the respective military companies in this Colony send, and they are hereby required speedily to

send, to the King's attornies of the respective counties to which such delinquents do respectively belong, the names of the persons so refusing to appear at such muster, and also of [178] such as refused to joyn and || attend the service as directed and ordered as aforesaid, together with such evidence thereof as they may know and discover; and said King's attornies are hereby impowered and directed to cause such delinquents to be apprehended and prosecuted agreeable to law. And if any captain or chief officer of such military company shall refuse or on any account fail to return the names of the delinquents to his company belonging with such evidence as he may know of or be able to discover, as above directed, to the King's attorney in the county to which such officer belongs, such King's attorney is hereby directed to make enquiry into the reason of such neglect or refusal, and on finding or discovering any officer to be culpable or negligent of the duty by this act required of him to make information thereof.

*Resolved by this Assembly,* That every able-bodied man who hath been in any of the former campaigns, who hath not been hired by any other person or persons but hath voluntarily inlisted or shall inlist himself to go in the present campaign in the forces already ordered to be raised on or after the sixteenth day of April last, shall be and hereby is intituled to have and receive the same bounty and encouragement as was by the act of the last Assembly granted and ordered to such soldier who did inlist himself by or before said 16th day of April last; and the Committee of the Pay-Table are hereby directed and impowered to give orders and make up the account of such soldier accordingly.

This Assembly do appoint and impower Jared Ingersole of New Haven, Esqr, residing in London, Agent and Attorney for the Governor and Company of this Colony, to solicit for and receive all such sum and sums of money as may be granted by Parliament or otherwise ordered this Colony on account of the expences incurred in the last year's campaign in obedience to his Majesty and on account of billeting the militia of this Colony raised for the protection and relief of Fort William Henry when besieged by the enemy in the year 1757, and give proper receipts therefor. And it is hereby ordered that a proper instrument of procuracy or letter of attorney be made out in the name of said Governor and Company, under the public seal and signed by the Governor and Secretary of this Colony, fully empowering the said Jared Ingersoll, Esqr, for the purpose aforesaid. And the said

Jared Ingersole, Esq<sup>r</sup>, is hereby directed on receipt of such money to lodge the same in some good and safe bank in England to lie on interest, and improve the first good opportunity to inform thereof, and to observe the further orders of this Assembly.

This Assembly do instruct Jared Ingersole, Esq<sup>r</sup>, Agent for this Colony residing in the City of London, that he settle accounts with the executors of Richard Partridge, Esq<sup>r</sup>, (deceased,) our late Agent, and receive the balance that shall be found due and execute proper receipt therefor; and in case the said executors duly pay the bills of exchange drawn by his Honour the Governor on said Mr. Agent Partridge without cost or charge thereon, that then said Mr. Partridge's account last transmitted by him be allowed to stand in the manner therein entred by him, which this Assembly apprehend they will readily comply with, since that in said account he hath charged one hundred pounds a year salary for three years past, which is sixty pounds *per annum* more than he used to charge when the business of the Colony seems not to be increased, and also for the sum of four hundred pounds for the loss of the Colony's money, which did not happen thro' any default on the part of this Colony. And that his Honour the Governor be and he is hereby desired to furnish Mr. Agent Ingersoll with the duplicate of said last transmitted account and the letter sent therewith, whereby Mr. Partridge's sense of the same will appear. And the said Mr. Agent Ingersoll is further instructed to receive into his hands all the instruments, papers and writings found in said executors hands and keeping that belong to this Colony, and take proper care about the same.

[179.] An Act to enable Tenants in Common to call their Fellow Commoners to Account for the Use and Benefit of their Common Estates.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That when two or more persons have and hold any estate or interest in this Colony in common, as joynt-tenants, tenant in common or coparceners, and part, *viz*: one or more, of the owners of such common interest shall take, receive, use or take benefit of such common interest in greater proportion than such owner or owners that so receives has and owns in the principal estate, such owner or owners so receiving such greater part, profit or benefit, his or their executors and administrators, shall be liable to render his or their reasonable account for such his or their taking, use and profit of such common interest and estate to his or their fellow-commoner or commoners, joyntly or severally, and that such their fellow-

commoner or commoners, or either of them, their executors and administrators, may and are hereby enabled to have his or their action of account against such receiver or receivers, or either of them, as their bailiffs, for receiving more than their part or proportion as aforesaid, and against their executors or administrators; any law, usage or custom to the contrary notwithstanding.

An Act in Addition to the Law entituled An Act for licensing and regulating Houses of Public Entertainment or Taverns.

Whereas in said law it is enacted that the civil authority, selectmen, constables and grand-jury-men in the respective towns in this Colony shall, sometime in the month of January, annually, nominate the person or persons whom they or the major part of them think fit and suitable to keep an house or houses of public entertainment in the said town for the ensuing year, which nomination shall be sent by them to the next county court in that county, which court shall grant licenses to the said persons and to no others: And whereas it sometimes happens that some of the persons so nominated after the said month of January die or for some reasons refuse to take licenses and keep houses of public entertainment, by means whereof some towns may be destitute of a sufficient number of taverns or houses of public entertainment,

*Be it therefore enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That whensoever it shall so happen that any person nominated as aforesaid to keep an house of public entertainment shall (after the month of January) die or refuse to keep an house of public entertainment, the civil authority, selectmen, constables and grand-jury-men in the town where such death or refusal shall happen may, on notice thereof, meet together and nominate a suitable person to keep an house of public entertainment in said town, in the room or stead of the person dying or refusing as aforesaid; and the county court in that county where such nomination shall be made shall grant a license to such person to keep a house of public entertainment until the expiration of the time set in the licenses granted by said court to such as were nominated in the month of January preceding, unless said court shall be of opinion that the number before nominated in such town is sufficient, or that the person last nominated is not qualified for said trust.

This Assembly do appoint John Ledyard and David Rowland, Esq<sup>rs</sup>, a committee to repair with convenient speed to Albany and apply to his Excellency General Amherst for a

settlement of the former account for billeting, and solicit for and receive the balance, and to settle the Colony's account with Christopher Kilby, Esqr, and pay the balance found due to him, and also to settle with Mr. Cornelius Cuyler for the money advanced by him on treasurer's notes and the interest that may be due to him, and for the blankets purchased of him for the Colony's use, and pay what they find needful at this time to be paid him therefor. And the Committee of the Pay-Table are directed to make the best computation they can [180] what sum will be necessary for the || payments proposed to be made by the committee as above directed and draw an order on the Treasurer for the same; and the said committee are directed on their return, to settle the account of the payments made by them and for their service, with the Committee of the Pay-Table, and pay the balance that may be found left in their hands to the Treasurer, taking his receipt therefor and lodge the same in the hands of the Secretary. And the said committee are hereby directed to make report of their doings to the next-sessions of this Assembly.

Whereas the officers appointed by the General Assembly of this Colony in their session in May 1746, for the then intended expedition against Canada, by licence of said Assembly drew and received out of the treasury of this Colony, each respectively, several sums of money for purchasing their cloathing suitable for their officers, and therefor gave their several bonds to the Treasurer of this Colony, conditioned that said bonds should be void only upon this government's being paid said sums by the King or the obligors: And whereas this government hath not been paid: It is therefore resolved by this Assembly, that the King's attorneys in the several counties wherein such obligors or their representatives respectively dwell be authorized, and they are hereby authorized and directed, to receive said bonds and sue for and collect the monies due thereon and pay the same to the Treasurer of this Colony, and take his receipt therefor and lodge the same with the Secretary of this Colony.

The Sums Total of Additions sent in by the Listers from the several Towns in this Colony, May 1759.

	<i>Single addition.</i>				<i>Fourfold.</i>			
New Haven,	£1200	13	2	-	-	£1225	8	0
Killingsly,	513	9	0	-	-	-	-	-
Pomphret,	1625	4	6	-	-	123	0	0
Voluntown,	256	18	0	-	-	219	5	0
New Milford,	355	7	0	-	-	-	-	-
Suffield,	365	5	0	-	-	-	-	-
Killingworth,	69	9	6	-	-	552	2	6

*Single addition.**Fourfold.*

Branford,	£78	12	0	-	-	-	£278	14	0
Colchester,	355	0	0	-	-	-	46	0	0
Salsbury,	305	13	8	-	-	-			
Newtown,	962	7	0	-	-	-			
East Haddam,	328	0	0	-	-	-			
Preston,	448	6	0	-	-	-			
Tolland,	80	0	0	-	-	-	88	8	0
Guilford,	65	3	10	-	-	-	21	1	6
Woodstock,	1255	0	0	-	-	-	144	0	0
Danbury,	285	6	3	-	-	-			
Durham,	41	5	9	-	-	-	17	12	0
Norwalk,	322	9	3	-	-	-	218	9	4
Goshen,	1			-	-	-			
Mansfield,	366	15	6	-	-	-			
Ashford,	168	0	0	-	-	-			
Lebanon,	663	3	0	-	-	-	107	14	0
Somers,	1563	11	0	-	-	-			
Stanford,	425	1	3	-	-	-	141	4	0
Milford,	624	12	3	-	-	-	584	18	0
Norwich,	207	8	6	-	-	-	1453	5	0
Haddam,	539	13	0	-	-	-	65	8	0
Farmington,	1019	18	6	-	-	-	387	16	0
Middletown,	908	4	0	-	-	-	4	0	0
[181] New Hartford,	121	4	0	-	-	-	62	8	0
Wallingford,	1403	6	6	-	-	-			
Windham,	385	14	7	-	-	-	571	3	0
Sharon,	184	7	6	-	-	-	356	0	0
Enfield,	362	4	0	-	-	-			
Bolton,	41	0	0	-	-	-	7	0	4
Saybrook,	447	11	10	-	-	-	12	0	0
Canterbury,	184	9	0	-	-	-	353	8	0
Greenwich,	2179	13	5	-	-	-	476	0	0
Litchfield,	308	0	0	-	-	-	172	12	0
Woodbury,	124	2	0	-	-	-	241	10	0
Stratford,	2385	19	5	-	-	-	100	16	0
Groton,	56	0	0	-	-	-			
Windsor,	360	8	0	-	-	-	295	0	0
Plainfield,	353	10	6	-	-	-			
Weathersfield,	515	19	11	-	-	-	251	0	0
Kent,	836	8	0	-	-	-			
Symsbury,	271	1	0	-	-	-			
Stonington,	757	16	0	-	-	-			
Hebron,	1654	1	0	-	-	-	672	6	0
Coventry,	153	0	0	-	-	-			
Fairfield,	557	2	3	-	-	-	1015	4	0

	<i>Single addition.</i>						<i>Fourfold.</i>		
Lyme,	£1957	15	0	-	-	-			
Waterbury,	247	10	0	-	-	-			
Ridgfield,	1204	12	6	-	-	-	£56	0	0
Hartford,	2157	15	0	-	-	-			
Darby,	253	16	3	-	-	-			

*Resolved by this Assembly,* That the towns of Willington, New Fairfield, Torrington and Cornwall do and they are hereby ordered to transmit to this Assembly in October next their several and respective lists properly authenticated, and the Secretary of this Colony is directed to send to the selectmen of each of the towns aforesaid for the same accordingly.

Whereas there was a number of tickets left unsold in the hands of the managers of the lottery granted by the General Assembly at their sessions in February 1757, at the time appointed by said managers for drawing said lottery, which by act of Assembly granting said lottery were to be taken and appropriated to the proper account, use and benefit of this government, and there having been no account laid before this Assembly of the prizes drawn in said lottery for the benefit of this government: It is therefore resolved by this Assembly, that Daniel Edwards, Esqr, Col. Joseph Pitkin and Capt. John Lawrence be a committee and are hereby appointed a committee, they or any two of them, to receive of said managers the tickets left unsold, and settle the account with said managers, and on receipt of the tickets left unsold in the hands of the said managers, and upon full evidence of the said managers having paid into the hands of the Treasurer the whole of the money arising on the tickets sold by said managers, give said managers a full discharge therefrom in behalf of said Colony. And the said committee are appointed and ordered to adjust the account of profit and [182] loss that may have arisen to this Colony || on the said tickets remaining unsold and appropriated to the government's use, and the benefit tickets unsold, or an attested account thereof deliver to the Secretary of this Colony, and make report to this Assembly in October next, at New Haven.

This Assembly grants to Andrew Oliver of Boston, Esqr, the sum of thirty pounds lawful money, for his care in receiving and storing the seven chests of money which Mr. Agent Partridge sent per Capt. McTaggart for account of this Colony; and the Treasurer is hereby ordered to pay the same to Jonathan Trumble, Esqr, to be remitted to him.

This Assembly do establish Mr. Solomon Phelps to be



Captain of the company or trainband in the parish of Marlborough.

This Assembly do establish Mr. Ebenezer McCaul to be Lieutenant of the company or trainband in the parish of Marlborough.

This Assembly do establish Mr. Asa Foot to be Ensign of the company or trainband in the parish of Marlborough.

This Assembly do establish Mr. Abner Lee to be Lieutenant of the south company or trainband in the town of Lyme.

This Assembly do establish Mr. Benjamin Rowland to be Ensign of the south company or trainband in the town of Lyme.

This Assembly do establish Mr. David Wells to be Lieutenant of the south company or trainband in the town of Colchester.

This Assembly do establish Mr. John Carverly to be Ensign of the south company or trainband in the town of Colchester.

This Assembly do establish Mr. Nathaniel Burr jun<sup>r</sup> to be Captain of the 2d company or trainband in the town of Fairfield.

This Assembly do establish Mr. Eleazer Osborn to be Lieutenant of the 2d company or trainband in the town of Fairfield.

This Assembly do establish Mr. Talcott Bulkley to be Ensign of the 2d company or trainband in the town of Fairfield.

This Assembly do establish Mr. Elisha Williams to be Captain of the 1st company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Joseph Webb to be Lieutenant of the 1st company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Elisha Treat to be Ensign of the 1st company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. James Gates to be Captain of the south company or trainband in the town of East Haddam.

This Assembly do establish Mr. Eleazer Brainard to be Lieutenant of the south company or trainband in the town of East Haddam.

This Assembly do establish Mr. Samuel Seaberry to be Ensign of the south company or trainband in the 1st society in the town of Lebanon.

This Assembly do establish Mr. John Hinsdal to be Captain of the 15th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Samuel Hubbard to be Lieutenant of the 15th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Samuel Galpin jun<sup>r</sup> to be Ensign of the 15th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Amos Bradley to be Ensign of the 15th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Cornelius Brooks to be Ensign of the south company or trainband in the parish of New Cheshire.

This Assembly do establish Mr. Ignatius Barker to be Lieutenant of the 2d troop of horse in the 12th regiment in this Colony.

[183] This Assembly do establish Mr. Israel Loomis to be Cornet of the 2d troop of horse in the 12th regiment in this Colony.

This Assembly do establish Mr. Ichabod Robinson to be Quarter-Master of the 2d troop of horse in the 12th regiment in this Colony.

This Assembly do establish Mr. Daniel Tracy jun<sup>r</sup> to be Captain of the 8th company or trainband in the town of Norwich.

This Assembly do establish Mr. Joseph Tracy 3d to be Lieutenant of the 8th company or trainband in the town of Norwich.

This Assembly do establish Mr. Stephen Johnson to be Ensign of the 8th company or trainband in the town of Norwich.

This Assembly do establish Mr. Obadiah Andrus to be Captain of the 1st company or trainband in the parish of Southington.

This Assembly do establish Mr. Isaac Newel to be Lieutenant of the 1st company or trainband in the parish of Southington.

This Assembly do establish Mr. David Smith to be Ensign of the 1st company or trainband in the parish of Southington.

This Assembly do establish Mr. William Manly to be Captain of the company or trainband in the parish of Wintonbury.

This Assembly do establish Mr. William Williams to be

Captain of the 4th company or trainband in the town of Stonington.

This Assembly do establish Mr. Simeon Minor jun<sup>r</sup> to be Ensign of the 4th company or trainband in the town of Stonington.

This Assembly do establish Mr. Jonathan Remington to be Lieutenant of the 2d company or trainband in the town of Suffield.

This Assembly do establish Mr. Thomas Curtiss to be Captain of the 9th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Jonathan Warner to be Lieutenant of the 9th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. John Robbins jun<sup>r</sup> to be Ensign of the 9th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Samuel Minor to be Captain of the troop of horse in the 8th regiment in this Colony.

This Assembly do establish Mr. Timothy Swan to be Lieutenant of the troop of horse in the 8th regiment in this Colony.

This Assembly do establish Mr. Samuel Walsworth to be Cornet of the troop of horse in the 8th regiment in this Colony.

This Assembly do establish Mr. Ephraim Bruester to be Quarter-Master of the troop of horse in the 8th regiment in this Colony.

This Assembly do establish Mr. Samuel Filer to be Captain of the south company or trainband in the town of Hebron.

This Assembly do establish Mr. Alexander Phelps to be Lieutenant of the south company or trainband in the town of Hebron.

This Assembly do establish Mr. Abraham Granger to be Ensign of the 2d company or trainband in the town of Suffield.

This Assembly do establish Mr. Zebulon Curtiss to be Captain of the company or trainband in the town of Torrington.

This Assembly do establish Mr. Noah Wylson to be Ensign of the company or trainband in the town of Torrington.

This Assembly do establish Mr. Ichabod Downing to be Ensign of the 6th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Samuel Northway to be

Lieutenant of the company or trainband in the parish of Northington.

This Assembly do establish Mr. Samuel Nash to be Lieutenant of the west company or trainband in the town of Goshen.

This Assembly do establish Mr. Jonathan Buel to be Ensign of the west company or trainband in the town of Goshen.

[184] This Assembly do establish Mr. Timothy Barker to be Lieutenant of the 11th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Daniel Perkins to be Lieutenant of the 2d company or trainband in the town of Enfield.

This Assembly do establish Mr. Joseph Adams to be Ensign of the 2d company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Luke Cooley to be Lieutenant of the company or trainband in the town of Somers.

This Assembly do establish Mr. Richard Bristol to be Captain of the 6th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Nathan Clark to be Lieutenant of the 6th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Arnold Tibball to be Ensign of the 6th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Abel Merrill to be Lieutenant of the company or trainband in the town of New Hartford.

This Assembly do establish Mr. Edward Scovel to be Lieutenant of the 1st company or trainband in the town of Waterbury.

This Assembly do establish Mr. James Smith to be Ensign of the 1st company or trainband in the town of Waterbury.

This Assembly do establish Mr. Abraham Fowler to be Ensign of the 2d company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Job Tyler to be Lieutenant of the 4th company or trainband in the town of Groton.

This Assembly do establish Mr. William Morgan to be Ensign of the 4th company or trainband in the town of Groton.

This Assembly do establish Mr. Samuel Marvin to be Cap-

tain of the 1st company or trainband in the town of Norwalk.

This Assembly do establish Mr. Zuriel Raymond to be Lieutenant of the 1st company or trainband in the town of Norwalk.

This Assembly do establish Mr. Ezekiel Thompson to be Captain of the 2d company or trainband in the town of Farmington.

This Assembly do establish Mr. Phineas Lewis to be Ensign of the 2d company or trainband in the town of Farmington.

This Assembly do establish Mr. Josiah Cleveland to be Captain of the 9th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Richard Ransford to be Lieutenant of the 9th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. John Brown to be Ensign of the 9th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Ephraim Pease to be Ensign of the 1st company or trainband in the town of Enfield.

This Assembly do establish Mr. Judah Woodruff to be Lieutenant of the 2d company or trainband in the town of Farmington.

This Assembly do establish Mr. Richard Cagwin to be Ensign of the 6th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Nathan Comstock to be Lieutenant of the company or trainband in Wilton parish in the town of Norwalk.

This Assembly do establish Mr. Jabez Patchen to be Ensign of the company or trainband in Wilton parish in the town of Norwalk.

This Assembly do establish Mr. Joseph Cutler to be Ensign of the 4th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Daniel Bull to be Lieutenant of the 2d company or trainband in the town of Hartford.

[185] This Assembly do establish Mr. John Woodruff to be Captain of the troop of horse in the 2d regiment in this Colony.

This Assembly do establish Mr. Benjamin Fenn junr to be

Lieutenant of the troop of horse in the 2d regiment in this Colony.

This Assembly do establish Mr. John Becher to be Cornet of the troop of horse in the 2d regiment in this Colony.

This Assembly do establish Mr. William Gould to be Quarter-Master of the troop of horse in the 2d regiment in this Colony.

This Assembly do establish Mr. James Nichols to be Captain of the troop of horse in the 1st regiment in this Colony.

This Assembly do establish Mr. Daniel Heydon to be Lieutenant of the troop of horse in the 1st regiment in this Colony.

This Assembly do establish Mr. Richard Seymour to be Cornet of the troop of horse in the 1st regiment in this Colony.

This Assembly do establish Mr. Return Strong to be Quarter-Master of the troop of horse in the 1st regiment in this Colony.

This Assembly do establish Mr. Josiah Gates jun<sup>r</sup> to be Captain of the company or trainband in the parish of New Salem.

This Assembly do establish Mr. John Fowler to be Captain of the 2d company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Richard Bryan jun<sup>r</sup> to be Lieutenant of the 2d company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Isaac Clark to be Ensign of the 2d company or trainband in the 2d regiment in this Colony.

Upon the petition of John Bannister, of Newport in the county of Newport in the Colony of Rhode Island &c., shewing to this Assembly that he bro't his action against William Williams, of Colchester in the county of Hartford, on the first Tuesday of July 1757, demanding the sum of one hundred pounds lawful money, which action was bro't on a bond given by said Williams to said petitioner for the sum of nine hundred pounds old tenor; that said action came to a final tryal at the adjourn'd county court held at Hartford on the 4th Tuesday of January 1758, when and where said Williams pleaded that before the date of the plaintiff's writ he paid and delivered to him in horses and old tenor bills to the amount of the full sum due on said bond, which facts were accordingly found by the jury on said tryal, and thereupon

said court gave judgment that said Williams should recover his cost &c.; that said petitioner has found new evidence &c.; praying for a new tryal &c. as per petition on file: Resolved by this Assembly, that said petitioner be and he is hereby granted the liberty to enter his said action at the county court to be held at Hartford in and for the county of Hartford on the first Tuesday of November next and proceed therein to another tryal on said bond, (as tho' no tryal had been,) and that the cost from the beginning follow the said final tryal; and that in case final judgment be rendered in favour of said petitioner therein, that then the court rendering the same shall also render judgment to recover back the cost already taxed in favour of said Williams as aforesaid.

On the petition of James Babcock &c., listers of the town of Stonington for the year 1757, representing to this Assembly that whereas Nathan Cheesbrough, Charles Cheesbrough, Jeremiah Cheesbrough, all of Stonington aforesaid, being duly warned to give in their respective lists for the said year according to law, neglected to give in to said listers a list of their whole estate for said year, by means whereof the said Nathan Cheesbrough was fourfolded and had to his list added £274 8s. 0*d.* and also the said Charles and Jeremiah were fourfolded the sum of £85 4s. 0*d.* for estate by them held as tenants in common, and the said Charles by himself was fourfolded the sum of £72 0s. 0*d.* and all according to law, which several sums were added to their respective lists for [186] said year and was by said listers transmitted to || the General Assembly May 1758, all which, so far as related to the said fourfold, was by the authority and selectmen of said town of Stonington abated; praying that the doings of said authority and selectmen be annulled and set aside &c. as by said petition on file: Resolved by this Assembly, that the doings of said authority and selectmen in abating said fourfold assessment be and the same is hereby declared to be null and void, and that the several constables and collectors of the said town of Stonington ordered to collect the tax arising on said list are hereby authorized and impowered to collect and receive of the said Nathan Cheesbrough and of the said Charles and Jeremiah Cheesbrough all such rates and taxes that have or may arise upon said fourfold assessment made as aforesaid, except what is already collected, and the same pay and dispose of according to the laws of this Colony in such case provided; and that all rate-bills made or to be made against the said Nathan, Charles and Jeremiah on the list aforesaid shall be made and they each

of them therein shall be rated and assessed as tho' no abatement had been made by the authority aforesaid.

Upon the memorial of Thomas Marvin of Suffield, shewing to this Assembly that he was by this Assembly at their sessions in October last past appointed ferryman to keep the upper ferry over Connecticut River in said Suffield, and that the fare of said ferry, as stated, is not a meet recompence for the trouble &c., praying this Assembly to raise the fare of said ferry: Resolved by this Assembly, that the fare of said ferry be as follows, (*viz:*) for each man, horse and load, three pence; each led horse, one penny farthing; footman, two pence; ox or other neat kine, four pence; sheep, hog or goat, one half-penny.

Upon the memorial of Bathsheba Nichols of Stratford, administratrix on the estate of John Nichols late of said Stratford, deceased, representing to this Assembly that the debts due from said estate surmount the moveables of said estate the sum of twenty-seven pounds one shilling and six pence farthing; praying that lands of said estate be sold sufficient to answer said sum of £27 1s. 6½*d.* lawful money: Resolved by this Assembly, that so much of the lands of the estate of the said deceased John Nichols be sold as that the avails thereof may answer said sum of £27 1s. 6½*d.* with the incident charges; and the said Bathsheba Nichols is hereby authorized and impowered, (taking the advice of the court of probate for the district of Fairfield,) to make sale of such lands and make deed or deeds of conveyance therefor.

Upon the memorial of John Stedman, administrator on the estate of Daniel Stedman late of Farmington, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the moveable estate the sum of £20 18s. 6½*d.* lawful money, and the memorialist having no moveables to pay the same praying this Assembly to appoint the memorialist and Solomon Cole, or some other person, to make sale of so much of the real estate as will raise the sum [187] of £20 18s. 6½*d.* &c. || Resolved by this Assembly, that the memorialist John Stedman and the said Solomon Cole be appointed and they are hereby impowered, to make sale of so much of the real estate of said deceased as to pay the sum of £20 18s. 6½*d.* and the incident charges arising thereon; taking the advice of the court of probate for the district of Hartford therein.

On the memorial of Daniel Brewer and sundry other inhabitants of Middleton, shewing to this Assembly that there is need of a stated ferry across Connecticut River from the



building yard in the north society in Middleton, called Upper Houses, to the east society, and praying that a ferry may be granted, and that said Brewer may be appointed to keep said ferry, as per memorial on file: Resolved by this Assembly, that there be granted a[nd] liberty is hereby granted to said Daniel Brewer, to keep a ferry at said place with such privileges as other ferries have in this Colony, during the pleasure of this Assembly; and that the fare of said ferry be, for man, horse and load, three pence; and for single man, a penny half-penny; and for sheep and swine, after the rate six pence a score; and for single horse a penny-half-penny; and two pence for an ox, cow, or any other neat kine.

Upon the memorial of Zechariah Blackman jun<sup>r</sup> of Stratford, shewing to this Assembly the necessity of a ferry's being kept for the conveniency of travellers passing across Stratford River at a place called Oronoke, and praying for a grant for the same and that the fare thereof may be stated &c.: Resolved by this Assembly, that the liberty of setting up a ferry at the place aforesaid be granted and liberty is hereby granted to the memorialist to set up and keep a ferry at the place aforesaid during the pleasure of this Assembly; and that the fare of said ferry shall be, for man, horse and load, three pence lawful money; and for a foot-man one penny half-penny; for a led horse, one penny farthing; for ox or other neat kine, three pence; for sheep, hog or goat, half-penny per head.

On the memorial of John Cook jun<sup>r</sup> and Sarah Cook, administrators on the estate of Benjamin Cook late of Wallingford, deceased, shewing to this Assembly that the debts &c. against the estate of the said deceased surmount the whole moveable estate of the said deceased the sum of £162 1s. 3d. lawful money, and praying this Assembly that liberty might be granted to sell so much of the real estate of the said deceased as to make said sum, as per memorial on file: Resolved by this Assembly, that liberty be granted and the said John Cook jun<sup>r</sup> and Sarah Cook are hereby impowered to make sale of so much of the real estate of the said deceased as shall raise a sum sufficient to pay said sum of £162 1s. 3d. with incident charges; taking the direction of the court of probate in the district of New Haven therein.

Upon the memorial of Joshua Whitney of Norfolk and Elnathan Ashman of Canaan in the county of Litchfield, representing to this Assembly that the memorialists complained against and prosecuted one Jacob Patingal for putting off counterfeit [188] bills of credit, and before David Whitney, Esq<sup>r</sup>, || justice

of peace for Litchfield county, obtained judgment that said Jacob should be bound over to the superior court to be held at Litchfield in August 1756, and said Jacob not procuring a bondsman for such appearance was committed to goal at said Litchfield and before the sitting of said superior court broke and escaped out of said goal, whereby the memorialists lost the cost of said prosecution; praying for relief in the premises &c. as per the memorial on file: Resolved by this Assembly, that the Treasurer of this Colony be and he is hereby ordered to pay to the said Joshua Whitney and Elnathan Ashman the sum of ten pounds out of the public treasury of this Colony, as a reward for their informing against and prosecuting the aforesaid Patingal.

Upon the memorial of Abner Sessions, one of the proprietors of Union, and the rest of the proprietors of said Union, representing that the bounds between said town of Union and the town of Woodstock have never yet been duly fixed and ascertained, and for want thereof disputes and law-suits are like to arise; praying for a committee &c.: Resolved by this Assembly, that Thomas Wells, Esqr, Messrs. Zebulon West and Benjamin Kent be a committee, and they are hereby appointed a committee, to repair to the place controverted or like to be controverted between the said towns of Woodstock and Union, and to hear the parties and the evidence of their different claims with respect to said bounds, and to set out the same where, in justice, it ought to be: (but if they shall find it to be already legally ascertain'd) that they renew the said bounds and make report of their doings and of what they find to this Assembly in October next. The doings of said committee to be at the cost of the memorialists.

Upon the memorial of Thomas Burr jun<sup>r</sup> of Hartford, representing that the debts due from the estate of Isaac Burr of said Hartford, late deceased, on which he, the said Thomas, is administrator, amount to £155 6s. 4 $\frac{3}{4}$ d. lawful money, and that said estate is all real; praying for liberty to sell &c.: Resolved by this Assembly, that the said Thomas, administrator, shall have liberty, and liberty and authority is hereby granted unto him to make sale of so much of the said real estate of said deceased as shall procure the aforesaid sum and defray the charges of said sale; taking the advice of the court of probate for the district of Hartford therein.

On the memorial of Mary Skinner, administratrix on the estate of Stephen Skinner late of Hartford, deceased, shewing to this Assembly that the debts due from said estate (with some moveables set out to his widow) surmount the personal

estate of said deceased the sum of £129 1s. 4*d.* lawful money ; praying to this Assembly to have liberty to sell so much of the real estate of said deceased as to make said sum with the charges arising on such sale, as per memorial on file: Resolved by this Assembly, that the said administratrix have liberty, and liberty is hereby granted her, to sell so much of the real estate of said deceased as to make said sum of one hundred [twenty] nine pounds one shilling and four pence lawful money with the incident charges thereon arising; taking the directions of the court of probate for the district of Hartford therein.

[189] On the memorial [of ] Stephen Winston, of Farmington in the county of Hartford, conservator of the person and estate of Daniel Winston of Farmington, shewing to this Assembly on his adjusting his accounts exhibited to the county court held at Hartford the second Tuesday of April last for what he paid of debts due from said estate &c. was allowed to him by said court to be due to balance sixty-one pounds nineteen shillings; praying for liberty that the selectmen of Farmington, or some other suitable person, may be impowered to sell so much of the land of the said Daniel Winston as to make said sum of £61 19s. 0*d.* with the incident charges thereon arising: Resolved by this Assembly, that Mr. Jeremiah Curtiss of Farmington be appointed, and he is hereby appointed and impowered, to sell so much of the lands of the said Daniel Winston as to make said sum of £61 19s. 0*d.* and the incident charges arising on such sale at public vendue after public notice shall be given twenty days, and to make and execute deed or deeds proper for conveying the title of such land to the purchaser thereof.

Upon the memorial of Susannah Wells, administratrix of the estate of Samuel Wells late of New Hartford, deceased, shewing to this Assembly that the debts due from said estate together with necessary moveables allowed to the widow surmount the moveable estate of said deceased the sum of £35 3s. 10*d.* lawful money, therefore praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay said sum: Resolved by this Assembly, that the memorialist have liberty, and she is hereby impowered, to sell so much of the real estate of the said Samuel Wells, deceased, as shall be sufficient to pay said sum of thirty-five pounds three shillings and ten pence and the incident charges of such sale, taking direction of the court of probate for the district of Hartford therein.

Upon the memorial of William Andrews of Hartford,

administrator on the estate of Timothy Andrews of said Hartford, late deceased, shewing to this Assembly that the debts and charges due from the estate of said deceased, allowed by the court of probate, surmount the moveable estate of the said deceased the sum of £48 9s. 7 $\frac{1}{4}$ d. lawful money, for the payment of which sum said memorialist has no moveables or money to pay the same; praying this Assembly to appoint said memorialist, or some other person, to make sale of so much of the real estate of said deceased as will procure said sum of £48 9s. 7 $\frac{1}{4}$ d. for payment of said debts with necessary charges arising on said sale, taking the direction of the court of probate in the district of Hartford therein: Resolved by this Assembly, that the said William Andrews be appointed, and he is hereby authorized and empowered, to make sale of so much of the real estate of the said Timothy, deceased, as shall make £48 9s. 7 $\frac{1}{4}$ d. lawful money together with the necessary charges arising thereon; taking the advice of the court of probate in the district of Hartford therein.

Upon the memorial of Nathaniel Tyler, administrator on the estate of Timothy White late of East Haddam, deceased, representing to this Assembly that the debts and charges on the estate of Timothy White late of East Haddam, deceased, as by the court of probate in the district of East Haddam is allowed, surmount the personal estate of said deceased the sum of £39 13s. 8 $\frac{1}{4}$ d. lawful money, and praying for liberty [190] to sell so much of the real estate of said deceased || as will raise the sum aforesaid with the incident charges arising thereon: Whereupon liberty is hereby granted to the said Nathaniel Tyler to sell so much of the real estate of said deceased as shall raise the aforesaid sum with the incident charges thereon arising; taking the direction of the court of probate in the district of East Haddam therein.

Upon the memorial of Ebenezer King of Suffield, shewing to this Assembly that he, said Ebenezer King, hath for many years past kept the lower ferry, otherwise called King's Ferry, across Connecticut River in said Suffield, while supposed to be in the Province of the Massachusetts, and that since the same hath fallen into this government there hath been no legal settlement thereof; praying this Assembly to grant to him the priviledge of keeping said ferry, and also to state the fare thereof: Resolved by this Assembly, that the priviledge of keeping said ferry be hereby granted to the said Ebenezer King, to keep said ferry during the pleasure of this Assembly, and that the fare thereof be as follows, *viz*: for each man, horse and load, three pence; each led horse, one

penny farthing; foot man, two pence; ox or other neat kine, four pence; sheep, hog or goat, one half-penny.

Upon the memorial of Benjamin Abel, David Hartshorn, Andrew Abel, Zebediah Hartshorn and Ebenezer Hartshorn 2d, all inhabitants of the first society in Norwich in New London county, living in the northwesterly part of said first society and at a much greater distance from the place of public worship in said first society than they be from the place of public worship in the west society in said Norwich, and praying to be set off from said first society and annexed with their estates to the said west society, as per memorial on file: Resolved by this Assembly, that the said Benjamin Abel, Andrew Abel, David Hartshorn, Zebadiah Hartshorn and Ebenezer Hartshorn the 2d be set off from said first society with their estates and annexed to the said west society by the following line: beginning at the mouth of Beaver Brook where the same falls into Shoutucket River, thence running a straight line to a heap of stones by a pine stump a little southerly from John Fillemore jun<sup>r</sup>'s dwelling-house, thence to the most easterly part of the dwelling house of the above-said David and Ebenezer Hartshorn, and from thence a straight line to a corner of New Concord Society at or in the highway that leads from Norwich to Lebanon near the dwelling-house of Josiah Backus, and the abovesaid line to be the dividing line between said first and west society; any former resolve to the contrary notwithstanding.

Upon the memorial of Mary Hurlburt of Symsbury, administratrix on the estate of Nathaniel Hurlburt late of said Symsbury, deceased, representing to this Assembly that the debts and charges due from said estate surmount the personal estate of said deceased the sum of £19 17s. 1d. lawful money, and praying that John Humphry, Esq<sup>r</sup>, and the [191] memorialist|| might be appointed and impowered to sell so much of the real estate of said deceased as to raise said sum with the incident charges arising on such sale: Whereupon the said John Humphry, Esq<sup>r</sup>, and the said Mary are hereby appointed and impowered to make sale of so much of the real estate of said deceased as to raise the sum aforesaid with the incident charges arising thereon; taking the direction of the court of probate in the district of Hartford therein.

Upon the memorial of Henry Allyn of Windsor, administrator on the estate of Caleb Horskins late of Windsor, deceast, representing to this Assembly that the debts and charges due from the estate of the deceast surmount the

moveable estate of the deceast the sum of £20 1s. 9½*d.* lawful money, for the payment whereof there is no moveable estate of the deceast; praying for liberty to make sale of so much of the real estate of the deceast as will be sufficient to procure said sum of £20 1s. 9½*d.* lawful money with the incident charges arising thereon: Resolved by this Assembly, that the said Henry Allyn be impowered, and he is hereby authorized and impowered, to make sale of so much of the real estate of said deceased as will be sufficient to procure said sum of £20 1s. 9½*d.* lawful money with the incident charges arising thereon; taking the direction of the court of probate of the district of Hartford therein.

Upon the memorial of the inhabitants of the town of New London, representing to this Assembly that the highways in the Mohegan and Indian lands in the township of New London aforesaid are not conveniently laid out and established, and that differences are subsisting about the same; praying that a committee may be appointed to repair to said lands, view and report the circumstances thereof to this Assembly: Resolved by this Assembly, that Jonathan Trumble and Joseph Fowler, Esq<sup>rs</sup>, be a committee with full power and authority to repair to the said Mohegan and Indian lands and view the lands and consider of what new highways therein may be conveniently laid out, and how those already laid out may properly be altered as to bounds and situation and from pent to open highways, and make report thereof with their opinion thereon to this Assembly in October next.

Upon the memorial of Matthew Stewart of New London, shewing to this Assembly that for many years last past he hath exercised himself in trade &c. in this Colony; that in the course of his business to carry on the same hath been obliged to contract large debts out of this Colony, which by repeated losses at sea &c. he is unable to discharge without the sale of great part of his real estate; that the situation and circumstances of his real estate is such that he cannot make sale thereof for near the value in the common and ordinary way of sale; praying for liberty to set up a lottery to raise a sum equal to the value of the lands proposed by him to be sold as aforesaid in chance to the adventurers &c., as per memorial on file &c.: Resolved by this Assembly, that said memorialist have and liberty is hereby granted him to set up and to have drawn a lottery in this Colony for the disposing of four farms of land lying in New London aforesaid, belonging to said memorialist and shewn to this Assembly by plans or maps thereof drawn by Stephen Hempstead, county surveyor of said

New London county; and John Richards, Joseph Coit, Pygan Adams and Jeremiah Miller, Esq<sup>rs</sup>, and Mr. Joseph Chew, [192] all of New London aforesaid, or any three of them, || be and hereby are appointed managers and directors of said lottery. And said managers are hereby fully impowered and directed to procure said farms to be duly appraised by true men sworn for that purpose, according to the present true and just value thereof in money, as the same is allotted in the plans aforesaid, and to take due care that the whole affair be so managed and conducted that no injustice be done to any person or persons that shall be adventurers therein. And said managers shall be sworn to a faithful discharge of their trust, and shall be allowed one hundred pounds lawful money for their trouble and to defray the charge of said lottery. Provided always and it is the true intent and meaning of this act, that no greater sum be raised than the amount of the value of said farms appraised as aforesaid together with the money that shall be put in and the aforesaid one hundred pounds to defray the charge of said lottery, and that no deduction shall be made from the fortunate tickets or prizes drawn in said lottery.

Upon the memorial of Joshua Holcomb of Symsbury, representing to this Assembly that as conservator of the person and estate of Silence Griffin of said Symsbury, that in supporting the said Silence there hath been expended over and above her earnings in the whole the sum of £18 9s. 8d. lawful money, an account whereof was exhibited to the county court held at Hartford on the second Tuesday of April 1759, and allowed and approved by said court, and that the said Silence hath no estate except unimproved lands, which can be used no other way than by sale thereof, and praying this Assembly to impower some meet person to sell so much of the said lands as shall procure said sum of £18 9s. 8d. lawful money with the incident charges arising on such sale and a further sum for the further support of the said Silence: Resolved by this Assembly, that so much of the real estate of said Silence may be sold as to raise the sum of £25 0s. 0d. lawful money, and that Mr. John Case of said Symsbury be impowered to make sale of so much of the real estate of said Silence as shall procure said sum of £25 0s. 0d. to be used and disposed of for the purpose abovesaid.

On the memorial of Jeremiah McOmber, of New Haven in the county of New Haven, shewing to this Assembly that he being appointed conservator of the persons and estate of Samuel Cooper of said New Haven and Elizabeth Cooper his wife,

said Elizabeth now deceased, and as conservator aforesaid hath expended large sums for the necessary support of said Samuel and Elizabeth, the account of which charge he exhibited before the county court in the county of New Haven, which accounts were allowed and approved by said court, by which accounts it appears that there is due to said conservator the sum of £41 14s. 6½*d.* lawful money, and praying that this Assembly would enable and empower him to sell so much of the real estate of the said Samuel Cooper as to make said sum with the incident charges, as per memorial on file: Resolved by this Assembly, that the said Jeremiah McOmb be and he hereby is enabled and empowered to sell so much of the real estate of the said Samuel Cooper as shall raise a sum sufficient to pay said sum of £41 14s. 6½*d.* with the incident charges.

On the memorial of Susannah Basset, of New Haven in the county of New Haven, administratrix on the estate of Ebenezer Basset late of said New Haven, deceased, shewing to this [193] Assembly that the debts, charge and allowances || against the estate of the said deceased exceed the whole moveable estate of the said deceased the sum of £74 0s. 8½*d.* lawful money; praying that she might be enabled to sell so much of the real estate of said deceased as to make said sum with incident charges, as per memorial on file: Resolved by this Assembly, that said Susannah Basset be and she is hereby enabled to make sale of so much of the real estate of the said deceased as to make said sum of £74 0s. 8½*d.* with a further sum sufficient to pay the incident charges; taking the direction of the court of probate in the district of New Haven therein.

Upon the memorial of Benjamin Allyn of Windsor, representing to this Assembly that he was captain of a company in an expedition towards Crown Point in the year 1756, and that he received several orders on the Treasurer of this Colony for and towards paying the first month's wages of the company under his command and also for the payment of the sum due on his muster-roll of said company, and that said Treasurer refused to make full payment of said last mentioned order, on account of an over-payment of said first orders by his, said Treasurer's, mistake, and that altho' the same had been inquired into by a committee appointed by the Assembly, yet for want of proper evidence, not then known to the memorialist, justice has not been done in said matter; praying that a committee be appointed to examine into said matter &c. as by the memorial on file appears: Resolved by this Assembly,



that Jabez Hamlin, Elihu Chauncey and Seth Wetmore, Esq<sup>rs</sup>, be and they are hereby appointed a committee with full power to examine into the matters of complaint in said memorial mentioned, and report what they shall find in the premises with their opinion thereon to this Assembly at their sessions in October next.

On the memorial of John Dyer of Canterbury, administrator on the estate of Ebenezer Dyer late of New Haven, deceased, shewing to this Assembly that in the month of November 1755, the said Ebenezer entered into the service at Fort Edward as fort-major and commissary &c. and therein continued till April 1755,\* then captivated and since deceased; praying this Assembly to state and allow wages on account of the service of said Ebenezer &c. as per memorial on file: Resolved by this Assembly, that the sum of twenty pounds be paid the memorialist out of the public treasury of this Colony, and the Treasurer of this Colony is hereby directed and ordered to pay the same accordingly.

Upon the memorial of Mary Fellows and Jonas Marsh, executors of the last will of Jonathan Fellows late of Canaan, deceased, representing to this Assembly that the debts due from the estate of said deceased surmount the moveable part of said estate the sum of twenty pounds one shilling and nine pence; praying that land be sold &c. as per the memorial on file appears: Resolved by this Assembly, that so much lands of the estate of the said deceased Jonathan Fellows be sold as that the avails thereof may be sufficient to pay said £20 1s. 9d. with the incident charges, and that Mary Fellows and Jonas Marsh have power, (taking the advice of the court of probate for the district of Sharon therein,) to sell such lands and make deed or deeds thereof accordingly.

On the memorial of Oliver Thorp, administrator on the estate of Joseph Thorp late of Wallingford, deceased, shewing to this Assembly that the debts due from the estate of Joseph Thorp late of Wallingford, deceased, surmount [194] the personal estate of said deceased sixteen pounds seventeen shillings and four pence; praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay said sum with incident charges &c.: Resolved by this Assembly, that the memorialist have and liberty is hereby granted to him, to make sale of so much of the real estate of said deceased as shall be sufficient to pay said debts with incident charges arising thereon; taking the direction of the court of probate in the district of New Haven therein.

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\* So in the record and original bill, but should be 1756.

Upon the memorial of James Herrington, administrator on the estate of Theophilus Herrington late of Norwich, deceased, shewing to this Assembly that the debts and charges allowed against the estate of said deceased surmount the personal estate the sum of £19 2s. 2½*d.* and praying for liberty to sell so much of the real estate of said deceased as to enable him to pay the said sum of £19 2s. 2½*d.* and the necessary charges arising on such sale: Resolved by this Assembly, that the said James Herrington have liberty, and liberty is hereby granted to him, to sell so much of the real estate of the said deceased as to enable him to pay the said sum of £19 2s. 2½*d.* and the necessary charges arising on such sale; taking the direction of the court of probate in the district of Norwich therein.

Upon the memorial of Jonathan Foot, administrator on the estate of David Foot late of Colchester, deceased, representing to this Assembly that the debts and charges of said deceased surmount the personal estate of said deceased the sum of £125 1s. 1¼*d.* lawful money; praying for liberty to sell so much of the real estate of said deceased as shall raise the sum aforesaid with the incident charges thereon arising: Whereupon liberty is hereby granted to the said Jonathan Foot, to sell so much of the real estate of said deceased as shall raise the sum aforesaid with the incident charges thereon arising; taking the direction of the court of probate in the district of East Haddam therein.

Upon the memorial of Osborn Stephens of Killingworth, representing to this Assembly that he lost his arm in the army in the last year's campaign when he was a soldier of this Colony; praying for a gratuity, as by his memorial on file appears: Resolved by this Assembly, that the memorialist shall have out of the public treasury of this Colony the sum of fifty pounds, and the Treasurer is hereby ordered to pay the same accordingly.

Upon the memorial of Capt. Joshua Wills of Tolland, administrator on the estate of Azariah Wills late of said Tolland, deceased, shewing to this Assembly that the said Azariah, a soldier in the service of this Colony, was captivated by the enemy on the 25th of June 1756, and carried to Canada and holden the space of about two years and five months, and in his attempt to return home sickened and died at Fort Edward, and that the sum of £5 was expended in taking care of said Azariah, beside time and trouble therein; praying an allowance &c.: Resolved by this Assembly, that there be paid out of the treasury of this Colony, and the

Treasurer is hereby ordered and directed to pay, unto the said Joshua Wills, administrator, the sum of ten pounds money for expence and trouble as aforesaid; taking his receipt therefor.

Upon the memorial of Caleb Atwater of Wallingford, shewing to this Assembly that he was a private soldier in the [195] last summer's campaign, and that || he received a shot through his left arm near his shoulder, by means whereof he hath ever since been very lame and is like to continue so, and also that he had been at considerable expence for his said wound, which said expence was likely to continue, and that his circumstances was poor and necessitous, and praying for some relief &c.: Resolved by this Assembly, that the sum of fifteen pounds be paid out of the treasury of this Colony to the said memorialist, to enable him to endeavour after a cure for his said wound.

Upon the memorial of Amos Carryl and Lucy Carryl, both of Killingly in the county of Windham, administrators on the estate of John Barret late of Killingly aforesaid, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the personal estate the sum of thirty-eight pounds eleven shillings and four pence half-penny lawful money, and now moving for liberty to make sale of so much of the real estate of said deceased as shall be sufficient to pay the sums abovesaid with the incident charges arising thereon: Resolved by this Assembly, that the said administrators have liberty to sell so much of the real estate of the said deceased as shall be sufficient to pay the sum of £38 11s. 4½*d.* lawful money with the incident charges arising thereon; taking the direction of the court of probates in the district of Pomfret therein.

Upon the memorial of Rachel Perkins, of New Haven in the county of New Haven, administratrix on the estate of Thomas Perkins late of said New Haven, deceased, shewing to this Assembly that the debts, charge and allowances against the estate of the said deceased exceed the whole moveable estate of the said deceased the sum of £25 14s. 1*d.* lawful money, and praying that she might be enabled and impowered to sell so much of the real estate of the said deceased as shall raise a sum sufficient to pay said sum of £25 14s. 1*d.* with the incident charges, as per memorial on file: Resolved by this Assembly, that said Rachel Perkins be and she is hereby enabled to make sale of so much of the real estate of the said deceased as shall raise a sum sufficient to pay said sum of £25 14s. 1*d.* with incident charges;

taking the direction of the court of probate in the district of New Haven therein.

Upon the memorial of John Warner and the rest of the inhabitants of the parish or society of Stepney in the town of Weathersfield, representing that the improvable lands within the limits of said society are small, that within a few years past a considerable tract of land called the commons had been laid out into lots lying convenient to be annexed to said society; praying that the limits of said society might be extended so as to include all that part lately commons now laid out that lies between the present limits of said society and the country road, called New Haven road, that leads from said town of Weathersfield to the parish of Kensington, together with one-half of the meadow that lieth against said society of Stepney, and that the same be annexed to said society of Stepney &c.: Resolved by this Assembly, that Thomas Wells, Jabez Hamlin and Samuel Talcott, Esq<sup>rs</sup>, be and they are hereby appointed a committee to view the circumstances of the said society of Stepney and the lands prayed to be annexed thereto, and examine the reasonableness and conveniency of their being so annexed, and to hear all parties respecting the same, and to make report to this Assembly what they shall find with their opinion upon the whole, at their sessions in October next.

[196] Upon the memorial of Benjamin Bigelow of Hartford, representing to this Assembly that it will be greatly beneficial to the public to keep two boats at Hartford ferry on Connecticut River under proper regulations for the conveniency and dispatch of travellers; that the memorialist is willing to keep such two boats under such regulations as this Assembly shall appoint, provided the said ferry be established at the ancient ferry place which the memorialist now owns, and the same be fixed as the only place of landing; that there is another place something lower on said river which has lately been used for a place of landing, which the memorialist conceives is not so convenient for said purpose and if suffer'd to be so used will be prejudicial to the public and to the memorialist; praying that a committee be appointed to view the said two places and their accommodations, and discover which of them is the most convenient and beneficial for the public &c., as per the memorial on file: Resolved by this Assembly, that Roger Wolcott jun<sup>r</sup> and William Wolcott, Esq<sup>rs</sup>, and Capt. Joel White be and they are hereby appointed a committee to repair to said ferry and to view the said two places of landing with the respective accommodations and

conveniencies thereto belonging, and to discover which of the two is most convenient and where and in what manner it will be most beneficial that said ferry be established and fixed, with all circumstances relative thereto, and report what they shall find in the premises with their opinion thereon to this Assembly or to the Assembly in October next.

Upon the memorial of Sarah Bill, of Groton in the county of New London, executrix of the last will of Benjamin Bill late of said Groton, deceased, representing to this Assembly that the debts due from the estate of the said Benjamin surmount the moveable estate of the said Benjamin £120 12s. 7d. lawful money, and that there is real estate sufficient to pay said sum; praying this Assembly to enact that lands be sold to answer said sum: Resolved by this Assembly, that so much land of the estate of the said Benjamin Bill be sold as will answer said sum of one hundred and twenty pounds twelve shillings and seven pence lawful money with the incident charges; and Luke Perkins, Esqr, of said Groton, and the said executrix are hereby impowered to sell such lands and make deed or deeds thereof accordingly; taking the advice of the judge of probate for the district of New London therein.

Upon the memorial of Deodate Davenport, Esqr, Samuel Sacket, Esqr, and others, proprietors of the east meadow (so called) in New Haven, representing that the said meadow, containing upwards of two thousand acres, is at present of very little profit or advantage to the owners thereof or to the public, by reason of the overflowing of the tide: but that by damming or dykeing out the tide and erecting a good bridge across New Haven East River, on both sides of which said meadow lies, the same might probably be made very beneficial to the public and to said proprietors, and by such bridge the village of East Haven would be connected to the town plat, to the mutual benefit of both; and altho' the major part of said proprietors have agreed to build such dyke &c. and have obtained liberty of the town of New Haven to that purpose, yet they cannot apply to the Governor and Council for a commission of sewers thereon, for that by the statute of [197] this Colony, || entituled An Act for preventing, punishing and removing nuisances in creeks, rivers and other water-courses, it is provided that no obstruction shall or may be made in said New Haven East River &c., as by said statute appears; praying for liberty to dam and dyke the said river, notwithstanding the provision of said statute, as per the memorial on file: Resolved by this Assembly, that the said pro-

prietors of said meadow (having first duly obtained a commission of sewers to that purpose according to law) and the commissioners in such commission named and appointed have, and liberty and full power is hereby given and granted to them to dam and dyke said river and to erect, keep up and maintain such dyke, dam and bridge in and across said river for the purposes aforesaid, notwithstanding the statute aforesaid and the provision therein made, but for all and any such act or transaction shall and are hereby altogether indemnified from and against all and every person whatsoever. Always provided, that the proprietors of said meadow shall also during the continuance and keeping up such dyke and dam keep up and maintain a good and sufficient cart-bridge at or near said place across said river.

Upon the memorial of Jabez Lyon and John Goodale, both of Woodstock in the county of Windham, administrators on the estate of John Goodale late of said Woodstock, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the personal estate the sum of thirty-nine pounds nineteen shillings and two pence lawful money, and moving to this Assembly for liberty to make sale of so much of the real estate of said deceased as shall be sufficient to pay the abovesaid sums with the incident charges arising thereon: Resolved by this Assembly, that the said administrators have liberty to sell so much of the real estate of said deceased as shall be sufficient to pay the said sums of £39 19s. 2d. lawful money with the incident charges arising thereon; taking the direction of the judge of probates for the district of Pomfret therein.

Upon the memorial of John Safford, of Norwich in New London county, administrator on the estate of Elijah Porter late of Coventry, deceased, shewing to this Assembly that the debts of the said deceased surmount the moveable estate the sum of fifty-four pounds five shillings lawful money, and praying for liberty to make sale of so much of the real estate of said Porter as to raise said sum of £54 5s. with incident charges of sale &c., as per memorial on file: Resolved by this Assembly, that John Safford of said Norwich be impowered and he is hereby impowered and authorized to make sale of so much of the real estate of the said Elijah Porter, deceased, as to raise the sum of fifty-four pounds five shillings lawful money with charge of sale; taking the direction of the court of probate for the district of Windham therein.

Upon the memorial of an Indian named Warrups, of Kent, shewing to this Assembly that the memorialist is owner of

two hundred acres of land which he purchased of John Read, Esqr, of Fairfield, adjoining to the west side of Ousatunick River and annexed to said Kent, and that Isaac Bull of said Kent is desirous to purchase about ten acres of said land to accommodate him in the use of some mills which he, the said Bull, hath built on said river, and that said ten acres is chiefly waste land, not fit for improvement; therefore praying this Assembly to grant the memorialist liberty to sell about ten acres of his said land adjoining to said river to the said Isaac Bull and appoint some suitable person to see justice done to the memorialist in the sale of said land and to direct in the disposal of the purchase money for his benefit [198] &c.: || Resolved by this Assembly, that the memorialist have liberty, by and with the advice of Mr. Jabez Swift of said Kent, to sell to the said Isaac Bull ten acres of his said land adjoining to said river; and the said Jabez Swift is hereby appointed to see that justice be done to the memorialist in the sale of said land, and to receive the purchase money and improve the same for the use of the memorialist in such manner as shall be most for his benefit.

Upon the memorial of Jedidiah Fay, representing to this Assembly that in the year 1758 he, being a captain in the service of this Colony near Fort Ann, was wounded in his ankle by the enemy, by means of which wound he was put to extraordinary expence and his life in danger, and that he is now a cripple and is so like to remain; praying for help from this Assembly: Resolved by this Assembly, that the memorialist have paid to him out of the treasury of this Colony the sum of £23 1s. 5*d.* on account of his extraordinary expence by reason of his said wound, and also the sum of thirty-five pound for loss of his time occasioned thereby.

Upon the memorial of Martin Smith, Noah Bartholomew, Joseph Kirby, Gilbert Hall and Abraham Kirby, inhabitants living in the southwest part of Litchfield in Litchfield county, representing to this Assembly that they live a great distance from the place of public worship in said Litchfield and near to the place of public worship in the parish of Judea in Woodbury, where they constantly attend public worship; shewing likewise that they can be well accommodated for schooling their children in said parish, and praying that they with their estates may be annexed to said parish, there to pay all parish taxes, and to be released from paying taxes for the support of the ministry, schools, building and repairing of meeting-houses in said Litchfield, as per memorial on file: Resolved by this Assembly, that the memorialists with their

estates be and they are hereby annexed to said parish of Judea, there to pay their parish taxes where they shall be deemed to belong; and they are hereby released from paying taxes for the support of the ministry, schools, (the stated grammar-school excepted,) and building and repairing of meeting-houses in said Litchfield, during the pleasure of this Assembly.

Upon the memorial of the inhabitants of the parish of New Preston in the county of Litchfield, representing that a great part of the lands within the limits of said parish or society is unimproved, that the burden of the charges of settling and supporting their minister is great; praying that the said unimproved lands may be taxed towards the defraying said charges &c.: Resolved by this Assembly, that a rate or tax of one penny half-penny lawful money per acre be laid and assessed on all the unimproved lands in said parish or society, (exclusive of what belongs to the professors of the church of England living within the same,) annually for two years next after the rising of this Assembly, to be improved to and for the use of said society and for the defraying the ministerial charges arising within the same. And James Terrill of New Milford, living in said society, is hereby appointed a collector to collect the aforesaid taxes or assessments and to pay the same unto the committee of said society: the first, by the first of November next, and the other by the first of November A. D. 1760.

Upon the memorial of Josiah Brownson and Susannah Drinkwater, administrators of the estate of William Drinkwater [199] late of New Milford, || deceased, shewing to this Assembly that there hath appeared debts due from said estate to the amount of ten pounds three shillings and eleven pence since liberty was granted by this Assembly to sell lands for payment of debts then appearing to be due from said estate, and that there is no personal estate of the said deceased to pay the same, therefore praying for liberty to sell so much of the remaining real estate of said deceased as shall be sufficient to pay said sum: Resolved by this Assembly, that the memorialists have liberty and they are hereby empowered to sell so much of the remaining real estate of the said William Drinkwater as shall be sufficient to pay said sum of £10 3s. 11d. and the incident charges of such sale; taking direction of the court of probate for the district of Woodbury therein.

Upon the memorial of Sarah Johnson, administratrix on the estate of Elijah Johnson late of Colchester, deceased, representing to this Assembly that the debts and charges on



said deceased's estate, as allowed by the court of probate for the district of East Haddam, surmount the personal estate of said deceased the sum of £14 12s. 9*d.* lawful money; praying for liberty to sell so much of the real estate of said deceased as shall raise the sum aforesaid with the incident charges arising thereon: Whereupon liberty is hereby granted to the said Sarah Johnson to make sale of so much of the real estate of said deceased as shall raise said sum with the incident charges thereon arising; taking the direction of the court of probate in the district of East Haddam therein.

Upon the memorial of Josiah Bissel and others, inhabitants of the first society in Windsor living on the north side of the rivulet in said society, praying that the said society may be divided by the said rivulet into two ecclesiastical societies, and that a committee may be appointed to examine into the present state of said society and the interests and immunities belonging to the same, and report their opinion thereon: Granted and ordered by this Assembly, that Richard Lord, John Tully and Ebenezer Wales, Esq<sup>rs</sup>, be and are hereby appointed a committee to repair to the said first society in Windsor and view and consider the circumstances of the same, and also the state and circumstances of Poquonuck society in said Windsor, and notify the inhabitants that they may be heard and confer with relation to the last-mentioned society, and treat with them concerning any addition that may be made from that society, and also as occasion shall require hear the said first society concerning the interests and immunities belonging to the same, and make report of their opinion on the whole to this Assembly in October next.

Upon the petition of Tobey Seegogen, Moses Chunks, Daniel Cochets and others, all Pequot Indians living in Groton in the county of New London, who are called the Massantucksett Tribe, representing that they brought their action (sueing by their overseers, John Richards and Daniel Coit, Esq<sup>rs</sup>,) against William Williams jun<sup>r</sup> of said Groton, to the county court held at Norwich in the county of New London by adjournment on the first Tuesday of February 1758, demanding the surrendry of a certain tract or parcel of land in said Groton, containing about eighty-three acres and ninety rods, lying in said Groton, parcel of a larger tract, as in the original writ is more fully described, therein alledging that the said Indians in the year 1725, and long before, were seized in fee of the said large tract of which the said demanded [200] eighty-three acres || and ninety rods was part &c.;

that said action by appeal and review came to a final tryal at the superior court held at New London in the county of New London in September 1758, on the plea of not guilty; that the jury found the said William Williams jun<sup>r</sup> not guilty, and that judgment thereon was rendered by said court for the said Williams to recover his cost &c.; complaining that the jury missed the law, and praying for another tryal of said cause &c.: Resolved by this Assembly, that the petitioners may be allowed and they shall have liberty of another tryal in said action at the superior court to be held at New London in the county of New London on the fourth Tuesday of September next, and that the whole cost follow the final judgment that shall be given in said action; and that in case final judgment be rendered in favour of said petitioners, said cost tax in favour of said Williams be collected, said court shall tax the same sum in favour of said petitioners and render judgment accordingly.

Upon the memorial of John Clap and others, inhabitants of the town of Greenwich, representing to this Assembly that they had expended sixty-nine pounds ten shillings in maintaining one Robert Cromwell, a poor, infirm, decrepid boy, from the 27th day of September 1755, till some time in the spring of the year 1758, which as matters then appeared belonged to this Colony to pay; praying for said sum, and that the Treasurer of this Colony may be ordered to pay the same, saving seven pounds ten shillings paid to Doctor Mead, as by the memorial on file appears: Resolved by this Assembly, that the memorialist shall have the sum of sixty-two pounds out of the public treasury of this Colony for defraying said charges, and the Treasurer of this Colony is hereby desired and ordered to pay the same accordingly.

Upon the memorial of William Warner, of Windham in the county of Windham, administrator on the estate of Thomas Warner late of Ashford in said county, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the personal estate the sum of thirty-one pounds nineteen shillings and four pence one farthing lawful money, and moving to this Assembly for liberty to make sale of so much of the real estate of said deceased as shall be sufficient to pay the abovesaid sum with the incident charges arising thereon: Resolved by this Assembly, that the said administrator have liberty to sell so much of the real estate of said deceased as shall be sufficient to pay the said sum of £13 19s. 4½d. lawful money with the incident charges arising thereon; taking the direction of the judge of probate in the district of Pomfret therein.

Upon the memorial of Eliab Farnam and Phebe Killam, administrators on the estate of Jephtha Killam late of Preston, deceast, shewing to this Assembly that the debts due from said estate surmount the personal estate of said deceast the sum of £112 1s. 6¼*d.* lawful money, and praying for liberty to sell so much of the real estate of said deceast as to make said sum &c.: Resolved by this Assembly, that the memorialists have liberty, and liberty is hereby granted unto them, to make sale of so much of the real estate of the said deceast as to make said sum of £112 1s. 6¼*d.* lawful money with the incident charges arising thereon; taking the direction of the court of probate in the district of Norwich thereon.

Upon the memorial of Joseph Nickerson, of Ridgfield in the county of Fairfield, shewing to this Assembly that by discharging a gun he had the misfortune to have his left [201] thumb blown away and his hand greatly || disenabled, whereby he is rendered uncapable of doing any labour for his livelyhood; praying this Assembly to grant license to him to use the pedlar's trade within this Colony without paying anything therefor as the law directs, as per memorial on file: Resolved by this Assembly, that he have license, and license is hereby granted to the said Joseph Nickerson to use the pedlar's trade within this Colony for the space of two years next ensuing, without paying anything for said license.

Upon the memorial of William Stevens, executor of the last will of Ebenezer Prindle late of Fairfield, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the moveable estate the sum of £5 8s. 11¾*d.*, and praying for liberty to sell so much of the real estate of said deceased as will be sufficient to pay said sum &c.: Resolved by this Assembly, that the said William Stevens have liberty and he is hereby impowered to sell so much of the real estate of said deceased Ebenezer Prindle as will pay and satisfy the aforesaid sum of £5 8s. 11¾*d.* with the incident charges arising on such sale; taking direction from the court of probate in Fairfield district therein.

Upon the memorial of Jonathan Cooley of Fairfield, administrator on the estate of Joseph Whitlock late of said Fairfield, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the moveable estate the sum of £49 11s. 6*d.* lawful money, and praying for liberty to sell so much of the real estate of said deceased as will be sufficient to pay and satisfy said sum &c.: Resolved by this Assembly, that the said Jonathan Cooley have liberty and he is hereby impowered to make sale of so much of the real

estate of the said deceased Joseph Whitlock as will pay said sum of £49 11s. 6*d.* with the incident charges arising on such sale; taking directions of the court of probate in the district of Fairfield therein.

Upon the memorial of Jonathan Smith, administrator on the estate of John Smith late of Woodbury, deceased, shewing to this Assembly that the debts due from said estate surmount the moveable part of said estate the sum of £36 2s. 10*d.* lawful money, and praying for liberty to sell so much of the real estate of said deceased as to make said sum &c.: Resolved by this Assembly, that the memorialist have liberty and liberty is hereby granted unto him to make sale of so much of the real estate of the said deceased as to make said sum of £36 2s. 10*d.* lawful money with the incident charges arising thereon; taking the direction of the court of probate for the district of Woodbury therein.

Upon the memorial of Benjamin Bull, of Milford in New Hartford [*Haven*] county, shewing to this Assembly that he is conservator of the person and estate of his mother, Mrs. Sybbil Bull of said Milford, and that for keeping and providing for his said mother he hath expended the sum of £34 16s. 9*d.* lawful money more than the rents of her estate, that being only in houses and lands, and praying for liberty to sell so much of said real estate as to satisfy the said sum of £34 16s. 9*d.* with the incident charges arising thereon: Resolved by this Assembly, that the memorialist have liberty, and liberty is hereby granted to the memorialist and he is hereby fully authorized and impowered, to sell so much of the said Sybbel's real estate as shall amount to the aforesaid sum of £34 16s. 9*d.* as aforesaid, with the incident charges arising thereon, and to give and execute a deed or deeds for the same.

[202] On the memorial of John Law, shewing to this Assembly that there had been a prosecution at Albany and recovery against him for expence of Mr. Commissary Elihu Lyman's funeral, and that he must suffer the loss of that expence; praying for relief: Resolved by this Assembly, that the Committee of the Pay-Table be and are hereby directed to adjust the accounts that may be produced relative only to the funeral expences of said Mr. Lyman and the cost arisen thereon, and order payment out of the public treasury for the same.

Upon the memorial of Ebenezer Hickox, Lemuel Beebe and other inhabitants of the south part of Danbury, representing that their distance from the place of public worship in said town is such that they cannot conveniently attend thereon

with their families &c., and praying that the first society in said town be divided and of part thereof a new one erected according to certain bounds set forth in said memorial &c.: Resolved by this Assembly, that Capt. John Hitchcock of New Milford, Mr. Samuel Olmsted of Ridgfield, and Mr. William Lee of Fairfield, be and they are hereby appointed a committee to repair to said Danbury, to view the said first society and the situation and circumstances of the memorialists in regard to the need and conveniency of their being set off and made a distinct society, and to hear all parties concerned therein, and to make their report with their opinion on the premises to this Assembly in October next.

Upon the memorial of Edward Church and John Church, both of Lyme, administrators on the estate of John Church late of Lyme, deceased, shewing to this Assembly that the debts paid, allowances to the widow for necessaries, court fees, debts still due from the estate of said deceased, surmount the personal estate of said deceased the sum of £78 10s. 1*d.* lawful money; praying for liberty to make sale of so much of the lands of said deceased as shall amount to the sum of £78 10s. 1*d.* L. money, with the incident charges arising on such sale &c., as per memorial on file: Resolved by this Assembly, that said Edward Church be and he is hereby appointed and empowered to make sale of so much of the real estate of said deceased as shall amount to the sum of seventy-eight pounds ten shillings and one penny lawful money with the incident charges arising on such sale; taking the direction of the court of probate for the district of New London therein.

Upon the memorial of Abigail Beckwith of Lyme, administratrix on the estate of Philip Beckwith late of said Lyme, deceased, shewing to this Assembly that the whole inventoried estate of said deceased amounts to the sum of £52 12s. 0*d.* L. Money; that the debts paid by said administratrix, court fees, allowances to the widow, with debts still due from said estate, amount to the sum of £69 5s. 2*d.* lawful money; praying for liberty to make sale of the lands of said deceased for the payment of said debts &c. as per memorial on file: Resolved by this Assembly, that the said Abigail Beckwith be and she is hereby appointed and empowered to make sale of the said lands of said deceased for the purpose aforesaid.

[203] Upon the memorial of Samuel Huntley of Lyme, executor to the last will and testament of Joseph Huntly late of Lyme, deceased, shewing to this Assembly that the debts and charges due from the estate of said deceased surmount the personal estate of said deceased the sum of £43

17s. 1*d.* L. money ; praying that some suitable person may be appointed to make sale of so much of the lands of said deceased as shall amount to the sum of forty-three pounds seventeen shillings and one penny lawful money with the incident charges arising on such sale, as per memorial on file &c.: Resolved by this Assembly, that the aforesaid Samuel Huntley be and he is hereby appointed and impowered to make sale of so much of the lands of said Joseph Huntley, deceased, as shall amount to the sum of forty-three pounds seventeen shillings and one penny lawful money with the incident charges arising on such sale; taking the direction of the court of probate for the district of New London therein.

Upon the memorial of John Marvin of Lyme, administrator on the estate of Adonijah Marvin late of said Lyme, deceased, shewing to this Assembly that the debts paid by said memorialist, court charges and debts still due from the estate of said deceased surmount the personal estate of said deceased the sum of £31 12s. 7*d.* lawful money ; praying that some suitable person might be appointed to make sale of so much of the lands of said deceased as shall amount to the sum of £31 12s. 7*d.* lawful money with the incident charges arising on such sale: Resolved by this Assembly, that said John Marvin be and he is hereby appointed and impowered to make sale of so much of the lands of said deceased as shall amount to the sum of thirty-one pounds twelve shillings and seven pence lawful money with the incident charges arising on such sale; taking the direction of the court of probate for the district of New London therein.

Upon the memorial of Caleb Bennit of Lyme, administrator on the estate of Caleb Bennit of Lyme, deceased, shewing to this Assembly that the debts, charges &c. due from the estate of said deceased surmount the personal estate of said deceased the sum of £69 19s. 1*d.* lawful money ; praying that some suitable person be appointed to make sale of so much of the lands of said deceased as shall amount to said sum of sixty-nine pounds nineteen shillings and one penny lawful money &c. as per memorial on file: Resolved by this Assembly, that said memorialist be and he is hereby appointed and impowered to make sale of so much of the lands of said deceased as shall amount to the sum of sixty-nine pounds nineteen shillings and one penny lawful money with the incident charges arising on such sale; taking the direction of the court of probate for the district of New London therein.

Considering the awful aspect of Divine Providence on the protestant nations in the distressing calamities attending the

present war, and particularly on our nation, which, notwithstanding the instances of success on his Majesties arms, yet remains involved therein against a powerful enemy: Resolved by this Assembly, that his Honour the Governor be desired to issue a Proclamation for the observation of a day of Fasting and Prayer throughout this government, suitable to such important and interesting events and prospects.

[204] *Resolved by this Assembly,* That his Honour the Governor be desired to receive from the respective clerks of the county courts in this Colony copies of the judgment or judgments by such court affirmed against any officer or officers in his Majesty's regular forces for neglecting and refusing to deliver over to be taken by the civil authority any soldiers that have been or shall be properly demanded to be held by such civil authority, and transmit the same as the act of Parliament in such cases provides; and his Honour is hereby desired accordingly.

*Resolved by this Assembly,* That Col. David Whitney, Col. John Pitkin and Mr. William Wells be and they are hereby appointed a committee with full power and authority to lay out and make plain and certain the said new country road; and they are hereby directed to begin at or near the said mansion-house of the said deceased Samuel Humphrys in Symsbury, and thence to proceed according to the general course of said new prickt way towards Col. David Whitney's now dwelling-house in Canaan, and by substantial and durable monuments effectually to describe and make plain said highway, making and describing the same to be four rods wide and generally neither more nor less, saving only and excepting in all places where in avoidance of any immoveable or insuperable difficulty or observation it prove necessary they are on best discretion to make such occasional variations, either in the course or width thereof, as they find needful; and all such their doings to make sufficiently plain and certain; and to that purpose they are (at the place where they are first to begin) to erect or make some notable and durable monument on either side said way, and such like monuments also thenceforward make the distance of eighty rods on all straight lines and on every angle or occasional turn of said way shall such monuments be carefully made in such manner as that the same may long endure plain and incontestable evidence of the course and extent of such road as well as of the limits of all the lands abutting or to be abutted or bounded thereon.\*

Whereas the river called and known by the name of Hommosset River is the bounds or dividing line between the towns of Guilford and Killingworth, and that whereas said river

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\* For a more complete and correct copy of this act see pages 299-300.

in the great swamp called and known by the name of the World's End Swamp divides into many branches or rivulets and the true dividing branch never was agreed upon and settled by said towns through said swamp, and it being represented to this Assembly that the said swamp in those months by law prefixed for perambulating the line or renewing bounds between towns is impassable, it being frequently overflowed with water: Therefore it is resolved by this Assembly, that the towns of Guilford and Killingworth have liberty and liberty is hereby granted them to fix and renew their bounds through said swamp in any month or season in the year, and that the same shall be as valid as tho' the same should be done in the months of March and April; any law, usage or custom to the contrary notwithstanding.

This Assembly being advised that the road or way now travelled in from Hartford to New Haven through the townships of Weathersfield, Farmington, Middleton and Wallingford is very crooked and indirect, and is in many places and respects ill chosen and unfit for use, and that some betterments of said road thro' said townships or some of them may probably be, whereby the same may be made more direct and [ 205 ] convenient as well || for carriages as travelling, to the great accommodation and benefit of all his Majesty's subjects occasionally travelling thro' said townships to said New Haven: It is thereupon resolved, that Jabez Hamlin and Seth Wetmore of Middleton, Esq<sup>rs</sup>, and Mr. William Wells of Glassenbury be, and they are hereby, appointed a committee, as soon as conveniently may be, to repair to said Hartford and from thence to and thro' said townships of Weathersfield, Farmington, Middleton and Wallingford, and with all care and diligence to view and observe said road now used in the various crooks and notable turns thereof, and them duly to note, and also with utmost care to find out how and where it may be practicable to shorten and better said way in whole or in part, and a full description thereof with their doings thereon to make report to this Assembly in October next, or to any intervening sessions thereof that may happen.

Whereas the General Assembly in May last having before them in the custody of the officer, by virtue of an arrest for that purpose issued upon the complaint and information of the King's attorney, one Phineas Cook of Wallingford, made a decree and gave judgment against the said Cook in favour of this Colony for the sum of sixty-nine pounds ten shillings for the charge of keeping and providing for one Robert Cromwell, which was cast upon this government when it



belong'd to said Cook to pay, and also for £3 8s. 9d. cost of prosecution, and that said Cook should become bound to secure the government from future charges, and the said Cook without leave of said Assembly absconded and went at large against the will of the said Assembly and this government, and hath not fulfilled and performed said decree: Resolved by this Assembly, that the Secretary of this Colony issue out a writ of arrest against the said Cook under his hand and office, directed to some proper officer or officers, commanding them in his Majesty's name to arrest the body of said Cook and him hold in custody till he shall comply with said decree.

Upon the representation of Robert Walker, King's attorney for the county of Fairfield, that there is a tract of land and real estate lying in the township of Stratford in said Fairfield county, belonging to the Governor and Company of this Colony, taken for said Governor and Company from Jabez Beardslee of said Stratford by execution on a judgment of the adjourned county court held in Fairfield on the fourth Tuesday of January 1758: It is thereupon resolved by this Assembly, that said lands and estate be sold and the avails thereof delivered into the treasury of this Colony for the government's use, and that Col. Robert Walker be a committee to sell said lands and make deed or deeds for that purpose and transact that affair.

This Assembly appoints Thomas Wells, Esq<sup>r</sup>, Col. Samuel Talcott and Mr. John Whiting a committee to receive, examine and adjust the accounts of the towns of Milford, Stratford, Fairfield, Norwalk and Stanford, respecting the quartering his Majesty's 48th regiment of foot the winter past and providing of fire-wood &c. for a guard-house and hospital in each of said towns, and what they find due to balance said accounts make report to this Assembly.

*Resolved by this Assembly,* That the Colony brig Tartar, with all her tackle, furniture and appurtenances, be sold to the best advantage of this government, and that Hezekiah Huntington and Jabez Hamlin, Esq<sup>rs</sup>, be and they hereby are appointed a committee in the name and behalf of this government to transact said business with all convenient speed in such way and manner as to them may be tho't best, (saving only and reserving the warlike stores and implements thereto belonging to the further order and disposal of this Assembly,) and to such purpose all necessary instruments in writing to execute, and all such moneys as they in negotiating and transacting said affair shall receive deliver to the Treas-

urer of this Colony, taking his receipt thereof, and the [206] same || together with securities as they in executing their said trust may see fit to take, to lodge with the Secretary of this Colony, and of their proceedings in the premises to this Assembly to make report.

*Ordered*, That the Treasurer of this Colony pay out of the public treasury to Capt. Titus Hurlburt of New London the sum of twenty-eight pounds eleven shillings, in full of his account now laid before and allowed by the Assembly for his service in taking care of the battery and warlike stores belonging thereto at New London and for his disbursements to supply said battery with sundry necessaries from May *Anno Dom.* 1752 to this time.

*Resolved by this Assembly*, That Capt. Titus Hurlburt of New London be desired, and he is hereby desired and fully impowered, to ask, demand, recover and receive of any person or persons, any or all the warlike stores that did belong to the Colony sloop Defence or to the Colony brigantine Tartar, and to take effectual care that the same may be well secured for the benefit of this Colony, and to make an exact inventory of such stores and send the same with his account to the General Assembly at their sessions in October next. And the said Titus Hurlburt is directed to enquire of any of the officers that did belong to either of said vessels what stores were left when said vessels were ordered to be laid up.

Whereas there have been three prosecutions of the officers of his Majesty's regular forces cantoned and quartered in this government for transgressing the act of Parliament in not delivering over to the civil authority such soldiers as were informed against and complained of for misdemeanors upon proper and legal demand, two of said prosecutions being had by Robert Fairchild and Agur Tomlinson, Esqrs, justices of the peace for the county of Fairfield, against Sir James Cockburn, captain in the 48th regiment, and confirmed in and by the county court held in Fairfield on the third Tuesday of April last, and the other against William Edmenston a captain also in said regiment, had by John Hubbard and Thomas Darling, Esqrs, justices of the peace, and confirmed by the county court held in New Haven on the first Tuesday of April last, and there being cost arose by said prosecutions, and if said prosecutions shall be carried on and effectuated some more cost will arise: It is therefore resolved by this Assembly, that such cost as shall and may be allowed and taxed by the said respective county courts shall be paid out of the public treasury of this Colony, and the Treasurer is hereby ordered to pay the same accordingly.

This Assembly do appoint Eliphalet Dyer, Esq<sup>r</sup>, to be Lieutenant-Colonel of the fifth regiment in this Colony.

This Assembly grants to his Honour the Governor the sum of sixty-six pounds for his first half-year's salary the current year, and the Treasurer is hereby ordered to pay the same accordingly.

This Assembly grants to his Honour the Governor the sum of sixty pounds for his extraordinary services the last half-year, and the Treasurer is hereby ordered to pay the same accordingly.

This Assembly grants to his Honour the Deputy Governor the sum of thirty-three pounds for his first half-year's salary the current year, and the Treasurer is hereby ordered to pay the same accordingly.

This Assembly grants to the Hon<sup>ble</sup> Thomas Fitch, Esq<sup>r</sup>, Governor, the sum of forty pounds for his care and service relative to the Colony's monies in the hands of Mr. Agent Partridge in England &c. and for drawing bills of exchange on the said Agent for the sum ordered to be negotiated in that manner by direction of this government.

[207] This Assembly grants to George Wyllys, Esq<sup>r</sup>, the sum of twenty pounds for his salary as Secretary of this Colony the last year, and the Treasurer is hereby ordered to pay the same accordingly.

This Assembly grants to Joseph Talcott, Esq<sup>r</sup>, the sum of one hundred pounds for his service as Treasurer of this Colony the year past, and the Treasurer is hereby ordered to pay the same accordingly.

This Assembly grants to Joseph Talcott, Esq<sup>r</sup>, the sum of thirty pounds for his extraordinary services as Treasurer of this Colony the year past, and the Treasurer is ordered to pay the same accordingly.

*Ordered*, That the Treasurer of this Colony pay out of the public treasury unto Mr. Timothy Green, printer to the Governor and Company, the sum of twenty-nine pounds seventeen shillings for his last half-year's salary and in full for sundry other services mentioned in his account now exhibited and allowed by this Assembly.

This Assembly appoints John Chester, Thomas Wells, Roger Wolcott jun<sup>r</sup> and Daniel Edwards, Esq<sup>rs</sup>, Col. Joseph Pitkin and Col. Samuel Talcott, to attend his Hon<sup>r</sup> the Deputy Governor at this place, to hear the records of the acts and doings of this Assembly publicly read and see the same signed by the Secretary as perfect and compleat.

An Act for making and naming a new District for a Court of Probate in this Colony and erecting a Court of Probate therein.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That the towns of Tolland, Stafford, Willington, Somers, Union and the parish of Ellington in Windsor, shall be one district of and for a court of probate, and shall be called and known by the name of the District of Stafford, and that in the said district there shall be a court of probate held by one judge to be appointed and commissioned for that purpose according to law, who shall have a clerk by him to be appointed and sworn to that office; which court shall have and exercise the same powers, authorities and priviledges that the other courts of probate in this Colony have by law, and all appeals from said court of probate shall be regulated and governed according to the order and directions of the law respecting appeals from the courts of probate in this Colony.

*Provided nevertheless,* That all matters and business that have been begun, entered or are depending in either of the courts of probate in the district of Hartford or Pomfret shall be issued and finished in such courts respectively where begun, entered or depending, as tho' this act had not been made; anything therein contained notwithstanding.

Upon the memorial of Timothy Edwards, Susannah Edwards, Eunice Edwards, Jonathan Edwards, Elizabeth Edwards and Pierpont Edwards, who are all minors and under the age of twenty-one years and are six of the children of Mrs. Sarah Edwards of Stockbridge in the county of Hampshire and Province of the Massachusetts Bay, late deceased, who appear by their next friend Mr. Timothy Dwight junr, of Northampton in the county of Hampshire and Province aforesaid, representing that the said Mrs. Sarah Edwards, their mother, by her last will and testament, dated the second of October A. D. 1758, did devise and bequeath all her estate both real and personal (excepting some small specifick legacies) to be divided equally between her nine children, *viz*: Sarah Parsons, Mary Dwight, Lucy Edwards and the memorialists; that at the time of said devise the said testatrix was seized (in common) of the moiety or half part of a certain messuage in the town of Hartford and Colony of Connecticut, containing in the whole about three acres, which was lately the dwelling-house and homestead of her kinsman Mr. Thomas [208] Hooker, || deceased, bounded east on the land of Mrs. Mary Clapp, west on the homestead lately belonging to Mr. John Austin, deceased, north mostly on the land of Daniel

Skinner, and south on the highway; as also of a small interest in that tract called the Five Mile, which moiety of said message and premises is by said devise become the estate of the said nine children, of whom the memorialists are six, in such proportion that they each hold in common and undivided one eighteenth part of the whole, and no more; that the circumstances of said message especially are such as render it advisable to sell it rather than to repair the buildings thereon, which would be even beyond the present ability of the memorialists to do, and that they have need of disposing of some part of their estate to promote their education; and praying that the said Timothy Dwight jun<sup>r</sup> and the said Timothy Edwards may be impowered to sell said message and premises &c. : Resolved by this Assembly, that the aforesaid Timothy Dwight jun<sup>r</sup> and the said Timothy Edwards shall have power, and full power and authority is hereby granted unto them, to make sale of the memorialists' whole right and share in the aforesaid message and in the said Five Miles, so called, by deed or deeds under their hands and seals upon their giving sufficient security to the judge of the court of probate for the district of Hartford, to be lodged in the office of the clerk of said court, that the avails of such sale shall be paid or disposed of to the use and benefit of said memorialists in proportion according to the devise in said will, and that such sale or sales of the premises being duly made by proper deed or deeds in due form of law executed and compleated shall to all intents and purposes be effectual for the transferring and conveying of the memorialists' whole right in the said message and premises unto the person or persons that shall so purchase or have the same, their heirs and assigns.

Whereas this Assembly at their sessions at Hartford in May last did appoint Col. John Pitkin, Col. David Whitney and Mr. William Wells, together with Seth Wetmore, Esq<sup>r</sup>, or any three of them, to be a committee to repair to the towns of Symsbury, New Hartford and Norfolk, and (if need should be) to the towns adjacent, carefully to view and observe the road or way at present used thro' said towns towards the norwestern part of Canaan, and to explore and find out how or where any other shorter or better way, in whole or in part, might be practicable, and a full description thereof with their opinion thereon to exhibit and report to the then next General Assembly: And whereas the said committee having not been able to attend said business were again by this Assembly in their session at New Haven in October last

anew appointed and instructed thereto, and accordingly to this present Assembly reported as follows, *viz*: We did in the month of April last repair to the abovesaid towns and towns adjacent and view the road now used, and with care and diligence have taken pains to find out a shorter and as good or better road thro' said towns, and we find that a straight line from the State House in Hartford to Col. Whitney's in Canaan is about west  $36^{\circ}$  north, and we find that the road now used thro' the green woods in the said towns is much south of a straight line and the prickt road we have now viewed and report in favour of opening, whose greatest distance either north or south from a straight line is not more than two miles, which road last described we are of opinion will be shorter and a better road than what is now used; and with this our report we committ to this Hon<sup>ble</sup> Assembly a plan of the abovesaid towns and the road prickt thereon as direct as we can: And whereas the said new road viewed and recommended and on said plan prickt and pointed out (as by said plan now lying before this Assembly) is drawn beginning at the State House in Hartford, thence extending west about  $36^{\circ}$  degrees north to the dwelling house of Giles Pettibone in the township of Norfolk: And whereas all such part of said described road as is lying between said State House and the mansion-house of Lt. Samuel Humphrys, late of Symsbury, deceased, is and has been heretofore ascertained and brought into use,

*Resolved by this Assembly,* That Col. David Whitney, Col. John Pitkin and Mr. William Wells be and they are hereby appointed a committee with full power and authority to lay out and make plain and certain the said new country road, and they are hereby directed to begin at or near the said mansion-house of the said deceased Samuel Humphrys in Symsbury, and thence to proceed according to the general course of said new prickt way toward Col. David Whitney's now dwelling-house in Canaan, and by substantial and durable monuments effectually to describe and make plain said highway, making and describing the same to be four rods wide and generally neither more nor less, saving only and [209] excepting in all places where in avoidance of any immoveable or insuperable difficulty or obstruction it prove necessary, they are on best discretion to make such occasional variations either in the course or width thereof as they find needful; and all such their doings to make sufficiently plain and certain. And to that purpose they are (at the place where they are first to begin) to erect or make some notable and durable monuments on either side said way, and such

like monuments also thenceforward make at the distance of eighty rods on all straight lines, and on every angle or occasional turn of said way shall such monuments be carefully made, in such manner as that the same may long endure as plain and incontestable evidence of the courses and extent of such road as well as of the limits of all the lands abutting or to be abutted or bounded thereon.

Upon the petition of John Knap, of Stanford in the county of Fairfield, *vs.* Jonathan Hoit, Jonathan Maltbie, Esq<sup>rs</sup>, and Jonathan Clauson, all of Stanford aforesaid, as on file, the question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondents is £2 12s. 10d. lawful money. Ex. granted Oct. 20th 1759.*

On the petition of Thomas Pierce, of Plainfield in the county of Windham, and the rest of the inhabitants of said Plainfield, *vs.* Mr. David Rowland of said Plainfield, (clerk,) as on file, the question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent is £2 4s. 2d. Ex. granted June 8th 1759.*

Upon the petition of Abner Burroughs, of Windsor in the county of Hartford, *vs.* Mary Belknap of Windsor aforesaid, executrix of the last will and testament of Samuel Belknap late of Windsor aforesaid, deceased, as on file, the question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent is £1 17s. 8d. Ex. granted June 8th 1759.*

On the petition of John Chedle, of Ashford in the county of Windham, *vs.* Thomas Chittenden, of Salisbury in the county of Litchfield, as on file, the question was put, whether the superior court in proceeding to and rendering judgment as complained of in the petition manifest error hath intervened: Resolved by this Assembly in the negative. *Cost allowed respondent is £2 4s. 0d. Ex. granted June 8th 1759.*

Upon the petition of Andrew McKenzec, of New London in the county of [New] London, *vs.* John Simson of Norwich in the said county of New London, as on file, the question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent is £1 19s. 10d. lawful money.*

Cost taxed and allowed to Thomas Stanton, of Canterbury in the county of Windham, *vs.* James Darby of said Canterbury, for his attendance &c. to answer the petition of the

said James Darby entered by him and then withdrawn, is £1 8s. 6d. *Ex. granted June 12th 1759.*

This Assembly was adjourn'd by proclamation until the Governor, or in his absence the Deputy Governor, shall see cause to call it to meet again.

*Teste* GEORGE WYLLYS Secret'y.

[211] *Anno Regni Regis Georgii secundi trigesimo-tertio.*  
AT A GENERAL ASSEMBLY OF THE GOVERNOR AND COMPANY OF HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA HOLDEN AT NEW HAVEN IN SAID COLONY ON THE SECOND THURSDAY OF OCTOBER, BEING THE [ELEVENTH] DAY OF SAID MONTH, AND CONTINUED BY SEVERAL ADJOURNMENTS UNTIL THE [ ] DAY OF NOVEMBER NEXT FOLLOWING, ANNOQUE DOMINI 1759.

*Present:*

The Hon<sup>ble</sup> Thomas Fitch, Esqr, *Governor.*

The Hon<sup>ble</sup> William Pitkin, Esqr, *Deputy Governor.*

Roger Newton,	John Chester,	} Esqrs, Assistants.
Ebenezer Silliman,	Thomas Welles,	
Jonathan Trumble,	Benjamin Hall,	
Hezekiah Huntington,	Daniel Edwards,	
Andrew Burr,	Jabez Hamlin,	

*Representatives or Deputies of the several Towns hereafter mentioned returned to attend at this Assembly, viz:*

Col. Joseph Pitkin, Col. Samuel Talcott, for Hartford.

Col. John Hubbard, Mr. John Whiting, for New Haven.

Mr. David Gardner, Capt. Pygan Adams, for New London.

Mr. David Rowland, for Fairfield.

Mr. Samuel Gray, Capt. Samuel Mardock, for Windham.

Col. Ebenezer Marsh, Capt. Elisha Sheldon, for Lichfield.

Capt. Jabez Huntington, Mr. David Lothrop, for Norwich.

Col. Shubael Conant, Mr. William Hall, junr, for Mansfield.

Col. David Whitney, Mr. James Bebee, for Canaan.

Mr. Samuel Kimberly, for Glassenbury.

Mr. Samuel Olmstead, Mr. Stephen Smith, for Ridgfield.

Capt. Obadiah Johnson, Col. John Dyer, for Canterbury.

Mr. Phineas Strong, Mr. Joseph Strong, for Coventry.

Capt. Sam<sup>l</sup> Kent, Capt. Benja. Kent, for Suffield.

Mr. John Strong, Capt. William Wadsworth, for Farmington.

Capt. Samuel Petibone, Capt. Nath<sup>l</sup> Baldwin, for Goshen.

Capt. Elijah Worthington, Mr. Dudley Wright, for Colechester.

Col. Timothy Stone, Mr. Edmund Ward, for Guilford.



Major Ezekiel Pierce, Capt. Thomas Stephens, for Plainfield.  
 Capt. Abijah Catling, Mr. Daniel Catling, for Harwington.  
 Col. Robert Walker, Mr. Ichabod Lewis, for Stratford.  
 Mr. Joseph Sexton, for Sommers.  
 Mr. Michael Humphry, Mr. Joseph Wilcoxson, for Symsbury.  
 Mr. Jabez Swift, Mr. Daniel Lee, for Kent.  
 Capt. William Hoadley, Capt. Robert Foot, for Brandford.  
 Mr. Joseph Platt, for Norwalk. ~~~~~  
 Capt. Samuel Ely, Mr. Eleazer Marther, for Lyme.  
 Mr. Isaac Kellogg, Mr. Eleazer Goodwin, for New Hartford.  
 Capt. Hez<sup>b</sup> Whittlesey, Capt. John Murdock, for Saybrook.  
 [212] Capt. Elisha Williams, Mr. Joseph Bordman, for  
 Weathersfield.  
 Maj. Edward Allin, Capt. John Fowler, for Milford.  
 Mr. Charles Whittlesey, Capt. Samuel Hull, for Wallingford.  
 Mr. Abraham Davenport, Mr. Charles Webb, for Stanford.  
 Mr. Christopher Holmes, for East Haddam.  
 Mr. Josiah Stoddard, Capt. Samuel Moor, for Salsbury.  
 Mr. James Wadsworth, Capt. James Wadsworth, for Durham.  
 Mr. Roger Sherman, Mr. Partridge Thatcher, for New Milford.  
 Mr. Daniel Booth, Capt. Henry Glover, for Newtown.  
 Mr. Ebenezer Williams, Mr. Jonathan Dresser, for Pomphret.  
 Mr. Seth Wetmore, Mr. Mathew Talcott, for Middletown.  
 Capt. Robert Dixson, Mr. John Smith, for Voluntown.  
 Capt. Samuel Bassett, Capt. James Wheeler, for Darby.  
 Mr. Zebulon West, Capt. Joshua Wills, for Tolland.  
 Mr. Benjamin Gale, Capt. Elnathan Stephens, for Killings-  
 worth.  
 Capt. Timothy Judd, Mr. Thomas Mathews, for Waterbury.  
 Capt. Joshua West, Mr. William Williams, for Lebanon.  
 Mr. John Phelps, Mr. Alexander Phelps, for Hebron.  
 Mr. Jacob Dressar, Capt. Samuel Danielson, for Killingley.  
 Mr. Isaac Johnson, Mr. Manassah Hosmer, for Woodstock.  
 Capt. Benjamin Talcott, Mr. David Strong, for Bolton.  
 Mr. Edward Collins, for Endfield.  
 Mr. Daniel Aldin, Mr. Nathan Johnson, for Stafford.  
 Mr. Amos Babcock, Capt. Jedidiah Fay, for Ashford.  
 Mr. Daniel Sherman, Colo. Benjamin Hinman, for Woodbury.  
 Mr. Comfort Starr, Capt. Lemuel Beebee, for Danbury.  
 Mr. Erastus Wolcott, for Windsor.  
 Mr. John Clapp, Mr. Nath<sup>l</sup> Sacket, for Greenwich.  
 Mr. Hezekiah Brainerd, for Haddam.  
 Mr. Simeon Minor, Capt. Amos Cheesbrough, for Stonington.  
 Colo. Christopher Avery, Capt. Jabez Smith, for Groton.  
 Capt. William Witter, Mr. Nath<sup>l</sup> Brown, for Preston.

Colo. Shubael Conant, Speaker, } of the House of Repre-  
 Capt. Jabez Huntington, Clerk, } sentatives.

An Act relating to Quarters for his Majesty's Regular Forces in this Colony.

Whereas it may be found necessary, during the continuance of the war in America, that some of his Majesty's regular troops be quartered in this Colony in the winter: Therefore,

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That when and so often as his Honor the Governor of this Colony shall find it necessary for his Majesty's service that some of his Majesty's regular troops be quartered or billeted in this Colony for and during the winter season or for any shorter term or time, that the Governor be and he is hereby desired, by and with the advice of the Council, to canton out [213] such troops in such towns and places || as he shall judge most beneficial for his Majesty's service, and in the easiest manner for the inhabitants of this Colony, and accordingly to issue proper orders to the civil authority and selectmen of such towns to provide quarters and make out billets for such troops.

*And be it further enacted by the authority aforesaid,* That such civil authority and selectmen, on their receiving such orders from the Governor, be and are hereby fully authorized and empowered to assign the particular room, house or houses, in which such and so many of such officers and soldiers as shall be ordered to such town or place shall be quartered, and to proportion the number to each room or house, according to the state and circumstances thereof; and if need so require to impress such room, house or houses, by warrant signed by any two or more of such civil authority.

And whereas by an act made and passed by the Parliament of Great Britain, entituled An act for punishing mutiny and desertion and for the better payment of the army, it is enacted and among other things provided, that during the continuance of said act soldiers in England, Wales, and the town of Berwick upon Tweed, may be billeted in inns, livery-stables, ale-houses, victualing-houses, and all houses of persons selling brandy, strong waters, cider and metheglin, by retail, to be drank in such houses &c., the owners of which houses on whom soldiers shall be billeted, as a reward for such entertainment and billeting, shall be paid for one commission officer under the degree of a captain, for his diet and small-beer *per diem* one shilling, and for one foot-soldier's diet and small-beer *per diem* four pence. And whereas this part of said act is not by the Parliament extended to the Plantations,

nor is any rule settled for quartering soldiers in this Colony, but the same is left to be settled by the Governor or government here: and there not being a sufficient number of inns, ale-houses &c. among us for the reception and entertainment of such and so many of his Majesty's regular troops as his service may require to be quartered here during the winter season, neither can such officers and soldiers be quartered here at the several rates stated and fixed by said act of Parliament for the payment of soldiers quarters in England; and altho' six-pence sterling *per diem* is allowed by the crown for victualing his Majesty's troops in America, yet no more than four-pence sterling *per diem* can be obtained of any officer or pay-master here for victualing such troops, when the same cannot be done here for less than six-pence without manifest loss: Therefore,

*Be it enacted by the authority aforesaid,* That every person in this Colony on whom any commission-officer under the degree of a captain, non-commissioned officer, or foot-soldier shall be quartered or billeted in pursuance of this act, as a reward for such entertainment and billeting over and above the several respective allowances mentioned in said Act of Parliament, shall be entitled to two pence sterling *per diem* for each officer and soldier's diet &c. to be paid out of the treasury of this Colony for and on account of the crown.

*Provided always, and be it further enacted,* That any person or persons on whom such officers and soldiers shall be quartered, who shall be permitted by or have the order of the Governor to provide for them only candles, vinegar, salt, small-beer, and also allow them the use of fire and the necessary utensils for dressing and eating their meat, shall be allowed and paid out of the treasury of this Colony for each commissioned officer under the degree of a captain per week six shilling, and for each non-commissioned officer and soldier *per diem* three pence lawful money, in like manner for and on account of the crown.

*And be it further enacted by the authority aforesaid,* That in case any person or persons on whom any officers or soldiers shall be quartered as aforesaid and he or they shall provide for them diet and small-beer as aforesaid and shall not be duly paid the several rates and allowances as stated and fixed by the aforesaid act of Parliament for inn-keepers &c. in England &c. to receive for victualing such officers and soldiers according to the settled rules and customs for payment of soldiers [214] quarters there, || then and in such case every such order or warrant for quartering or billeting such officers and soldiers

(tho' otherwise made according to the directions of this act) shall cease and become void; and every such person or persons shall be wholly discharged and indemnified for refusing to entertain any such officer or soldier.

*And be it further enacted by the authority aforesaid,* That there shall no billets be allowed, nor shall any but effective men be billeted on any inhabitant in this Colony; anything in this act to the contrary notwithstanding.

And whereas it hath been found by experience, that private soldiers carrying their arms not only when on duty but at other times hath been the occasion of notorious breaches of the peace, to the terror and disquiet of his Majesty's good subjects: For remedy whereof,

*Be it further enacted by the authority aforesaid,* That his Honor the Governor be and he is hereby desired to correspond with his Majesty's Commander-in-Chief or other chief officer on that head, and give proper orders to prevent such soldiers carrying their arms at any time, except when called to duty.

And whereas it may be sometimes necessary to quarter and billet in this Colony recruiting officers and recruits in his Majesty's regular forces employed for the defence of his Majesty's North American dominions,

*Be it enacted by the authority aforesaid,* That when and as often, and during the continuance of this act, application shall be therefor made by any such recruiting officer or officers to any Assistant or justice of the peace inhabiting in any town within this Colony, such Assistant or justice of the peace are hereby required, with all convenient speed, to quarter and billet such recruiting officer and recruits in his Majesty's service, in any of the public-houses within such town, licenced for the retailing strong liquors by small quantities; and the officers and soldiers so quartered and billeted shall be received and supplied with diet and small-beer or cyder by the occupiers of such licenced house: payment and allowance to be made therefor by such recruiting officers at the rates hereafter particularly expressed, *viz:* for one commission-officer of foot under the degree of a captain, for his diet and small-beer *per diem* one shilling sterling, and if such officer shall have an horse or horses for hay for each *per diem* six-pence sterling, and for each foot-soldier of any such recruiting party, for diet and small-beer *per diem* four-pence sterling.

*And it is further enacted by the authority aforesaid,* That every person in this Colony on whom any non-commissioned officer or foot-soldier belonging to any such recruiting party shall be quartered or billeted in pursuance of this act, as a reward for such entertainment and billeting over and above

the allowance above mentioned, shall be allowed three-pence lawful money *per diem* to be paid out of the treasury of this Colony.

*And it is further enacted*, That if the occupier of any such public licenced house shall refuse to receive and victual any such officer or soldier so quartered and billeted upon him according to the directions of this act, and be thereof duly convicted before any one Assistant and justice of the peace, or two justices of the same county, (one being of the quorum,) every person so offending shall forfeit to and for the use of this Colony the sum of forty shillings lawful money, to be levied by distress and sale of the goods of the person so offending, by warrant under the hands of said authority before whom such conviction shall be, || to be directed to the sheriff of said county, his deputies, or constables of the town wherein such offender shall dwell.

*Always provided*, That no recruiting officer or party shall be billeted or quartered in any one place for more than seven days at a time; anything in this act contained to the contrary notwithstanding.

This act to be and continue in force from the rising of this Assembly until the last day of November one thousand seven hundred and sixty, and no longer.

An Act in Addition to a Law of this Colony intituled An Act concerning Book Debts.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same*, That in every action of debt brought on book, wherein it shall appear upon tryal that the plaintiff in the action is in arrear in debt to the defendant to balance book accounts, the court, assistant, or justice of the peace, before whom the tryal shall be, shall give judgment for the defendant to recover the same of the plaintiff, together with his just costs. Provided that no assistant or justice of the peace shall in such case give judgment for the recovery of such balance when the same shall exceed forty shillings.

*And it is further enacted*, That if either party shall be aggrieved with the judgment of any assistant or justice of the peace, given by virtue of this act, wherein the plaintiff shall be adjudged to be in debt to the defendant, he shall have liberty in such case to appeal to the next county court in the same county.

*And be it further enacted by the authority aforesaid*, That if any defendant in action of debt on book brought against him before any court, assistant or justice of the peace in this Colony, shall neglect to exhibit his accounts on tryal to be

adjusted as aforesaid, and shall afterwards bring action against the other party for the recovery of any such articles of book debt as might have been adjusted and settled in the tryal of the former action, if he recover judgment for such debt he shall not be allowed any cost, unless he make it appear to the satisfaction of the court, assistant or justice, before whom the tryal is, that he had no knowledge of the former suit before the time of tryal, or was hindered by inevitable providence from appearing and exhibiting his account as aforesaid.

An Act in Addition to an Act entituled An Act for regulating Goals and Goalers.

Whereas it may be found necessary to build a new court or county house within any of the respective counties, or to repair any such house or houses as are already built, or to defray any other expences which ought to be borne by the county where the same arises, and there is not money sufficient in the treasury for any such purposes, for which no provision is made in said act: Therefore,

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That in all such cases the civil authority within such county may, and are hereby impowered, to grant a tax on all the polls and rateable estate of the inhabitants of such county, to be improved for building or repairing such house, or defraying such expence, and the same may be proceeded in and such tax collected according to the direction of the law of this Colony which makes provision for the building houses of correction.

[216] An Act in Addition to and Alteration of the Law intituled An Act for laying and collecting Duties on the Importation of Rum.

Whereas by said act the master of any vessel, or other person importing rum into this Colony, and paying or giving bond to the naval officer for the payment of the duties by said act required, or for carrying or transporting said rum out of this Colony to some other market within two months then next coming, on producing a certificate under oath to the naval officer from some Assistant or justice of the peace, that said rum was exported out of the Colony, shall be allowed a drawback of said duty; and the time limited for such exportation being found too short, and there being no time fixed in said act for producing such certificate, great inconveniences have happened: Which for the future to prevent,

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That when any master of a vessel, or other importer of rum, hath paid the duties of the rum by him imported, or given

bond for the payment thereof, shall within six months after paying said duties or giving bond as aforesaid, produce a certificate to said naval officer under the hand of some Assistant or justice of the peace, shewing that such master or importer, or any other credible person knowing the same, appeared before him and made oath that said rum was exported or carried out of this Colony to some certain place in said certificate mentioned, there to be sold or used and improved and not brought back again into this Colony, in such case, and not otherwise, a drawback of said duties shall be allowed by said naval officer, excepting his fees by law stated; any law, usage or custom to the contrary notwithstanding.

An Act in Addition to a Law of this Colony intituled An Act concerning Mills and Millers.

Whereas in said act the toll or fee to the miller for grinding grain is stated, but there is no direction what shall be allowed for bolting the meal when ground: Therefore,

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That each miller in this Colony, or the owners of grist-mills, shall be allowed after the rate of one pint for bolting out of each bushel he bolts, and no more; and if any miller shall take any more or greater toll or fee for bolting than what is herein allowed as aforesaid, he shall incur the same penalty as is in said act provided for such as take too much toll for grinding grain.

An Act in Addition to and Alteration of the Law intituled An Act for preventing, punishing and removing Nuisances in Creeks, Runs and other Water-Courses.

[217] Whereas it is enacted in the third paragraph of said act, that the penalty for every such nuisance is forty shillings, and by experience it is found not to be sufficient to prevent such nuisances, and for the encouragement for prosecution of such offenders: Therefore,

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That for the future the penalty shall be ten pounds for each offender, on conviction thereof before the county court in such county where such offence shall be committed; whereof one-half shall be to the complainer that shall prosecute to effect and the other half to the county treasurer of such county; any law, usage or custom to the contrary notwithstanding.

An Act to prevent secret Trespasses in taking up and disposing of Saw-Mill Logs and other Timber floating down the Rivulet called Windsor River.

Whereas it is represented to this Assembly that there might be considerable profit arise by floating of timber down said

river, were there proper provision made for detecting and punishing such as privately take up and dispose of said logs &c. floating down said river: Which to prevent,

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That whosoever shall stop or take up any saw-mill logs or other timber floating down said river, being fairly marked, without the special direction or order of the owner or owners of such logs or timber, before such logs or timber have passed by the bridge set across said river in the first society in Windsor, shall for every log or stick of timber thus stopped pay to the owner or owners of said logs &c. the sum of ten shillings.

*And it is further enacted by the authority aforesaid,* That whosoever shall deface the marks made on said logs or timber, or anyways dispose of or sell the same, shall forfeit and pay to the owner or owners thereof for each offence the sum of ten shillings, and double the value of said logs or timber thus disposed of or whose marks shall be purposely defaced. And when any dispute shall arise in any action brought on this act, it shall and may be lawful for the court, assistant or justice of the peace before whom the tryal may be, to proceed to examine the parties under oath, and all other evidence produced, and to make up such judgment therein as to them shall appear just and equitable.

On the memorial of Thomas Belding jun<sup>r</sup> and David Goodrich 2d, administrators on the estate of Amos Belding late of Weathersfield, deceased, representing and shewing that there have been certain debts and charges due from the estate of said deceased, amounting to the sum of £63 13s. 7¼d. lawful money, produced to and admitted by the court of probate for the district of Hartford since the allowance heretofore granted for the disposition of some part of the real estate of said deceased for payment of debts &c., and praying allowance to make further sale of real estate of said deceased to answer the debts aforesaid: This Assembly do constitute and appoint the said memorialists, (they obtaining the advice of the aforesaid court of probate in the matter,) to make sale of so much more of the real estate of the aforesaid Amos Belding, deceased, as may be sufficient to procure and raise the aforesaid sum of £63 13s. 7¼d. lawful money, the amount of said debts and charges, with the reasonable expence of transacting the affair, to be improved for payment and satisfaction of the same.

Upon the report of Richard Lord, Ebenezer Wales and



John Tully, Esq<sup>rs</sup>, a committee appointed by this Assembly in May last to view and consider the circumstances of the first society in Windsor and other matters referred to in the memorial of Capt. Josiah Bissel and others, inhabitants of said society who live on the north side the rivulet running through the same, and whether said society may best be [ 218 ] divided into two distinct ecclesiastical societies &c., || reporting their opinion in favour of such division &c.: It is therefore resolved by this Assembly, that all the rest of the inhabitants that live on the north side of said rivulet within the limits of said first society shall be, and they are hereby constituted and made into one intire distinct ecclesiastical society, by the name of North Windsor, with the same powers and priviledges as other ecclesiastical societies in this Colony have and do enjoy.

Upon the memorial of John Wilcoxson of Stratford, representing to this Assembly that his house and household goods were consumed by fire to his very great loss and damage, whereby he was brought into distressed circumstances; praying for an abatement of his country rates: Resolved by this Assembly, that the country rates of the said Wilcoxson arising on the list of the year 1758, be abated, and the same are hereby abated and the said Wilcoxson released therefrom, and the collector of the country rates for the town of Stratford is to comport himself accordingly.

Upon the memorial of Jonathan Wilcocks, administrator *cum testamento annexo* on the estate of Josiah Dudley late of Guilford, deceased, shewing to this Assembly that the said Josiah Dudley by his last will and testament appointed Mr. Daniel Wilcocks late of Killingsworth, since deceased, his sole executor, with full power to sell so much of the real estate of the said Josiah Dudley as should (with the one-half of his moveable estate) be sufficient to pay his just debts, which debts amounted to the sum of £119 17s. 5d. and the one-half of the personal estate amounted to no more than to the sum of £14 18s. 0d., and that the said executor, while in life, sold no more of the real estate of the said Dudley than amounted to the sum of £97 10s. 0d. lawful money, which leaves debts due from said estate unpaid to the amount of £7 9s. 5d. for the payment whereof the said executor had (while in life) sold so much of the real estate of the said Josiah Dudley as to make said sum, but that the said executor died before he had made and fully executed said deed; praying that some meet person may be appointed to make sale of so much of the real estate of said Dudley as to pay

the said sum: Resolved by this Assembly, that Capt. Josiah Meigs of Guilford be appointed, and he is hereby appointed, to sell so much of the real estate of the said Josiah Dudley as to procure the said sum of £7 9s. 5d. with the incident charges arising on said sale; taking the advice of the court of probate for the district of Guilford therein.

Upon the report of Messrs. Samuel Olmstead, John Hitchcock and William Lee, a committee appointed by this Assembly in May last to view the circumstances of the first society in the town of Danbury and the situation and circumstances of the inhabitants living in the south part of said township who pray to be a distinct ecclesiastical society according to certain limits and bounds, as set forth in the memorial of Ebenezer Hickcock, Lemuel Beebee and others, inhabitants of said south part, reporting their opinion that said south part and the inhabitants thereon living ought to be made into a distinct society &c.: It is therefore resolved by this Assembly, that the memorialists and all others living in said south part and southward of the following bounds, *viz*: Beginning at a beech tree marked by the great brook, from thence running southward a straight line on the east side the Spruce Mountain until it comes to Fairfield north line, and then eastward from said beech tree as said great brook runneth to Muddy Brook, and then by said Muddy Brook to where the same emptieth into Sumpaug Brook, and from thence a straight line to the highway through the east swamp, then to run up said swamp by the brook to Capt. John Benidiet's south line of his land and by said line to the highway on the east of said swamp, and by said highway to the highway called Woodbury Old Road, crossing said road, running the same course of the highway on the east of said swamp unto Newbury line, and in that line to Newtown line; bounded east on said Newtown line, and south on Fairfield north line; shall be and they are hereby made into a distinct ecclesiastical society, which shall be called and known by the name of Bethel, and with the same powers and priviledges as other ecclesiastical societies in this Colony do enjoy.

[219] Upon the memorial of Aaron Wright of Glasbury, representing to this Assembly that he is a poor man with a large family, and that in the year 1757, he was with one of his sons in the service of this Colony at Fort Edward &c., and that in said service his said son sickened and died, and that he, the memorialist, being then and there taken sick with the same sickness whereof his said son died as aforesaid, and having first obtained liberty returned home to his family,

and that soon after his family was taken with the same disease and therewith continued sick the following winter, with which one other of his sons died, by means of which disease coming into his family as aforesaid he was put to great loss, charge &c., and further representing that he had a large list for the year 1757, and that his country rate on said list amounts to about £5 0 0 lawful money, which sum he is unable to pay; praying that the same may be abated: Resolved by this Assembly, that his said rate be abated, and the same is hereby abated.

Upon the memorial of Benajah Humphry of Symsbury, representing to this Assembly that his son Roger Humphry having while a soldier in the army in the year 1757, become delirious and distracted and in his distraction killed his mother, and thereof upon tryal for murder before the adjourned superior court held in Hartford in June last was found not guilty altogether on the account of his distraction, and thereupon cost of prosecution not being paid was by said court committed to goal in Hartford, where he now lies by virtue of such commitment, and still is distracted; praying for relief and the direction of this Assembly, as by the memorial on file: Resolved by this Assembly, that the memorialist have liberty to take the said Roger out of said goal, and that the chief judge of the said superior court with one of the assistant judges of said court are desired to give orders for the release from goal and delivery of the said Roger to the memorialist; and the memorialist is hereby directed and ordered to take and safely keep said Roger and provide for him. And whereas said Roger is properly of said Symsbury, and the selectmen of said Symsbury with the advice of the authority according to the laws of this Colony are directed to see to it that said Roger be safely kept at the expence of the memorialist. And this Assembly grants unto the said Benajah Humphry the sum of forty pounds for expences that the memorialist hath already been at upon the account of said Roger, the better to enable him to keep and maintain said Roger for the future; and the Treasurer of this Colony is hereby directed to pay the same accordingly.

Upon the memorial of Abigail Jennings of Fairfield, administratrix on the estate of Nathan Jennings late of said Fairfield deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the moveable estate the sum of £86 13s. 0d. and praying for liberty to sell so much of said deceased's real estate as will satisfy said sum &c.: Resolved by this Assembly, that the said Abigail

Jennings have liberty, and she is hereby impowered, to sell so much of the real estate of said deceased as will be sufficient to raise the sum aforesaid with the incident charges arising on such sale; taking directions of the court of probate in the district of Fairfield therein.

Upon the memorial of Ebenezer Wakeman, David Burr, jun<sup>r</sup>, and Gold Sellick Silliman, all of Fairfield, shewing that by an act of this Assembly at their sessions in February last a lottery was granted on the memorial of Sarah Keeler and Thomas Gibbs and Hannah his wife, to be drawn in said Fairfield, and that the said Silliman, Burr and Wakeman were appointed managers and directors of said lottery, and that in pursuance of said appointment they have proceeded to make a scheme for said lottery and issue tickets to intitle adventurers to chances therein, the greater part of which tickets are already sold and disposed of, but that a number of said tickets yet remain undisposed of; praying that a certain time may be fixed for the drawing said lottery, and that in case any of said tickets should remain unsold when said lottery should be drawn that the same may be at the risque of those persons in whose favour it was granted: Resolved by this Assembly, that the aforementioned managers of said lottery be and are hereby directed to draw said lottery on the last day of December next, or before that time in case said tickets shall be all sold. And it is further resolved and enacted, that in case any of said tickets shall remain unsold after the said last day of December, such unsold tickets remaining in the hands of said managers after the drawing said lottery shall be deemed and taken to be the chances of the said Sarah Keeler and the said Thomas and Hannah Gibbs, and they are hereby subjected to pay into the hands of said managers the money for the purchase of such tickets, and shall be intituled to the benefit arising on any or all of such tickets in said lottery.

[220] Upon the memorial of Mary Wickwire, administratrix on the estate of Alpheus Wickwire late of Norwich, deceased, shewing to this Assembly that the debts, charges &c. allowed by the court of probate surmount the personal estate of the said deceased the sum of £54 7 0 $\frac{3}{4}$ , and praying this Assembly to impower some suitable person to sell so much of the real estate of said deceased as to enable the memorialist to pay the said sum of £54 7 0 $\frac{3}{4}$  and the necessary charges arising on such sale &c.: Resolved by this Assembly, that Daniel Kingsbury of said Norwich be impowered and he is hereby authorized and impowered, to sell

so much of the real estate of the said deceased as to enable the said administratrix to pay the said sum of £54 7 0 $\frac{3}{4}$  and the necessary charges arising on such sale; he taking the direction of the court of probate in the district of Norwich therein.

Upon the memorial of Mathew Hide, administrator on the estate of Samuel Ormsby late of Norwich, deceased, shewing to this Assembly that the inventoried estate of said deceased is £79 1 6. of which £45 0 0 is real estate and £34 1 6 is personal estate, and that the accounts exhibited by said administrator and allowed by the court of probate in the district of Norwich, of charges of sickness, debts due to this government, and charges of administration, amount to the sum of £47 15 3 $\frac{1}{4}$ , and of debts allowed by commissioners appointed by said court of probate to examine the claims of creditors amounts to the sum of £67 0 2 $\frac{1}{4}$ , and praying for liberty to sell all the real estate, the better to enable the said administrator to pay the said debts, and shewing also the consent of said creditors to the sale of said real estate: Resolved by this Assembly, that the said administrator be impowered, and he is hereby authorized and fully impowered, to sell all the said real estate of the said deceased, and that the moneys raised by such sale be applied for the payment of the said debts according to law, except what is necessarily expended in and about such sale; he taking the direction of the court of probate in the district of Norwich therein.

Upon the memorial of the inhabitants of the town of Norfolk, shewing to this Assembly that said town is a new settlement and the inhabitants few in number, and that they are about to build a meeting-house, and that much of the land is owned by persons not inhabiting in said town; praying this Assembly that all the lands in said town which is now laid out (being about three hundred acres to each proprietor) may be taxed at two pence lawful money per acre annually for the space of four years, to be improved the one half towards building a meeting-house, and the other half to pay for preaching the gospel in said Norfolk: Resolved by this Assembly, that all the lands that are already laid out in said Norfolk (except such as are given for publick uses) shall be taxed at two pence lawful money per acre annually for the space of four years next ensuing, to be paid by the owners of said lands, computing the quantity according to the grants for laying out exclusive of what may be added for bad land; and Mr. Eli Petibone of said Norfolk is hereby appointed and impowered to collect said taxes and pay the same to such

person or persons as shall be appointed by the inhabitants of said town to receive the same, to be improved for the purposes of building a meeting-house for the public worship of God, and to pay for preaching the gospel in said Norfolk, as abovesaid. The first year's tax to be paid by the first day of April next, and the others on the first day of April annually in the next succeeding years until said term of four years is expired.

Upon the memorial of David Andruss, of Norwich in New London county, administrator on the estate of David Andruss late of said Norwich, deceased, shewing to this Assembly that the debts and charges surmount the personal estate of the said deceased the sum of £63 18 9, and praying this Assembly to impower some suitable person to make sale of so much of the real estate of the said deceased as to enable the memorialist to pay the said £63 18 9 and the necessary [221] charges arising on such sale: || Resolved by this Assembly, that William Witter of Preston, Esqr, be impowered, and he is hereby authorized and fully impowered, to make sale of so much of the real estate of the said deceased as to enable the memorialist to pay the said sum of £63 18 9 and the necessary charges arising on such sale; he taking the direction of the court of probate in the district of Norwich therein.

Upon the memorial of Isaac Barrows and Ruth Palmer, administrators of the estate of Joshua Palmer late of Mansfield, deceased, shewing to this Assembly that the debts due from the estate of the said deceased surmount the moveable estate of said deceased the sum of fifty pounds lawful money; praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay said sum: Resolved by this Assembly, that the memorialists have liberty and they are hereby impowered, to sell so much of the real estate of the said Joshua Palmer, deceased, as shall be sufficient to pay said sum of fifty pounds and the incident charges of sale; taking the direction of the court of probate for the district of Windham therein.

Upon the memorial of Rachel Moger, administratrix on the estate of Samuel Moger, late of Stamford in Fairfield county, deceased, representing to this Assembly, that the debts &c. due from said estate surmount the personal estate of said deceased the sum of £13 16 3 $\frac{1}{4}$  lawful money &c.; praying to be impowered to sell so much of the real estate of said deceased as shall be sufficient to pay said sum with the charges arising on such sale: Resolved by this Assembly,

that the said Rachel Moger be impowered and she is hereby impowered to sell so much of the real estate of said deceased as shall be sufficient to pay said sum with the incident charges arising on said sale; taking the direction of the court of probate in the district of Stamford therein.

On the memorial of Hannah Seymour, administratrix on the estate of John Seymour late of New Hartford, deceased, with the will annexed, shewing to this Assembly that the debts exhibited and allowed by the court of probate for the district of Hartford surmount the moveable estate of said deceased, with some allowance made to the widow by the testator in his will and what lands by order of the said testator in his will have been sold by said administratrix to pay his debts, the sum of £79 2s. 7d. as per memorial on file; praying for liberty to sell so much more of the real estate of said deceased as to make said sum with the incident charges thereon: Resolved by this Assembly, that the said memorialist be and she is hereby impowered to sell so much more of the real estate of said deceased as to make said sum and incident charges thereon arising; taking the advice of the court of probate for the district of Hartford therein.

Upon the memorial of Abraham Selleck, administrator on the estate of Eleazer Green late of Stamford in Fairfield county, deceased, shewing to this Assembly that the debts &c. due from said estate surmount the personal estate of said deceased the sum of £54 11 9½ lawful money, and praying to be impowered to sell so much of the real estate of said deceased as shall be sufficient to pay said sum with the charges arising on said sale: Resolved by this Assembly, that the said Abraham Selleck be impowered and he is hereby impowered, to sell so much of the real estate of said deceased as shall be sufficient to pay said sum of £54 11 9½ lawful money with the incident charges arising on said sale; taking the direction of the court of probate in the district of Stamford therein.

Upon the memorial of Rhoda June, administratrix of the estate of Jacob June late of Stamford, deceased, shewing that the debts due from the estate of the said deceased surmount his moveable estate the sum of twenty-six pounds sixteen shillings and eight pence lawful money; praying this Assembly to empower some suitable person or persons to sell so much of the real estate of the said deceased as shall be sufficient to pay said sum &c.: Resolved by this Assembly, that Thomas June jun<sup>r</sup> of said Stamford and the memorialist be and they are hereby impowered to sell so much of the real

estate of the said Jacob June, deceased, as shall be sufficient to procure said sum of £26 16 8 together with the incident charges arising by such sale: taking the direction of the court of probate for the district of Stamford therein.

Upon the memorial of Henry Champion, Thomas Fullar 2d, Joseph Arnold, Jared Spencer and Robert Hungerford, selectmen of the town of East Haddam, shewing that in the year 1757 the selectmen of said East Haddam with the advice of Joseph Spencer, Esq<sup>r</sup>, justice of the peace for the county of Hartford, took under their care one Jonathan [222] Hinkley of said || town and his family, he, the said Hinkley, having several small and helpless children, and he by mismanagement and bad husbandry likely to spend his estate and come to want and become chargeable, and therefore said selectmen took said Hinkley and his family and estate into their care, according to the statute of this Colony in such case provided, and that they have been ever since under the care of said selectmen, who have expended for the necessary support of the family of the said Hinkley the sum of £89 15s. 5d. which surmounts the moveable estate of the said Hinkley the sum of £21 19 5, for the payment of which the memorialists have nothing of said Hinkley's in their hands, and that said Hinkley hath estate in lands which came to him by descent from his father Jonathan Hinkley, deceased, to the value of about one hundred and thirty pounds; therefore praying this Assembly to impower them or some other suitable persons to sell so much of the said lands as shall be sufficient to pay said sum of £21 19s. 5d.: Resolved by this Assembly, that the abovenamed Henry Champion and Thomas Fullar 2d be and they are hereby fully impowered to sell so much of the lands of the said Jonathan Hinkley as shall be sufficient to procure said sum of twenty-one pounds nineteen shillings and five pence lawful money and the incident charges that shall arise by such sale; which sum when obtained shall be improved by the memorialists for paying the charges arisen for the support of the family of the said Hinkley, as aforesaid.

Upon the memorial of Elizabeth Chapman, administratrix *cum testamento annexo* on the estate of Ezekiel Chapman late of New London, deceased, shewing that the debts due from said deceased, with the allowances made by the court of probate for support of the family and necessaries allowed the widow, surmount the personal estate of said deceased the sum of fourteen pounds eight shillings, and that no provision is made in the last will of the said deceased for payment of



said debts; therefore praying to this Assembly for liberty to sell so much real estate of said deceased as to procure said sum: Resolved by this Assembly, that the memorialist have liberty and she is hereby impowered, to sell so much of the real estate of the said Ezekiel Chapman, deceased, as shall procure said sum of £14 8s. 0d. lawful money together with the incident charges of such sale; taking the direction of the court of probate for the district of New London therein.

Upon the memorial of Elizabeth Cooper, of Killingley in the county of Windham, administratrix on the estate of Abraham Cooper late of said Killingley, deceased, shewing to this Assembly that the debts and funeral charges due and allowances made out of the estate of said deceased surmount the personal estate the sum of £27 0s. 5 $\frac{1}{4}$ d. lawful money, and praying to this Assembly for liberty to be granted her to make sale of so much of the real estate of said deceased as shall be sufficient to pay the sum abovesaid with the incident charges arising thereon, taking the direction of the court of probates in the district of Pomfret therein: Resolved by this Assembly, that the administratrix shall have liberty, and she is hereby impowered, to make sale of so much of the real estate of said deceased as shall be sufficient to pay the sum of twenty-seven pounds five pence one farthing lawful money with the incident charges arising thereon; taking the direction of the court of probates in the district of Pomfret therein.

Upon the memorial of John Younglove and Sarah Younglove, administrators on the estate of Samuel Younglove late of Killingley, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the moveable estate the sum of £38 15s. 5 $\frac{3}{4}$ d., praying this Assembly to grant liberty to sell so much of the real estate of said deceased as to pay said sum with incident charges arising thereon: Resolved by this Assembly, that the memorialists have liberty and they are hereby impowered, to sell so much of the real estate of the said deceased Samuel Younglove as to pay said sum of £38 15s. 5d. 3q. lawful money with the incident charges arising thereon; taking the advice of the court of probates in the district of Pomfret therein.

Upon the memorial of Elizabeth Easton, administratrix of [223]the estate [of] Elijah || Easton late of Suffield, deceased, shewing that the debts and charges due from the estate of the said deceased surmount the moveable estate of the said deceased the sum of £64 11s. 4d. 2q. lawful money; praying this Assembly to impower the memorialist with Samuel Kent, Esqr, to sell so much of the real estate of the said

deceased as to raise said sum: Resolved by this Assembly, that the said Samuel Kent, Esqr, together with the memorialist be, and they are hereby, impowered to sell so much of the real estate of the said Elijah Easton, deceased, as shall be sufficient to raise said sum of £64 11s. 4d. 2q. for the payment of said debts together with the incident charges of such sale; taking the direction of the court of probate for the district of Hartford therein.

Upon the memorial of Samuel Dickinson and David Picket with Abigail his wife, executors of the last will and testament of Daniel Comestock late of Danbury, deceased, shewing to this Assembly that the debts due from said estate as allowed by the court of probates for the district of Danbury, together with charges of settling said estate and the household goods set out to the widow of the said deceased, surmount the moveable estate the sum of £53 11s. 11d. which to pay no provision is made in the will of said deceased; praying this Assembly to impower your memorialists, one or all of them, or some meet person, to sell so much of the real estate as to pay said sum &c.: Resolved by this Assembly, that the memorialist Samuel Dickinson have liberty, and he is hereby impowered, to make sale of so much of the real estate of the said Daniel Comstock, deceased, as to pay the sum of £53 11s. 11d. with the incident charges arising thereon; taking the advice of the court of probates in the district of Danbury therein.

Upon the memorial of Capt. Abel Wright, Lieut. Elnathan Hall, officers in the military companies or trainbands in the town of New Fairfield, and other officers, householders and soldiers in said New Fairfield, praying that said companies may be dismissed from the thirteenth regiment in this Colony to which they now belong, and that they may be annexed to the fourth regiment: Resolved by this Assembly, that the military companies in the town of New Fairfield aforesaid be, and they are hereby, released from the thirteenth regiment and annexed to the fourth regiment in this Colony.

Upon the memorial of Ebenezer Jackson of Sharon, administrator upon the estate of Joshua Jackson late of said Sharon, deceased, shewing to this Assembly that the debts due from said estate with a small allowance made to the widow surmounts the personal estate of said deceased and what has already been sold of the real estate by liberty from this Assembly the sum of £46 19s. 6d.; praying for liberty to sell so much more of the real estate as to procure said sum with incident charges &c. as per memorial on file: Resolved

by this Assembly, that the memorialist have liberty, to sell of the remaining part of the real estate of said deceased so much as to procure said sum of £46 19s. 6*d.* lawful money with the incident charges; taking the directions of the court of probate for the district of Sharon therein.

Upon the memorial of Silas Dunham and Lydia Kneeland, administrators on the estate of Joseph Kneeland late of Middletown in said Colony, shewing to this Assembly that the debts and charges due from said estate surmount the moveable part thereof the sum of £66 4 4 lawful money; thereupon praying for liberty to sell real estate &c.: It is resolved by this Assembly, that the memorialists have liberty, and liberty is hereby granted them, to sell so much of the real estate of said deceased as will procure the aforesaid sum of sixty-six pounds four shillings and four pence lawful money together with the incident charges arising thereon; taking the direction of the court of probate for the district of Middletown therein.

On the memorial of John Cook of Wallingford, administrator on the estate of Daniel Johnson late of New Haven, deceased, shewing to this Assembly that the debts and charge allowed against said estate surmount the whole moveable inventoried estate of said deceased the sum of £5 7 7½, and praying to be impowered to sell so much of the real estate of [224] the said deceased as to enable || him to pay said sum with incident charges: Resolved by this Assembly, that the said John Cook be impowered, and he is hereby impowered, to sell so much of the real estate of the said deceased as shall enable him to pay said sum of £5 7 7½ lawful money with the necessary charges arising on said sale; taking the direction of the court of probate for the district of New Haven therein.

Upon the memorial of Elisha Miller of Lyme, shewing to this Assembly that Benjamin Smith of Lyme has been for sundry years past, and still is, so disordered in mind that he is thereby rendered incapable of taking care of himself or estate; that said memorialist is appointed conservator to said Benjamin; that sundry debts are justly due from said Benjamin, to the amount of £17 7 4 lawful money, and sundry other charges advanced for the support of said Benjamin; that said Benjamin has no personal estate to pay said debts; and praying for liberty to make sale of so much of the real estate of said Benjamin as to pay the same &c. as per memorial on file: Resolved by this Assembly, that said memorialist be and he is hereby appointed and impowered, to make

sale of so much of the lands of the said Benjamin Smith as will raise and procure the sum of twenty-five pounds lawful money, to be improved for answering the past expences referred to in the memorial aforesaid and for the future support of him the said Benjamin Smith.

Upon the memorial of Stephen Baldwin, of Milford in New Haven county, representing to this Assembly that Samuel Weed, late of Darby, gave the memorialist a bond for the sum of forty pounds current money of the new tenor, conditioned for the payment of £20 0 0 current money of the new tenor bills of this Colony at the rate of silver at eight shillings per oz. dated the 6th day of February 1745-6; that said Weed was convicted in due form of law for counterfeiting orders on the Colony treasury, and all his estate forfeited to and actually received by the government, being more than sufficient to pay said bond and all the charges of said Weed's prosecution, said bond remaining unpaid and due to the memorialist; praying that he may be paid what is justly due to him by reason of said bond &c. as per the memorial on file appears: Resolved by this Assembly, that the Treasurer of this Colony be and he is hereby ordered and directed to pay to the said Stephen Baldwin out of the public treasury of this Colony the sum of nine pounds ten shillings lawful money, in full satisfaction of the bond aforesaid and interest thereon.

Upon the memorial of the inhabitants of the town of Wellington, representing their indigence and low circumstances, praying to be exempted from paying towards the public charges of the government &c.: It is therefore resolved by this Assembly, that the memorialists be, and they are hereby, excused and exempted from paying country rates during the pleasure of this Assembly and until it shall be otherwise ordered.

Upon the memorial of the inhabitants of Stepney parish in Weathersfield, representing that said society is low in the public list and the bounds thereof small; praying that an addition of lands lately laid out in said town, and part of the meadow lying against said Stepney, may be made to said Stepney parish: Resolved by this Assembly, that all the land lying between the original limits of said Stepney society and the road called New Haven road, as it is now laid out, and also all that part of the meadow in said town adjoining to said society which lyeth south of the bridge called Beaver Bridge and the highway leading easterly from said bridge to the place where said highway turns northerly, and then to continue the course from said bridge to said northerly high-

way to the river, be annexed, and the same is hereby annexed, to said Stepney parish.

[225] Whereas the inhabitants of the first society of New Haven by their memorial to this Assembly have shewn, that for some years past they have met for public worship in two distinct places, and that they are so numerous that they cannot with any conveniency meet together in any of the two meeting-houses in said society in, which they have for some time met; also shewing that for this and for several other considerations the said society on the 8th day of January last voted to make application to this Assembly to be divided and made two distinct ecclesiastical societies, and thereupon have by said memorial now prayed for said division, for the reason therein mentioned, as by the same on file may more fully and at large appear :

*Whereupon it is resolved and enacted by this Assembly,* That the inhabitants of and living within the limits of said first society be divided into two distinct ecclesiastical societies, and that in order to a legal division thereof, Nathan Alling, David Austin, Mary Atwater, Sam<sup>l</sup> Alling, John Austin, Jeremiah Atwater, Benja. Alling, Thomas Alling, Wm. Alling, Daniel Alling, David Atwater jun<sup>r</sup>, Joel Atwater, Hannah Alling, Charles Alling, Joseph Addams, Thomas Alcock, Stephen Austin, Sam<sup>l</sup> Austin, Timothy Alling, Zadock Alling, Eden Burroughs, Sam<sup>l</sup> Bishop jun<sup>r</sup>, Phineas Bradley, Sam<sup>l</sup> Beacher, Joseph Beacher 3d, John Bishop, Eunice Bassett, Griffen Bradley, Phebe Brown, Moses Beacher, James Blakesley, Mary Basset, Job Bishop, Hez<sup>h</sup> Bradley, Sam<sup>l</sup> Beacher jun<sup>r</sup>, Joseph Burroughs, Isaac Bradley, Stephen Burret, John Ball, Yale Bishop, Caleb Bradley, Nathan Bears, Sam<sup>l</sup> Chatterton, Charles Cook, Edward Churchhill, Sam<sup>l</sup> Cook, Israel Dorman, Jos. Dorman, Benja. Dochester, Benja. Dorman, Nathan Dummer, Wm. Dunstee jun<sup>r</sup>, John Dochester, Caleb Dorchester, Sarah Dorman, Ezra Dodge, John Eliot, Stephen Ford, David Gilbert, David Gilbert jun<sup>r</sup>, James Gilbert, John Goreham, Aaron Gilbert, Mathew Gilbert jun<sup>r</sup>, Solomon Gilbert, John Gilbert, Wm. Greenough, Timothy Gorham, Joel Gilbert, Michael Gilbert, Abigail Holt, Ezekiel Hotchkiss, Obediah Hotchkiss, John Hatch, Joshua Hotchkiss jun<sup>r</sup>, Ebenezer Humaston jun<sup>r</sup>, Joseph Hitchcock, Samuel Gilbert, Ebenezer Hull, Samuel Horton, David Humphrevile, John Hotchkiss, Benja. Humphrevile, Lemuel Hotchkiss, James Hitchcock, Sam<sup>l</sup> Humphrevile, Hez<sup>h</sup> Hotchkiss, Caleb Hotchkiss jun<sup>r</sup>, Stephen Johnson, Abraham Johnson jun<sup>r</sup>, Enos Johnson, Timothy Jones, Abraham Johnson, John Johnson,

Meeds Ingraham, Josiah Ingraham, Jos. Ingraham, Zuriel Kimberly, Solomon Lewis, Jos. Larkin, Medad Lyman, James Lines, Daniel Lyman, Wm. Lyon, Ebenezer Lines, Jos. Mix, Timothy Mix, Jonathan Mix, Timothy Munson, Sam<sup>l</sup> Munson, John Mix, Jos. Munson, Ebenezer Morris, Stephen Munson, David Munson, Isaac Morris, John Munson, Samuel Mansfield, Edward Milloy, Jabez Munson, Theophilus Munson, Jonathan Osbourn, James Pierpont, David Potter, Dortha Peck, Noah Potter, Thomas Punderson, John Potter, Philemon Potter, John Prout, Aaron Potter, Enos Pardee jun , Enos Potter, Timothy Potter, Wm Plymate, Thankfull Potter, Jos. Potter, David Punderson. Philip Raxford, John Roade, John Row, John Storrer, John Sherman, Hez<sup>h</sup> Sabin, Hannah Smith, Moses Strong, James Scarl, Thomas Sperry, Charles Sabin, James Talmage, Abraham Tuttle, Timothy Talmage, Enos Tuttle. Jacob Turner, Isaac Turner, John Thompson, Jeremiah Townsend, Jos. Thompson, Phebe Tuttle, Timothy Tuttle, Judah Thompson, Caleb Thomas, Ebenezer Townsend, Abraham Thompson, Asa Todd, Amos Tuttle, Stephen Trowbridge, John White jun<sup>r</sup>, Sam<sup>l</sup> Woodin, Daniel Turner, Jos. Woodin, Benja. Woodin, Sarah Woodin, John Woodin, Thomas Wilmott, David Wooster, Israel Woodin, Rachel Woodin, who have for some time past, and now do, adhere to and attend upon the ministry of the Reverend Mr. Samuel Bird and the public worship in the meeting-house where he and the congregation with him have attended, and do still attend said worship, shall be, and they are hereby made, erected and constituted an ecclesiastical society, with all such powers, authorities and priviledges as other ecclesiastical societies in this government are vested with, and shall be called, known and distinguished by the name of White Haven. And the said meeting-house is hereby established to be the house for public worship in said new society.

And that the remaining inhabitants of said first society, whose names are as follows, *viz*: Joshua Atwater, David Atwater, Benja. Alling, Jonah Atwater, Jos. Alling, John Atwater, Daniel Atwater jun<sup>r</sup>, Rebecca Alling, Roger Alling, Jonathan Atwater jun<sup>r</sup>, Isaac Atwater, Hez<sup>h</sup> Alling, Jonathan Atwater, John Alling, Daniel Atwater, James Atwater, Jonathan Alling, John Alling jun<sup>r</sup>, Elizur Brown, Sam<sup>l</sup> Bishop, John Bradly, James Bassett, Jonah Baldwin, Elisha Booth, [ 226 ] Sarah Bradly, Miner Bradly, Enos || Basset, Nath<sup>l</sup> Beacher jun<sup>r</sup>, Silas Alling, Stephen Ball, John Basset, Joshua Chandler, Stephen Chatterton, Timothy Cooper, John Cornish, Sam<sup>l</sup> Cooper jun<sup>r</sup>, Sam<sup>l</sup> Darling, Sarah Deodate, Thomas Darling, John Dickerman, Stephen Dickerman, James Dun-

bar, Daniel Dorman, Aaron Day, Ruth Dorman, Susannah Dickerman, Ebenezer Dorman, Jos. Dickerman, Benja. English, Jonathan Fitch, John Fullar, John Gills, Hez<sup>h</sup> Gorham, Mathew Gilbert, Thos. Gilbert, Susannah Howel, Stephen Howel, Caleb Hotchkis the 3d, Daniel Hubbard, Abiah Hitchcock, John Hall, William Hubbard, Nath<sup>l</sup> Heaton, Joshua Hotchkiss, John Hubbard jun<sup>r</sup>, Leveret Hubbard, James Hilhouse, Thomas Howell, Nehemiah Hotchkiss, John Hubbard, Daniel Humaston, Amos Hitchcock, Joseph Humaston, Jos. Hitchcock jun<sup>r</sup>, Timothy Howel, Caleb Hotchkiss, Abel Ives, Ebenezer Ives jun<sup>r</sup>, Jared Ingersol, Samuel Lewis, Jethro Lake, Barnabas Lewis, Caleb Mix, Jos. Miles, Jabez Mix, Jos. Miles jun<sup>r</sup>, Jon<sup>th</sup> Mansfield, Sam<sup>l</sup> Miles, Hannah Mansfield, Wm. Mansor, Nathan Mansfield, Jeremiah Macomber, Ephraim Morris, John Noyes, Jehiel Osbourn, Jeremiah Osborn, Nath<sup>l</sup> Pinfield, Sarah Punderson, Stephen Peck, Mary Punderson, Hez<sup>h</sup> Parmele, Stephen Potter, Jacob Pinto, Solomon Pinto, Nicholas Peck, Daniel Perkins, Amos Potter, Abel Parmele, James Peck, Nath<sup>l</sup> Payne, Hannah Row, James Rice, Thomas Rice, Jos. Sperry, Isaac Stiles, James Sherman, James Sperry, Nath<sup>l</sup> Spencer, Jon<sup>th</sup> Sperry, Adonijah Sherman, John Sacket, Joshua Sperry, Stephen Sperry, Billy Sherman, James Thompson, Jeremiah Townsend jun<sup>r</sup>, Michael Todd, Eli Todd, Hachaliah Thomas, Daniel Tuttle, Abigail Talmage, Jos. Talmage, Josiah Thompson, Jos. Trowbridge, Jos. Trowbridge jun<sup>r</sup>, Stephen Tuttle, Mabel Trowbridge, Daniel Talmage, John White, Andrew Tuttle, John Whiting, Elisha White, Wm. Wilmot, John Watson, Ebenezer Wilmott, Elisha Whittlesey, Nathan Whiting, and John Wise, shall be, remain and continue to be the First Society in New Haven, retaining the powers, authorities and priviledges of such society, the aforesaid new society being made as aforesaid notwithstanding.

*Provided nevertheless,* That the public interest now belonging to said society consisting of lands, monies &c., shall not be affected or governed by the aforesaid division, but that Col. Hezekiah Huntington, Col. Jabez Hamlin and Col. Eliphalet Dyer be, and are hereby appointed, a committee in pursuance of the request of the said first society to hear all parties and to judge and determine how and in what manner the same ought to be held or disposed of, the aforesaid division notwithstanding, and make report thereof to the General Assembly in May next.

And all such as come from other places to settle in the limits of said societies shall have liberty to join to which they please, and in case of non-election for six months they

shall belong *viz*: one to the first society and the next to the said new society, and so alternately according as they successively come and settle as aforesaid, without electing as aforesaid.

*Provided also*, That any whose names are herein before mentioned, or any whose names are not mentioned, that have heretofore adhered to either of the aforesaid societies shall have liberty at any time before the first of February next, to make their election which of the said societies they will for the future belong unto, which election shall be ascertained by their causing their names to be entered with the clerk of the society to which they choose to belong; and in case any whose names are not herein before entered shall neglect to make their election within the time aforesaid, it shall be in the power of the aforesaid committee to determine which of the said societies they shall respectively belong unto, and add them accordingly. And that all such as shall hereafter arrive to the age of twenty-one years within the limits of said first society may elect within twelve months after coming to age which society they will belong to: otherwise to continue where brought up, or where they belonged before.

[227] On the memorial of Medad Lyman, shewing to this Assembly that by virtue of a *mittimus* signed by Sam<sup>l</sup> Bassett and Sam<sup>l</sup> Riggs, Esq<sup>rs</sup>, on the 16th day of December 1758, he received into New Haven common goal Richard Stafford and Phelix O'Neal, soldiers of his Majesty's 48th regiment of foot, and them subsisted until the 25th day of February 1759, when they were rescued by strong hands and delivered out of said prison without his default; praying for allowance for their subsistence &c. as per memorial on file: Resolved by this Assembly, that the sum of five pounds thirteen shillings and four pence be paid out of the public treasury for said subsistence; and the Treasurer is hereby directed to pay the same to said Medad Lyman accordingly.

Upon the memorial of Daniel Belding of Norwalk, representing to this Assembly that he being a soldier in the army A. D. 1758, and in a skirmage with the enemy at Ticonderoga was wounded by a musquet ball entering his left breast and issuing at his back, taking off part of his shoulder-blade, whereby he is in some degree disabled to work and carry on his business; praying this Assembly in compassion to grant him some pecuniary relief, upon the account of his being disabled as aforesaid: This Assembly grants unto the said Daniel Belding ten pounds lawful money out of the treasury of this Colony, upon the account of his wounds as



aforesaid; and the Treasurer is ordered to pay the same accordingly.

On the memorial of Rachel Goodrich and Jonah Gillit junr, administrators on the estate of Stephen Goodrich late of Windsor in the district of Hartford, deceased, for liberty to sell so much of the real estate of the said deceased as will raise the sum of £30 8 8 lawful money, for the payment of the debts due from said estate with incident charges of sale: Resolved by this Assembly, that the said Jonah Gillit junr and Rachel Goodrich, administrators on the estate of Stephen Goodrich late of Windsor, deceased, have liberty, and liberty is hereby granted to them, to make sale of so much of the real estate of the said deceased as will procure the sum of £30 8 8 lawful money with the charge of sale, for the payment of the debts due from said estate; taking the direction of the court of probate in the district of Hartford in the sale thereof.

On the memorial of Timothy Pearly and Sarah Ballard, administrators on the estate [of] John Ballard late of Willington in the county of Hartford, deceased, for liberty to sell land or real estate for the payment of the debts due from said estate to the value of £44 17s. 0d. lawful money &c.: Resolved by this Assembly, that the said memorialists have liberty, and it is hereby granted to them, to make sale of so much of the real estate of the said deceased as will procure the sum of £44 17 0 lawful money, for the payment of the debts due from said estate with incident charges of sale; taking the direction of the court of probate in the district of Hartford in the sale thereof.

Upon the memorial of Isaac Slason, of Stanford in the county of Fairfield, administrator on the estate of James Slason junr, late of said Stanford, deceased, representing to this Assembly that one Eliphalet Slason late of said Stanford, deceased, being indebted to several persons in divers large sums of money, and being prosecuted for passing counterfeit bills of credit, and being bound over to the superior court procured one John Fansher to be bound with him in a recognizance for such his appearance at said court, and being desirous to secure his said creditors and to indemnify the said Fansher he, the said Eliphalet, did together with one Eleazer Slason on the 14th day of February 1754, by a certain deed of that date, make over and convey to the said James a certain tract of land and appurtenances in said Stanford, containing about one hundred and ninety acres, bounded as in said deed is particularly mentioned and ex-

pressed, subject nevertheless to this trust, that he, the said [228] James, should sell and dispose of said lands &c. || and with the avails thereof first indemnify the said Fansher from the recognizance aforesaid, and then pay off said creditors in proportion to their respective demands; that the said James died without having sold said land or paid said debts, and thereby said land has descended to and among the heirs of the said James, several of whom are minors and unable to execute the trust aforesaid; praying that he may be enabled to execute said trust &c. as by the memorial on file appears: Resolved by this Assembly, that the said memorialist be and he is hereby enabled and fully empowered to sell and convey the lands in said deed mentioned, described and conveyed, and to execute the trust aforesaid in the same manner and as fully to all intents and purposes as he, the said James Slason, in his life time might or could have done.

Upon the memorial of Daniel Tucker, of Darby in the county of New Haven, representing to this Assembly that several years since he was indicted and convicted before the superior court of judicature for this Colony of the crime of passing counterfeit bills, for which he suffered the just sentence of the law and the forfeitures thereof; that by a humble and upright behavior since said conviction he hopes he may have given some good evidence of the sincerity of his repentance of the crime aforesaid; praying the compassion of this Assembly, and that he may be restored to his liberties and priviledges, which by the conviction aforesaid he forfeited and lost; as by said memorial on file appears: Resolved by this Assembly, that the said Daniel Tucker be and he is hereby restored to his liberty, and have right to contract, trade and deal as other inhabitants of this Colony by law may, and that he shall from henceforth have and enjoy all those rights, liberties and priviledges which by the conviction aforesaid for the crime aforesaid he forfeited and lost.

*Resolved by this Assembly,* That the committee appointed by the Assembly in May last in the case of Benja. Allen *vs.* Joseph Talcott be and are reappointed with the same power as before they were invested with, and to make report of their doings in May next; and the said memorial is continued till that time for consideration.

Granted to his Honour the Governor the sum of sixty-six pounds, for his last half-year's salary the current year; and the Treasurer is hereby ordered to pay the same accordingly.

Granted to his Honor the Governor the sum of thirty-four pounds, for his extraordinary services the last half-year; and the Treasurer is hereby ordered to pay the same accordingly.

Granted to his Honor the Deputy Governor the sum of thirty-three pounds, for his last half-year's salary the current year: and the Treasurer is hereby ordered to pay the same accordingly.

This Assembly grants to Mr. Secretary Wyllys the sum of fifteen pounds in addition to the five pounds granted him in May 1758, for his service as Secretary for the year ending at that time.

[229] Upon the petition of Jerusha McDowland of Darby, representing to this Assembly that she was possessed of a considerable real estate in said Darby, and being a person of very feeble understanding and capacity was married to one Thomas McDowland late of Darby, deceased, who desirous to get the said petitioner's estate into his hands, agreed to sell the same to one James Prichard of said Darby, but the petitioner being averse to such sale and refusing to execute any deed of said estate, the said Thomas made use of a series of threatnings, abuses and force, to compel her thereto, and at length taking advantage of her said want of capacity and continuing such his injurious treatment aforesaid did cause her to join in a conveyance of her estate aforesaid to the said James by an instrument purporting to be a deed thereof, bearing date the first day of February 1753; praying for an inquiry into the matters aforesaid, that the said deed being so unrighteously obtained as aforesaid may be vacated and disannulled, as by the said petition on file appears: Resolved by this Assembly, that Ebenezer Silliman, Esqr, Col. John Read and Capt. Thomas Hill, all of Fairfield, be and they are hereby appointed a committee with full power to enquire into and concerning the matters alledged and complained of in said petition, and make report of the state of the case with their opinion thereon to the General Assembly in May next.

On the petition of Nathan Beers of New Haven, shewing to this Assembly that he brought his action against Curtiss Fairchild at the county court held at New Haven on the first Tuesday of April 1758, on a note of hand for £30 15 0 current money of New York, which action came to a final tryal at an adjourned county court held at New Haven on the 2d Tuesday of January 1759, which cause on a plea that said note was given on a corrupt agreement between the said Beers and Fairchild for usury, and that the same was usurious, contrary to the statute &c., was committed to the jury, who brought in their verdict that said note was usurious &c.: complaining that said jury missed the law in their verdict aforesaid, as per petition on file: Resolved by this Assembly, that

the judgment of said adjourned county court on the verdict aforesaid be set aside, and that the said Beers have liberty, and the same is hereby granted to him, to enter said cause at the county court held at said New Haven on the 2d Tuesday of November next, and that he have another tryal of said cause at said November county court, and that all cost follow the final judgment in said cause.

Whereas Robert Hunt and Russel Hunt, both of Canaan in Litchfield county, brought their petition to this Assembly in May last, setting forth and representing that upon the 5th day of March 1757, Messrs. Daniel Hosford of said Canaan and John Hosford, of West Hoosuek in Hamshire county and Province of the Massachusetts Bay, bound themselves in a well executed bond in the sum of five hundred pounds lawful money unto the said petitioners, together with Gideon Ball and Caleb Church, both of said Canaan, conditioned that the said Hosfords should by a good warrantee deed convey unto them, the said Hunts, Ball and Church, five eight parts of the south iron-works in said Canaan, and the priviledge of the stream whereon said iron-works stand, with the utensils, implements and appurtenances thereunto belonging, and all the land belonging to said part of said iron-works, with about three quarters of an acre of land adjoining to said iron-works, with liberty to fetch oar from the oar-bed in Salisbury so long as the forge belonging to said iron-works shall be built or rebuilt; and that the said Hosfords should also convey unto the petitioners together with the said Ball and Church, all their right in about 8 acres of land upon the great river below the great falls in said Canaan with five eight parts of the stream and priviledges thereunto belonging, and that the said Hunts, Ball and Church, in consideration of the premises, then executed unto the said Hosfords their note of hand for the payment of five thousand and half of bar iron by the 3d day of March A. D. 1759; and that the said Ball and Church before the time for payment of said note ab-[230] scended and went out || of the Colony of Connecticut, much in debt and leaving no estate behind them; whereupon the said Hunts had been necessitated with great difficulty to pay the whole of said note; notwithstanding which the said Hosfords refused to convey the premises to them exclusive of the said Ball and Church; praying the interposition of this Assembly, as they are without remedy at common law; which petition came by continuance to this Assembly, as by said petition on file fully appears: Whereupon it is resolved and enacted by this Assembly, that the said Daniel

Hosford and John Hosford shall by a well executed warrantee deed convey in fee simple unto the said Robert Hunt and Russel Hunt the five eight parts of said south iron-works and the priviledge of the stream whereon said iron-works stands, with the utensils, implements and appurtenances thereunto belonging, and all the land belonging to said part of said iron-works, with about three quarters of an acre adjoining to said iron-works, that said John Hosford bought of Elnathan Ashman, with liberty to fetch oar from the oar-bed in Salisbury so long as the forge belonging to said works shall be built and rebuilt; and that the said Daniel and John Hosford shall also by a good ample quit-claim deed, well executed in due form of law, convey unto the said Robert Hunt and Russel Hunt, their heirs and assigns forever, the whole of their right and title in and unto said tract of land of about 8 acres lying upon the great river below the great falls in said Canaan, with five eight parts of the stream and priviledges thereunto belonging, at or before the tenth day of December next, under the penalty of two hundred pounds lawful money; and that thereupon the said Hunts shall deliver and give up unto the said Hosfords their bond aforesaid.

Upon the petition of Stephen Cone, of East Haddam in the county of Hartford, representing that he, by the name of Stephen Cone the second of said East Haddam, brought his action against Reuben Cone, of East Haddam aforesaid, to the adjourned county court held at Hartford on the 4th Tuesday of January 1758, on a note executed by the said Reuben to the petitioner, dated the 3d of August 1757, wherein said Reuben promised to pay to the petitioner two hundred pounds lawful money on demand, to which the said Reuben pleaded specially, and the plaintiff made his replication thereto, and afterwards the parties joining in a demurrer to said replication the court were of opinion that said replication was insufficient &c., and thereupon gave judgment for the said Reuben to recover against the petitioner his cost; representing also that he, the petitioner, in his replication aforesaid missed his plea; praying for the liberty of another tryal &c.: Resolved by this Assembly, that the petitioner shall have liberty of another tryal in said action at the county court to be held at Hartford in the county of Hartford on the first Tuesday of November next, and the future cost only shall follow the final judgment that shall be given therein.

Upon the petition of Merriday Bostwick, of Greenwich in the county of Fairfield, against Thomas Hill, of Fairfield in said county, representing to this Assembly that the said Hill

brought his action upon bond against the petitioner to the county court held in Fairfield, demanding £1,000 lawful money, in which action the petitioner being defaulted, the county court held in Fairfield on the 3d Tuesday of April last gave judgment against the petitioner for the sum of twenty-nine pounds sixteen shillings lawful money debt, and £2 18 6 cost: alledging that said bond was given to secure said Hill harmless from all damage that he might sustain for the petitioner's mismanaging in the business of deputy to said Hill, who was sheriff of said county, and that the said sheriff had not been damnified: praying for reversal of said judgment and a rehearing in said case, as by the petition on file appears: Resolved by this Assembly, that the petitioner, the said Meriday Bostwick, shall have the liberty of another tryal of said cause at the county court to be held at Fairfield in and for the county of Fairfield on the 3d Tuesday of November next, and that the cost from the beginning shall follow the final tryal.

[231] *Resolved by this Assembly,* That the Committee of the Pay-Table on advice by them had or received of the necessity of any provision to be made by this government over and above what may be made by order of the General Assembly for the relief and accommodation of the troops of this Colony on their return from the present campaign, are hereby directed to make such further necessary provision in some way or manner as nearly agreeable to the order and resolve of this Assembly on the like occasion last October as the circumstances of the affair shall require.

Whereas John Ledyard and David Rowland, Esqrs, were by the General Assembly holden at Hartford in May last appointed a committee to repair to Albany and apply to his Excellency General Amherst for a settlement of the former account for billeting, and solicit for and receive the balance, and to settle the Colony's account with Christopher Kilbey, Esqr, and pay the balance found due to him, and also to settle with Mr. Cornelius Cuyler for the money advanced by him on Treasurer's notes and the interest that was due to him and for the blankets purchased of him for the Colony's use, and to pay to him what they found needful to be paid to him therefor, and to report &c.: And whereas the said committee did repair to Albany and pay to Mr. Cornelius Cuyler the money due to him for said blankets and also the interest on said Treasurer's notes, but were unable to finish the other matters committed to them, as General Amherst and Christopher Kilby, Esqr, were both gone from Albany: Therefore

it is resolved, that John Ledyard and David Rowland, Esq<sup>rs</sup>, be a committee to make application to his Excellency General Amherst for the purpose abovesaid, and to solicit for and receive the balance, and to settle with Christopher Kilby, Esq<sup>r</sup>, the Colony's accounts and pay to him the balance due; and the Committee of the Pay-Table are directed to draw an order on the Treasurer of this Colony for such a sum as they judge necessary for the payment proposed to be made by the committee as above directed; and the said committee are directed to settle the account of the payment that shall be made by them, and for the service, with the Committee of the Pay-Table, and pay the balance that may be left in their hands to the Treasurer, taking his receipt therefor, and lodge the same in the hands of the Secretary. And the said committee are directed to report their doings to the next sessions of this Assembly.

*Resolved by this Assembly,* That a certain book, intituled A Confession of Faith owned and consented to by the Elders and Messengers of the Churches in this Colony of Connecticut in New England assembled by Delegation at Saybrook September 9th 1708: printed at New London *anno Dom.* 1710, be (inclusive of the preface thereof) in all the parts of it carefully and exactly reprinted, and that the same to the number of two thousand copies be bound with sheep-skin and distributed to the several towns in this Colony according to their publick lists given in to this Assembly in its present sessions; and that Hez<sup>b</sup> Huntington, Esq<sup>r</sup>, Mr. David Gardner and William Williams, Esq<sup>r</sup>, or any two of them, be a committee to procure the same to be done accordingly, at the charge of this government.

*Resolved by this Assembly,* That the pay-masters of the respective companies of soldiers in the service of this Colony shall be allowed as a reward for their trouble for receiving and paying off such soldiers wages at the rate of one and a half *per cent.*

Whereas the General Assembly of this Colony at their sessions in May 1758, having before them one Phineas Cook, of Wallingford in the county of New Haven, by virtue of an arrest issued on the information of the King's attorney against him, and whereon said Assembly then made a decree in favour of said Colony against him, the said Phineas Cook, for the sum of sixty-nine pounds ten shillings lawful money, for the keeping and providing for one Robert Cromwell, which was cast upon this government when it belonged to said Cook to keep and provide for the said Robert, and also for the sum

of three pounds eight shillings and nine pence for cost of prosecution, and that the said Phineas Cook should secure the government from future charge &c. And whereas the said Phineas Cook escaped from said arrest and absconded and went at large without the leave of the said Assembly, not having fulfilled or performed said decree, and execution of said judgment yet remains to be done: It is therefore resolved by this Assembly, that the Secretary of this Colony issue out an execution on said judgment in due form of law against the said Cook, directed to some proper officer or officers, to levy the aforesaid sums on the money, goods or estate of the said Cook, and for want thereof to take his body and him commit to prison until he pay and satisfy the same, in due and common form of law. And this Assembly appoints Mr. James Abraham Hillhouse of New Haven agent, in the name and behalf of the Governor and Company of this Colony, to apply to the Secretary of this Colony for said execution and to put the same into the hands of some proper officer, and to receive said monies when levied and deliver the same to the Treasurer of this Colony for the use of this government, taking his receipt therefor, which receipt shall [232] be lodged with the Secretary of this Colony; || and that the said Mr. James Abraham Hillhouse be authorized, and he is hereby authorized and directed, to take out a writ of arrest from the Secretary of this Colony for the purpose of taking and holding the said Cook so as that he may be had before the General Assembly of this Colony in order to his complying with, or being constrained to comply with, the said decree of the Assembly concerning his giving security for defraying said future charges, which writ the Secretary is hereby authorized and directed to issue, and the said writ shall be directed to some proper officer or officers to serve.

Whereas this Assembly are certified that the listers of the town of Norwich for the year 1758 did not make a true and exact account of the sum total of the list of said town, but by a miscast (as it is supposed) transmitted to the Assembly a sum for said total more than one thousand less than the real sum total, and that said listers have not yet rectified said mistake, and the list of said town for said year with the Treasurer of this Colony is less than it ought to be: Resolved by this Assembly, that said listers be ordered, and they are hereby ordered and directed, to reinspect said list and report and send to this Assembly in their present session said mistake and the true sum left out by such mistake, that the same may be added to the total of the list



already sent in and made effectual for the list of said town. And that the Representatives of said town now in this Assembly are desired to notify said listers of this act.

Whereas the listers in the town of Norwich for the year 1758 made a mistake in casting the list of said town for that year and have now certified to this Assembly that on carefully reinspecting of said list find the sum total returned by them is £1524 12s. 4d. less than the true sum total: Resolved by this Assembly, that the sum of £1524 12s. 4d. be added to the sum total of Norwich list sent to the Assembly in October 1758: and the Treasurer is hereby directed to settle with the constable of said town according to the sum total as it will stand with said addition, the former return notwithstanding, and credit the Colony's account accordingly. And the Secretary is directed to deliver a copy of this resolve to the Treasurer for his direction in the same.

Whereas the listers in the town of Milford for the year 1758 made a mistake in casting the list of said town for that year and have now certified to this Assembly that since the setting of the Assembly in May last they have found a mistake of one hundred pounds undercharged in the grand list of the said town of Milford: Resolved by this Assembly, that the sum of £100 be added to the sum total of Milford list sent to the Assembly in October 1758, and the Treasurer is hereby directed to settle with the constable of said town according to the sum total as it will stand with said addition, the former return notwithstanding, and credit the Colony's account accordingly. And the Secretary is directed to deliver a copy of this resolve to the Treasurer for his direction in the same.

Whereas this Assembly at their sessions at Hartford in May last (on the memorial of the inhabitants of New London) appointed Jonathan Trumble and Joseph Fowler, Esqrs, a committee to repair to and view the Mohegan and Indian lands in the township of New London respecting highways, and to report their opinion thereon to this Assembly at their present sessions, as by the resolve of the Assembly aforesaid appears, and by reason of sickness the said affair is not yet compleated: Resolved by this Assembly, that Jabez Hamlin, Esqr, be joined with the said Jonathan Trumble and Joseph Fowler, Esqrs, a committee for the purpose above referred to, and they or any two of them view &c. and make report to this Assembly in May next.

Whereas Daniel Edwards, Esqr, Col. Joseph Pitkin and Capt. John Lawrence were by this Assembly at their session

at Hartford in May last appointed a committee to receive of the managers of the lottery granted by this Assembly at their sessions in February 1757, the tickets remaining in their hands unsold, and adjust the accounts &c., and make report of their doings to this Assembly in their present session: And whereas the said committee have not been able to per- [233] form said || business: They are hereby appointed a committee, they or any two of them, to receive the said tickets unsold, adjust said accounts &c. according to the directions in the aforesaid appointment, and make report to the General Assembly to be holden at Hartford in May next.

This Assembly do appoint William Pitkin jun<sup>r</sup>, Esq<sup>r</sup>, to be Major of the first regiment in this Colony.

This Assembly do appoint Jedediah Elderkin, Esq<sup>r</sup>, to be Major of the fifth regiment in this Colony.

This Assembly do establish Mr. Elijah Sprague to be Captain of the company or trainband in the second society in Lebanon.

This Assembly do establish Mr. John Strong to be Lieutenant of the company or trainband in the second society in Lebanon.

This Assembly do establish Mr. William Buckingham to be Ensign of the company or trainband in the second society in Lebanon.

This Assembly do establish Mr. Abraham Camp to be Captain of the 16th military company in the 6th regiment in this Colony.

This Assembly do establish Mr. David Coe to be Lieutenant of the 16th military company in the 6th regiment in this Colony.

This Assembly do establish Mr. David Miller to be Ensign of the 16th military company in the 6th regiment in this Colony.

This Assembly do establish Mr. Ezra Hawley to be Captain of the troop of horse in the 4th regiment in this Colony.

This Assembly do establish Ichabod Lewis to be Lieutenant of the troop of horse in the 4th regiment in this Colony.

This Assembly do establish John Moss to be Cornet of the troop of horse in the fourth regiment in this Colony.

This Assembly do establish Joseph Tomlinson to be Quarter-Master of the troop of horse in the 4th regiment in this Colony.

This Assembly do establish Mr. Dan Ives to be Captain of the 12th military company in the 3d regiment in this Colony.

This Assembly do establish Mr. Joel Cooper to be Lieuten-

ant of the 12th military company in the 3d regiment in this Colony.

This Assembly do establish Mr. Ezra Tuttle to be Ensign of the 12th military company in the 3d regiment in this Colony.

This Assembly do establish Mr. Charles Burrel to be Ensign of the south military company in Canaan.

This Assembly do establish and confirm Mr. John Strong to be Captain of the first military company or trainband in the town of Farmington.

This Assembly do establish and confirm Mr. John Hart to be Lieutenant of the first military company or trainband in the town of Farmington.

This Assembly do establish and confirm Mr. Solomon Cowles to be Ensign of the first military company or trainband in the town of Farmington.

This Assembly do establish and confirm Mr. Samuel Wakeley to be Lieutenant of a military company in Stratfield.

This Assembly do establish and confirm Mr. George Nichols to be Captain of the 2d military company in the first society in Waterbury.

This Assembly do establish and confirm Mr. Josiah Brunson to be Lieutenant of the 2d military company in the first society in Waterbury.

This Assembly do establish and confirm Mr. Ebenezer Warner to be Ensign of the 2d military company in the first society in Waterbury.

[234] This Assembly do establish Mr. Ichabod Wheeler to be Captain of the first military company in Fairfield.

This Assembly do establish Mr. Abraham Gould to be Lieutenant of the first military company in Fairfield.

This Assembly do establish Mr. Samuel Silliman to be Ensign of the first military company in Fairfield.

This Assembly do establish William Case to be Captain of the military company in Tolland.

This Assembly do establish Elijah Chapman to be Lieutenant of the military company in Tolland.

This Assembly do establish Samuel Hill to be Lieutenant of the military company in Greenfield parish in the 4th regiment.

This Assembly do establish Stephen Hull to be Ensign of the military company in Greenfield parish in the 4th regiment.

This Assembly do establish Samuel Benham to be Ensign of the military company in New Hartford.

This Assembly do establish Ezra Ely to be Ensign of the 3d military company in Lyme.

This Assembly do establish Nathaniel Bibber to be Captain of the 7th military company in New London.

This Assembly do establish Thomas Rogers to be Lieutenant of the 7th military company in New London.

This Assembly do establish James Houghton to be Ensign of the 7th military company in New London.

This Assembly do establish Mr. Edmond Beach to be Ensign of the east military company in Goshen.

This Assembly do establish Edward Brush to be Captain of the military company in the parish of Stanwich.

This Assembly do establish David Hoit to be Lieutenant of the military company in the parish of Stanwich.

This Assembly do establish Ebenezer Weed to be Ensign of the second military company in Stanford.

This Assembly do establish Samuel Hurlburt to be Ensign of the north military company in Sharon.

This Assembly do establish David Barber to be Ensign of the north part of the south company or trainband in the town of Hebron.

This Assembly do establish Mr. Godfrey Tarbox to be Captain of the 18th company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Nathaniel Phelps to be Lieutenant of the 18th company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Joel Jones Ensign of the 18th company or trainband in the 12th regiment in this Colony.

This Assembly do establish Hezekiah Huntington of Windham to be Cornet of the troop of horse in the 5th regiment.

[235] This Assembly do establish Mr. James Royce to be Quarter-Master of the troop of horse in the 10th regiment in this Colony.

This Assembly do establish Gideon Wolcott to be Captain of the 3d military company in Windsor.

This Assembly do establish Erastus Wolcott to be Lieutenant of the 3d military company in Windsor.

This Assembly do establish Nathaniel Chauncy to be Captain of the 5th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Joseph Howard to be Captain of the 16th military company in the 11th regiment in this Colony.

This Assembly do establish Timothy Perrin to be Lieuten-

ant of the 16th military company in the 11th regiment in this Colony.

This Assembly do establish Stephen Mercey to be Ensign of the 16th military company in the 11th regiment in this Colony.

This Assembly do establish Daniel Hull to be Captain of the military company in the parish of Reading in the 4th regiment.

This Assembly do establish Stephen Mead to be Lieutenant of the military company in the parish of Reading in the 4th regiment.

This Assembly do establish John Merrick, junr, to be Ensign of the 8th military company in the 5th regiment.

This Assembly do establish Joseph Hickcock to be Lieutenant of the 2d military company in Woodbury.

This Assembly do establish Jonathan Atwood to be Lieutenant of the 5th military company in Woodbury.

This Assembly do establish Eleazer Cady to be Captain of the troop of horse in the 11th regiment.

This Assembly do establish Ebenezer Spalding to be Lieutenant of the troop of horse in the 11th regiment.

This Assembly do establish Joseph Eaton to be Cornet of the troop of horse in the 11th regiment.

This Assembly do establish Joseph Dyar to be Quarter-Master of the troop of horse in the 11th regiment.

Whereas the compleatly adjusting and liquidating the accounts of the towns of Milford, Stratford, Fairfield, Norwalk and Stamford, concerning billeting, quartering and providing for the soldiers of his Majesties 48th regiment of land forces last winter, &c. was referred to the consideration of this Assembly: Resolved by this Assembly, that Thomas Welles, Esqr, Col. Samuel Talcott, Mr. John Whiting and Capt. Obadiah Johnson, be a committee to finish and compleat the adjusting and liquidating said accounts and report the same.

Whereas this Assembly at their sessions in May last appointed and impowered Col. John Pitkin, Col. David Whitney and Mr. William Welles, a committee to ascertain and bound out and make visible and lasting monuments on a highway by them planned out through several towns, from the mansion house of Samuel Humphrys, deceased, of Symsbury, to near where Colonel David Whitney lives at Canaan; and whereas by reason of the lameness of said Welles said way is not bounded out, nor like to be, and said Colonel Pitkin desires to be excused from said service: It is therefore resolved by this Assembly, that Capt. Daniel Lawrence and Mr. Erastus

Wolcott be appointed and impowered in the place and instead of said Pitkin and Welles, and join with said Colo. Whitney to ascertain and bound out said highway according to the resolve of this Assembly in May last.

[236.] Sum Total of the Lists sent into the Assembly October, 1759.

	£	s.	d.		£	s.	d.
Branford list,	22002	17	9	Canaan,	10003	15	0
Fairfield,	53358	7	5	Groton,	23444	8	9
Guilford,	30449	15	9	Goshen,	7453	17	6
Ridgfield,	12626	8	2	Plainfield,	12399	12	6
Stratford,	39000	0	0	Coventry,	17953	17	5
Litchfield,	15335	0	6	New Hartford,	5272	8	0
Norwich,	56402	4	2	Ashford,	11635	18	2
New London,	33635	10	6	Harwinton,	4800	5	0
Colchester,	23652	3	0	Glassenbury,	12636	0	8
Tolland,	10270	3	0	Lyme,	24541	16	9
Stamford,	27451	8	7	Norwalk,	35958	9	9½
Symsbury,	20609	15	0	Woodbury,	39262	7	5
Durham,	10104	13	6½	Cornwall,	5050	0	7
Kent,	10836	10	0	Danbury,	21032	6	1
Windham,	27317	7	7	Greenwich,	19056	8	0
Woodstock,	17451	10	0	Midletown,	48173	0	0
Mansfield,	16504	4	10	Haddam,	12098	7	0
Endfield,	8613	12	0	Hebron,	18846	4	6
Salsbury,	10766	8	3	Canterbury,	17456	4	0
Pomfret,	21546	11	6	Stonington,	33992	18	10
Killingley,	22260	10	0	Weathersfield,	26796	3	6
Bolton,	9087	13	0	Hartford,	39398	6	0
New Town,	16326	16	1	Preston,	19658	0	0
Saybrook,	20185	13	8	Waterbury,	24395	8	5
Stafford,	6178	3	6	Volluntown,	9956	12	0
Lebanon,	37200	2	0	Darby,	13458	0	0
East Haddam,	21544	4	0	Milford,	25893	1	3
New Milford,	16123	17	8	Wallingford,	42821	18	3
New Fairfield,	8300	2	4	Farmington,	43248	16	10½
Suffield,	16000	0	0	Sharon,	11243	6	0
Torrington,	5133	0	0	Windsor,	40586	8	10
Sommers,	7612	0	0	New Haven,	52840	11	11
Killingsworth,	15255	1	3				

The Gentlemen nominated by the Freemen of this Colony, as sent into this Assembly to stand for Election in May next are as follows, viz.

The Hon<sup>ble</sup> Thomas Fitch, Esqr.

The Hon<sup>ble</sup> William Pitkin, Esqr.

Roger Newton, Esqr.

Daniel Edwards, Esqr.

Ebenezer Silliman, Esqr.

Jabez Hamlin, Esqr.

Jonathan Trumble, Esqr.

Mathew Griswold, Esqr.

Hezekiah Huntington, Esqr.

Gurdon Saltonstall, Esqr.

Andrew Burr, Esq <sup>r</sup> .	Phineas Lyman, Esq <sup>r</sup> .
John Chester, Esq <sup>r</sup> .	Col. Shubael Conant.
Thomas Welles, Esq <sup>r</sup> .	Capt. Elisha Sheldon.
Benjamin Hall, Esq <sup>r</sup> .	Colo. Eliphalet Dyer.
Roger Wolcott, jun <sup>r</sup> , Esq <sup>r</sup> .	Colo. Joseph Pitkin.

On the memorial of Joseph Hall &c., listers of the town of Wallingford for the year 1758, representing to this Assembly that whereas John Hotchkiss of said Wallingford neglected to give in to said listers a list of his whole estate for said year, by means whereof the said John Hotchkiss was fourfolded and had to his list added £114 8 0, which sum was added to his list for said year, of which sum £86 8 0 was by the authority and selectmen of the said town of Wallingford abated; praying that the doings of the authority and selectmen be [237] annulled and set aside &c., as by said memorial on file: || Resolved by this Assembly, that the doings of said authority and selectmen in abating said sum of £86 8 0 be and the same is hereby declared to be null and void, and that the several constables and collectors of the town of Wallingford ordered to collect the tax arising on said list are hereby authorized and impowered to collect and receive of the said John Hotchkiss all such rates and taxes that have or may arise on said fourfold assessments made as aforesaid, except what is already collected, and the same pay and dispose of according to the laws of this Colony in such case provided; and that all rate-bills made or to be made against the said John Hotchkiss on the list aforesaid shall be made and he therein shall be rated and assessed as though no abatement had been made by the authority aforesaid.

The towns of Fairfield, Milford, Stratford, Norwalk and Stanford, having exhibited to the General Assembly holden at Hartford in May last their several accounts for quartering his Majesties 48th regiment the last winter, the adjustment of which accounts was referred to the consideration of this Assembly, and the same having been duly examined and considered: It is thereupon resolved by this Assembly, that the Treasurer of this Colony be and he is hereby directed and ordered to pay out of the Colony treasury to the inhabitants of the town of Fairfield the sum of four hundred and ninety-one pounds fifteen shillings and seven pence. £491 15s. 7d. And to the inhabitants of the town of Milford the sum of four hundred ninety-one pounds ten shillings and nine pence. £491 10s. 9d. And to the inhabitants of the town of Stratford the sum of four hundred and seventy-two pounds five shillings and eleven pence. £472 5s. 11d. And to the in-

habitants of the town of Norwalk the sum of four hundred eighty-seven pounds five shillings and six pence. £487 5s. 6*d.* And to the inhabitants of the town of Stanford the sum of four hundred and thirty-three pounds thirteen shillings and eleven pence. £433 13s. 11*d.*, in full satisfaction of their said respective accounts. And the several sums above mentioned shall be allowed and paid by the said Treasurer out of the public tax on the inhabitants of this Colony ordered to be brought in to the said treasury in December next.

On the petition of Thomas Hancock, of Boston in the county of Suffolk and Province of the Massachusetts Bay, shewing to this Assembly that he brought his action against one Reuben Cone of East Haddam, demanding the surrendry of a certain tract of land lying and being in East Haddam aforesaid, which came to a final tryal at the superior court held at Hartford in and for the county of Hartford on the first Tuesday of June 1759, on a demurrer to the replication of the plaintiff, on which judgment was had and rendered in favour of the then defendant, *viz.* that said replication was insufficient, &c.; shewing that by the mis-pleading or ill-replication of the then plaintiff's attorney he lost his said cause; thereupon praying for liberty of another tryal of said cause &c. as per petition on file: Resolved by this Assembly, that the said Hancock have liberty and the same is hereby granted to him, to enter said cause at the superior court to be held at Hartford in and for the county of Hartford on the first Tuesday of March next, and that he have another tryal of said cause at said March superior court, and that future cost only follow the judgment of said March superior court therein.

Upon the petition of Gershom Nott against William Howard: It is resolved, that the same and matters therein shall be and the same is hereby referred to the consideration of this Assembly at their sessions in May next, and that execution on the judgment complained of in said petition shall be stayed till the rising of said Assembly.

On the petition of Solomon Drown, James Nevins and Ignatius Barker, representing to this Assembly that one David Nevins late of Canterbury, deceased, in his life time was justly indebted to them and sundry others in large sums of money, which still remain unpaid, and that the said David Nevins in his life time executed to Colo. Simon Lothrop of Norwich a bill of sale of all his goods and personal estate and also a deed of all his, the said David's, land, in trust, with intent to defraud the creditors to the said David Nevins of their just debts &c.; complaining that said deed and bill of sale was



fraudulent, and praying that the same may be set aside, or [238] otherwise grant relief &c. : || Resolved by this Assembly, that Jonathan Trumble, Christopher Avery and William Williams of Lebanon, Esq<sup>rs</sup>, be and they are hereby appointed a committee to enquire and find out the truth of the matters in said petition complained and referred to; to examine the claims of the petitioners and other creditors to the said David Nevins' estate, and to examine all persons and parties therein concerned under oath, and any others that said committee shall think proper, in order to find what is become of the personal estate of said Nevins mentioned and contained in said pretended bill of sale from said Nevins to said Lothrop; to bring to light and discover the actions and transactions between said Lothrop and said Nevins with regard to said Nevins' estate, and also the transactions of the said Rufus Lothrop therein, and examine all witnesses, exhibits and papers relative to said matters; and of what they find with their opinion thereon to make report to this Assembly in their sessions at Hartford in May next.

Upon the petition of Philander Pinney of Windsor, representing to this Assembly that in the year 1754, one Eliphalet Beacher prayed out his certain writ of attachment against one Timothy Adams of said Windsor, demanding £100 damages for forgery, which writ was put into the hands of one Elijah Kent of Suffield, (who then was deputy to the sheriff of Hartford county,) to serve according to law and make return to the county court then to be held at New Haven in New Haven county November 2d Tuesday 1754, and said Elijah having received said writ did thereby attach the body of said Adams, and said Adams did in order to get his liberty from said arrest procure said Pinney to give bail for his appearance at said New Haven court, and said Kent in lieu of taking a common bail-bond &c. did insist on said Pinney's giving an absolute note of £200 0 0 lawful money, with interest from date till paid, for the appearance of said Adams, and that said Kent \* did execute to said Kent for said purpose an absolute note of said sum of £200 0 0 lawful money with interest; and further representing, that said Beacher at said November county court recovered judgment by default against said Adams in said action for the sum of £99 9 1 damages and £4 18 1 cost, and that said Kent had had sued said note given by said Pinney and had thereon recovered judgment for the sum of £112 0 0 lawful money damages and £4 3 4 cost, which last judgment the said Pinney had [been] compelled to

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\* So in the Record.

pay and discharge; praying this Assembly for relief: Resolved by this Assembly, that John Chester, Esq<sup>r</sup>, Elisha Williams of Weathersfield, and Capt. John Lawrence of Hartford be a committee, and they are hereby appointed a committee to enquire into the                   alleged and complained of in said petition, and make report of their opinion thereon to the General Assembly to be holden at Hartford in May next.

Upon the memorial of John Hall the second, Caleb Meriman, Eliakim Hall and Isaac Johnson, all members of the first society in Wallingford, and others, members of said society, being the minor part, so called, in said society who opposed the settlement of Mr. James Dana in said society as the minister thereof, and dissent from his ministry, representing many difficulties they labour under on account of the settlement of the said Mr. James Dana, and praying for relief, as by their memorial more fully and at large may appear: Resolved by this Assembly, that the memorialists be freed and they are hereby freed from all the taxes and rates that are or shall be laid by the said society for the settlement and support of the said Mr. Dana, and that they shall have liberty, and the same is hereby granted to them, to convene and worship among themselves at any convenient place by them agreed upon (other than the meeting-house in said society) and to tax themselves to raise money to pay for preaching the gospel among them, during the pleasure of this Assembly.

*Ordered*, That the Treasurer of this Colony pay out of the public treasury unto Mr. Timothy Green, printer to the Governor and Company, the sum of eighteen pounds thirteen shillings and six pence, for his last half year's salary and in full for sundry other services mentioned in his accounts exhibited to and allowed by this Assembly.

*Resolved by this Assembly*, That the officers and soldiers in the pay of this Colony in the present campaign be exempted from having their polls put into the public list of this Colony the current year.

This Assembly do appoint Benjamin Hall, Esq<sup>r</sup>, to be Judge of the Superior Courts in this Colony until the session of the General Assembly in May next, in the room of Roger Wolcott jun<sup>r</sup>, deceased. †

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† There was printed at New Haven by James Parker and Company, 1760, pp. 10, A Funeral Poem upon Roger Wolcott, Esq<sup>r</sup>, who was one of the Honourable Council of the Colony of Connecticut and a Judge of their Superior Court; who died October 19th, 1759, in the 56th year of his age. Inscribed to William Wolcott, Esq<sup>r</sup>.

[239] *Resolved by this Assembly*, That Jared Ingersol, Esqr, Agent of this Colony, who is impowered to solicit for and receive all such sum and sums of money as may be granted and ordered this Colony by the Parliament of Great Britain as a compensation for the services and expences of this Colony in the last year's expedition against Canada, be and he is hereby directed, on receipt of such money, to send fifteen thousand pounds sterling thereof in specie to the Governor and Company of this Colony by the first good opportunity he may have safely to convey the same at a moderate insurance, and in such coins as may turn out to the best advantage to this Colony, and to put the remainder thereof in some proper and safe bank in England, in the name and on account of this Colony, to be drawn by him or the Agent of this Colony for the time being, to be disposed of according to such other or further orders as he or the Agent for the time being shall from time to time receive from this Assembly for that purpose.

Whereas this Assembly is informed by letters from Mr. Ingersol, that the estate of our late Agent, Mr. Partridge, deceased, is insolvent, and that this Colony is in danger of suffering thereby and the bills of exchange drawn by his Honor the Governor on Mr. Partridge for payment of the Colony's money in his hands may fail of due honor and payment, and protests on such bills may occasion interest and damages to be paid and allowed by the Colony, to its further loss: which to prevent: It is resolved by this Assembly, that Jared Ingersol, Esqr, be and he is hereby directed to use his endeavours to prevent any of the bills of exchange abovementioned being protested, and if need be to pay any of such bills not paid by the executors of the said Mr. Partridge to such persons in whose favour the same are drawn for the honor and safety of the Colony out of the money he shall receive as a compensation made the Colony for the services and expences in the expedition against Canada the last year. And Mr. Ingersol is further directed to settle the accounts with the executors of Mr. Partridge on behalf of this Colony in the best manner he can, and therein to observe the advice given by his Honor the Governor in his letter dated 16th July 1759, and bring the same to a conclusion as speedily as with safety and advantage to the Colony it may be done.

The Honorable William Pitkin, Esqr, John Chester and George Wyllys, Esqrs, are hereby appointed a committee, they or any two of them, to sell twenty-two thousand pounds sterling of such sum or sums of money as is or shall be granted

or ordered by Parliament or otherwise distributed to this Colony for and as a compensation for the services and expences of the last year's expedition against Canada, as soon as certain intelligence is had that said money is received by Mr. Agent Ingersol. And the said committee is hereby directed to sell the same for the full value thereof in silver, gold, or bills of credit of this Colony emitted by act of Assembly in March 1758, to any person or persons that shall appear and pay the value thereof as aforesaid into the treasury of this Colony. And when such contract is made and the money or bills as aforesaid paid into the treasury as aforesaid, and the Treasurer's receipt produced to said committee in evidence thereof, said committee is directed to lodge the same with the Secretary of this Colony and make a proper certificate thereof to his Honor the Governor, and on receipt of such certificate his Honor the Governor is hereby desired and impowered to draw proper bills of exchange on the said Jared Ingersol, Esq<sup>r</sup>, in favour of such purchaser or purchasers for the payment of such sum or sums as he or they shall have purchased as aforesaid.

Whereas this Assembly have directed Mr. Ingersol on receipt of the money granted by Parliament as a compensation for the services and expences of this Colony in the last year's expedition against Canada, to send fifteen thousand pounds sterling thereof in specie to the Governor and Company: Thereupon it is resolved by this Assembly, that the Treasurer of this Colony be and he is hereby directed on the arrival of said money to receive the same into his hands and pay and discharge the bills of credit emitted by act of the Assembly on the 27th day of August therewith.

*Resolved by this Assembly,* That so soon as the muster or pay-rolls of the regiments of this Colony employed in his Majesties service for the reduction of Canada in the campaign of the current year, with the other accounts of expences relative thereto, are drawn and settled, the Committee of the Pay-Table do draw over and prepare two other sets of the same duly authenticated, and transmit them to his Honor the Governor, that such rolls and accounts may be seasonably sent to our Agent in England. And his Honor the Governor is desired to forward one set by the first, and the other by the next opportunity.

[The Record is not completed, and five pages (240—244) are left blank. Sundry of the files of this session are also missing.]

[245] *Anno Regni Regis Georgii secundi trigesimo-tertio.*  
 AT A GENERAL ASSEMBLY OF THE GOVERNOR AND COMPANY  
 OF HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW  
 ENGLAND IN AMERICA HOLDEN AT HARTFORD IN SAID COLONY  
 (BY SPECIAL ORDER OF HIS HONOUR THE GOVERNOR OF THE  
 COLONY AFORESAID) ON THE 13TH DAY OF MARCH ANNOQUE  
 DOMINI 1760.

*Present :*

The Honourable Thomas Fitch, Esq<sup>r</sup>, *Governor.*

The Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, *Deputy Governor.*

Roger Newton,	Thomas Wells,	} Esq <sup>s</sup> , Assistants.
Ebenezer Silliman,	Benjamin Hall,	
Jonathan Trumble,	Daniel Edwards,	
Hezekiah Huntington,	Jabez Hamlin,	
Andrew Burr,	Matthew Griswold,	
John Chester,		

*Representatives or Deputies who attended this Assembly  
 are as follows, viz :*

Col. Joseph Pitkin, Col. Samuel Talcott, for Hartford.  
 Col. John Hubbard, Mr. John Whiting, for New Haven.  
 Mr. David Gardner, Capt. Pygan Adams, for New London.  
 Mr. David Rowland, for Fairfield.  
 Mr. Samuel Gray, Capt. Samuel Moredock, for Windham.  
 Col. Ebenezer Marsh, Capt. Elisha Sheldon, for Litchfield.  
 Capt. Jabez Huntington, Mr. Daniel Lothrop, for Norwich.  
 Col. Shubael Conant, Mr. William Hall jun<sup>r</sup>, for Mansfield.  
 Col. David Whitney, for Canaan.  
 Mr. Samuel Kimberly, for Glassenbury.  
 Mr. Samuel Olmsted, Mr. Stephen Smith, for Ridgfield.  
 Capt. Obadiah Johnson, Col. John Dyar, for Canterbury.  
 Mr. Phineas Strong, Mr. Joseph Strong, for Coventry.  
 Capt. Samuel Kent, Capt. Benjamin Kent, for Suffield.  
 Mr. John Strong, Capt. William Wadsworth, for Farmington.  
 Capt. Samuel Pettibone, Capt. Nathaniel Baldwin, for  
 Goshen.  
 Capt. Elijah Worthington, Mr. Dudley Wright, for Col-  
 chester.  
 Col. Timothy Stone, Mr. Edmond Ward, for Guilford.  
 Major Ezekiel Pierce, Capt. Thomas Stephens, for Plainfield.  
 Capt. Abjah Catling, Mr. Daniel Catling, for Harwinton.  
 Col. Robert Walker, Mr. Ichabod Lewis, for Stratford.  
 Mr. Joseph Sexton, for Somers.  
 Mr. Michael Humphry, for Symsbury.  
 Mr. Jabez Swift, Mr. Daniel Lee, for Kent.

- Capt. William Hoadly, Capt. Robert Foot, for Branford.  
 Mr. Joseph Platt, for Norwalk.  
 Capt. Samuel Ely, for Lyme.  
 Mr. Isaac Kellogg, Mr. Eleazer Goodwin, for New Hartford.  
 Capt. Hezekiah Whittlesey, Capt. John Murdock, for Saybrook.  
 Capt. Elisha Williams, for Weathersfield.  
 Major Edward Allin, Capt. John Fowler, for Milford.  
 Mr. Charles Whittlesey, Capt. Samuel Hall, for Wallingford.  
 Mr. Abraham Davenport, Mr. Charles Webb, for Stanford.  
 Mr. Christopher Holmes, for East Haddam.  
 Mr. Josiah Stoddard, Capt. Samuel Moor, for Salisbury.  
 Mr. James Wadsworth, Capt. James Wadsworth, for Durham.  
 [246] Mr. Roger Sherman, Mr. Partridge Thatcher, for New Milford.  
 Mr. Daniel Booth, Capt. Henry Glover, for Newtown.  
 Mr. Ebenezer Williams, Mr. Jonathan Dresser, for Pomfret.  
 Mr. Seth Wetmore, Mr. Matthew Talcott, for Middletown.  
 Capt. Robert Dixon, Mr. John Smith, for Voluntown.  
 Capt. Samuel Basset, Capt. James Wheeler, for Derby.  
 Mr. Zebulon West, Capt. Joshua Wills, for Tolland.  
 Mr. Benjamin Gale, Capt. Elnathan Stephens, for Killingsworth.  
 Capt. Timothy Judd, Mr. Thomas Matthews, for Waterbury.  
 Capt. Joshua West, Mr. William Williams, for Lebanon.  
 Mr. John Phelps, Mr. Alexander Phelps, for Hebron.  
 Mr. Jacob Dresser, Capt. Samuel Danielson, for Killingsly.  
 Mr. Isaac Johnson, Mr. Manassah Hosmer, for Woodstock.  
 Capt. Benjamin Talcott, Mr. David Strong, for Bolton.  
 Mr. Edward Collins, for Enfield.  
 Mr. Daniel Aldin, Mr. Nathan Johnson, for Stafford.  
 Mr. Amos Babcock, Capt. Jedidiah Fay, for Ashford.  
 Mr. Daniel Sherman, Col. Benjamin Hinman, for Woodbury.  
 Mr. Comfort Starr, Capt. Lemuel Beebe, for Danbury.  
 Mr. Erastus Wolcott, for Windsor.  
   for Greenwich.  
 Mr. Hezekiah Brainard, for Haddam.  
 Mr. Simeon Minor, Capt. Amos Cheesbrough, for Stonington.  
 Col. Christopher Avery, Capt. Jabez Smith, for Groton.  
 Capt. William Witter, Mr. Nathaniel Brown, for Preston.  
     Col. Shubael Conant, Speaker    } of the House  
     Capt. Jabez Huntington, Clerk  } of Representatives.

An Act for raising in this Colony by Enlistments Five Thousand Men including Officers and for giving Directions concerning them in Consequence of his Majesty's Orders for the next Campaign and for making Provisions to defray the Charges arising thereon.

Whereas his Honour the Governor hath laid before this Assembly a letter lately received from the Right Hon<sup>ble</sup> William Pitt, one of his Majesty's principal Secretaries of State, dated the 7th day of January last,\* signifying the King's pleasure respecting the operations of the ensuing campaign against his enemies and the great encouragements given to induce the Colonies to co-operate with and second to the utmost the large expence and extraordinary succours supplied by Great Britain for the preservation and future security of his Majesty's subjects in North America by compleating the reduction of all Canada, and hath recommended the several matters contained in said letter to the speedy consideration of this Assembly: And whereas, altho' the strength and treasure of this Colony is much weakened and exhausted by the many expensive campaigns in years past, wherein this government has borne so large a proportion, yet, considering the importance of continuing and compleating the services so successfully begun, the promising prospect of rendering his Majesty entire master of all Canada, and the great encouragements given for a proper compensation to be made by the Parliament for these services:

*This Assembly, firmly relying on the royal assurance for a reimbursement, and zealous to promote to the utmost these important designs, doth enact and resolve, and it is hereby enacted and resolved,* That all necessary provisions be made for levying, cloathing and paying five thousand able-bodied effective men, officers included, to be raised by enlistments with all possible dispatch within this Colony, to proceed and co-operate with a body of the King's British forces, and under [247] the supreme command of his || Majesty's Commander-in-Chief in America against Canada, in order to reduce Montreal and all other posts belonging to the French in those parts, and further to annoy the enemy in such manner as his Majesty's Commander-in-Chief shall judge practicable. That the said five thousand men to be raised as aforesaid shall be divided and formed, and the same are hereby ordered to be formed, into four regiments, each regiment to consist of twelve companies, and that for each regiment be appointed one colonel, one lieutenant-colonel, one major, a chaplain, a surgeon, a surgeon's mate, an adjutant, a quartermaster, an armourer, a sergant-major, and a drum-major, and for each

\* Printed in *New York Colonial Documents*, VII, 420. *R. I. Colonial Records*, VI, 234.

company a captain, two lieutenants, an ensign, four sergeants, four corporals, a drummer, and a clerk, and that each of the field officers have the command of a company as captain thereof. And the Governor or Commander-in-Chief is desired as soon as may be to give orders to the several enlisting officers to raise by enlistments, with the utmost dispatch, the levies for filling up and compleating the respective regiments and companies for the purpose aforesaid.

*And, to induce both officers and men chearfully and voluntarily to engage and enlist into this service, this Assembly doth resolve and grant,* That each enlisting officer shall receive for every able-bodied man by him enlisted and that shall pass muster the sum of five shillings as a reward for that service and expence therein, and that every able-bodied man, as well a non-commission officer as soldier, that hath been in the forces in either of the former campaigns during the present war, who shall voluntarily enlist for this service in either of the regiments aforesaid and shall provide himself with suitable cloaths, a powder-horn and shot-bag to the acceptance of the muster-master, shall on his being mustered be intituled to receive full wages and pay at the respective rates given to such non-commission officer or soldier in the pay of this Colony last year, to be computed from the fifteenth day of December last inclusive, (that being about the end of last campaign,) until the fourth day of April next inclusive; and every other able-bodied man who shall voluntarily enlist into this service and who shall furnish himself with cloathing &c. as aforesaid shall on his being mustered be intituled to receive towards cloathing himself and for a bounty the sum of four pounds; and each man enlisting on either of the said encouragements shall be paid a further bounty of thirty-five shillings for the purpose of procuring him a lapelled coat for said service. And in case any one do not properly furnish himself with the particulars aforesaid, his captain is hereby directed to supply him therewith out of the said wages and bounties and then to pay him the remainder, if any be. And both officers and soldiers shall as a further encouragement each of them receive a blanket and knapsack suitable for the service, to be delivered in the most convenient place or places, and shall receive one month's pay before their march out of the Colony.

*And be it further resolved and enacted,* That the wages of both officers and soldiers shall be the same as was stated and fixed for the last campaign for the ranks they shall respectively sustain in the ensuing campaign: such wages to begin on the day of their engaging or enlisting in the service



and to continue during their continuance therein. And that they shall be discharged from the same as soon as the campaign is ended. And his Honor the Governor is desired to issue his proclamation for acquainting them with the several encouragements given for inducing men to engage and enter into this important service for their King and country.

And whereas large sums of money will be necessary for the purposes aforesaid, and the public treasury at present wholly exhausted by means of the great charges occasioned in the several campaigns: Therefore,

[248] *Be it further enacted*, That there be forthwith imprinted the sum of seventy thousand pounds in bills of credit on this government equal to lawful money, of suitable denominations from nine pence to forty shillings, as the committee herein appointed shall direct, and of the same tenor of the late emissions of bills of credit of this Colony, with interest at five *per cent. per annum* and payable at or before the first day of March 1765, dated the day of the sessions of this Assembly. And the Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, John Chester, George Wyllys and Joseph Buckingham, Esq<sup>rs</sup>, or any three of them, are appointed a committee for the purpose aforesaid and to take care that said bills be printed with all convenient speed, and to sign and deliver the same to the Treasurer, taking his receipt therefor. And the said committee shall be sworn to a faithful discharge of their said trust. And the Treasurer is hereby directed to pay out all the aforesaid bills of credit with the interest computed thereon according to the orders of this Assembly.

And for providing and establishing an ample and sufficient fund to call in, sink and discharge the aforesaid sum of seventy thousand pounds, according to an act of Parliament made in the 24th year of his present Majesty's reign, entitled An act to regulate and restrain paper bills of credit in his Majesty's Colonies of Rhode Island and Providence Plantations, Connecticut, the Massachusetts Bay, and New Hampshire, in America, and to prevent the same being legal tenders in payment of money,

*Be it enacted*, That a tax of six pence on the pound be and is hereby granted and ordered to be levied on all the polls and rateable estate in this Colony according to the list thereof to be brought into this Assembly in October 1760, with the additions; which shall be collected and paid into the treasury of this Colony by the last day of December 1761; which tax may be discharged by paying the bills emitted by this act or lawful money, and no otherwise. And also, that one other tax of nine pence on the pound be and is hereby granted and

ordered to be levied on all the polls and rateable estate in this Colony according to the list thereof to be brought in to this Assembly in October 1763, with the additions; which shall be collected and paid into the treasury of this Colony by the last day of December 1764; which tax may be discharged by paying the bills emitted by this act or lawful money, and no otherwise. And the Treasurer of this Colony is hereby directed and ordered to send forth his warrants for collecting the two aforesaid taxes accordingly.

And whereas this Assembly humbly rely on reimbursement for charges arising from this present intended expedition, in consequence of his Majesty's royal encouragement to recommend the same to Parliament, and the money therefor may be expected before the time appointed for collecting the taxes aforementioned: Therefore,

*Be it enacted by the authority aforesaid,* That in case a sum sufficient for sinking and discharging the bills emitted by this act shall be reimbursed on account of the present intended expedition and shall arrive from Great Britain and be lodged in the hands of the Treasurer of this Colony seasonable to prevent the warrants going forth to collect either or both said taxes, the same shall be and is hereby appropriated for sinking and discharging the bills aforesaid, and the Treasurer is hereby directed to pay out the same accordingly; and then the tax or taxes which otherwise by this act are hereinbefore ordered to go forth are hereby made null and void.

And whereas a further supply of the treasury is necessary to be made, in order to pay the men raised on the present occasion upon their return: Therefore, this Assembly grants and orders a rate or tax of ten pence on the pound on all the polls and rateable estate in this Colony according to the list brought in to this Assembly in October last with the additions, to be collected and paid by the last day of December next in lawful money or bills of credit of this Colony; and the Treasurer is hereby directed to send forth his warrants accordingly.

[249] *And it is further resolved and ordered,* That whenever any pay-master of the money due on settlement of any pay-roll of any of the companies employed in the service of the ensuing campaign having obtained order on the Treasurer therefor and the same exhibited for payment, the Treasurer may on sight make out orders on the constables, collectors of the public tax in such town or towns whence the soldiers named in such roll were collected, or that may be most convenient to facilitate the payment, payable to such pay-master or his

order in such town or towns to the amount of such pay-roll or such part thereof as shall be needful, which orders such collectors are directed to answer in such manner as may be most practicable and satisfactory. And the Treasurer is also directed to keep clear accounts of all such orders and see that each constable, either by money or return of such orders duly discharged, seasonably settle and make up his account with him according to law.

*This Assembly do appoint* Phineas Lyman, Esqr, Major-General of the forces raised in this Colony, Colonel of the first regiment, and Captain, John Ellsworth Captain-Lieutenant, Ebenezer Fitch Bissell Lieutenant, Roger Enos Ensign, of the 1st company.

Nathan Payson Lieutenant-Colonel and Captain, Timothy Seymour 1st Lieutenant, Jonathan Gillet 2d Lieutenant, James Pitkin Ensign, of the 2d company.

John Slapp Major, and Captain, Josiah Smith 1st Lieutenant, John Phelps 2d Lieutenant, Thomas Knowlton Ensign, of the 3d company.

John Patterson Captain, Judah Woodruff 1st Lieutenant, Shubael Griswold 2d Lieutenant, David Andruss Ensign, of the 4th company.

Eliphalet Whittlesey Captain, Seth King 1st Lieutenant, Josiah Goodrich 2d Lieutenant, Stephen Winchel Ensign, of the 5th company.

Aaron Hitchcock Captain, John Charlton 1st Lieutenant, Jonathan Birge 2d Lieutenant, Samuel Huntington Ensign, of the 6th company.

Samuel Gaylord Captain, John Sumner 1st Lieutenant,\* Samuel Gridley 2d Lieutenant, Francis Hollister Ensign, of the 7th company.†

Timothy Hierlihey Captain, Christopher Hamlin 1st Lieutenant, Jonathan Johnson 2d Lieutenant, Stephen White Ensign, of the 8th company.

[250] David Parsons Captain, Nathaniel Terry 1st Lieutenant, Amory Pease 2d Lieutenant, Jonathan Pinny Ensign, of the 9th company.

Noah Humphrey Captain, Hezekiah Humphrey 1st Lieutenant, Silas Holcomb 2d Lieutenant, Elihu Humphry Ensign, of the 10th company.

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\* He seems to have served as captain of a company in which Ephraim Wells, was Ensign. *War*, IX, 74, 81.

† Of this company Daniel Sizer was 1st Lieut., Stephen Scovel 2d Lieut., Alexander Chalker ensign. *War*, IX, 47, 77.

Edward Barnard Captain,\* Giles Wolcott 1st Lieutenant, Ebenezer Belknap 2d Lieutenant, Hezekiah Wills Ensign, of the 11th company.

David Hubbard jun<sup>r</sup> Captain,† Gideon Goodrich 1st Lieutenant, Abner Prior 2d Lieutenant, Roger Riley Ensign, of the 12th company in said first regiment.

Nathan Whiting Colonel of the second regiment, and Captain, Jabez Thompson Captain-Lieutenant, Edward Rogers Lieutenant, Ebenezer Trusdell Ensign, of the 1st company.

Joseph Spencer Lieutenant-Colonel, and Captain, Levi Wells 1st Lieutenant, Timothy Percival 2d Lieutenant, James Sparrow Ensign, of the 2d company.

David Baldwin Major, and Captain, Abraham Foot 1st Lieutenant, Peter Perrit jun<sup>r</sup> 2d Lieutenant, Andrew Baldwin jun<sup>r</sup> Ensign, of the 3d company.

Benjamin Ruggles Captain, Hezekiah Baldwin 1st Lieutenant, Nathan Tibballs 2d Lieutenant, Isaac Morss Ensign, of the 4th company.

Andrew Ward jun<sup>r</sup> Captain,‡ Abraham Tyler jun<sup>r</sup> 1st Lieutenant, Enos Bishop 2d Lieutenant, Abner Hill Ensign, of the 5th company.

[251] Amos Hitchcock Captain, James Arnold 1st Lieutenant, Abner Curtis 2d Lieutenant, Samuel Adams Ensign, of the 6th company.

Eldad Lewis Captain, Josiah Stow 1st Lieutenant, Samuel Judd jun<sup>r</sup> 2d Lieutenant, Ebenezer Curtis Ensign, of the 7th company.

Ichabod Phelps Captain, Benjamin Carter 1st Lieutenant, Samuel Jones 2d Lieutenant, Thomas Sumner Ensign, of the 8th company.

Azel Fitch Captain, David Woodward 1st Lieutenant, Daniel Moulton 2d Lieutenant,§ Dan Hide Ensign, of the 9th company.

Peleg Redfield Captain, Daniel Griswold 1st Lieutenant,|| Abraham Towner 2d Lieutenant, Jonas Wilde Ensign, of the 10th company.

Joel Clark Captain, Benjamin Colver 1st Lieutenant, Tim-

\* John Ellsworth probably commanded this company. He was also quarter-master of the regiment. *War*, IX, 5, 80.

† On the death of Capt. Hubbard Seth King was appointed in his place. *War*, IX, 48. King was adjutant of the 1st Regt. from March 24 to Nov. 25. *id* 75.

‡ Ichabod Scanton commanded this company. *War*, IX, 46.

§ He was quarter-master of the regiment. *War*, IX, 72.

|| John Crane was 1st Lieut., and Eliphalet Wells ensign of this company. *War*, IX, 49.

othy Hotchkiss 2d Lieutenant, Stephen Merwin Ensign, of the 11th company.

Thomas Pierce Captain, Israel Harding 1st Lieutenant, Edward Shipman 2d Lieutenant, Ebenezer Belding Ensign, of the 12th company in said second regiment.

David Wooster Colonel of the third regiment, and Captain, Samuel Clark jun<sup>r</sup> Captain-Lieutenant, Peter Wooster Lieutenant, Edward Wooster Ensign, of the 1st company.

James Smedly Lieutenant-Colonel, and Captain, Ebenezer Couch jun<sup>r</sup> 1st Lieutenant, Peter Fairchild 2d Lieutenant, Stephen Thorp Ensign, of the 2d company.

David Waterbury jun<sup>r</sup> Major, and Captain, Josiah Stebbins 1st Lieutenant, Nathan Ferris jun<sup>r</sup> 2d Lieutenant, Moses Smith jun<sup>r</sup> Ensign, of the 3d company.

[252] Samuel Whiting Captain, Jabez Hall 1st Lieutenant, Solomon Morehouse 2d Lieutenant, Charles Patterson Ensign, of the 4th company.

Thomas Hobby Captain, Timothy Lockwood 1st Lieutenant, James Mead 2d Lieutenant, Joseph Mead Ensign, of the 5th company.

Gideon Tomlinson Captain, Abel Prindle 1st Lieutenant, Elijah Beach 2d Lieutenant, Benjamin Sommers Ensign, of the 6th company.

Samuel Hubbel Captain, Noble Benedict 1st Lieutenant, Lemuel Benedict 2d Lieutenant, Caleb Church Ensign, of the 7th company.

Samuel Elmor Captain, Heman Swift 1st Lieutenant, Isaac Peck 2d Lieutenant, Nathaniel Buel Ensign, of the 8th company.

Archibald McNeal Captain, Stephen Smith 1st Lieutenant, Ashbel Humphrys 2d Lieutenant, Jeremiah How jun<sup>r</sup> Ensign, of the 9th company.

Thaddens Mead Captain, Joseph Hoit 1st Lieutenant, Levi Taylor 2d Lieutenant, Eliphalet Kellogg Ensign, of the 10th company.

Tarbal Whitney Captain, Daniel Park 1st Lieutenant, Ebenezer Dibble 2d Lieutenant, Noah Stevens Ensign, of the 11th company.

Gideon Stoddard Captain,\* Nathaniel Tuttle 1st Lieutenant, Joel Munson jun<sup>r</sup> 2d Lieutenant, Increase Moseley jun<sup>r</sup> Ensign, of the 12th company in said 3d regiment.

Eleazer Fitch Colonel of the fourth regiment, and Captain,

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\* Phinehas Castle served as captain of this company. *War*, IX, 37.

Robert Durkee Captain-Lieutenant, Patrick Walsh Lieutenant,\* Daniel Rust Ensign, of the 1st company.

[253] Israel Putnam Lieutenant-Colonel, and Captain, John Spaulding 1st Lieutenant, Jacob Spaulding 2d Lieutenant, Josiah Morss Ensign, of the 2d company.

John Durkee Major, and Captain, Solomon Andrews 1st Lieutenant, Ezekiel Waterman 2d Lieutenant, John Griswold Ensign, of the 3d company.

Simon Smith Captain, James Chapman jun<sup>r</sup> 1st Lieutenant, Christopher Darrow jun<sup>r</sup> 2d Lieutenant, Isaac Thompson jun<sup>r</sup> Ensign, of the 4th company.

John Stanton Captain, William Roe Minor 1st Lieutenant, Robert Niles 2d Lieutenant, John Stedman jun<sup>r</sup> Ensign, of the 5th company.

David Holmes Captain, Peter Leavens 1st Lieutenant, Jonathan Child 2d Lieutenant, Nathaniel Ormsby Ensign, of the 6th company.

John Tyler Captain, Moses Park 1st Lieutenant, Charles Avery 2d Lieutenant, James Brown Ensign, of the 7th company.

John Wheatly Captain, Samuel Gifford 1st Lieutenant, Jehiel Peck 2d Lieutenant, Elijah Huntington Ensign, of the 8th company.

George Creary Captain, James McGunnigil jun<sup>r</sup> 1st Lieutenant, Mark Ames 2d Lieutenant, Eleazer Bateman Ensign, of the 9th company.

Zebulon Butler Captain, Fithen Sill 1st Lieutenant, John Harris 2d Lieutenant, Zechariah Marvin jun<sup>r</sup> Ensign, of the 10th company.

[254] Christopher Palmer Captain, Joseph Farnum 1st Lieutenant, Samuel Prentice jun<sup>r</sup> 2d Lieutenant, William Dennison jun<sup>r</sup> Ensign, of the 11th company.

Nehemiah Eastbrooks Captain,† Joshua Burges 1st Lieutenant, John Ordaway 2d Lieutenant, Peleg Heath Ensign, of the 12th company in said 4th regiment, in the forces now ordered to be raised for the service of the ensuing campaign, and desire they may be commissioned accordingly. And in case any of the above named persons shall refuse, his Honor the Governor is hereby desired to supply such vacancy and give commissions accordingly.

This Assembly do appoint the Rev<sup>d</sup> Mr. George Beckwith of Lyme Chaplain of the 1st regiment, the Rev<sup>d</sup> Mr. Mark Levingsworth of Waterbury Chaplain of the 2d regiment, the Rev<sup>d</sup> Mr. James Beebe of Stratford Chaplain of the 3d regi-

\* He was adjutant of the regiment. *War*, IX, 70.

† Robert Durkee served as captain of this company. *War*, IX, 43.

ment,\* the Rev<sup>d</sup> Mr. Benjamin Pomroy of Hebron Chaplain of the 4th regiment, ordered by this Assembly to be raised for the ensuing expedition.

This Assembly do appoint Elisha Lord of Norwich Director of the Hospital Stores and Surgeon, Samuel How † of Mansfield Surgeon's mate in the 1st regiment; Daniel Dwight of Enfield Surgeon, Nathaniel Fitch of Norwich Surgeon's Mate in the 2d regiment; Benjamin Pomroy jun<sup>r</sup> ‡ of Hebron Surgeon, Gershom Dorrance of Voluntown Surgeon's Mate in the 3d regiment; David Adams of Canterbury Surgeon, Philip Turner of Norwich Surgeon's Mate, in the 4th regiment ordered to be raised in this Colony for the ensuing campaign.

This Assembly appoints Hezekiah Huntington, Jabez Hamlin, John Hubbard and Theophilus Nichols, Esq<sup>rs</sup>, Commissaries to make provision for and furnish the troops ordered by this Assembly to be raised in this Colony with such articles as are to be provided by this Colony for said troops according to the resolves and orders of this Assembly and the directions of his Honour the Governor where no special orders are made, and to provide officers tents in the same manner as was directed last campaign. And the said commissaries are directed and fully impowered, to collect as soon as may be and put in good order all the arms and accoutrements belonging to his Majesty that can be found in this Colony, and deliver the same when fit for service to the chief officer of some company or companies in said troops, to be used in the ensuing campaign, and taking proper receipts therefor to lodge them with the Committee of the Pay-Table.

This Assembly do appoint and fully impower Mr. John Law of Milford (as soon as may be) to receive into his care and custody all the cloathing and other stores belonging to this Colony that have been provided for the use of the troops of this Colony and are lodged in store at Albany, Fort Edward, Ticonderoga, or elsewhere, and sell and dispose of the same to the best advantage of this Colony, either to the soldiers that shall go into the ensuing campaign, in part pay of their wages, or to any other person or persons for money or good security, and render his account to this Assembly at their sessions in May or October next.

[255] The Governor and Company of his Majesty's English

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\* Rev. John Norton served as chaplain of this regiment. *War*, IX, 54.

† He died in service and was succeeded by John Andrews. *War*, IX, 65, 67.

‡ Gideon Welles served as surgeon and director of hospital probably in this regiment, and Pomroy served as surgeon in the 4th regiment. *War*, IX, 57, 62, 66.

Colony of Connecticut in New England in America, in General Court assembled, do nominate, constitute and appoint Richard Jackson of London, Esqr, to be Agent or Attorney for the said Governor and Company, to appear for and represent them before the King's Most Excellent Majesty, any of his courts, ministers of state or boards of audience in Great Britain, in all matters and affairs wherein the said Governor and Company are or may be interested and concerned, or which they may or shall commit to him to be managed and transacted there. And this Assembly do order and enact, that a proper instrument of procuration or letter of attorney be made out under the public seal of this Colony to the said Richard Jackson, Esqr, and signed by his Honour the Governor and the Secretary, in the name and behalf of the said Governor and Company.

Whereas this Assembly have nominated and appointed Richard Jackson of London, Esqr, to be Agent for this Colony, and Mr. Agent Ingersoll is instructed to desire his acceptance &c. and it may be convenient to know on his return what Mr. Jackson may expect for salary, receiving money, and expences &c.: Therefore his Honour the Governor is desired in his writing to Mr. Ingersole to direct him to introduce discourse with Mr. Jackson on the aforementioned subjects and know his thoughts and expectations thereon, that so this Assembly may be informed thereof on Mr. Ingersoll's return.

*Resolved by this Assembly,* That his Honour the Governor be desired to make proper application that a Judge of Admiralty be appointed within and for this Colony.

Whereas his Honour the Governor was desired and empowered by this Assembly in October last to draw bills of exchange on Jared Ingersole, Esqr, (the then sole Agent of this Colony at the court of Great Britain,) in favour of any purchaser or purchasers of such bills for the sum of twenty-two thousand pounds of the money that should be left in his hands out of the sum granted by Parliament as a compensation to this Colony, and it being uncertain whether the said money may be all drawn before Mr. Ingersoll's return home, his Honour the Governor is now desired and empowered to draw said bills on the present Agents, (joyntly,) or on either of them separately, as he may judge most proper and convenient at the time of drawing such bills.

An Act in further Addition to the Law entituled An Act providing in Case of Sickness.

Whereas, notwithstanding the provision made in said act for preventing the spreading of the small-pox or other infectious or contagious disease and for the preservation of the in-



habitants from such infections, divers persons have presumed to go into the practice of being inoculated in order to receive the small-pox and have invited others to bring the infection into several towns for that purpose, and in some instances have carried on that practice without the leave of, and even in opposition to, the minds of the selectmen of the town, to the great terror of the inhabitants and disturbance of the peace: And whereas such practice being continued, unless under proper and due order and regulation, may create great disorders and disquietudes, much endanger the people, and frustrate the good end of the law aforesaid made for their preservation in those respects,

*Be it therefore enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority [256] || of the same,* That no person shall hereafter within the limits of any town in this Colony, either directly or indirectly, give or communicate the infection of the small-pox either to themselves or to any other person or persons, by way of inoculation or in any such like method, without first obtaining a certificate from the major part of the civil authority and of the selectmen in such town, approving of and permitting him to perform said service; nor shall any person take or receive such infection in manner aforesaid without liberty and permission of the said authority and selectmen as aforesaid, nor shall any be aiding or assisting therein without such liberty first obtained as aforesaid.

That in case the civil authority and selectmen in any town shall judge it expedient to grant liberty and permission as aforesaid, they are hereby directed and required to assign the place, house or houses where it shall be carried on and the infected persons shall be kept, and shall also appoint or approve of the nurses or tenders employed, give orders respecting the time, the persons infected, their nurses and tenders shall continue in the place or places appointed, and also respecting their cleansing and coming out, and such other orders and directions as shall be judged most expedient for preserving the inhabitants from taking the infection from the persons concerned or from any of them; for which service a meet recompence shall be paid by those concerned, or some of them, to the said authority and selectmen. That in case any person shall presume contrary to this act to set up inoculation, or shall directly or indirectly give or communicate said infection in manner aforesaid, or transgress the rules and orders to be given as aforesaid, he shall for every such offence forfeit and pay to the Treasurer of this Colony the sum of fifty pounds; and every person who shall voluntarily

receive said infection as aforesaid, contrary to the true intent and meaning of this act, shall forfeit and pay the sum of twenty pounds, and also for the transgression of any rules or orders made as aforesaid, in pursuance of this act, shall forfeit the sum of eight pounds; which penalties of twenty pounds and eight pounds shall be to the treasurer of the town where the offence is committed, for the use of such town.

*Provided, nevertheless,* That all such persons and all others shall be subjected to and under the regulations of the law aforesaid, entitled An Act providing in case of sickness, in every case wherein other or different provision is not herein made concerning the same, as fully as before the passing this act.

*Provided also,* That nothing in this act shall be construed or understood to excuse or exempt any person or persons whatsoever, who shall wilfully or by any negligence or want of proper care give or communicate the infection of the small-pox to any other person, from being liable to answer all injuries and damages thereby received which the party receiving the same may and shall have liberty to recover in law, anything in this act notwithstanding. And the selectmen and all informing officers are hereby impowered and required to inform against all and every person or persons who shall transgress this act or any rules and orders made in pursuance thereof.

This act to continue in full force until the first day of June next, and no longer.

*Resolved by this Assembly,* That Joseph Buckingham, Esqr, be appointed in the room of Nathaniel Stanly, Esqr, deceased, with the Secretary of this Colony for the time being, to make and execute deeds of release, acquittances and discharge of the government's title and interest in any lands mortgaged for the government's loan of bills of credit or money, to the mortgagors or their heirs or legal representatives, upon the proper payment of the mortgaged monies and interest.

[257] Whereas this Assembly at their session in May last did appoint Jabez Hamlin and Seth Wetmore of Middleton, Esqrs, and Mr. William Wells of Glassenbury, a committee to view and carefully observe the road from Hartford to New Haven and find out how and where the same may be made better and shorter &c. and make report to this Assembly at their session in October next after said appointment, and said committee by reason of the indisposition of one of them not having performed said service: This Assembly therefore do appoint the said committee, or any two of them, to perform the service

aforesaid, according to the resolve of Assembly in May last, and to make report of their doings to the General Assembly in May next.

This Assembly do establish Mr. Zechariah Horskins to be Captain of the 13th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Joseph Osborn to be Ensign of the 13th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Samuel Dennison to be Lieutenant of the 10th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Gamaliel Kelsey to be Ensign of the 10th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Gideon Hotchkiss to be Captain of the company or trainband in the 1st society in Waterbury.

This Assembly do establish Samuel Lewis to be Ensign of the Company or trainband in the 1st society in Waterbury.

This Assembly do establish Judah Woodruff to be Captain of the 2d company or trainband in Farmington.

This Assembly do establish Jehiel Parmele to be Lieutenant of the 2d company or trainband in Farmington.

This Assembly do establish Joshua Raymond jun<sup>r</sup> to be Lieutenant of the 3d company or trainband in the town of New London.

This Assembly do establish Sherman Dennison to be Ensign of the 3d company or trainband in the town of New London.

Upon the memorial of William Buckland, administrator on the estate of William Buckland late of Hartford, deceased, representing to this Assembly that the debts due from said estate surmount the moveables the sum of seventy-six pounds seventeen shillings and one half-penny; praying for liberty to sell so much of the estate of said deceased as to procure said sum and incident charges: Resolved by this Assembly, that the memorialist and William Pitkin jun<sup>r</sup> of said Hartford have liberty, and they are impowered, to sell so much of said deceased's estate as will procure said sum of £76 17s. 0½*d.* lawful money, with incident charges arising on said sale; taking the directions of the court of probate in the district of Hartford therein.

On the memorial of Elijah Bill, shewing to this Assembly that he being a soldier belonging to this Colony in the cam-

paign in the year 1758, and on the 22d of October in said year was taken by a party of Indians and carried to Canada, and remained in captivity until sometime in October last, and that he lost money and a forty-shilling bill of credit of this Colony, destroyed by the enemy &c., praying for a grant out of the public treasury in consideration thereof: This Assembly grants to the said Elijah Bill the sum of eight pounds money or bills of credit, and the Treasurer is hereby ordered to pay the same accordingly.

[258] On the memorial of Catherine Robinson, of New Haven in the county of New Haven, administratrix on the estate of Benjamin Robinson late of said New Haven, deceased, shewing to this Assembly that the debts and charge exhibited and allowed against the estate of said deceased, including some small allowance to the widow for provisions &c., surmount the whole inventoried moveable estate the sum of £7 9s. 11¼*d.* lawful money, and praying that she may be impowered to sell so much of the real estate of the said deceased as shall make said sum with the incident charges, as per memorial: Resolved by this Assembly, that the said Catherine Robinson be and she hereby is impowered, to sell so much of the real estate of the said deceased as shall make said sum of £7 9s. 11¼*d.* lawful money with the incident charges; taking the direction of the court of probate in the district of New Haven therein.

Upon the memorial of Ebenezer Jackson, of Sharon in the county of Litchfield, administrator upon the estate of Joshua Jackson late of said Sharon, deceased, shewing to this Assembly that the debts due from said estate surmount the personal estate and what has already been granted to be sold of the real estate of said deceased the sum of £61 18s. 1*d.* lawful money, and praying for liberty to sell so much more of the lands of said deceased as to procure said sum of £61 18s. 1*d.* lawful money with incident charges, as per memorial on file &c.: Resolved by this Assembly, that the memorialist have liberty and he is hereby impowered, to sell so much more of the lands of said Joshua Jackson, deceased, as to procure said sum of £61 18s. 1*d.* lawful money with incident charges; taking the direction of the court of probate for the district of Sharon therein.

Upon the memorial of Mr. Samuel Allis of Somers, representing that his son, Lucius Allis, in the month of March 1757, enlisted himself a soldier in the service of this government for the campaign of that year; that when proceeding with the troops at Hartford he was taken sick and continued so

for a long time at the expence and cost of the memorialist; praying the consideration of this Assembly, and that a reasonable allowance be made him &c.: It is therefore resolved and ordered by this Assembly, that the said Samuel Allis shall be allowed and paid out of the public treasury of this Colony the sum of £17 6s. 3*d.* money or bills of credit on the said Colony, for and towards the defraying the expences of the sickness of his said son Lucius; and a copy of this act shall be a sufficient warrant to the Treasurer to pay the same to him.

Upon the memorial of Timothy Reynolds, of Greenwich in Fairfield county, representing to this Assembly that he was a soldier in the service of this Colony on the 17th day of July 1756, at Lake George, and was then on a party with Major Waterbury when attacked by the enemy, and was taken prisoner by the Indians and carried into captivity and by them detained until the second day of June last, when he found means to escape and arrived at Lake George the 30th of said June and entered the same service and continued till the 16th day of October last, and praying this Assembly to order him his pay as a soldier from said 17th day of July to the 16th day of October, as per memorial on file: Resolved by this Assembly, that the sum of twenty-five pounds be granted to the said Timothy Reynolds, to be paid out of the public treasury of this Colony, and the Treasurer of this Colony is hereby ordered and directed to pay the same to the said Timothy Reynolds accordingly.

[259] Upon the memorial of Elias Reed and Mary Jacobs, administrators upon the estate of David Jacobs late of Salisbury in the county of Litchfield, deceased, shewing to this Assembly that the debts due from said estate, with an allowance made to the widow for necessary subsistence, surmounts the personal estate the sum of £45 7s. 11*d.* lawful money, and praying for liberty to sell so much of the lands of said deceased as to procure said sum with incident charges, as per memorial appears: Resolved by this Assembly, that the said Elias Reed have liberty and he is hereby impowered, to sell so much of the lands of said David Jacobs, deceased, as to procure said sum of £45 7s. 11*d.* lawful money with incident charges; taking the direction of the court of probate for the district of Sharon therein.

Upon the memorial of Samuel Spencer, administrator on the estate of Capt. Samuel Spencer late of East Haddam, deceased, representing to this Assembly that the debts and charges due from from the estate of said deceased, over and

above the sum rais'd by former sales of land, surmount the personal estate of said deceased the sum of £189 18s. 3¼*d.* lawful money; praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to raise said sum with the incident charges arising thereon: Resolved by this Assembly, that said administrator have liberty, and liberty is hereby granted to him, to sell so much of the real estate of said deceased as shall be sufficient to raise said sum with the incident charges arising thereon; taking the direction of the court of probate in the district of East Haddam therein.

Upon the memorial of Ephraim Hollister of Farmington, in right of his wife Ann, administratrix of the estate of Josiah Beckley late of Weathersfield, deceased, shewing to this Assembly that the debts &c. due from said estate surmount the personal estate of the said deceased the sum of £23 15s. 6¼*d.* lawful money; therefore praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay said sum: Resolved by this Assembly, that the memorialist have liberty, and he is hereby fully impowered, to sell so much of the real estate of the said Josiah Beckley, deceased, as shall be sufficient to procure said sum of £23 15s. 6¼*d.* lawful money together with the incident charges of such sale; taking the direction of the court of probate for the district of Hartford therein.

Upon the memorial of Daniel Parks, Silas Hamlin and Martha Hamlin, administrators upon the estate of Thomas Smith late of Sharon, deceased, shewing that the debts due from the estate of said deceased, with a small allowance made to the widow, surmount the personal estate the sum of £26 8s. 4¼*d.* lawful money, and praying that some meet person may be impowered by this Assembly to sell so much of the lands of said deceased as to procure said sum with incident charges, as per memorial on file &c.: Resolved by this Assembly, that the said Silas Hamlin have liberty and he is hereby impowered, to sell so much of the lands of the said Thomas Smith, deceased, as to procure said sum of £26 8s. 4¼*d.* lawful money with incident charges; taking the directions of the court of probate for the district of Sharon therein.

On the memorial of Mary Fairbanks, administratrix on the estate of David Fairbanks late of Middleton, deceased, [260] shewing to this Assembly || that the debts and charges due from said estate surmount the moveable part thereof the sum of twenty-four pounds lawful money; praying for liberty to sell so much of the real estate of said deceased as will pro-

cure said sum: Resolved by this Assembly, that the memorialist have liberty, and liberty is hereby granted her, to sell so much of the real estate of said deceased as will procure said sum of twenty-four pounds together with the incident charges arising on such sale; taking the directions of the court of probate in the district of Middleton therein.

Upon the memorial of Amos Alling of New Haven, representing to this Assembly that he entred into the service of this Colony in the campaign in the year 1755; that he was captivated with the late Major Dyer in the year 1756, and remained a captive in Canada till the year 1759, and passed thro' a scene of suffering &c.: praying for the pity of this Assembly &c. as per memorial on file: Resolved by this Assembly, that the sum of fifteen pounds be granted to the memorialist out of the public treasury, and the same is hereby granted, and the Treasurer is ordered to pay the same accordingly.

Upon the memorial of Abraham Dan, of Stanford in Fairfield county, shewing to this Assembly that in the year last past in the service of this government, as a private soldier in Col. Wooster's regiment at Ticonderoga standing centry in the out guards, he was so unfortunate as to receive a shot in his right arm from an enemy Indian lurking in the bushes adjacent to his post, by means of which shot the bones of his said arm were very much broken and shattered to pieces, and since have been taken out, and his arm is render'd thereby so useless that he cannot so much as lift it to any service or office for which it was made &c.; humbly requesting the compassion of this Assembly, as per memorial on file: This Assembly grants unto the said Abraham Dan the sum of fifty pounds to be paid out of the public treasury of this Colony, and the Treasurer of this Colony is hereby ordered to pay him the same accordingly.

This Assembly is adjourned until the Governor or in his absence the Deputy Governor shall see cause to call it to meet again.

GEORGE WYLLYS, Secretary.

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[262] *Anno Regni Regis Georgii secundi tricesimo-tertio.*  
 AT A GENERAL ASSEMBLY OF THE GOVERNOR AND COMPANY  
 OF HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW  
 ENGLAND IN AMERICA HOLDEN AT HARTFORD IN SAID COLONY  
 ON THE SECOND THURSDAY OF MAY AND CONTINUED BY  
 SEVERAL ADJOURNMENTS UNTIL THE SIXTH DAY OF JUNE NEXT  
 FOLLOWING, ANNOQUE DOMINI 1760.

*Present :*

The Honourable Thomas Fitch, Esq<sup>r</sup>, *Governor.*

The Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, *Deputy Governor.*

Ebenezer Silliman,	Thomas Wells,	} Esq <sup>rs</sup> , Assistants.
Hezekiah Huntington,	Benjamin Hall,	
Andrew Burr,	Daniel Edwards,	
John Chester,	Jabez Hamlin,	
	Matthew Griswold,	

*Representatives or Deputies who attended this Assembly  
 are as follows, viz :*

Col. Joseph Pitkin, Mr. John Ledyard, for Hartford.

Mr. Daniel Lyman, Mr. Samuel Bishop, for New Haven.

Col. Stephen Lee, Mr. William Hillhouse, for New London.

Mr. David Rowland, for Fairfield.

Col. Eliphalet Dyar, Capt. Jonathan Rudd, for Windham.

Capt. Elisha Sheldon, Col. Ebenezer Marsh, for Litchfield.

Capt. Jabez Huntington, Mr. Isaac Tracy, for Norwich.

Col. Shubael Conant, Mr. William Hall, for Mansfield.

Col. Jonathan Hoit, Mr. Abraham Davenport, for Stanford.

Col. Timothy Stone, Mr. Edmund Ward, for Guilford.

Capt. Jabez Sherwood, Mr. Nathaniel Sacket, for Greenwich.

Capt. John Strong, Capt. William Wadsworth, for Farming-  
 ton.

Col. Elihu Chauncey, Capt. James Wadsworth, for Durham.

Capt. Samuel Kent, Mr. William King, for Suffield.

Capt. Abijah Catling, Mr. Daniel Catling, for Harwinton.

Capt. Moses Lyman, Mr. Ebenezer Norton, for Goshen.

Capt. Isaac Kellogg, Mr. Martin Smith, for New Hartford.

Mr. Comfort Starr, Mr. Daniel Benedict, for Danbury.

Mr. Joseph Betts, Mr. Joseph Platt, for Norwalk.

Capt. Benjamin Wheeler, Capt. Thomas Stevens, for Plain-  
 field.

Mr. Roger Sherman, Mr. Benjamin Gaylord, for New Milford.

Mr. Joseph Wilcocks, Mr. Joseph Eliot, for Killingworth.

Capt. Hezekiah Whittlesey, Capt. John Murdock, for Say-  
 brook.

Mr. Joseph Sexton, for Somers.



- Mr. Daniel Aldin jun<sup>r</sup>, Mr. Nathan Johnson, for Stafford.  
 Capt. Samuel Dunham, Mr. John Pardee, for Sharon.  
 Capt. John Fowler, Mr. Ephraim Strong, for Milford.  
 Capt. Elijah Worthington. Mr. Dudley Wright, for Colchester.  
 Mr. Charles Whittlesey, Capt. Samuel Hull, for Wallingford.  
 Col. John Dyar, Mr. John Curtis, for Canterbury.  
 Mr. Davis Phelps, Capt. John Humphry, for Symsbury.  
 Mr. John Everts, Mr. Josiah Stoddard, for Salisbury.  
 Mr. John Lewis, Mr. Thomas Matthews, for Waterbury.  
 Mr. William Williams, Capt. Joshua West, for Lebanon.  
 [263] Capt. William Hoadley, Mr. James Barker, for Branford.  
 Mr. William Wolcott, Capt. Pelatiah Mills, for Windsor.  
 Mr. Daniel Booth, Capt. Henry Glover, for Newton.  
 Mr. Jabez Swift, Mr. Daniel Lee, for Kent.  
 Capt. Samuel Ely, Mr. George Dorr, for Lyme.  
 Mr. Nathaniel Terry, for Enfield.  
 Mr. Ebenezer Williams, Mr. Samuel Croft, for Pomfret.  
 Mr. Hezekiah Brainard, for Haddam.  
 Mr. Zebulon West, Capt. Joshua Wills, for Tolland.  
 Mr. Amos Babcock, Capt. Jedidiah Fay, for Ashford.  
 Capt. Samuel Morgan. Col. Samuel Coit, for Preston.  
 Mr. Daniel Brainard jun<sup>r</sup>, for East Haddam.  
 Capt. Abel Gunn, Capt. James Wheeler, for Derby.  
 Col. Hezekiah Sabin, Mr. Thomas Moffitt, for Killingly.  
 Mr. Daniel Sherman, Colo. Benjamin Hinman, for Woodbury.  
 Mr. Alexander Phelps, Mr. John Phelps, for Hebron.  
 Mr. Samuel Kimberly, Mr. John Wells, for Glassenbury.  
 Mr. Isaac Johnson, Mr. Ebenezer Smith, for Woodstock.  
 Col. David Whitney, Mr. Charles Burrill, for Canaan.  
 Col. Robert Walker, Mr. Ichabod Lewis, for Stratford.  
 Col. Christopher Avery. Mr. Luke Perkins, for Groton.  
 Mr. Joseph Strong, Mr. Samuel Robinson, for Coventry.  
 Mr. Seth Wetmore, Mr. Matthew Talcott, for Middleton.  
 Mr. Simeon Minor, Capt. Amos Cheesbrough, for Stonington.  
 Mr. David Strong, Mr. Thomas Webster, for Bolton.  
 Col. Elizur Goodrich, Mr. Joseph Boardman, for Weathersfield.  
 Capt. Robert Dixon, Mr. John Smith, for Voluntown.  
 Capt. Jabez Huntington, Speaker } of the House  
 Abraham Davenport, Clerk } of Representatives.

This day being appointed by the royal charter and the laws of this Colony for the Election of the public officers of the Colony, *viz*: Governor, Deputy Governor, Assistants,

Treasurer, and Secretary, proclamation was made, and then the votes of the freemen were given in to the persons appointed by the Governor, Council and Representatives to receive, sort and count them; which persons so appointed were: Ebenezer Silliman, Hezekiah Huntington, Andrew Burr, John Chester, Thomas Wells, Benjamin Hall, Daniel Edwards, Jabez Hamlin, Matthew Griswold, Esq<sup>rs</sup>, Messrs. William Wolcott, Hezekiah Brainard, Timothy Stone, Daniel Lyman, Simeon Minor, Joseph Eliot, Robert Walker, David Rowland, William Williams, Amos Babcock, Ebenezer Mash, and Roger Sherman, who were all sworn to a faithful discharge of that trust.

And the votes of the freemen being brought in, sorted and counted,

The Honourable Thomas Fitch, Esq<sup>r</sup>, is chosen Governor of this Colony for the year ensuing.

The Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, is chosen Deputy Governor for the year ensuing.

[264] Roger Newton, Esq<sup>r</sup>, Ebenezer Silliman, Esq<sup>r</sup>, Jonathan Trumble, Esq<sup>r</sup>, Hezekiah Huntington, Esq<sup>r</sup>, Andrew Burr, Esq<sup>r</sup>, John Chester, Esq<sup>r</sup>, Thomas Wells, Esq<sup>r</sup>, Benjamin Hall, Esq<sup>r</sup>, Daniel Edwards, Esq<sup>r</sup>, Jabez Hamlin, Esq<sup>r</sup>, Mathew Griswold, Esq<sup>r</sup>, Shubael Conant, Esq<sup>r</sup>, were chosen Assistants for the year ensuing.

Joseph Talcott, Esq<sup>r</sup>, is chosen Treasurer for the year ensuing.

George Wyllys, Esq<sup>r</sup>, is chosen Secretary for the year ensuing.

The Governor's oath prescribed by the law of this Colony and the oath required by act of Parliament, relating to Trade and Navigation, were administred by the Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, Deputy Governor, to the Hon<sup>ble</sup> Thomas Fitch, Esq<sup>r</sup>, now chosen Governor, in the presence of this Assembly.

The Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, (now chosen Deputy Governor) had the Deputy Governor's oath prescribed by law administred to him by his Honour the Governor in the presence of the Assembly.

The Assistant's oath prescribed by law was administred by his Honour the Governor to Roger Newton, Esq<sup>r</sup>, Ebenezer Silliman, Esq<sup>r</sup>, Jonathan Trumble, Esq<sup>r</sup>, Hezekiah Huntington, Esq<sup>r</sup>, Andrew Burr, Esq<sup>r</sup>, John Chester, Esq<sup>r</sup>, Thomas Wells, Esq<sup>r</sup>, Benjamin Hall, Esq<sup>r</sup>, Daniel Edwards, Esq<sup>r</sup>, Jabez Hamlin, Esq<sup>r</sup>, Matthew Griswold, Esq<sup>r</sup>, and Shubael Conant, Esq<sup>r</sup>, now chosen Assistants, in the presence of the Assembly.

The Secretaries oath prescribed by law was administred by his Honour the Governor to George Wyllys, Esqr, (now chosen Secretary) in the presence of the Assembly.

*Ordered*, That Hezekiah Huntington, Esqr, and Mr. Simeon Minor return the thanks of this Assembly to the Rev<sup>d</sup> Mr. Joseph Fish, for his sermon delivered before this Assembly on the 8th instant, and desire a copy thereof that it may be printed.

This Assembly do appoint the Hon<sup>ble</sup> William Pitkin, Esqr, to be Chief Judge of the Superior Courts in this Colony the year ensuing.

This Assembly do appoint Ebenezer Silliman, Esqr, Daniel Edwards, Esqr, Benjamin Hall, Esqr, and Robert Walker, Esqr, to be Judges of the Superior Courts in this Colony the year ensuing.

This Assembly appoints Jabez Hamlin, Esqr, to be Judge of the County Courts in the county of Hartford the year ensuing.

This Assembly appoints Joseph Buckingham, Esqr, to be Judge of the Court of Probate in the district of Hartford the year ensuing.

This Assembly appoints Joseph Spencer, Esqr, to be Judge of the Court of Probate in the district of East Haddam the year ensuing.

This Assembly appoints Jabez Hamlin, Esqr, to be Judge of the Court of Probate in the district of Middletown the year ensuing.

This Assembly appoints Zebulon West, Esqr, to be Judge of the Court of Probate in the district of Stafford the year ensuing.

The Treasurer's oath prescribed by law was administered (by his Honour the Governor) to Joseph Talcott, Esqr, now chosen Treasurer of this Colony.

This Assembly appoints Andrew Burr, Esqr, to be Judge of the County Court in the county of Fairfield the year ensuing.

This Assembly appoints Jonathan Trumble, Esqr, to be Judge of the Court of Probate in the district of Windham the year ensuing.

This Assembly appoints Jabez Fitch, Esqr, to be Judge of the Court of Probate in the district of Plainfield the year ensuing.

This Assembly appoints Ebenezer Williams, Esqr, to be

Judge of the Court of Probate in the district of Pomfret the year ensuing.

This Assembly appoints Daniel Sherman, Esq<sup>r</sup>, to be Judge of the Court of Probate in the district of Woodbury the year ensuing.

This Assembly appoints Ebenezer Marsh, Esq<sup>r</sup>, to be Judge of the Court of Probate in the district of Litchfield the year ensuing.

This Assembly appoints John Williams, Esq<sup>r</sup>, to be Judge of the Court of Probate in the district of Sharon the year ensuing.

[265] This Assembly do appoint Joseph Buckingham, Joseph Pitkin, William Wolcott and John Humphry, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum for the county of Hartford the year ensuing.

This Assembly do appoint Phineas Lyman, Esq<sup>r</sup>, George Wyllys, John Ledyard, Joseph Talcott, Thomas Hosmer, Jonathan Hills, Samuel Talcott, Daniel Bissell, Samuel Eno, Pelatiah Mills, Elizur Goodrich, Jonathan Belding, Joseph White, Thomas Johnson, Seth Wetmore, Joseph Southmayd, John Hooker, Joseph Hooker, Solomon Whitman, Jared Lee, Hezekiah Gridlee, Joseph Hart, Hezekiah Brainard, Joseph Wells, John Owen, Samuel Kent jun<sup>r</sup>, Jonathan Hale, David Hubbard, Ephraim Terry, Nathaniel Foot, Epaphras Lord, John Watrous, Jonathan Kilborn jun<sup>r</sup>, Joseph Phelps, John Phelps, Samuel Gilbert, Alexander Phelps, Zebulon West, Thomas Pitkin, Joseph Spencer of East Haddam, Daniel Cone, Daniel Brainard jun<sup>r</sup>, Isaac Pinney, John Mirick, Samuel Reynolds, and Judah Holcom, Esq<sup>rs</sup>, to be Justices of the Peace for the county of Hartford for the year ensuing.

This Assembly do appoint Mr. Erastus Wolcott to be a Justice of the Peace for the county of Hartford the year ensuing.

This Assembly appoints Roger Newton, Esq<sup>r</sup>, to be Judge of the County Court for the county of New Haven the year ensuing.

This Assembly appoints Col. John Hubbard, Col. Elihu Chauncey, Col. Timothy Stone, to be Justices of the Peace and Quorum for the county of New Haven the year ensuing.

This Assembly appoints Col. John Hubbard Judge of the Court of Probate for the district of New Haven the year ensuing.

This Assembly appoints Col. Timothy Stone Judge of the Court of Probate for the district of Guilford the year ensuing.

This Assembly appoints John Prout, Samuel Sherman, Deodate Davenport, John Whiting, Samuel Sacket, Thomas Darling, Robert Treat, Nathan Baldwin, Joseph Woodruff, Samuel Robinson, Theophilus Rossetter, Nathan Ruggles, John Grave, Jonathan Russell, Josiah Rogers, John Hall, Samuel Barker, Samuel Hall, Elihu Hall, Ezekiel Royce, Caleb Merriman, Charles Whittlesey, James Wadsworth, Samuel Bassett, Samuel Riggs, Timothy Russell, Daniel Holbrook, Thomas Clark, Thomas Matthews, Daniel Lyman, William Hoadley, James Barker, Charles French, Joseph Hopkins, Esq<sup>rs</sup>, Justices of the Peace for the county of New Haven the year ensuing.

This Assembly appoints Gurdon Saltonstall, Esq<sup>r</sup>, to be Judge of the Court of Probate for the district of New London the year ensuing.

This Assembly appoints Hezekiah Huntington, Esq<sup>r</sup>, to be Judge of the Court of Probate for the district of Norwich the year ensuing.

This Assembly appoints Hezekiah Huntington, Esq<sup>r</sup>, to be Judge of the County Court for the county of New London the year ensuing.

This Assembly appoints John Griswold, Christopher Avery, Richard Lord, Isaac Huntington and Pygan Adams, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum for the county of New London the year ensuing.

This Assembly appoints John Richards, Daniel Coit, Jeremiah Miller, William Hillhouse, Luke Perkins, William Williams, Nathan Smith, Ebenezer Avery, Simeon Minor, Joseph Dennison, Samuel Prentice, Amos Cheesbrough, Samuel Morgan, Samuel Coit, William Witter, Ebenezer Bacchus, Jabez Huntington, William Whiting, Jacob Perkins, Ebenezer Hartshorn, Samuel Ely, John Lay 3d, Nathaniel Clark, Jedidiah Chapman, John Tully, Hezekiah Whittlesey, Benjamin Gale, Elnathan Stevens, Joseph Wileocks, Aaron Eliot, Humphry Avery, Simon Tracy jun<sup>r</sup>, and George Dorr, Esq<sup>rs</sup>, Justices of the peace for the county of New London the year ensuing.

This Assembly do appoint Andrew [Burr,] Esq<sup>r</sup>, to be Judge of the Court of Probate for the district of Fairfield the year ensuing.

This Assembly do appoint Jonathan Hoit, Esq<sup>r</sup>, to be Judge of the Court of Probate for the district of Stanford the year ensuing.

[266] This Assembly do appoint Thomas Benedict, Esq<sup>r</sup>, to be Judge of Probate for the district of Danbury the year ensuing.

This Assembly do appoint Jonathan Hoit, Esq<sup>r</sup>, David Rowland, Esq<sup>r</sup>, Samuel Fitch, Esq<sup>r</sup>, and John Reed, Esq<sup>r</sup>, to be Justices of the Peace and Quorum for the county of Fairfield the year ensuing.

This Assembly do appoint Robert Fairechild, Robert Walker, Agur Tomlinson, Samuel Adams, Ichabod Lewis, William Peat, Theophilus Nichols, William Burr, Lothrop Lewis, Moses Dimon, Samuel Sherwood, James Lockwood, Joseph Platt, Elias Betts, Theophilus Fitch, Abraham Davenport, Jonathan Maltbie, Nathaniel Sacket, John Ferris, Samuel Olmsted, Samuel Smith 3d, Thomas Benedict, Samuel Gregory, Comfort Starr, Thomas Tousey, Caleb Baldwin, Ephraim Hubbel, Benajah Case, Richard Fairman, Thomas Fitch jun<sup>r</sup>, and Peter Mead, Esq<sup>rs</sup>, to be Justices of the Peace for the county of Fairfield the year ensuing.

This Assembly do appoint Jonathan Trumble, Esq<sup>r</sup>, to be Judge of the County Court for the county of Windham the year ensuing.

This Assembly do appoint Shubael Conant, Esq<sup>r</sup>, to be a Justice of the Quorum for the county of Windham the year ensuing.

This Assembly do appoint John Dyar, Esq<sup>r</sup>, Jabez Fitch, Esq<sup>r</sup>, and Joshua West, Esq<sup>r</sup>, to be Justices of the Peace and Quorum for the county of Windham the year ensuing.

This Assembly do appoint Jonathan Huntington, Nathaniel Huntington, Eliphalet Dyar, Stephen Fuller, Samuel Gray, Jedidiah Elderkin, Joseph Fowler, Joseph Clark, William Metcalfe, William Williams of Lebanon, Samuel Huntington of Canterbury, Joseph Storrs, Benjamin Wheeler, Joseph Strong jun<sup>r</sup>, Phineas Strong, Silas Long, Timothy Sabin, William Osgood, Ebenezer Williams, Thomas Williams of Pomfret, Samuel Danielson, Jacob Dresser, Thomas Moffatt, John Smith, Robert Dixon, Jeremiah Keeney, Samuel Chandler, Thomas Chandler, Amos Babcock, Elijah Whiton, and Ebenezer Wales, Esq<sup>rs</sup>, to be Justices of the Peace for the county of Windham the year ensuing.

This Assembly do appoint John Williams, Esq<sup>r</sup>, to be Judge of the County Court for the county of Litchfield the year ensuing.

This Assembly do appoint Ebenezer Marsh, Elisha Sheldon, Increase Mosely and Roger Sherman, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum for the county of Litchfield the year ensuing.

This Assembly appoints John Williams, Timothy Collins, Jacob Woodruff, Daniel Sherman, Daniel Avered, Elisha

Stoddard, Benjamin Hinman, Paul Welch, Bushnel Bostwick, Timothy Hatch, John Ransom, Samuel Hutchinson, James Landon, John Hutchinson, David Whitney, John Bebee, John Beach, Samuel Pettibone, John Patterson, Cyprian Webster, Abijah Catling, Isaac Kellogg, Martin Smith, Ebenezer Lyman, John Cook, Joshua Whitney, Tilly Blakesly, Michael Humphry, and Daniel Lee, Esq<sup>rs</sup>, to be Justices of the Peace for the county of Litchfield the year ensuing.

This Assembly do establish John Douglas to be Lieutenant of the 2d company or trainband in the town of New London in the 3d regiment in this Colony.

This Assembly do establish Thomas Harding to be Ensign of the 2d company or trainband in the town of New London in the 3d regiment in this Colony.

This Assembly do establish Mr. Joseph Perry to be Quarter-Master of the troop of horse in the 13th regiment in this Colony.

This Assembly do establish Mr. Enos Brooks to be Captain of the south company or trainband in the parish of New Cheshire in the town of Wallingford.

This Assembly do establish Mr. Cornelius Brooks to be Lieutenant of the south company or trainband in the parish of New Cheshire in the town of Wallingford.

This Assembly do establish Mr. Thomas Brooks to be Ensign of the south company or trainband in the parish of New Cheshire in the town of Wallingford.

This Assembly do establish Mr. Samuel Gates to be Cornet of the 1st troop of horse in the 12th regiment in this Colony.

This Assembly do establish Mr. William Clark to be Quarter-Master of the 1st troop of horse in the 12th regiment in this Colony.

[267] This Assembly do establish Mr. Nathaniel Hoit to be Captain of the 3d company or trainband in the town of Danbury in the 4th regiment in this Colony.

This Assembly do establish Mr. Thomas Starr to be Lieutenant of the 3d company or trainband in the town of Danbury in the 4th regiment in this Colony.

This Assembly do establish Mr. Hezekiah Benedict to be Ensign of the 3d company or trainband in the town of Danbury in the 4th regiment in this Colony.

This Assembly do establish Mr. Ebenezer Smith to be Captain of the 14th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Thomas Selden to be En-

sign of the 14th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Hezekiah Deforeest to be Captain of the troop of horse in the 9th regiment in this Colony.

This Assembly do establish Mr. Nehemiah Grummon to be Cornet of the troop of horse in the 9th regiment in this Colony.

This Assembly do establish Mr. John Weed to be Quarter-Master of the troop of horse in the 9th regiment in this Colony.

This Assembly do establish Mr. Benjamin Wheat to be Ensign of the 2d company or trainband in the town of Norwich.

This Assembly do establish Mr. William Morgan to be Captain of the 6th company or trainband in the town of New London in the 3d regiment in this Colony.

This Assembly do establish Mr. Samuel Tabor to be Lieutenant of the 6th company or trainband in the town of New London in the 3d regiment in this Colony.

This Assembly do establish Mr. Samuel Bishop junr, to be Ensign of the 5th company or trainband in the town of New London.

This Assembly do establish Mr. Henry Champion to be Captain of the company or trainband in the parish of West Chester in the town of Colchester.

This Assembly do establish Mr. David Day to be Lieutenant of the company or trainband in the parish of West Chester in the town of Colchester.

This Assembly do establish Mr. William Dunham to be Ensign of the company or trainband in the parish of West Chester in the town of Colchester.

This Assembly do establish Mr. Christopher Holmes to be Captain of the north company or trainband in the parish of Hadlime in the town of East Haddam.

This Assembly do establish Mr. Ebenezer Spencer to be Lieutenant of the north company or trainband in the parish of Hadlime in the town of East Haddam.

This Assembly do establish Mr. Elijah Cone to be Ensign of the north company or trainband in the parish of Hadlime in the town of East Haddam.

This Assembly do establish Mr. John Griswold to be Lieutenant of the 5th company or trainband in the town of Windsor in the 1st regiment in this Colony.

This Assembly do establish Mr. Benjamin Morris to be



Lieutenant of the 18th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Moses Marcy to be Ensign of the 18th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Theophilus Candee to be Captain of the 11th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Nathaniel Gilbert to be Lieutenant of the 11th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Thomas Ward to be Ensign of the 11th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Isaac Pinny to be Ensign of the 5th company or trainband in the town of Windsor in the 1st regiment in this Colony.

This Assembly do establish Mr. Charles Webb to be Captain of the 2d company or trainband in the town of Stanford.

This Assembly do establish Mr. Ebenezer Weed 3d to be Lieutenant of the 2d company or trainband in the town of Stanford.

This Assembly do establish Mr. Amos Weed to be Ensign of the 2d company or trainband in the town of Stanford.

This Assembly do establish Mr. Eleazer Fitch to be Captain of the 1st company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Jabez Huntington to be Lieutenant of the 1st company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Ebenezer Fitch to be Ensign of the 1st company or trainband in the 5th regiment in this Colony.

[268] This Assembly do establish Mr. John Mallery to be Captain of the 3d company or trainband in the town of Woodbury in the 13th regiment in this Colony.

This Assembly do establish Mr. Elijah Baker to be Lieutenant of the 3d company or trainband in the town of Woodbury in the 13th regiment in this Colony.

This Assembly do establish Mr. Charles Thomas to be Ensign of the 3d company or trainband in the town of Woodbury in the 13th regiment in this Colony.

This Assembly do establish Mr. John Wilson to be Lieu-

tenant of the company or trainband in the town of Harwinton in the 1st regiment in this Colony.

This Assembly do establish Mr. Theophilus Baldwin to be Lieutenant of the 1st company or trainband in the town of New Milford.

This Assembly do establish Mr. Benjamin Gaylord to be Ensign of the 1st company or trainband in the town of New Milford.

This Assembly do establish Mr. Timothy Benedict to be Captain of the 2d company or trainband in the town of Ridgfield.

This Assembly do establish Mr. James Northrup to be Lieutenant of the 2d company or trainband in the town of Ridgfield.

This Assembly do establish Mr. David Rockwell to be Ensign of the 2d company or trainband in the town of Ridgfield.

This Assembly do establish Mr. Daniel Wheeler to be Ensign of the company or trainband in the northern part of the parish of Greenfield in the 4th regiment in this Colony.

This Assembly do establish Mr. Joshua Jones to be Lieutenant of the company or trainband in the parish of New Salem in the 12th regiment in this Colony.

This Assembly do establish Mr. Joshua Ransom to be Ensign of the company or trainband in the parish of New Salem in the 12th regiment in this Colony.

This Assembly do establish Mr. Daniel Booth to be Captain of the 2d company or trainband in the town of Stratford in the 4th regiment in this Colony.

This Assembly do establish Mr. Ephraim Wheeler to be Ensign of the 2d company or trainband in the town of Stratford in the 4th regiment in this Colony.

This Assembly do establish Mr. Silas Hutchins to be Captain of the 14th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. William Danielson to be Lieutenant of the 14th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Simeon Spaulding to be Ensign of the 14th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Josiah Stoddard to be Lieutenant of the 2d company or trainband in the town of Salisbury.

This Assembly do establish Mr. James Bird to be Ensign of the 2d company or trainband in the town of Salisbury.

This Assembly do establish Mr. Jonathan Ives to be Captain of the 15th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Amos Bradley to be Lieutenant of the 15th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Jacob Atwater to be Ensign of the 15th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. James Terrill to be Ensign of the company or trainband in the parish of New Preston in the 13th regiment in this Colony.

This Assembly do establish Mr. Ebenezer Hinman to be Ensign of the 2d company or trainband in the town of Woodbury.

This Assembly do establish Mr. Job Austin to be Ensign of the company or trainband in the parish of Stanwich in the 9th regiment in this Colony.

This Assembly do establish Mr. Ephraim Baker to be Captain of the 5th company or trainband in the town of Woodbury.

This Assembly do establish Mr. John Tracy to be Lieutenant of the 5th company or trainband in the town of Woodbury.

This Assembly do establish Mr. Joseph Osborn to be Lieutenant of the 13th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. John Wooster Ensign of the 13th company or trainband in the 2d regiment in this Colony.

[269] This Assembly do establish Mr. Henry Brace to be Captain of the 4th company or trainband in the town of Hartford in the 1st regiment in this Colony.

This Assembly do establish Mr. Timothy Seymour to be Lieutenant of the 4th company or trainband in the town of Hartford in the 1st regiment in this Colony.

This Assembly do establish Mr. Benjamin Colton to be Ensign of the 4th company or trainband in the town of Hartford in the 1st regiment in this Colony.

This Assembly do establish Mr. Thomas Wadsworth to be Lieutenant of the 5th company or trainband in the town of Hartford in the 1st regiment in this Colony.

This Assembly do establish Mr. John Arnold to be Ensign of the 5th company or trainband in the town of Hartford in the 1st regiment in this Colony.

This Assembly do establish Mr. William Woodford to be

Ensign of the company or trainband in the parish of Northington in the 1st regiment in this Colony.

This Assembly do establish Mr. Benjamin Williams to be Captain of the 8th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Noah Tucker to be Ensign of the 8th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Henry Silsby to be Captain of the 3d company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Benajah Cary to be Lieutenant of the 3d company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Zebulon Hibbard to be Ensign of the 3d company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Joseph Riggs to be Captain of the 4th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. John Davis to be Lieutenant of the 4th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Joseph Lumm to be Ensign of the 4th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Nathaniel Clark to be Ensign of the 3d company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Joel Hotchkis to be Captain of the 10th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Joseph Beecher to be Lieutenant of the 10th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. John Lines to be Ensign of the 10th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Stephen Steel to be Ensign of the company or trainband in the town of Tolland in the 1st regiment in this Colony.

An Act for regulating the Market and ascertaining the Weight of Bunches of Onions.

Whereas there are great quantities of onions raised in this Colony for a market, and it is become a custom to make up the greatest part of them in ropes or bunches, and no rule

hath been fixed for the number, weight or measure contained in each bunch, for want of which great inequality and injustice hath happened: For remedy whereof,

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That for the future no onions shall be offered to sale that are not good and merchantable, well cured and dry, nor shall any bunches of them be sold or offered to sale, or put into any land or water carriage to be transported to market, that are not fully cured, well and firmly bunched, and of five pounds weight at least. And whosoever shall sell or offer to sale, or put into any land or water carriage in order to be transported to market, any bunch or bunches of onions that shall not be fully cured, dry, well and firmly bunched, and of five pounds weight, shall forfeit the sum of six pence for each bunch that shall fall short of the weight aforesaid, to be recovered to him who shall complain thereof and prosecute the same to effect.

[270] An Act for Alteration of Part of the Law of this Colony entitled An Act for the equal Division and Distribution of insolvent Estates.

Whereas the setting forth, dividing and distributing the residue and remainder of such estates (after the debts due to this government and for sickness, necessary funeral charges, and cost arising in settling the estate and claims thereon are subducted) to and among the creditors according to the directions of the said act is frequently attended with great inconveniency and loss, and in some cases, by reason of the difficulty of making divisions, almost impracticable: Therefore,

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That when the estate of any person deceased, on report of commissioners made as in said act is directed, shall appear to be insolvent, the judge of the probate to whom such report is made shall order and set out to the widow of the deceased (if any be) such necessary household goods as are mentioned in the law entitled An act for directing and regulating the levying and serving executions, to be exempted from executions; which goods so set out shall be her own property. And the judge shall also order the widow's dower to be set according to law. And the residue and remainder of said estate, both real and personal, (including that set out for the widow's dower and under that incumbrance of her holding of it for life,) the judge of probate shall order and direct the executor or administrator, executors or administrators, appointed to administer on such estate, to sell in such way and

manner as to the judge shall appear safest and most for the benefit of the creditors. And such executors and administrators, being so ordered and directed, shall have full power and authority, and they are hereby authorized and impowered, to make sale thereof and to make and execute legal and proper conveyances to the purchasers, which shall be good evidence in law for their holding the same accordingly. And such sales being made, the said executors and administrators shall render account to the judge of probate of the amount thereof and the monies arising thereby, and the judge shall thereon order full payment to be made of the debts due to this government and for sickness, necessary funeral expences and the incident charges of settling and selling the estate, and the residue to be paid to the several creditors who have made out and evidenced their claims according to the directions of the act aforesaid, in proportion to the sums to them respectively owing. The like method shall be taken in regard to estates already represented and appearing to be insolvent, where distribution and division thereof has not been made to and among the creditors according to the direction of the act aforesaid; any law, usage or custom in any wise heretofore to the contrary notwithstanding.

An Act for reviving and in Addition to an An Act of this Assembly made and passed in their Sessions in March last entituled An Act in further Addition to the Law entituled An Act providing in Case of Sickness.

Whereas it was provided in said act that the same should continue in force until the first day of June next, and no longer: Therefore,

[271] *Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That the said act entituled An act in further addition to the law entituled An act providing in case of sickness, be revived, and the same is hereby revived in every part and paragraph thereof, to be and continue until the last day of May next.

*And it is also further enacted by the authority aforesaid,* That the civil authority and selectmen of any town in this Colony shall not grant permission for the small-pox to be communicated by way of inoculation until the approbation of such town by their legal vote in town meeting be first had and obtained.

Whereas some of the soldiers enlisted into the several regiments raised in this Colony for the present campaign against Canada, thro' the hurry of business and the want of a justice of the peace at the time of enlistment, may have marched and gone to the general rendezvous without having the oath of fidelity administered to them, for want of which and a certifi-

cate thereof some objections or disputes may arise: For removal whereof and that every soldier may be duly qualified and obligated for his Majesty's service, this Assembly do hereby appoint, authorize and impower the commanding officer of each regiment raised as aforesaid, to administer the said oath of fidelity to every soldier inlisted in his regiment, as fully as a justice of the peace might have done, and thereof to make proper certificates as far as the same shall be found needful for duly qualifying them for said service and for receiving the benefits and advantages thereof.

Whereas the General Assembly of this Colony in their session in October last appointed a committee to lay out and ascertain a highway thro' the Green Woods &c. from or near the mansion-house of Samuel Humphry late of Symsbury, deceased, towards Col. David Whitney's in Canaan, and by sufficient and durable monuments effectually to describe the same, which said committee have since performed the same and thereof have made report to this Assembly, which is approved and accepted by this Assembly; which said way laid out and ascertained as aforesaid begins at about four rods west of the late mansion-house of the said Samuel Humphrys, late of Symsbury, deceased, from thence running thro' part of the town of Symsbury, New Hartford, Bark-Hamstead, Winchester, Colebrook and Norfolk; which road or highway being of common and public benefit and necessary soon to have cleared and made feasible for travelling: Therefore,

*Resolved by this Assembly,* That said highway be cleared and made feasible for travelling on or before the 20th day of November A.D. 1761; and in order thereto, that each town thro' which said highway runs that is settled and incorporated as such shall take effectual care and cause that said highway within the limits of such town be by such town cleared and made feasible for travelling, both for teams and for horse, by the time aforesaid; and also that the proprietors of each of such townships not settled with town priviledges thro' which said highway runs as aforesaid shall cause that said highway be cleared and made feasible as aforesaid by the time limited as abovesaid. And that Capt. Daniel Lawrence jun<sup>r</sup> of Canaan, Messrs Martin Smith jun<sup>r</sup> of New Hartford and Oliver Humphry of Symsbury, be and they are hereby appointed a committee to notify such towns and proprietees of what is enjoyned them by this act, as also to inspect and take effectual care that this act be comply'd with; and in order thereto said committee are hereby directed to [272] have a copy of this act lodged with the town clerk of ||

such incorporated towns as aforesaid and also with the clerk of each of said proprietries on or before the first day of August next, that such towns and proprietries may have due notice thereof. To which purpose such several town clerks shall, within ten days after their receipt of such copy, read the same unto or leave a true and attested transcript thereof with or at the usual abode of (at least) the major part of the selectmen of their respective towns; and the said propriety clerks shall in like manner give notice hereof to (at least) five of the principal proprietors of their several and respective proprietries.

*And it is further resolved,* That if any or either of said towns or proprietries thro' which said highway runs shall neglect or refuse the same to clear and make feasible for use as aforesaid and not effect the same by said limited time, they are hereby directed to take such other or further measure to that end, at the expence of the town or propriety so failing, as may without fail accomplish the said service at or before the first day of May which will be A.D. 1762. And in order thereto said committee are impowered to lay a tax on the inhabitants of such town and on the propriety of such township that shall neglect as aforesaid, to be proportioned as to the particular persons in the same manner as other taxes by law are, and to appoint a collector or collectors for that purpose, and to make up and prepare a rate-bill with a lawful warrant signed by proper authority impowering such collector to collect the same and the same deliver to such committee for the defraying the cost and charge thereon arisen. And in case such towns and proprietries shall in whole or in part effect said service by themselves, they are in such case hereby impowered and directed to tax themselves &c. as abovesaid, to defray the expence of such service so by and among themselves performed.

Whereas on the memorial of Abner Sessions, one of the proprietors of Union, and the rest of the proprietors of said Union, respecting the bounds between said town of Union and the town of Woodstock having never been duly fixed and ascertained, preferred to the General Assembly at their session in May last, praying for a committee, on which said Assembly did appoint Thomas Wells, Esqr, Zebulon West and Benjamin Kent a committee to repair to the place controverted between said towns, to hear the parties, their evidences with respect to said bounds, to set out the same where it ought to be, and of their doings make report &c.: Whereupon said committee having repaired to said place and having heard the



parties, all their evidences and exhibits respecting the bounds between said two towns, were of opinion that the dividing line between the said town of Woodstock and said town of Union ought to begin at a heap of stones at the northeast corner of the town of Ashford lying about nine rods and half westward from a heap of stones on a rock called Allyn's Rock, and from thence to run north about five degrees and 20 minutes east about four miles and a half to a larger heap of stones on the northerly side of a hill, being the reputed northwest corner of the bounds of Woodstock, which line by information was run and ascertained by commissioners from the Province of the Massachusetts Bay and this Colony A.D. 1734. And said committee having renewed several of the monuments in said line made their report to the General Assembly held at New Haven in October last, and continued to this sessions, when the same was accepted and approved: Resolved by this Assembly, that the aforesaid line affixed by said committee and as above reported be, and the same shall henceforth be and remain, the proper dividing line between [273] said town of Woodstock and said town || of Union, to which each of said towns are to conform accordingly.

Whereas this Assembly at their session in May last, on the memorial of the inhabitants of New London, appointed Jonathan Trumble and Joseph Fowler, Esq<sup>rs</sup>, a committee to repair to and view the Mohegan and Indian lands in the township of New London respecting highways, and to report their opinion thereon to this Assembly to be held in October then next, and by reason of sickness nothing was done therein, and that this Assembly in their session in said October did appoint and joyn Jabez Hamlin, Esq<sup>r</sup>, with said committee to view and report to this Assembly on the premises referred to, as by the resolve of this Assembly in said October appears: and whereas by sundry reasons the said business is not yet compleat: Resolved by this Assembly, that Joshua West, Esq<sup>r</sup>, be joyned with the said Jonathan Trumble, Joseph Fowler and Jabez Hamlin, Esq<sup>rs</sup>, a committee for the purpose above referred to, they or any two of them view and make report to this Assembly to be convened at New Haven in October next. All at the cost of the town of said New London.

Whereas the church and society of Pequannack have been for a considerable time destitute of a settled minister and no measures hitherto taken to procure the settlement of one among them, and the North Association in the county of Hartford have laid the same unhappy case before this Assembly by their memorial thereon, dated April 17th 1760,

with a certificate that said memorial hath been duly made known to said society and a copy thereof left with the clerk of said Pequannack: Resolved and ordered by this Assembly, that the said society appear before this Assembly on Friday the 23d day of May instant, to shew reasons (if any they have) why this Assembly shall not proceed with them according to law in such case made and provided; and that the Secretary forthwith do send an attested copy of this act to the society clerk in said society, which shall be a sufficient notification thereof to them.

It appearing to this Assembly that the fourfold assessments upon the list of the town of Mansfield for the year 1758, and by the listers of said town sent in to the Assembly in May last, being the sum of £366 15s. 6d. by some mistake was received and entered as and for single additions, whereby said listers have lost the benefit of one half of the tax granted and levied on said fourfold assessment: It is therefore resolved, that the Treasurer pay out of the treasury of this Colony unto said listers of said town for the year 1758, the sum of £9 18s. 8d. being the one half part of said tax as levied and collected on said fourfold assessment.

His Honour the Governor having laid before this Assembly a letter from his Excellency Governor Pownal, representing the distressed circumstances to which many of the inhabitants of the town of Boston were reduced by the great fire, which happened there on the 20th of March last, that about two hundred and twenty families were turned out of doors thereby, and many of the unhappy sufferers so reduced as to be rendered incapable of subsisting themselves, and so become the proper objects of charity; and that the calamity was so great and extensive that the means of relief from among themselves and by the contributions of their own inhabitants was greatly inadequate to the loss: therefore desiring it might be recommended to the people of this government to assist in relieving their distressed fellow subjects, and that what might be collected on this occasion to be remitted to the selectmen and overseers of the poor of the town of Boston, with whom is to be lodged the collections made in that government, to be distributed among the sufferers as they in their discretion shall judge proper: Whereupon this Assembly considering the distressed and necessitous condition of many of those unhappy sufferers and the large supplies [274] requisite for the relief || of so many objects of Christian charity, judge it to be a duty incumbent on the people of this Colony to extend their liberality for relieving the necessities

of their fellow men reduced to such distress; and therefore do hereby recommend their case to the charitable notice of the inhabitants in this government, to be manifested by proper contributions for relieving the pressing necessities of those sufferers. And for that purpose the ministers of the several congregations in the Colony are hereby directed to publish this order on the next Lord's day after receiving a printed copy thereof, and to appoint a time for the contribution to be made. And what shall be collected in each congregation in the county of Hartford shall be delivered to John Ledyard, Esq<sup>r</sup>, and of those in the county of New Haven to John Whiting, Esq<sup>r</sup>, and of those in the county of New London to Mr. David Gardner, and of those in the county of Fairfield to David Rowland, Esq<sup>r</sup>, and of those in the county of Windham to Samuel Gray, Esq<sup>r</sup>, and of those in the county of Litchfield to Elisha Sheldon, Esq<sup>r</sup>, who are to acquaint the selectmen and overseers of the poor of the town of Boston therewith, that they may receive the same for the use and purposes aforesaid.

This Assembly do appoint Gideon Cobb of Canterbury County Surveyor for the county of Windham, in the room of Jabez Fitch jun<sup>r</sup>, who has resigned said office.

An Act for reviving of an Act of this Assembly made and passed in their Sessions in March 1755, entituled An Act for securing of Soldiers listed and taken into his Majesty's Service from Arrests.

Whereas it was provided in said act that the same should continue in force until the sessions in October then next, and no longer,

*Resolved by this Assembly,* That the said act and every paragraph thereof shall be and the same is hereby revived, and every part and paragraph thereof shall be and remain in force until the end of the sessions of this Assembly in October next.

*Resolved by this Assembly,* That the Treasurer of this Colony pay to Mr. Timothy Green, printer to the Governor and Company, the sum of £28 13s. 6d. in full of his last half-year's salary and of his account for extra services to this Assembly.

The Sum Total of the Additional Lists sent to this Assembly from the several Towns.

	<i>Single Additions.</i>			<i>Fourfold Additions.</i>		
Hartford,	£835	14	6	£322	16	0
New Haven,	576	2	3	1595	16	0
New London,	866	13	0	254	8	0
Fairfield,	1004	7	6	3721	4	0
Windham,	78	0	0	838	0	0
Litchfield,						

	<i>Single Additions.</i>			<i>Fourfold Additions.</i>		
Norwich,	£210	10	0	£106	6	0
Mansfield,	57	12	6	507	13	0
Stamford,	233	18	0	270	8	0
Guilford,	65	0	0	972	9	0
Greenwich,	1761	19	2	1505	17	0
Farmington,	1098	0	0	262	19	0
Durham,	180	8	10	36	14	0
Suffield,	1358	10	0			
Harwinton,	229	0	0			
Goshen,						
New Hartford,	130	9	0			
Danbury,	257	14	9 $\frac{1}{4}$	165	0	0
Norwalk,	811	0	9			
Plainfield,	384	13	0	48	0	0
New Milford,	639	15	6			
Killingworth,	184	17	6	40	0	0
Saybrook,	1541	9	9	35	10	0
Sommers,						
Stafford,	1483	4	0			
Sharon,						
Milford,	561	19	0	1730	10	0
Colchester,	1338	11	0	542	12	0
Wallingford,	889	1	0	113	12	0
Canterbury,	154	12	6	398	12	6
Symsbury,	828	16	0			
Salisbury,	286	13	0	111	0	0
Waterbury,	612	10	6	22	18	0
Branford,	188	5	0	586	11	0
Windsor,	945	7	10	362	8	0
Newtown,	216	9	1			
Kent,						
Lyme,	1646	19	0			
Enfield,	557	1	0	612	6	0
Pomfret,	460	17	6	471	16	0
Haddam,	233	17	0	289	11	0
Tolland,	525	7	0	248	0	0

[275] *Resolved by this Assembly,* That the Treasurer of this Colony be and hereby is directed to pay unto Mrs. Hannah Ingersole, attorney to Jared Ingersole, Esqr, Agent for this Colony at the Court of Great Britain, the sum of one hundred pounds toward the salary granted to said Jared Ingersole, Esqr.

This Assembly do appoint Capt. Titus Hurlbutt to take into his care the Battery at New London, together with all

the stores thereto belonging; and the said Hurlbutt is further impowered to appoint some suitable person to be gunner thereof, and that on the first day of June next he inlist or detach twenty men near said battery, to be under the care and command of said Hurlbutt, to assist him in said battery, and that one of said men duly attend the said captain's command in his turn to watch and ward in said battery from the said first day of June until the first day of October next. That said Captain Titus Hurlburt shall be allowed for his services six pounds, and that each man shall be allowed for his service three shillings per day for each day he shall ward and watch, that the gunner shall be allowed for his service two pounds.

*Resolved by this Assembly,* That the pay of the several lieutenants and ensigns who shall with the troops raised or to be raised by this government go into the campaign now on foot against Canada shall be as follows, *viz:*

To each lieutenant of a company per month,	£ 6 0 0
To each ensign per month,	5 0 0

*And it is also further resolved,* That to each chief commanding officer of the several companies who may become paymasters for their respective companies, or to others to be occasionally appointed, be allowed a premium of one and an half *per centum* for their care and trouble in discharging such their trustment: such premium to be computed on the whole amount of all such sum or sums of money as they may receive and pay out to the officers and men of their companies, on what account or under what denomination soever received.

This Assembly being certified that there still remains a considerable deficiency in the levies of the number of troops in March last voted and granted to be raised to act in conjunction with his Majesty's regular forces for the compleat reduction of Canada, and that some encouragement more than was then granted seems necessary to expedite the compleating said levies,

*It is thereupon further resolved,* That all such able-bodied and effective men as having served in either of the former campaigns during the present war as already have or at any time before or on the first day of June next shall voluntarily enlist into said service shall receive and be allowed as a premium the sum of forty shillings in addition to the bounties and encouragements heretofore granted and ordered to be paid to them before their march out of this government; and also each able-bodied and effective man, as well non-commissioned officer as soldier, who have enlisted or shall enlist into said service shall receive and be allowed four shillings per month in addition to the wages heretofore granted and ordered.

Upon the petition of Zechariah Seymour, of Hartford in the county of Hartford, *vs.* Joseph Sheldon of said Hartford, as on file, the question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent is £1 3s. 6d. lawful money. Ex. granted July 10th, 1760.*

On the petition of Jonathan Trueman, of New London in the county of New London, *vs.* Hezekiah Bebee of New London aforesaid, as on file, the question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent is £2 9s. 4d. lawful money.*

[276] Upon the petition of Jabez Lyon, John May and a number of the inhabitants of the first society in the town of Woodstock, shewing the unhappy and divided state of said society, complaining that said society hath laid illegally a tax of one penny half penny on the list of said society and also one other rate or tax of two pence on the pound on the list aforesaid: praying that the votes for raising said rates or taxes may be set aside and made void &c.: Resolved by this Assembly, that all further proceedings for the levying and collecting said rates or taxes, or either of them, be and the same is hereby suspended till the rising of this Assembly in October next, and that the Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>. Jabez Hamlin and William Wolcott, Esq<sup>rs</sup>, be and hereby are appointed a committee, at the charge of said society, to repair to said first society of Woodstock, call all said contending parties before them, hear them in all their pleas, allegations and evidences, and use their best endeavours to bring said contending parties to accommodate and make a settlement of all matters of difference subsisting between them, and of the true state and circumstances of said society and the minister thereof, respecting their present differences and difficulties, and of their opinion on the whole, make report to this Assembly in October next; and the further consideration of said petition is hereby referred to the sessions of this Assembly in October next.

Upon the petition of Hezekiah Andrus, of Canaan in Litchfield county, representing to this Assembly that Benjamin Farrar, an absconding person, recovered a judgment of the superior court holden at Hartford in and for Hartford county on the first Tuesday of March A.D. 1760, against him, the said Andrus, for the sum of £14 11s. 8d. lawful money damages and £9 18s. 11d. like money cost, which judgment was rendered against said Andrus for the non-payment of a

note of hand by him given to said Farrer: complaining said note was fraudulently procured by said Farrar: praying the equitable interposition of this Assembly: This Assembly do appoint Col. John Chester of Weathersfield, Mr. William Wolcott of Windsor, and Col. Samuel Taleott of Hartford, Esq<sup>rs</sup>, a committee to enquire into and concerning all the matters alledged and complained of in said petition, and to make report of the state of the cause with their opinion thereon to the General Assembly of Connecticut Colony to be holden at New Haven in and for said Colony on the second Thursday of October next. And it [is] also resolved by this Assembly, that execution on the said judgment of the superior court aforesaid be suspended, stayed and not executed until the rising of said Assembly in October next.

Upon the petition of John Packer, Benajah Packer, Mary Stewart, John Stedman and Elizabeth his wife, William Holdridge and Sarah his wife, all of Groton, *versus* John Dean of Stonington, shewing to this Assembly that said John Dean bro't his action against said petitioners demanding partition of about three hundred and eighty aeres of land in Groton aforesaid, bounded and described in the plaintiff's declaration, alledging that said petitioners and said Dean were seized of said lands as tenants in common &c., which action came to a final trial at the superior court held at Norwich on the fourth Tuesday of March last, at which trial said Dean ob-[277] tained || judgment for partition of said land as demanded &c.; further shewing, that said petitioners have since said trial found new evidence &c.; praying for a new trial in said action, as per petition on file: Resolved by this Assembly, that said petitioners have the liberty of another trial in said action at the superior court to be held at New London within and for the county of New London on the fourth Tuesday of September next, by way of review; and that the cost from the beginning follow the said trial in September aforesaid.

Whereas on the petition of Solomon Drown and others, creditors on the estate of David Nevens late of Canterbury, deceased, to the General Assembly at their sessions at New Haven in October last, complaining that the said David Nevins before his death was indebted to them &c. in large sums on the credit of a large estate both real and personal he then had in his hands, and he, the said Nevins, had executed to Col. Simon Lothrop of Norwich a bill of sale of all his personal estate and a deed of sale of all his real estate in trust, to defeat the said creditors, and that the said deed was fraud-

ulent as to the creditors of said Nevens &c.; that they by means thereof have been defeated of their just dues &c., as per petition on file may appear: Whereupon said October Assembly did appoint Jonathan Trumble, Christopher Avery, and William Williams, Esq<sup>rs</sup>, a committee to enquire and find out the truth of the matters in said petition contain'd, examine all parties, and of what they should find &c. to make report to this Assembly: Whereupon said committee having made due inquiry into all matters complained of and to them referred by said act, examin'd all witnesses, exhibits &c. relative thereto, their report thereon have made to this Assembly, that the said David Nevens was indebted to the Governor and Company of this Colony and to the petitioners and sundry others in large sums of money, and that the said Nevens on the 7th day of February 1755, in order to prevent his creditors seizing on his estate &c., agreed with the said Simon Lothrop and then executed to said Lothrop a deed of sale of three tracts of lands situate in the township of Canterbury, containing by estimation three hundred and sixty acres, butted and bounded as in said deed is expressed and of record may appear, and that said Lothrop then executed to said Nevens a certain obligation for the sum of thirty thousand pounds old tenor, with conditions that if the said Nevens pay to the said Lothrop, his heirs &c. all the money the said Nevens then owed to said Lothrop and for his charge and trouble in hiring sterling money and Connecticut bills to pay what said Nevens owed the Governor and Company &c. and all the money said Lothrop should pay to discharge any of said Nevens's debts &c. then said Lothrop to make and execute a deed of release and quit-claim to the said three pieces of land, as by said bond and conditions annexed may more at large appear; and that at the same time said Nevens executed to the said Lothrop a bill of sale of his stock of creatures, farming tools, household goods, and all his shop goods, and that at the same time the said Lothrop, in consideration for said goods, executed to said Nevens an obligatory bond for the sum of ten thousand pounds old tenor conditioned for the [278] payment of five thousand pounds old tenor, and that the said Nevens gave the said Lothrop a receipt for said five thousand pounds &c. And that it appears by said Lothrop and Nevens their accounts, that at that time the balance was in favour of said Nevens, but that at the time of said Nevens his death he was indebted to said Lothrop the sum of £45 14s. 11 $\frac{3}{4}$ d. and that said Lothrop had paid of the proper debts of said Nevens to the amount of £558 1s. 7 $\frac{3}{4}$ d. and that there was due to said Lothrop for hiring the money, commissions



&c. the sum of forty-five pounds and no more, and that the use of said farm was a meet recompence for the interest of the money paid as aforesaid; and that on examination of the claims of the several creditors, find due to Solomon Drown, one of the petitioners, the sum of £69 13s. 0d., to James Nevens the sum of £79 4s. 8d., to Ignatius Barker £18 18s. 0d., to Daniel and Joshua Lothrop £142 1s. 0d., to Robert Nevens £73 17s. 3d., to Ezekiel Pierce for debt to Storer and Son of Boston £296 7s. 7d., to Ezekiel Pierce and Elisha Paine for a debt due to Thomas Hubbard, Esqr, £88 12s. 0d., to said Pierce and Pain's account of trouble and expences £24 18s. 7d., and sundry other small accounts to the amount of £52 13s. 7d., in the whole amounting to £946 5s. 8d.; and that on consideration of the matters aforesaid they were of opinion that the deed aforesaid from said Nevens to said Lothrop ought in equity to be set aside and the lands therein mentioned to be considered as the estate of said Nevens, and that the administrator to said estate be directed to proceed accordingly &c., as by said report on file may more fully appear; which said report is accepted and approved by this Assembly, except wherein any favour is allowed in the payment to said Lothrop of said sum paid by him to this Colony on account of the said Nevens. Whereupon resolved by this Assembly, that the aforesaid deed executed by said Nevens to said Lothrop of said three pieces of land in Canterbury is fraudulent as to the creditors aforesaid, and that the same with every clause and article therein contained be and the same is hereby declared to be null and void as to the aforesaid creditors to said estate, and that all the lands mentioned and described in said deed be and the same is hereby declared to be the estate of the said David Nevens in the hands of the administrator on the said Nevens's estate for the purpose of paying and satisfying the aforesaid debts due from the estate of said Nevens; and that the administrator on the said Nevens's estate is hereby directed to treat and inventory said lands as such, and that the whole thereof be sold and disposed of to the best advantage for the purpose of and to be applied to the satisfying of the debts due from said estate if need be, otherwise so much thereof as shall be found needful therefor; and that Col. John Dyar of Canterbury be and he is hereby fully authorized and impowered to sell and dispose of the same for the purpose aforesaid, taking the direction of the court of probate for the district of Plainfield therein; and that the petitioners be allowed their cost in prosecuting their said petition and what has arose thereon, which is taxed at £21 2s. 10d. *Ex. granted June 7th 1760, for said cost.*

Upon the petition of Messrs. Joseph Green and Isaac Walker of Boston, *versus* Timothy Adams of Symsbury, representing that by virtue of an execution issued on a judgment of an adjourned county court at Hartford July 1757, in their favour for £32 2s. 6d. and for cost, said Timothy being committed to the goal in Hartford had been permitted to swear himself to be not worth five pounds &c., and that he had been by the petitioners ever since solely supported in said goal, and that the said Adams having no estate nor himself willing to make satisfaction by service, nor on application made been thereto by said court compelled, have accordingly been not only kept out of their just due but subjected to a considerable [279] additional charge; thereupon praying || this Assembly by their own authority, or by order given said county court, to compel said Adams into the petitioners service to the purpose aforesaid: This Assembly, being of opinion that adequate relief in the premises may be by law attainable before said county court, do accordingly refer the same to the further consideration of said county court and recommend it to them to do the law on proper application made by the petitioners. And no equitable interposal of this Assembly appearing necessary, this petition is thereupon dismissed.

On the petition of [John] Swetland, Joseph Swetland and others, *vs.* John Richards of New London, Esq<sup>r</sup>, and Ann his wife, complaining to this Assembly that whereas Benjamin Swetland of said New London, deceased, by his last will and testament gave absolutely to Hannah his wife some part of his personal estate with the improvement of all the residue of his estate during her life with remainder of such residue over to the petitioners, (saving only certain legacies to several churches &c.); that the said Hannah took into her possession the estate of the said Benjamin, deceased; that said Hannah is since deceased, having first made her last will and testament in and by which, after having disposed of her estate, she appointed the said John Richards, Esq<sup>r</sup>, executor to the same; also complaining that the said John and his said wife have taken into their hands and possession great part of the personal estate of said Benjamin, claimed by said petitioners to belong to them by force of said will of said Benjamin, and that the same is detained and secreted by the said John and his said wife &c.; praying commissioners may be appointed to examine the aforesaid John and his said wife touching the same &c., as per said petition on file &c.: Resolved by this Assembly, that Richard Lord of Lyme, Jabez Huntington and Ebenezer Backus of Norwich, Esq<sup>rs</sup>, be and they are hereby appoint-

ed a committee with full power and authority to call before them the aforesaid John Richards, Esqr, and his said wife, and them on all proper interrogatories examine upon oath touching the personal estate of the aforesaid Benjamin, deceased, and the secreting, concealing or detaining the same, and for the disclosure thereof; and of what they shall find in the premises make report to this Assembly at their sessions in October next.

Whereas upon the petition of Jerusha McDowland of Derby, representing that a considerable real estate in said Derby to her belonging had been unjustly taken from her, she being compelled by threatnings &c. by her late husband Thomas McDowland to joyn in a conveyance thereof to one James Pritchard of said Derby, and praying for an inquiry into the matters in said petition alledged, Ebenezer Silliman, Esqr, Col. John Read and Capt. Thomas Hill, all of Fairfield, were by the General Assembly held at New Haven in October last appointed a committee to inquire into and concerning the matters alledged and complained of in said petition and to make report thereon to this Assembly, as per said act of Assembly appears; and whereas by sundry unforeseen accidents the said committee have not yet been able to make such inquiry and report: It is therefore resolved by this Assembly, that the said committee appointed at the Assembly in October last be and they are hereby re-appointed and fully empowered to inquire &c. as fully and in the same manner as directed in and by said act of Assembly in October last, and make report of the state of said case with their opinion thereon to the General Assembly to be holden at New Haven on the 2d Thursday of October next.

Whereas on the petition of Philander Pinney of Windsor, *versus* Elijah Kent of Suffield, preferred to the General Assembly held at New Haven at their sessions in October last, complaining that the said Kent, as deputy sheriff, had procured of said Pinney a note of hand for £200 0s. 0d. lawful [280] money on interest, only as bail security in an action brought by one Eliphalet Beacher against one Timothy Adams, on which judgment had been recovered against said Adams only for the sum of £104 7s. 2d., but that said Kent had obtained judgment on his said note against said Pinney for the sum of £216 3s. 4d. which the said Pinney had been compelled to pay and discharge; praying for relief &c.; on which said October Assembly did appoint John Chester, Esqr, Messrs. Elisha Williams and John Lawrence a committee to inquire into the matters alledged and complained of in said

petition, and thereon to make their report to this Assembly and the said committee having duly inquired into said matters of complaint, heard the parties, have made their report thereon to this Assembly, *viz*: that the said Kent ought in equity to pay and refund to the said Pinney the sum of £79 3s. 2d. on the matter aforesaid, which report is accepted: And thereupon resolved by this Assembly, that the said Elijah Kent pay and refund to the said Philander Pinney the said sum of £79 3s. 2d. lawful money and his cost of prosecuting said petition and that thereon has risen, taxed at £10 17s. 10d., and that execution issue forth accordingly. *Ex. granted June 30th 1760.*

Upon the petition of Joseph Elderkin junr &c., representing to this Assembly that on a trial had at the superior court held at Norwich in March last, wherein Richard Bushual of Norwich was plaintiff and I, the said Joseph Elderkin, and others were defendants, some witnesses produced on said trial by the said Bushnall were mistaken in their evidence relating to the eastermost line of the said Bushnall's lot, called Cranes lot, and which the petitioner is able to shew by other and new evidence &c.; praying for another trial of said cause: Resolved by this Assembly, that the petitioner have liberty of another trial of said cause at the superior court to be holden at New London within and for the county of New London on the 4th Tuesday of September next, and that all cost follow the final judgment.

Upon the petition of Rosewell Woodward, John Woodward, Joseph Trowbridge and Mary his wife, and others, the heirs and legal representatives of Mrs. Katherine Greenough late of said New Haven, deceased, *vs.* William Greenough of said New Haven, representing to this Assembly that the said Katherine in her life time was seized in fee of certain lands in New Haven, which would have descended to the petitioners after her death, but having married the said William Greenough had issue by him which died before her death, so that he had right to be tenant by the curtesy of said lands after the death of said Katherine, and that the said Katherine had joyned with him in a deed of said lands to one Thomas Mansfield, in order to have the same re-conveyed to him, the said Greenough; that said Mansfield refused to re-convey, the said deed was by the said Greenough rased and altered, and the name of Jeremiah Townsend therein inserted instead of said Mansfields, so that the same became void, but that they are not able to draw in question at law the validity of said deed before the death of said Greenough, (before which all the

witnesses to the facts in said petition alledged may be dead,) nor means to perpetuate their testimony &c. ; praying a commission to take depositions in said case *in perpetuam rei memoriam* &c. as per said petition on file appears. The parties appeared before this Court, and the respondent having nothing to object against the issuing of such commission: It is therefore resolved by this Assembly, that Col. John Hubbard and John Whiting, Esqrs, both of said New Haven, be and they are hereby appointed a committee with full power and authority to take the depositions of Messrs. Thomas Mansfield, Samuel Bishop junr, Daniel Lyman, Jeremiah Townsend, Michael Todd, Col. Nathan Whiting, all of said New Haven, and such other lawful witnesses as shall be produced to testify to the facts in said petition alledged, (citing the opposite party as by law already provided,) and that the depositions so taken by said committee be by them lodged in the office of the clerk of the county court of the county of New Haven, there to be preserved *in perpetuam rei memoriam*, and that the same may and shall in all future time (in case of the death of such witnesses or either of them) be admitted and made use of as legal evidence in any trial at law or in equity which may happen respecting the title of the lands or the validity of the deeds in said petition mentioned and referred to.

[281] Upon the petition of John Hall, of New London in the county of New London, against Andrew McKenzie, of Boston in the county of Suffolk and Province of the Massachusetts Bay, praying for a new trial in a cause determined at the county court held at New London within and for said New London county on the 2d Tuesday of June last, in which action said Andrew McKenzie was plaintiff and the petitioner was defendant: Resolved by this Assembly, that the further consideration of said petition be continued till the next General Assembly to be held at New Haven on the 2d Thursday of October next, and that execution on said judgment of said June court be stayed till the rising of said Assembly in October next.

Upon the petition of Watrous Clark of Lyme, praying for a new trial in an action tried at the superior court held at Norwich in and for the county of New London on the 4th Tuesday of March last, which action was brought by Nathaniel Shaw of New London against the said petitioner: Resolved by this Assembly, that the further consideration of this petition be referred to the General Assembly to be holden at New Haven in October next, and that the execution on the judgment referred to in said petition be stayed till the rising of said Assembly in October.

Upon the petition of John Marshal, of Greenwich in the county of Fairfield, against Thomas Hill, Anthony DeMill and Daniel Ogden in their own right, and Samuel Hoit and John Griffin administrators on the estate of David Marshall, deceased, representing that John Marshal, late of said Greenwich, now deceased, father of the petitioner, about the beginning of the year 1727, died intestate, leaving a widow and eleven children, *viz*: the petitioner, David, Elihu, Jehu, Zacheus, Ichabod, Micajah, Abigail, Hannah, Elizabeth and Mercy; and the petitioner being the eldest son he with the widow took out letters of administration upon the estate of the deceased John at the court of probates for the county of Fairfield, and made an inventory and exhibited the same to said court on the 3d day of May 1728, amounting to the sum of £2086 15s. 7d., which after some few debts then or soon after brought in against said estate and the widow's thirds of moveables deducted there remained £1859 3s. 4d., and that the acting upon the law of this Colony about intestate estates being about that time suspended, all further administration on said estate ceased; and that the petitioner, supposing himself owner of the real part of said estate, kept the said children together in his family, brought them up, and expended large sums for some of them in sickness &c., and when they went off from him for settlement he advanced them in portions, for some of which he had taken receipts, acquittances or discharges, *viz*: of all said children saving said Elizabeth, Hannah, Ichabod and Zacheus; and the said Elizabeth's interest in said estate being owned by the said Hill, the said Hannah's by the said DeMill, said Ichabod's by said Ogden, and the said Zacheus's being in his life time conveyed to his brother, the said David, who died invested therewith, and that the court of probates for the district of Fairfield, upon application to them made for a distribution of said estate, having notified the petitioner thereof he produced his account against said estate to the amount of £1103 16s. 4d. old tenor and £1 13s. 0d. lawful money, of which the said court allowed no more than £26 17s. 0d. old tenor and 10s. lawful money, and on the 29th day of December 1758 ordered a distribution of the remainder of said estate, and that the petitioner appealed from said determination and order of said court about said account and distribution to the superior court then to be held in said Fairfield, and by proper remove said case came to the superior court held in Fairfield on the last Tuesday save one of February last, at which court by mistake the appellant was nonsuited; praying for relief, and that the said determination and orders of said court || of probates might be

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reversed, and that commissioners might be appointed to hear and examine in equity said accounts and all the transactions and circumstances of said estate respecting the said rights of said Elizabeth, Hannah, Ichabod and Zacheus, as by the petition on file appears: Resolved by this Assembly, that Ebenezer Silliman, John Read and William Burr, Esq<sup>rs</sup>, all of Fairfield, be and they are hereby appointed a committee to hear and examine in equity the accounts, disbursements and transactions of the petitioner of and concerning said estate, and respecting the rights and interests of the said Elizabeth, Hannah, Ichabod and Zacheus, or their representatives, and what they or either of them have had and received of said estate, and make report of what they shall find in the premises to the General Assembly to be held in New Haven in October next, and their opinion thereon; and that the said judgment and order of distribution of the court of probate and executions on said judgment of the superior court be suspended, and they are hereby stayed and suspended, till the rising of the Assembly in October next.

Upon the petition of James Derby of Canterbury, *versus* Thomas Stanton of said Canterbury, complaining that whereas the said Stanton brought his action of surrendry against the petitioner, demanding 12 acres of land lying in said Canterbury, which action came to a final trial at the superior court held at Windham on the third Tuesday of September 1758, and therein the said Stanton obtained judgment for the surrendry of said land &c. and hath actually taken the same &c.; that said trial came on by surprize, the petitioner not being prepared with his necessary evidence, which he is now able to produce &c.; praying for a new trial in said case &c., as per petition on file &c.: Resolved by this Assembly, that the petitioner shall have liberty of another trial of said case at the superior court to be held at Windham in the county of Windham on the third Tuesday of September next, and that the future cost only follow the final judgment that may be given in said case; and in case final judgment in said case shall be rendered in favour of the petitioner, the said superior court are hereby enabled to grant execution in favour of the petitioner for said land, that he may be re-seized thereof in due form of law.

Upon the petition of Josiah Talcott of Weathersfield and Elijah Francis of Farmington, executors of the last will and testament of James Francis, deceased, representing that the said James Francis in his life time and the said Josiah Talcott, together with Asa Douglas of Canaan and Timothy

Hollister of Glassenbury, on the one part, agreed and covenanted with Alexander Colden and George Harrison, both of the Province of New York, on the other part, jointly, to purchase of them, the said Colden and Harrison, a certain nine hundred acres of land in Ulster county in the said Province, at the price of nine hundred pounds York money, the one half to be paid at the giving a deed thereof, and the other half to be secured by a mortgage back of the same lands; that the said James Francis, Talcott, Douglas and Hollister did also in fact buy of one Hugh Wentworth of said Province, for the consideration of thirty-two hundred pounds York money, two other parcels of land in said Ulster county, one containing a thousand acres, the other nine hundred acres, and that for the payment of said consideration money to said Wentworth it was agreed that said purchasers should pay five hundred pounds down upon receiving the deed and for the residue should execute three several bonds to said Wentworth for nine hundred pounds each, payable at three several distinct periods, which was accordingly done; that it was also agreed between the said purchasers who were equally interested in the premises both bought and agreed for as aforesaid should [283] equally || advance and pay in all payments to be made towards the said purchases, and that no one or more of them should be delayed or any ways prejudiced by the neglect or failure of the others; that it afterwards appeared that said Wentworth was a bankrupt and that he never had a title to the nine hundred acres purchased of him, and that the thousand acres, the other parcel purchased of him, was incumbered by a previous mortgage thereof, made by him, the said Wentworth; that the said Talcott and the said James Francis had made large payments towards said purchases and for the disencumbering of the said premises; that the said Douglas and Hollister had failed to perform on their part, and by reason thereof the said Talcott and the heirs of the said James Francis were greatly aggrieved &c.; praying for equity &c. as per the petition on file: It is therefore resolved by this Assembly, that Shubael Conant, William Wolcott and William Pitkin jun<sup>r</sup>, Esq<sup>rs</sup>, be and they are hereby appointed a committee to hear the said parties on all the matters referred to in said petition, and to examine and consider the evidence that may be produced and whatsoever is relative to the matters aforesaid, and to make report of what they find to be just and equitable between the said parties, with their opinion thereon, to this Assembly at their sessions in October next.



Upon the memorial of Aaron Baxter of Hebron, shewing to this Assembly that he was an inlisted soldier in the service of this Colony in the year 1759, at Ticonderoga, where he unhappily received a shot in his breast and also another shot through his left arm, whereby the bone of his arm was broke and several pieces of his said bone were afterwards taken out, and that since his return home, which was on the 20th day of October last, he has been put to great cost and charge in obtaining a cure, whereby he is involved and is wholly unable to discharge his debts and to support himself, and that he is very likely to remain so as his arm is in no considerable measure restored, and praying for relief from the public treasury of this Colony: Resolved by this Assembly, that the memorialist receive out of the Colony treasury the sum of £35 0s. 0d. lawful money, and the Treasurer is hereby ordered to pay said sum to the memorialist accordingly.

Upon the memorial of Benjamin Kinne of Preston, shewing to this Assembly that he was the last year a soldier in the service of this Colony in Col. Fitches regiment, and that he faithfully served in the services to which he was order'd, until some time in the month of June last he was ordered into the batteau service, and from thence into the teaming service, and while he was in said service driving a team with a loaded cart accidentally slipt down and said cart run over him and broke his arm, whereby he has suffered great distress and loss of time, and thereby is rendered unable to support himself and family, and still is a cripple and is like to remain a cripple; praying that this Assembly would grant him such a sum out of the treasury of this Colony as by them should be thought fit: Resolved by this Assembly, that the said Kinne receive out of the public treasury of this Colony thirty pounds lawful money, to be paid ten pounds now and ten more annually until said £30 0s. 0d. shall be paid; and the Treasurer of this Colony is hereby ordered to pay the same to the said Kinne accordingly.

Upon the memorial of John Hally, executor of the last will and testament of Selleck Hally late of Stanford, deceased, [284] representing to this Assembly || that the debts and charges due from the estate of said deceased surmount the personal estate of said deceased the sum of £167 13s. 6d. lawful money, and that the deceased hath made no provision by his last will for the payment of said sum, and praying for liberty to sell so much of the real estate of said deceased as will be sufficient to raise said sum with the incident charges arising thereon: Whereupon liberty is hereby granted to

the said John Hally and he is hereby impowered, to make sale of so much of the real estate of said deceased as will be sufficient to raise said sum with the incident charges arising thereon; taking the direction of the court of probate in the district of Stanford therein.

Upon the memorial of Mary Fuller and Daniel Fuller of Willington, executors to the last will and testament of the Rev<sup>d</sup> Mr. Daniel Fuller late of said Willington, deceased, shewing to this Assembly that the debts, charges and allowances against the estate of said deceased surmount the whole of the personal estate of the said deceased the sum of £152 9s. 2d. lawful money, and that the said executors were not impowered to sell any lands nor any other provision sufficient to raise money to pay said debts; praying to this Assembly to grant liberty and impower said executors, or some other meet person, to make sale of so much of the real estate of said deceased as to raise said sum of £152 9s. 2d. together with the necessary incident charges arising thereon: Resolved by this Assembly, and liberty is hereby granted, and the said Mary Fuller and Daniel Fuller, executors, are hereby impowered, to make sale of so much of the real estate of the said deceased as to raise the said sum of £152 9s. 2d. lawful money together with the necessary charges arising on said sale; taking the direction of the court of probates in the district of Hartford therein.

Upon the memorial of Joseph Trobridge, Enos Allen and Michael Todd, all of New Haven in the county of New Haven, part owners and proprietors of a certain wharf in said New Haven called the Union Wharf, and others, owners and proprietors of said wharf, representing to this Assembly that said wharf is much gone to decay and wants repairing, and that the owners being numerous and living remote from one another, and some of them careless about said wharf or unable or incapacitated to contribute to said repairs, it is impracticable equitably to rectify and keep in repair said wharf under present circumstances; praying for relief, as by their memorial on file appears,

*Resolved by this Assembly,* That the said Joseph Trobridge, Enos Allen, Michael Todd, and the rest of the owners and proprietors of said wharf, be incorporated, and they are hereby incorporated and imbodyed into one intire company for the purpose of rectifying, repairing and managing said wharf for the future, and shall be called and known by the name of the Union Wharf Company in New Haven, and said company shall have power and authority, and power and au-

thority is hereby given them, to meet and hold their meetings to consult about and transact, do and order the matters of repairing and managing said wharf, and in their meeting to choose their moderator and also a clerk to enter their votes and conclusions and keep their accounts and give copies thereof, who shall be sworn to the faithful discharge of his office, and to choose a committee to repair and keep in repair said wharf and take care of the wharfage thereof, which committee shall render an account of their doings and receipts to said company once every year at least, and oftner in case said company shall so order; and that the said owners, or as many of them as shall see cause, shall meet together and hold their [285] first meeting at || the dwelling-house of Daniel Lyman, Esq<sup>r</sup>, in said New Haven on the first Tuesday of July next, and from that time on the first Tuesday of July annually at said Lyman's dwelling-house in said New Haven, unless said owners in their meetings shall order otherwise. And said owners shall have power in their said meetings from time to time to adjourn their meetings to such time and place as they shall see fit. And so many of the said proprietors as shall be present in their said meetings may agree by major vote, to be computed according to their interest, to repair and keep in repair said wharf, and to agree with any number to undertake said service and take the profits of said wharf till they shall be satisfy'd for their disbursements for such repairs, which agreements with the names of the persons so agreeing shall be entered in the said clerk's book, a copy of which shall be good evidence of such agreement; and such undertakers shall render their accounts to said company when thereto required.

On the memorial of Mr. Thomas Fitch jun<sup>r</sup>, of Norwalk, representing that he had been employed in drawing and copying writings of public concernment the two years last past and as yet received no allowance therefor, and praying for a proper compensation on account of those services: It is granted and ordered, that the Treasurer pay out of the public treasury the sum of fourteen pounds to the said Mr. Fitch, as a recompence in full for his services mentioned and referred to in the memorial.

Upon the memorial of Jemima Lounsberry, administratrix on the estate of Monmouth Lounsberry late of Stanford, deceased, shewing that the debts due from the estate of said deceased surmount the moveable part of said estate the sum of £173 8s. 4d. and praying that so much of the real estate of said deceased may be sold as will answer said sum: Re-

solved by this Assembly, that the said Jemima Lounsberry and Thomas June jun<sup>r</sup> have liberty, and they are hereby empowered, to make sale of so much of the real estate of the said deceased Monmouth Lounsberry as will be sufficient to pay the aforesaid sum of £173 8s. 4*d.* with the incident charges arising on such sale; taking the directions of the court of probate in the district of Stanford therein.

Upon the memorial of Joseph Webb, administrator on the estate of Epenetus Webb late of Stanford, deceased, shewing the debts due from the estate of said deceased surmount the moveable part of said estate the sum of £202 19s. 10½*d.* and praying that so much of the real estate of said deceased may be sold as will answer said sum: Resolved by this Assembly, that the said memorialist have liberty, and he is hereby empowered, to make sale of so much of the real estate of the said deceased Epenetus Webb as will be sufficient to pay the aforesaid sum of £202 19s. 10½*d.* with the incident charges arising on such sale; taking direction of the court of probate in the district of Stanford therein.

Upon the memorial of George Clark, Benjamin Fenn, Noah Baldwin, Jeremiah Peck, Henry Peck, Jonathan Fowler, Ephraim Strong, and Samuel Sanford jun<sup>r</sup>, and the rest of the members of the Presbyterian congregation, so called, who joyn with them for religious worship in Milford, shewing that the General Assembly in their sessions in May 1750, enacted and granted that the memorialists and such of the inhabitants of Milford as should within the space of three months after [286] the rising of said Assembly || enter their names with the town clerk of said Milford and attend upon the worship of God in the aforementioned Presbyterian congregation there should be free from paying any rates or taxes for the future towards the support or maintenance of any minister or for building or repairing any meeting-house or toward any other ecclesiastical taxes in said town of Milford during the time of their regular attendance in said congregation; and further shewing that by reason of sickness or absence from home some persons neglected or were prevented inrolling their names as aforesaid, and some others are come into said town since and are now inhabitants, who are desirous of inrolling their names with the memorialists, who have hitherto paid towards the support of the Rev<sup>d</sup> Mr. Samuel Whittlesey notwithstanding their constant attendance upon the ministry of the Rev<sup>d</sup> Mr. Job Prudden, pastor of the abovesaid Presbyterian congregation; praying that such inhabitants of said town who shall inroll their names with the town clerk in said

town within three months from the first of June next be freed from all ecclesiastical charges in said town, saving the taxes with the memorialists for such purpose, and be incorporated with them, and that there be granted to the memorialists and their brethren society priviledges as enjoyed by other societies in this Colony, as by their memorial on file appears :

*Resolved by this Assembly,* That the memorialists and their adherents be and they are hereby made and constituted a distinct ecclesiastical society, endowed with all the authorities, priviledges and immunities as other ecclesiastical societies in this Colony, and shall be called and known by the name of the Second Society in Milford, and that the children and descendants of the present members and such as are legally joyned to them shall have and enjoy the same; and also, that such persons as are mentioned and referred to in said memorial as abovesaid shall and hereby have liberty granted to them to inroll their names with the town clerk of said Milford within three months, reckoning from the first day of June 1760, and shall with their descendants belong to said society and be treated as such.

Upon the memorial of Hezekiah Cutler and Rebeckah Clark, both of Killingly, administrators on the estate of Josiah Clark late of said Killingly, deceased, shewing to this Assembly that one Hanniel Clark of Killingly aforesaid, late deceased, in his life time, *viz*: on the 17th day of April 1753, made his last will and testament of that date, wherein was considerable estate devised to the said Josiah Clark and others, which said will was exhibited to the court of probate for the district of Pomfret and there proved, approved, recorded and lodged on file as the law directs, which said records, files, &c. with the then whole records of said court was consumed by fire, but that a copy of said will was taken, compared and attested to be true by Joseph Leavens, justice of the peace, produced to this Assembly, which is in the words as recited in said memorial, as per memorial on file: *Resolved by this Assembly,* that the said copy of said will set forth in said memorial be recorded in the records of said court of probate for the district of Pomfret, and that said copy be there lodged on file, and that the same and a copy thereof from said records produced shall be at all times as full evidence in all causes, and of equal force with respect to the disposition of the estate of the said Hanniel Clark and to every purpose of said will, as if the said will and the first record thereof had not been burnt and consumed but the same had remained in the records and on the files of said court of probate as first entered and lodged as aforesaid.

[287] Upon the memorial of Christian Smith, administratrix on the estate of Levi Smith late of Weathersfield in the county of Hartford, deceased, shewing to this Assembly that the debts and charges due from the estate of the said deceased surmounts the moveable estate of said deceased the sum of £6 16s. 2*d.* lawful money, for the payment of which the said administratrix has no assets in her hands; praying for liberty to make sale of so much of the real estate of the said deceased as will raise the said sum with incident charges arising on the sale thereof, taking the direction of the court of probate for the district of Hartford thereon: Resolved by this Assembly, that John Robbins jun<sup>r</sup> of said Weathersfield and the said administratrix be appointed, and they are hereby appointed and impowered, to make sale of so much of the real estate of the said deceased as will raise or procure the said sum of £6 16s. 2*d.* lawful money, to pay said debts, with the incident charges arising thereon; taking the direction of the said court of probate therein.

Upon the memorial of the inhabitants of the fourth ecclesiastical society in the town of Guilford in the county of New Haven, representing that the bounds of the first and fourth ecclesiastical society in said Guilford are one and the same, and that young persons within said limits growing up and coming upon the stage of action and others who never had any vote or voice in settling of either of the ministers belonging to one or other of said societies do elect for themselves and many of them are chosen to joyn to the said fourth society and have attended on and contributed to the support of their public worship; and that nevertheless they have been taxed and compelled to pay rates to the said first society, and that by means thereof much animosity and discord hath long subsisted among them; praying for some special and further regulation and for a reasonable liberty to be granted to all such persons who choose to joyn with one or with the other of said societies, and to prevent the like troubles for the future &c.: Resolved by this Assembly, that all such persons within the limits of said societies as shall hereafter arrive to the age of twenty-one years may within one year after their coming to such age elect and choose which of said societies they will belong to and cause their names to be entered with the clerk of that society to which they so choose to joyn, and on failure so to enter their names they shall continue where brought up or where they belonged before; and that all others within said limits who have not been personally rated in either of said societies may on or before the first day of Sep-

tember next elect which of said societies they will belong to and cause their names to be entered as aforesaid; and upon the entry of the names of such persons under either of the circumstances aforesaid, they shall be deemed to belong to that society where they have so entered their names, and shall be rated and taxed accordingly.

Upon the memorial of Mary Johnson, administratrix on the estate of Hamlin Johnson late of Middleton in said Colony, deceased, shewing to this Assembly that the debts and charges allowed by the court of probate for the district of Middleton against the estate of said deceased surmounts the moveable part of said estate the sum of £38 12s. 11¼*d.* and thereupon praying for liberty to sell so much of the real estate of said deceased as will procure the aforesaid sum with the incident charges arising on such sale: Resolved by this Assembly, that the memorialist and Capt. Joseph Johnson, both of said Middleton, have liberty, and they are hereby [288] fully impowered, to sell so much of the real estate of said deceased as will procure the aforesaid sum of £38 12s. 11¼*d.* with the incident charges arising on such sale; taking the direction of the court of probate for the district of Middleton therein.

Upon the memorial of Henry Allen, administrator on the estate of Edward Egglestone, late of Windsor, deceased, representing to this Assembly that the debts and charges due from the estate of said deceased surmount the moveable estate of said deceased the sum of £22 19s. 5¼*d.* lawful money, and praying for liberty to sell so much of the real estate of said deceased as will be sufficient to raise said sum with the incident charges arising thereon: Resolved by this Assembly, that the said administrator have liberty, and liberty is hereby granted to said administrator, to sell so much of the real estate of said deceased as shall be sufficient to raise said sum with the incident charges arising thereon; taking the direction of the court of probate in the district of Hartford therein.

On the memorial of Abraham Merrills, administrator on the estate of Patience Moodey late of Hartford, deceased, for liberty to sell real estate of the said deceased to the value of £2 15s. 11*d.* lawful money, for the payment of debts due from said estate more than the moveables would pay, as per memorial on file: Resolved by this Assembly, that the memorialist have liberty, and it is hereby granted to him, to sell real estate of the said Patience Moodey, deceased, for the payment of debts due from said estate to the value of £2 15s. 11*d.* lawful money, and charge of sale; taking the advice of the court of probate in the district of Hartford therein.

Upon the memorial of Ebenezer Fisk, representing that his dwelling-house and buildings where he now lives is situate on a tract of land called the Purchase, between the original bounds of the towns of Farmington and Wallingford, on the west side of the country road that runs north and south, which tract by act of Assembly had been heretofore annexed to the parish of New Cheshire and under the regulation of the town of Wallingford, and that the same lyes adjoining to the south bounds of the said town of Farmington and parish of Southington; that the same is remote from the place of public worship in the said parish of Cheshire and near the place of public worship in said Southington; that other of the said purchase land lying eastward of said road (much of which belongs to the memorialist) is already within said society of Southington and under the regulation of the said town of Farmington, and that it would greatly ease the memorialist and be most accommodable on all accounts to him, to have the aforesaid tract (whereon he lives as aforesaid) annexed to the said society of Southington and to be under the regulation of the said town of Farmington; praying that the same may be done accordingly, as per memorial on file, &c.: It is therefore resolved by this Assembly, that the aforesaid tract of land whereon the memorialist now lives, lying westward of the country road and between that and the river called Ten Mile River, in quantity about seventy acres, be the same more or less, be and the same is hereby annexed to the said society of Southington, and the same land and all persons that do or shall dwell thereon shall be in all respects under the regulation of said town of Farmington, both with respect to duty and privilege, as though they had been originally within their grant and patent; and also shall be included within the limits [289] of the south military || company in the said society of Southington; any former order or act of this Assembly notwithstanding.

Upon the memorial of Benajah Davis, of New London in the county of New London, administrator on the estate of John Congdon, late of New London, deceased, shewing to this Assembly that the debts paid and still due from the estate of said deceased surmount the personal estate the sum of £106 14s. 2d. lawful money; praying this Assembly to grant liberty to the memorialist, or some other suitable person, to sell so much of the real estate of the said deceased as will procure the sum abovesaid with the incident charges arising on said sale: Resolved by this Assembly, that the memorialist have liberty, and liberty is hereby granted him, to sell so much of



the real estate of said deceased as will procure the said sum of £106 14s. 2*d.* lawful money, with the incident charges arising thereon; taking the advice of the court of probate for the district of New London therein.

On the memorial of Rachel Goodrich and Jonah Gillet, administrators on the estate of Stephen Goodrich late of Windsor, deceased, representing to this Assembly that the debts and charges due from the estate of said deceased (exclusive of any former grants for sale of the said deceased's estate) surmount the moveable estate of said deceased the sum of £24 12s. 0*d.* lawful money, and praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to raise said sum with the incident charges arising thereon: Resolved by this Assembly, that the memorialists have liberty, and liberty is hereby granted to them, to sell so much of the real estate of said deceased as shall be sufficient to raise said sum with the incident charges arising thereon; taking the direction of the court of probate in the district of Hartford therein.

Upon the memorial of Richard Ely, of Lyme in New London county, and Abner Parker of Saybrook, and sundry other inhabitants of said Lyme and Saybrook, representing to this Assembly that there is great necessity of a public ferry to be set up at said Ely's wharf across Connecticut River, and also to said Parker's wharf; and upon the memorial of Samuel Selden of Lyme and Nehemiah Marvin of Saybrook, and sundry others, inhabitants of said Lyme and Saybrook, and sundry of the inhabitants of Haddam and East Haddam in Hartford county, representing also to this Assembly that there is great necessity of a public ferry to be set up across said river near the house of said Selden; praying this Assembly that public ferries may be set up at the aforesaid places, &c.: Resolved by this Assembly, that Richard Lord, Esqr, of said Lyme, and Hezekiah Brainard, Esqr, of Haddam in said Hartford county, and Capt. John Murdock, of said Saybrook, be a committee, and they are hereby appointed a committee (at the cost of said memorialists) to repair to the places aforesaid and view their circumstances and enquire into the necessity and conveniency of setting up public ferries at either or both of the places aforesaid, and to make report to the General Assembly to be held at New Haven in October next.

Upon the memorial of Abraham Dibbel, of Torrington in the county of Litchfield, administrator on the estate of Thomas Dibbel, late of Torrington, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the moveable estate the sum of thirty-five pounds fif-

teen shillings and nine pence; praying for liberty to sell so much of the real estate of the said deceased as to pay the said [290] sum with the incident charges of such sale: || Resolved by this Assembly, that the memorialist have liberty and he is hereby impowered, to sell so much of the real estate of the said Thomas Dibbel, deceased, as shall be sufficient to pay said sum, £35 15s. 9d., lawful money, together with the incident charges of such sale; taking direction of the court of probate for the district of Litchfield therein.

Upon the memorial of Ebenezer Dodge, of Woodstock, shewing to this Assembly that the memorialist was a soldier in the pay of this Colony under the command of Capt. John Terry, in the year 1755, and that after the dismissal of the troops he enlisted under Col. Nathan Payson to tarry, and did stay to assist in keeping the garrison at Fort Edward until April 1756, and being ordered with others to go as an escorting party down the river toward Albany, he was taken by a number of the enemy and carried to Canada, and that he continued in captivity with the French and Indians, where he endured many hardships, until the 15th of October 1759, &c.; praying for a grant to be made to him out of the treasury of this Colony: Resolved by this Assembly, that the memorialist shall receive out of the treasury of this Colony the sum of fifteen pounds, and the Treasurer is hereby ordered to pay the same accordingly.

Upon the memorial of James Ely, administrator on the estate of William Ely late of Lyme, deceased, shewing to this Assembly that said deceased made his last will and testament in which he expressly ordered his executors therein named to make sale of his out-lands for payment of his debts and education of an infant grand-child &c.; that the executors named in said will refused to accept said trust; that no sale can legally be made of said lands nor said will executed according to the express intention of said testator without power from the General Assembly of this Colony; praying that some suitable person might be appointed to make sale of the aforesaid lands ordered and directed in said will to be sold for the purpose therein expressed, as per memorial on file &c.: Resolved by this Assembly, that said memorialist be and he is hereby impowered to make sale of the said out-lands of said deceased, as mentioned in said will, and that the avails of the same arising on such sale to be disposed of according to the direction of said testator given in said will and for the purposes therein mentioned.

On the memorial of Asahel Raymond Jun<sup>r</sup>, of Norwalk

first society, and David Godfrey, of Norfield in the town of Fairfield, shewing that he, the said Raymond, is settled upon a tract of land (part of which belongs to said Godfrey) which is at a great distance from the meeting-house in said Norwalk first society but conveniently situated for his attending the public worship in said Norfield society: said tract of land being bounded as follows, *viz*: beginning at the first cross highway below or southward of the said Raymond's now dwelling-house, from thence running northward taking the whole width of the seventy-rod division there, so called, up to the west branch of Saugatuck River, on which said Norfield parish is bounded: praying that said tract of land and the inhabitants thereof may be annexed to said Norfield society, as per said memorial on file, &c.: Resolved by this Assembly, that the said tract of land, so bounded and described as aforesaid, and the inhabitants that now are or hereafter shall be thereon settled, be and the same is and are hereby annexed and shall to all intents and purposes belong to said Norfield society for the future.

[291] Upon the memorial of Elisha Williams, executor of Elisha Williams, Esq<sup>r</sup>, deceased, late colonel of a regiment raised by this Colony in the year 1746 for the then intended expedition against Canada, and other the officers of said regiment, representing that they respectively gave bond to the Governor and Company of said Colony for several large sums of money by them received for purpose of cloathing and furnishing themselves to serve in said expedition with the greater decency and honour; that it was then expected said sums would be repaid by the crown, and that the same have probably at least in part been so repaid to the Colony; that the same was of no real benefit or advantage to them but only to enable them to serve with more decency &c., and that they actually sustained great inconveniencies &c. by engaging in said service; that notwithstanding, several of said bonds are now in suit against them &c.; praying to be released and discharged from said bonds &c., as per memorial on file appears &c.: Resolved by this Assembly, that all the said bonds so given by any of the officers of said regiment (on payment of the cost which may have risen on any suits which may have been brought on any of them respectively) be and the same are hereby released and discharged, and the respective obligors shall forever hereafter stand discharged from any other or further demands made or to be made on said bonds or any of them; and the respective persons in whose hands said bonds or any of them are or shall be are

hereby directed to deliver the same up to the respective obligors therein named, that the same may be cancelled, on payment of costs as aforesaid.

Upon the memorial of Daniel Bissell and Jerusha Wadsworth, executors of the last will and testament of Joseph Wadsworth late of Windsor, deceased, representing to this Assembly that one Thomas Marks mortgaged to the Governor and Company of this Colony two hundred and twenty acres of land situate in Middleton, and that a right of redemption of one-half of said land was in the heirs of said Joseph, the whole of said land being mortgaged for the sum of £222 10s. 0*d.* Connecticut bills of credit old tenor, but some difficulties attending the making of such redemption it was decreed by the Hon<sup>ble</sup> General Assembly in May 1755, that the agent for the Colony should sell the whole of said lands and, after satisfying the said debt due to the Colony and all charges, to pay the overplus of the avails of said land to the memorialists for the use of the heirs and legatees of said Joseph; that notwithstanding afterwards the same not being done, the said lands were ordered to be sold and were sold to Mrs. Abigail Whitmore of Middleton, whereby the effect of said decree of Assembly in May 1755 was defeated, and the memorialist's right of redemption is farther greatly encumbered if not altogether defeated &c.; praying for proper relief in the premises &c. as per memorial on file &c.: Resolved by this Assembly, that John Chester and Jabez Hamlin, Esq<sup>rs</sup>, be and they are hereby appointed a committee, to inquire and examine into the matters and things in said memorial represented and set forth, state the case at large, and make report thereof with their opinion thereon to this Assembly at their sessions at New Haven in October next.

[292] Upon the memorial of the inhabitants of the first and second societies in the town of Hartford, representing that the inhabitants of said societies have no distinct parochial bounds or limits, but are interspersed one among another, that it is thereby impracticable to set up schools or school-houses in either of said societies so as to accomodate their respective members; praying that there may be a division of the whole into two distinct districts for the purpose of schooling &c.: Resolved by this Assembly, that Col. John Chester, Col. Thomas Wells and Mr. Abner Moseley be appointed, and they are hereby appointed, a committee to view the circumstances of said memorialists and to affix and ascertain a rule or line for the division of said societies into two distinct districts for the purpose of erecting and support-

ing of their said parish schools as shall in their opinion be most just and convenient for all parties concerned, and make report to this Assembly of their doings at their present or next sessions.

Upon the memorial of the inhabitants of the east part of the town of Torrington, shewing to this Assembly that by reason of their great distance and badness of the way they cannot attend the public worship of God at the meeting-house in said town nor at any other place unless they maintain it among themselves, and that they are few in number and unable to support the public worship of God among them if obliged to pay their part of the public taxes of the government; therefore praying that they may be excused from paying public taxes to this Colony: Resolved by this Assembly, that those inhabitants of the east part of the town of Torrington who obtained liberty of this Assembly to hire preaching and carry on divine worship among themselves, and were therefore excused from paying rates for such purpose elsewhere, shall be excused from paying public taxes to this Colony during the pleasure of this Assembly.

On the memorial of Samuel Stratten, administrator on the estate of Nicholas Nichols, late of Glassenbury in the county of Hartford, deceased, representing that the debts and charges due from estate of the said deceased surmount the moveable estate of the said deceased the sum of £51 5s. 7½*d.* lawful money; praying for liberty to sell real estate of the said deceased, as per memorial on file: Resolved by this Assembly, that the said memorialist have liberty, and it is hereby granted to the said memorialist, to sell of the real estate of the said deceased to the value of £51 5s. 7½*d.* lawful money for the payment of said debts and incident charges of sale arising; taking the direction of the court of probate in the district of Hartford therein.

Upon the memorial of Joseph Buckingham, Thomas Seymour and others, inhabitants of the town of Hartford, praying for a lottery &c. as per memorial on file: Resolved by this Assembly, that the memorialists have liberty by lottery to raise the sum of three hundred pounds lawful money on a deduction of ten *per cent.* on the sale of the tickets in said lottery, for the repairing the main streets in the || town of Hartford on the west side of Connecticut River, (a number of the inhabitants in said town having bound themselves to risque the tickets that shall remain undisposed of at the time appointed for drawing said lottery,) and that Messrs. John Lawrence, Benjamin Paine and John Coleman be and they

are hereby appointed managers of said lottery, and that they be sworn to a faithful discharge of said trust, and that said managers shall be allowed out of said deduction the sum of thirty pounds, and the residue of said £300 to be delivered into the hands of Messrs. William Tiley, Richard Edwards and Elihu Wadsworth, a committee hereby appointed to receive and dispose of said monies for the purpose aforesaid, and to render an account thereof to this Assembly when they shall be by said Assembly thereto required; and that said lottery be drawn within twelve months from and after the rising of this Assembly, and to be under the inspection of Daniel Edwards, Joseph Talcott and John Ledyard, Esq<sup>rs</sup>, who are hereby appointed to inspect the same.

Upon the memorial of the inhabitants of the town of Plainfield, shewing to this Assembly that some unhappy difficulties have for a long time subsisted among them; praying to be made two ecclesiastical societies, as per memorial on file: Resolved by this Assembly, that Jonathan Trumble, Hezekiah Huntington, and Jabez Huntington, Esq<sup>rs</sup>, be and they are hereby appointed a committee to repair to said Plainfield and enquire into the matters referred to in said memorial, as also to take a list of such of said inhabitants as are desirous to be made a new society, together with a particular representation of the method of setting off and constituting such new society, and report with their opinions thereon to this Assembly at their sessions in October next.

Upon the memorial of Gamaliel Whiting of Canaan, administrator on the estate of David Graves late of said Canaan, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the personal estate the sum of £31 7s. 5½*d.* and praying for liberty to sell so much of said deceased's real estate as will pay and satisfy said sum: Resolved by this Assembly, that the said Gamaliel Whiting have liberty and he is hereby empowered, to sell so much of the real estate of the said deceased David Graves as will be sufficient to satisfy the sum aforesaid with the incident charges arising on such sale; taking directions of the court of probate in the district of Sharon therein.

Upon the petition of Pelatiah Fitch, of Groton in New London county, administrator on the estate of Samuel Burroughs late of said Groton, deceased, shewing to this Assembly that the debts due from said estate amounts to the sum of £13 3s. 3*d.* lawful money, and that there is no personal estate of said deceased to satisfy the same, (said deceased having left nothing but real estate;) praying for liberty to sell so much of the

real estate of said deceased as to raise said sum &c.: Resolved by this Assembly, that said administrator have liberty, and liberty is hereby granted to him, to sell and dispose of so [294] much of the real estate of said deceased as shall be || sufficient to satisfy said sum of £13 3s. 3d. lawful money together with the necessary charges of such sale; taking the direction of the court of probate for the district of New London therein.

Upon the memorial of the inhabitants of the town of New Fairfield, shewing that said town is divided into two ecclesiastical societies, that many of the said inhabitants are poor and have been at the charge of building a meeting-house and of settling two ministers in each of said societies, and that they shall not be able to support the gospel among them if they are obliged to pay country rates; therefore praying this Assembly to excuse the memorialists from paying country rates: Resolved by this Assembly, that the inhabitants of the said town of New Fairfield shall be excused and they are hereby exempted from paying rates or taxes to the Colony during the pleasure of this Assembly.

Upon the memorial of Daniel Porter, of Stratford in the county of Fairfield, conservator of the estate of Margaret Curtis of said Stratford, a person *non compos mentis*, shewing to this Assembly that the expences for the maintenance of the said Margaret from the first day of February 1757, to the first day of July 1759, amounted to the sum of thirty pounds eleven shillings and seven pence, six pounds five shillings whereof being answered by the rent of her lands there remains due for said maintenance twenty-four pounds six shillings and seven pence, and that the said Margaret has no personal estate but considerable real estate; praying for liberty to sell so much of said estate as will satisfy said remaining duty, as by his memorial on file appears: Resolved by this Assembly, that liberty and authority be given, and liberty and authority is hereby given, to the said Daniel Porter to sell so much of the real estate of the said Margaret Curtis as will be sufficient to answer and satisfy said sum of twenty-four pounds six shillings and seven pence, and make and execute deed or deeds accordingly; taking the advice of the selectmen of said Stratford therein; and that the avails of said sale be improved for the use of satisfying said expences. .

On the memorial of Robert Durkee of Windham, shewing to this Assembly that in the year 1758, he being a lieutenant in the service of this Colony in Col. Fitches regiment was wounded in actual engagement with the enemy near a place

called Fort Ann, whereby he lay confined and was put to very considerable charge and expence, &c.; praying for relief &c. as per memorial on file: Resolved by this Assembly, that the said Robert Durkee have the sum of twenty-five pounds paid him out of the treasury of this Colony; and the Treasurer of this Colony is ordered to pay the same accordingly.

Upon the memorial of Capt. Jedidiah Fay of Ashford, shewing to this Assembly that he was in the year 1758 in the service of this Colony at a place called Wood Creek, when and where being on duty he received a shot from the enemy through his right ankle, by means of which he endured great pain and hath been put to great cost &c., and that he remains a cripple by means of said wound; praying for such relief as by this Assembly should be thought fit: Resolved by this Assembly, that the said Fay receive out of the public treasury of this Colony the sum of thirty pounds in bills of this Colony; and the Treasurer of this Colony is hereby ordered and directed to pay to him said sum accordingly.

[295] Upon the petition of Jerusha Thompson, of Fairfield in the county of Fairfield, administratrix on the estate of John Thompson late of said Fairfield, deceased, representing to this Assembly that the debts due from the estate of said deceased surmount the moveable estate of said deceased the sum of £34 4s. 0d. lawful money; praying that she together with Capt. Samuel Burr of said Fairfield may have liberty and power to sell so much of the real estate of said deceased as shall be sufficient to raise said sum with the incident charges that may arise thereon; as per said memorial on file appears: Resolved by this Assembly, that the said administratrix and said Samuel Burr have liberty, and liberty and power is hereby granted to them, to sell and convey so much of the real estate of said deceased as shall be sufficient to raise the said sum of £34 4s. 0d. lawful money, together with the incident charges which may arise on such sale; taking the advice of the court of probate for the district of Fairfield therein.

Upon the memorial of Robert Cleland of New London, shewing to this Assembly that he has for eight years past been employ'd to teach the Indian children at Mohegan to read &c., that the salary allowed by the Hon<sup>ble</sup> Commissioners to said memorialist in that service is not sufficient to support him, that he is reduced to straits and difficulties; praying for relief &c. as per memorial on file: This Assembly grants to said memorialist the sum of forty pounds, to be paid out of the public treasury of this Colony, for his extraordinary service aforesaid; and the Treasurer of this Colony is hereby ordered and directed to pay the same accordingly.



Upon the memorial of John Wood, Silas Dean, Nathaniel Brown Jun<sup>r</sup> and Jacob Parks, proprietors of the common and undivided lands in the town of Groton, and the rest of the proprietors of said common lands, representing that there had been long controversies subsisting between the said proprietors and the Pequot Indians respecting the Mashantuxit lands in said Groton, where the said Indians live, and their respective rights and improvements thereof, and said controversies were like to continue &c.; praying that a committee be appointed to the purpose of quieting and settling the said controversies &c., as per the memorial on file: Resolved by this Assembly, that John Chester, Jabez Hamlin and Seth Wetmore, Esq<sup>rs</sup>, be and they are hereby appointed a committee, at the cost of the memorialists, to repair to said Groton, to view and enquire into the circumstances of the said Masshantuxit lands, and to examine and consider all former acts of this Assembly respecting the said lands, and the claims and improvements of the said memorialists and of the said Indians, that they may find or that shall be laid before them, and all other matters relative to the right or improvement of said lands or referred to in said memorial, and to make report of what they shall find, with their opinion thereon, to this Assembly at their sessions in October next.

Upon the memorial of Josiah Cleveland, Elisha Pain, and others of the inhabitants of the first society of the town of Canterbury, shewing to this Assembly that the church of [296] Christ in the society aforesaid was || unhappily divided in their religious sentiments respecting the way of administering church discipline and the settlement of the Rev<sup>d</sup> Mr. James Cogswell, the present incumbent in the established church in said society, for the accommodating whereof the whole consociation of the county of Windham were called in and assembled at said Canterbury on the 26th day of December A.D. 1744, who upon a full hearing and deliberation of said matters of difference did advise the said society by their vote to signify their consent that those of their brethren and friends who strictly adhered to the congregational constitution of church discipline and refused to subject themselves to Saybrook Platform and said incumbent's ministry should be released and discharged from paying anything towards the supporting said incumbent or living under his ministry any longer than until lawfully set off by the General Assembly, which said society in their meeting on the 26th day of December aforesaid accordingly voted; and furthermore the said reverend consociation at the same time did nominate and appoint

their moderator and scribes, in the name and behalf of said council, to represent the state of said congregational brethren and adherents to this Assembly by their memorial for their obtaining such release and discharge as aforesaid whenever they should apply therefor, which having been long delayed and the said dissenting brethren in the mean while enforced to pay their proportionable part of the tax for the support of said established minister in said society, altho' he never had any pastoral charge over them, and application having been now made to this Assembly by said first society in behalf of said congregational brethren and their adherents, praying that they might be released and exempted from paying any tax or taxes that shall be levied for the settlement or the support of the established ministry or minister already settled or to be settled hereafter, or for the building or repairing any meeting-house or meeting-houses in said society for the established church as aforesaid, and that they be allowed to uphold and maintain the public worship of God and gospel ministry and congregational discipline at their own proper expence and charge, and that the said priviledge and exemption might be extended to said dissenting brethren and adherents by name, *viz*: Joseph Marshall, Obadiah Johnson, Thomas Buswell, Josiah Cleveland, William Bradford, David Carver, Caleb Hyde, Joseph Bacon, Edward Waldoe, Benjamin Smith, Josiah Hyde, Joseph Morse, Ezekiel Spaulding, John Ormsby, Cornelius Waldoe, Silas Cleveland, Elisha Pain, Elijah Bacon, Amy Nowling, Joseph Adams, John Adams, Barnabas Allen, Parker Adams, Benjamin Brown, Jedidiah Benjamin, Timothy Backus jun<sup>r</sup>, Benjamin Bacon, Tryal Baker, Pain Cleveland John Carter, Eleazer Cleaveland, Aaron Cleveland, Ezra Cleveland, Hopestill Cleveland, James Delop, Nehemiah Hyde, William Johnson, John Johnson, Obadiah Johnson jun<sup>r</sup>, Anthony Morse, Josiah Morse, John Park, David Pain, Solomon Pain, Zechariah Waldoe, Robert Ransom, Josiah Spaulding, Phineas Benjamin, Nathan Williams, Asa Cleveland, Lemuel Parish, Isaac Hyde jun<sup>r</sup>, and Comfort Hyde, and also their issue and descendants who as they shall attain to the age of twenty-one years and are then desirous and shall choose to attend divine worship in like manner in said distinct meeting, they and each of them so attaining unto lawful age and entring their names with the said society's clerk, as by a copy of the vote of said society dated April 21st 1760, shewn to this Assembly, signifying their consent to such release and priviledge and praying this Assembly to ratify and confirm the same upon the aforenamed dissenting brethren and their adherents and descendants according to the form and

effect of said society's vote &c., as per their memorial on file : [297] Whereupon it is resolved by this Assembly, that the || aforesaid Joseph Marshal, Obadiah Johnson, Thomas Buswell &c. and the rest of the persons before named, shall be and they are hereby declared to be released and exempted from paying any tax or taxes that shall hereafter be levied for the settlement or support of the established ministry or minister already settled or to be settled hereafter, or for the building or repairing any meeting-house or meeting-houses in said society for the established church as aforesaid, and that they shall be allowed to keep up and maintain the public worship of God in their own way as aforesaid among themselves, according to the tenor of the said society's vote as aforesaid and the regulations and restrictions thereof, which in all things, both in respect to themselves and said exempted inhabitants, is by this Assembly approved, ratified and confirmed.

Whereas Benjamin Uncas, sachem of the tribe of Mohegan Indians, hath applied to this Assembly, representing that waste and destruction is made of the wood and timber growing on the lands belonging to said Indians at Mohegan, that said Indians are in danger of suffering loss and prejudice thereby; praying that some proper remedy might be taken to prevent the same :

*Be it therefore enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That no person or persons whatsoever shall carry off from any of the lands belonging to said Indians at Mohegan in the possession of any person or persons whatsoever, any wood or timber of any kind without the leave or license of the major part of the overseers of said Indians (appointed by this Assembly) first had and obtained, on pain that every person or persons so carrying off any such wood or timber as aforesaid shall forfeit three times the value of such wood or timber so carried off as aforesaid; which forfeiture shall be for the use of said tribe of Indians, and recoverable by action brought in their name and behalf by their overseers aforesaid before any court, assistant or justice of the peace, in the same manner as recoveries are had according to the laws of this Colony already made and provided.

And forasmuch as it may happen that the breaches of this act may be committed where full evidence in the ordinary course of the law may not be had,

*Be it therefore further enacted by the authority aforesaid,* That in case any dispute arise in any action brought for the

breach of this act, wherein the plaintiffs may not be able to produce any other evidence than to render it highly probable to the court, assistant or justice before whom the trial is, that the defendant is guilty of the facts charged against him, then and in every such case unless the defendant shall acquit himself upon oath that he did not do nor cause to be done the facts charged against him in the declaration, or any of them, (which oath the said court, assistant or justice are hereby empowered to administer,) the plaintiffs shall recover the penalties aforesaid with cost: but if the defendant shall in such manner acquit himself upon oath as aforesaid, the said court, assistant or justice shall enter up judgment for the defendant to recover his cost. And the aforesaid overseers of said Indians' affairs are hereby directed to make prosecution of all breaches of this act, and also diligently to inspect said affairs and use their utmost endeavours to prevent all encroachments, trespasses or disturbances, to be offered or done to said Indians in the improvement of their lands aforesaid; also to assist said Indians in obtaining proper redress for any wrong and injuries that may be done to them relative to the matters aforesaid.

[298] Upon the memorial of Joseph Leach of New London, administrator on the estate of Richard Leach late of said New London, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the personal estate of said deceased the sum of £28 11s. 5*d.* and that the whole of said real estate consist in a small house and about seven acres of rough land, all prized at but £50, and in selling part would be prejudicial to the remainder: praying also for liberty to sell the whole of said house and land: Resolved by this Assembly, that the said Joseph Leach hath liberty, and liberty is hereby granted to the said Joseph Leach, to sell the whole of said real estate with the advice of the court of probates for the district of New London, and that the overplus of the moneys so raised by said sale (if any be) shall by the said court of probates be improved for the benefit of the orphans that are heirs to said estate, as said court shall judge proper.

Upon the memorial of Daniel Osborn of Fairfield, conservator of Thaddeus Osborn of said Fairfield, shewing to this Assembly that the said Thaddeus hath for some time past been and still is distracted and unable to take care of and provide for himself, and that the said Daniel Osborn hath necessarily expended towards the support of him, the said Thaddeus, the sum of £11 5s. 11½*d.* lawful money, for defraying which he

hath no personal estate belonging to the said Thaddeus in his hands, and praying that some meet person may be appointed to sell so much of the real estate of the said Thaddeus as will answer the same: Resolved by this Assembly, that the selectmen of the town of Fairfield have liberty and they are hereby impowered, to make sale of so much of the real estate of the said Thaddeus Osborn as will be sufficient to pay and satisfy the aforesaid sum of £11 5s. 11 $\frac{1}{4}$ d. with the incident charges arising on such sale.

Upon the memorial of Rachel Moger, administratrix on the estate of Samuel Moger late of Stanford, deceased, representing to this Assembly that the debts and charges due from the estate of said deceased, over and above what of the real estate of said deceased hath been by order of Assembly already sold, surmounts the personal estate of said deceased the sum of £5 14s. 6d. lawful money; praying for liberty to sell so much of the real estate of said deceased as will raise said sum: Whereupon liberty is hereby granted the said Rachel Moger to sell so much of the real estate of said deceased as shall be sufficient to raise said sum with the incident charges arising thereon; taking the direction of the court of probate in the district of Stanford therein.

Upon the memorial of Nathaniel Mead of Greenwich, administrator on the estate of Jonathan Fisk late of said Greenwich, deceased, representing to this Assembly that the debts due from said estate surmount the inventoried personal estate of said deceased the sum of £24 3s. 5 $\frac{1}{4}$ d.; praying for liberty to sell so much of the real estate of said deceased as shall amount to said sum with incident charges &c., as per memorial on file: Whereupon liberty is hereby granted to the memorialist to sell so much of the real estate of said deceased as shall amount to said sum of £24 3s. 5 $\frac{1}{4}$ d. with incident charges arising; taking the direction of the court of probate for the district of Stanford therein.

[299] Upon the memorial of Abigail Barns, administratrix on the estate of Thomas Barns late of New Haven, deceased, representing to this Assembly that the debts, charges and allowances to the widow of said deceased surmount the whole moveable inventoried estate of said deceased the sum of £24 5s. 4d. lawful money, and praying for liberty to sell so much of the real estate of said deceased as will be sufficient to raise said sum with the incident charges arising thereon: Whereupon liberty is hereby granted to the said Abigail Barns, to sell so much of the real estate of said deceased as will be sufficient to raise said sum with the incident charges arising

thereon; taking the direction of the court of probate in the district of New Haven therein.

Upon the memorial of James Cone of East Haddam, shewing to this Assembly that he had been appointed by the said town of East Haddam to gather the three last country rates in said town for the two last years past, as well as two others some years before &c., and that the memorialist had always been very careful of said money when collected, to secure the same within a good desk &c., which always proved to be secure when in said desk till the 11th day of January last past, when the memorialist found that his said desk had been broken open by some evil-minded person &c., and upon careful examination the memorialist found there was missing of the said money taken out of said desk, broken open as aforesaid, the sum of twenty-eight pounds nineteen shillings and ten pence of the said money by him so collected for the government, and that the memorialist had expended a great deal both of time and money, endeavoring to find out who had broken open said desk and taken out said money, but could not as yet make any discovery thereof; and requesting of this Assembly to abate to the memorialist the said sum of £28 19s. 10d. or some part thereof &c.: Resolved by this Assembly, that the memorialist be abated and he is hereby abated the sum of twenty pound of said money requested for as aforesaid, and the Treasurer is hereby ordered to allow the same accordingly.

Upon the memorial of Samuel Manning and Eunice Manning, of Stratford in Fairfield county, administrators on the estate of John Blackman late of said Stratford, deceased, representing to this Assembly that the debts due from said estate surmount the moveable estate the sum of six pounds one shilling and one penny half-penny lawful money, and that the real estate of said deceased consisting only of a small house and half an acre of land, and that appraised at twelve pounds, and that a part thereof cannot be sold without the whole without considerable disadvantage, and praying for liberty to sell the said house and land, and out of the avails thereof to pay the said debts and charges arising thereon: Resolved by this Assembly, that the said administrators have liberty, and liberty and power is hereby given and granted to said administrators, to sell the said house and land, taking the directions of the court of probate in the district of Fairfield therein, and that the said debts and incident charges be paid out of the avails thereof, and the residue thereof be disposed of according to order of said court of probate.

Upon the memorial of Thomas Fellows, administrator on the estate of William Fellows late of Canaan, deceased, shewing [300] to this || Assembly that the debts now due from the estate of said deceased amount to the sum of £33 1s. 8*d.*, which sum the said administrator hath no personal estate of the said deceased William Fellows in his hands to answer; praying for liberty to sell part of the real estate of the said deceased to satisfy the same: Resolved by this Assembly, that the said Thomas Fellows have liberty and he is hereby empowered, to make sale of so much of the real estate of the said deceased William Fellows as will be sufficient to raise and pay the aforesaid sum of £33 1s. 8*d.* with the incident charges arising on such sale; taking directions of the court of probate in Sharon district therein.

On the memorial of Samuel Roberts jun<sup>r</sup>, administrator on the estate of William Brown late of Hartford, deceased, for liberty to sell real estate of the said deceased for the payment of debts due from said estate more than the moveables would pay, to the amount of £7 3s. 4*d.* lawful money with charge of sale: Resolved by this Assembly, that the memorialist have liberty, and liberty is hereby granted to the memorialist, to sell land or real estate of the deceased to the value of £7 3s. 4*d.* lawful money, for the payment of the debts and charge due from said estate with incident charges of sale; taking the advice of the court of probate for the district of Hartford therein.

Upon the memorial of Charles King and others, inhabitants of the north part of Bolton and the east part of the second society of Windsor, representing to this Assembly the great inconveniencies they are under in attending the public worship of God in the respective societies to which they now belong; praying to be made a distinct ecclesiastical society, that they may support the gospel among themselves &c., as per memorial on file &c.: Resolved by this Assembly, that Messrs. Zebulon West, Silas Long and Jonathan Porter be and they are hereby appointed a committee, to repair to said new proposed society and view the situation and circumstances thereof and all matters relative thereto, and consider of the matters and things in said memorial alledged, and report what they shall find in the premises, with their opinion thereon, to the Assembly at their sessions at New Haven in October next.

Upon the memorial of Lemuel Buck of New Milford, administrator of the estate of Abel Buck late of said New Milford, deceased, shewing that the debts due from said estate surmount the moveable estate the sum of £28 3s. 5*d.* lawful

money; praying this Assembly to empower the memorialist to sell so much of the real estate of the said deceased as shall be sufficient to pay said sum: Resolved by this Assembly, that the memorialist have liberty and he is hereby empowered, to sell so much of the real estate of the said Abel Buck, deceased, as shall be sufficient to pay said sum of £28 3s. 5*d.* together with the incident charges of such sale; taking direction of the court of probate for the district of Woodbury therein.

Upon the memorial of Martha Owen, of Farmington in the county of Hartford, executrix to the last will and testament of Daniel Owen late of said Farmington, deceased, shewing [301] to this Assembly that the || debts and charges due from the estate of said deceased surmounts the moveable part of said estate the sum of forty pounds nine shillings and four pence lawful money, and praying for liberty to sell so much of the real estate of said deceased as to pay said sum with the incident charges arising on said sale: Resolved by this Assembly, that the memorialist with Samuel Hart of said Farmington have liberty, and liberty is hereby granted to them, to sell so much of the real estate of the said Daniel Owen, deceased, as to raise said sum of £40 9s. 4*d.* lawful money, for paying said debts &c. with the incident charges arising thereon; taking the direction of the court of probate for the district of Hartford therein.

Upon the memorial of Isaac Slason of Stanford, administrator on the estate of James Slason late of said Stanford, deceased, shewing to this Assembly that the debts due from the estate of said deceased James Slason surmount the personal estate the sum of £261 14s. 8½*d.*, and praying for liberty to sell so much of said deceased's real estate as will be sufficient to pay the same: Resolved by this Assembly, that the said Isaac Slason have liberty and he is hereby empowered, to sell so much of the said deceased James Slason's real estate as will pay the sum abovesaid with the incident charges arising on such sale; taking directions of the court of probate in Stanford district therein.

Upon the memorial of Daniel Judson and Doreas Hurd, administrators on the estate of Amos Hurd late of Woodbury, deceased, shewing to this Assembly that the debts and charges due from said estate surmount the moveable part of said estate the sum of £31 5s. 6*d.* lawful money, and praying for liberty for them, the said memorialists, or some other meet person, to make sale of so much of the real estate as to make said sum: Resolved by this Assembly, that Mr. Tilly Blacksley, of said Woodbury, have liberty and he is hereby



impowered, to make sale of so much of the real estate of the said Amos Hurd, deceased, as to make said sum of £31 5s. 6*d.* lawful money with the incident charges arising thereon; taking the direction of the court of probate for the district of Woodbury therein.

Upon the memorial of Hannah Jacobs, of New Haven in the county of New Haven, administratrix of the estate of Stephen Jacobs late of said New Haven, deceased, shewing that the debts due from said estate surmount the moveable estate the sum of £34 8s. 1*d.* lawful money; praying this Assembly to empower some suitable person to sell so much of the real estate of said deceased as shall be sufficient to pay said sum: Resolved by this Assembly, That Thomas Cooper of said New Haven be impowered, and he is hereby impowered, to sell so much of the real estate of said deceased as shall be sufficient to pay said sum of £34 8s. 1*d.* together with the incident charges of such sale; taking the direction of the court of probate for the district of New Haven therein.

Upon the memorial of Ebenezer Keny, Joseph Hull jun<sup>r</sup> and John Wooster, all of Derby in the county of New Haven, and Thomas Perkins of Enfield, praying this Assembly for liberty to purchase of the Indians of Derby about an acre and half of land at the falls of Naugatuck River in said Derby and a highway from the south side of said Indian land up to said falls, for the purpose of setting up and using and improving [302] a set of iron works on the said river and land adjoining, as by their memorial on file appears: Resolved by this Assembly, that the memorialists have liberty, and liberty and allowance is hereby given to the said Ebenezer Keny, Joseph Hull jun<sup>r</sup>, John Wooster and Thomas Perkins, to purchase of said Indians an acre and half of land on and near said falls and a highway from the south side of said Indian land up to the said acre and half proper for setting up and using iron-works for making and refining iron; taking the direction of Samuel Bassett Esq<sup>r</sup>, of said Derby, in behalf of said Indians.

Upon the memorial of Sarah Palmes, administratrix on the estate of Briant Palmes late of New London, deceased, shewing to this Assembly that the debts paid by said memorialist and that are still due from the estate of said deceased surmount the personal estate of said deceased the sum of eighty-nine pounds three shillings and one penny lawful money, that the whole of the real estate of said deceased consists only of a third part of a house and a small barn, which cannot be sold in part without loss &c.; praying for liberty to sell said real estate &c. as per memorial on file &c.: Resolved by this As-

sembly, that said memorialist be and she is hereby impowered to make sale of the aforesaid real estate of said deceased, and that she apply so much of the avails of the same as shall be necessary to pay said debts and the charges arising on such sale, and that said memorialist apply the residue of the avails of said real estate for the benefit of the heirs of said deceased, taking the direction of the court of probates for the district of New London therein.

Upon the memorial of David Griswold of Windsor and Hannah Moore, administratrix on the estate of Thomas Moor late of said Windsor, deceased, representing that on the 11th day of December 1745, the said David borrowed and received of the said Thomas, then in full life, the sum of one hundred and twenty pounds in old tenor bills, and as a security for repaying the aforesaid sum and interest the said David executed to the said Thomas Moore an absolute deed of about nine acres of his valuable land in said Windsor and worth more than one hundred pounds lawful money, that at the same time the said Thomas Moore executed a note of two hundred pounds old tenor as a security to reconvey said land to said Griswold on his paying him, said Moor, the said sum borrowed &c.; that the said Griswold in the life-time of said Thomas paid some part of said borrowed money and since his death has made full payment and the interest, and the said Hannah as administratrix on said estate hath received the same as a debt due to said estate &c., and that said deed was only in nature of a mortgage deed &c. and the same ought equitably to be defeated &c.; praying that the said Hannah, administratrix as aforesaid, may be authorized and impowered to reconvey and transfer the title of said land unto the said David Griswold &c.: It is thereupon resolved by this Assembly, that the said Hannah, administratrix as aforesaid, be fully authorized and impowered by her deed in due form of law executed and compleated, to reconvey and transfer the title of the said land unto the said David Griswold, his heirs &c., and that the same shall be effectual to all intents and purposes in law for his, the said Griswold, and his heirs &c. holding the same against the heirs of the said Thomas Moor, deceased.

[303] On the memorial of Samuel Dwight and Mary Hall, administrators on the estate of Daniel Hall, late of Middletown in Hartford county, shewing to this Assembly that the debts due from the estate of the said deceased surmount the personal estate the sum of £122 5s. 1 $\frac{1}{4}$ d.; praying that said Dwight may be impowered to sell so much of the real

estate of said deceased as to make said sum with the incident charges thereon &c.: Resolved by this Assembly, that said Samuel Dwight be and he is hereby empowered to sell so much of the real estate of said deceased as to make said sum of £122 5s. 1¾d. and the incident charges thereon arising; taking the advice of the court of probate for the district of Middleton therein.

Whereas on the memorial of the first society in New Haven to the General Assembly in October last said society was divided and made two ecclesiastical societies, *viz*: the first society and the society of White Haven, provided the public interest should not be affected or govern'd by such division, but Messrs. Hezekiah Huntington, Jabez Hamlin and Eliphalet Dyar, Esq<sup>rs</sup>, were appointed a committee to hear all parties concern'd and to order and determine of a just and equitable division of the public interest belonging to said first society, which committee having heard and examined and thereon reported to this Assembly their judgment and determination in the premises, which being agreed to by the parties hath been read and accepted by this Assembly; as per said memorial, act of Assembly and report more fully and at large appears: It is therefore resolved by this Assembly, that the public interest belonging to said first society shall be divided according to the report and determination of said committee, *viz*: that the school and society monies, so called, amounting in the whole to £578 6s. 10d. lawful money, and sixteen acres of land lying at Plainfield, and sixteen acres of land lying near Joseph Dickerman's, the new brick school-house, and the bell lately belonging to the old meeting-house, be and belong to said first society and said White Haven society in equal proportion, in manner following, *viz*: that said monies or the securities therefor be equally divided and so taken or disposed as that each society have the command and entire ordering and property of one moiety or half part thereof in severalty; that said school-house be used for schooling by turns by each society quarterly each year, unless said societies can and do agree otherways to use and improve the same; and that said bell be used where it now is in the steeple of the new brick meeting-house by each society as they have occasion, not interrupting each the other, until they shall agree otherwise to dispose thereof; that said two pieces of land of sixteen acres each be held and improved by the Rev<sup>d</sup> Mr. Joseph Noyes, the present minister of said first society, for and during his labour with said first society in the work of the ministry, and at the expiration thereof the same be

equally divided between said two societies in equal proportion to be by them held in severalty; and that the several persons named and determined in said report to belong to said societies respectively shall so belong and appertain to said several societies respectively, and the clerks of said societies are hereby directed to inroll and enter their respective names accordingly.

Upon the memorial of Nehemiah Andrus and Samuel Fuller, administrators on the estate of Samuel Andrus junr, late of East Haddam, deceased, shewing to this Assembly that the debts and charges due from the estate of said deceased surmount the personal estate of said deceased the sum of £386 [304] 7s. 4 $\frac{3}{4}$ d. lawful || money; praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to raise said sum with the incident charges thereon arising: Resolved by this Assembly, that said administrators have liberty, and liberty is hereby granted to them, to sell so much of the real estate of said deceased as shall be sufficient to raise said sum with the incident charges arising thereon; taking the direction of the court of probate in the district of East Haddam therein.

Upon the memorial of Daniel Page junr, administrator on the estate of Jairus Bunnel late of Branford, deceased, shewing that the debts due from said estate surmount the moveable estate the sum of four pounds five shillings, and praying this Assembly to empower him to sell so much of the real estate of the said deceased as will make the sum of four pounds five shillings &c.: Resolved by this Assembly, that the memorialist have liberty, and liberty is hereby granted unto him, to sell so much of the real estate of said deceased as will make the sum of four pounds five shillings; taking the advice of the court of probate for the district of Guilford therein.

Upon the memorial of Rebecca Buel, of Kent in the district of Litchfield, administratrix of the estate of Samuel Buel late of said Kent, deceased, shewing that the debts due from the estate of the said deceased surmount his moveable estate the sum of fifty-three pounds nineteen shillings; praying this Assembly to grant liberty to the memorialist with the assistance of some other meet person, to sell so much of the real estate of the said deceased as shall be sufficient to pay said sum: Resolved by this Assembly, that the memorialist and Mr. Daniel Lee of said Kent be and they are hereby empowered to sell so much of the real estate of the said Samuel Buel, deceased, as shall be sufficient to procure said sum of £53

19s. 0*d.* lawful money together with the incident charges of such sale; taking direction of the court of probate for the district of Litchfield therein.

Upon the memorial of Mary Wickwier, administratrix on the estate of Alpheus Wickwier, deceased, shewing that Daniel Kingsbury, who at the sessions of this Assembly in October last was appointed and impowered to sell so much of the real estate of the said deceased to enable the memorialist to pay the sum of £54 7s. 0 $\frac{3}{4}$ *d.* the debts due from the estate of the said deceased, hath since languished under consuming sickness and hath not nor is likely ever to be able to do said service, and praying this Assembly to appoint some other person to do said service: Resolved by this Assembly, that the memorialist, the said Mary Wickwier, be and she is hereby authorized and impowered to sell so much of the real estate of the said deceased as to enable her to pay the said sum of £54 7s. 0 $\frac{3}{4}$ *d.* and the incident charges; taking the direction of the court of probate in the district of Norwich therein.

On the memorial of Col. John Dyar, administrator on the estate of Ebenezer Dyar late deceased, shewing to this Assembly that the said Ebenezer in his return from Fort Edward, some time in the month of April A.D. 1756, then having in his possession £21 0s. 0*d.* of the then bills of this Colony, was taken and captivated, and said bills wholly de- [305] stroyed by the Indians; || praying this Assembly to order the Treasurer of this Colony to pay to him in bills of this Colony said sum and interest thereon arisen: Resolved by this Assembly, that the Treasurer of this Colony pay to the memorialist the sum of £25 5s. 9*d.* in bills of this Colony, being the said sum of £21 0s. 0*d.* and interest thereon; and the said Treasurer is hereby ordered to pay the same accordingly.

Upon the memorial of Jedidiah Hubbel and Mary Bently, administrators upon the estate of John Bently, late of Kent in the county of Litchfield, deceased, shewing that the debts due from said estate with a small allowance made to the widow surmounts the personal estate £28 9s. 8 $\frac{3}{4}$ *d.* lawful money, and praying for liberty to sell of the lands of said deceased &c. as per memorial on file &c.: Resolved by this Assembly, that the memorialists have liberty and they are hereby impowered, to sell so much of the lands of the said John Bently, deceased, as to procure said sum of £28 9s. 8 $\frac{3}{4}$ *d.* lawful money with incident charges; taking the direction of the court of probate for the district of Sharon therein.

On the memorial of Simeon Judd and Ruth Norton, administrators on the estate of John Norton late of Farmington, deceased, shewing to this Assembly that the debts and charges due from said estate surmount the moveable estate of the said deceased the sum of thirty-five pounds three shillings and seven pence lawful money, for the payment of which the memorialists have no moveables to pay the same; praying liberty to sell so much of the real estate of the said deceased as will raise said sum with necessary charges of sale: This Assembly appoints Simeon Judd, and he is hereby appointed and impowered, to sell so much of the real estate of the said deceased as will raise said sum of thirty-five pounds three shillings and eleven pence lawful money with the incident charges of sale; taking the direction of the court of probate in the district of Hartford therein.

Upon the memorial of Sarah Johnson, administratrix on the estate of Elijah Johnson late of Colchester, deceased, shewing to this Assembly that the debts and charges due from the estate of said deceased (over and above such sums as have been heretofore order'd by this Assembly to be raised out of the real estate of said deceased) surmount the personal estate of said deceased the sum of £13 9s. 1 $\frac{3}{4}$ d. lawful money, and praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to raise said sum with the incident charges arising on said sale: Resolved by this Assembly, that she have liberty, and liberty is hereby granted to the said administratrix, to sell so much of the real estate of said deceased as shall be sufficient to raise said sum with the incident charges arising thereon; taking the direction of the court of probate in the district of East Haddam therein.

Upon the memorial of Roger Hooker, of Farmington in Hartford county, representing and shewing to this Assembly that he is now owner of the ancient and principal grist-mill in said Farmington on Farmington River, nigh the meeting-house in the first society in said Farmington, and that he having at a great expense repaired said dam, one Abraham Pinny of Symsbury had exhibited a complaint against him therefor to John Owen, Esqr, justice of peace for Hartford county, alledging that said Hooker was therein guilty of erecting a common nuisance, and that said justice having given judgment [306] that said Hooker was guilty in the || premises and that said dam should be demolished, and that said cause was now depending in Hartford county court by appeal from said justice's judgment and a plea of abatement to the lying of said appeal to be determined by said county court in November

next: yet nevertheless, altho' said cause was depending in the law, several Indians had lately, to the great disturbance of the peace, attempted to cut down and demolish said dam, to the great prejudice of the public; and the memorialist fearing said Indians or some person of no estate may presume to destroy his said mill-dam of their own heads, in which case he would be greatly injured together with the public without a meet remedy, and thereupon praying for an injunction, effectually to prevent the destruction of said grist-mill dam &c. before his right to keep up the same can be fairly tried out and determined at common law &c., as per memorial on file &c.: Resolved by this Assembly, that whatever person or persons shall presume of their own heads to cut down and destroy said mill-dam (without due process of law) shall incur and forfeit the sum of 300 pounds lawful money as a penalty therefor, to be recovered by said Hooker, his heirs or assigns, being the true owners of said dam. And if any Indian, negro, molatto, or other person or persons unable to pay said penalty, shall presume to cut down or destroy said mill-dam without due process of law they shall incur and suffer one year's imprisonment without bail or mainprize, besides responding such damages as may be recovered of them at common law therefor. And if it shall so happen that said Hartford county court shall judge that no appeal lies from said justice's judgment given for demolishing said mill-dam as aforesaid, yet nevertheless execution of said justice's judgment shall be respited and stayed and no execution thereon given out for the term of one year from the rising of the county court to be holden at Hartford in and for Hartford county in November next, that said Hooker may have opportunity to try and have his right of keeping up said mill-dam determined at common law.

Whereas the committee appointed by the General Assembly in March last (to view the road from Hartford to New Haven as it is now used thro' the towns of Weathersfield, Middleton, Farmington and Wallingford, and note the various crooks and turns in said road, and with the utmost care observe and find out how and where it may be shortened and made better, and a full description thereof with their doings thereon to make and report to this Assembly,) have now reported that they have carefully viewed said road, and that from Hartford to Weathersfield and through Weathersfield town-plat to the Mill-Brook the same is good and well chosen and cannot be shortened except by running across homelots where the land is springy and where it would be very prejudi-

cial to the owners, that a straight course from said brook to Beckley's farm runs thro' miry land and not fit for a highway, that they had viewed the way thro' Weathersfield commons, so called, which was laid out by the proprietors when said commons were divided, and the old road as it was used before said division, and judged it might be altered for the better in divers turns and crooks in said road and thro' Beck- [307] ley's farm, and by a plan laid before this Assembly || described the road as it now is and the various turns and crooks therein by them proposed to be altered, and also the several places where they judge the road should be laid for future use, and noted on said plan how much said road may be made shorter in each of said crooks and turns; and said committee having further reported that the road from said Beckley's farm as far as Jonathan Edwards's in said Middleton is well chosen, and that they cannot see reason to alter the same except in one place in said Weathersfield near Hancox's corner, and also that said road may be made better and shorter by running a course south 50<sup>d</sup> west thro' said Edwards's land, beginning eastward of his dwelling-house and ending a little north of Ephraim Hollister's; which report being accepted and approved:

*It is thereupon resolved by this Assembly,* That Seth Wetmore, Esqr, and Mr. William Wells, the committee reporting as aforesaid, do repair to said Weathersfield, Farmington and Middleton, and having first given notice thereof to the selectmen of said towns, or some one of the selectmen of each of said towns, do proceed to lay out said highways in the several places where by said report and plan it is said and appears to be shorter and better, and the same sufficiently ascertain and make evident by plain and durable monuments by them fixed. Said way thro' Beckley's farm to be at least two rods wide, through Weathersfield commons five rods, and in other places at least four rods wide. And the said ways being laid out and ascertained as aforesaid, the said towns of Weathersfield, Farmington and Middleton are hereby ordered as soon as may be in their respective townships to lay open, amend, repair, and make them fit for travelling and other uses. And in case said towns, or either of them, shall refuse or neglect to open said highways before the sitting of the county court in the county of Hartford in April next, said court is hereby directed to cause the said highways to be opened and the damages done thereby to any particular person or persons apprized according to the direction of the law entituled An act for providing, altering, regulating and mending highways.

And whereas said committee further reported to this As-



sembly that upon viewing the road thro' Wallingford Plain they found the same too narrow, and the passing of travellers greatly hindered and obstructed by gates, bars and fences being made and erected across said highway, and that they are of opinion that said gates, fences and obstructions should be removed and a highway of four rods wide at least laid open &c.:

*It is thereupon resolved by this Assembly,* That said gates, bars and fences be removed, and the highway thro' Wallingford Plain be laid open at least four rods wide, and the town of Wallingford is hereby required to remove said obstructions and lay open said way accordingly. And in case said town shall refuse or neglect to conform to the resolve aforesaid before the sitting of the county court in the county of New Haven in April next, said court is directed to cause said obstructions to be removed and said highway to be laid open, and such damages as may be done thereby apprized, agreeably to the law entitled An act for providing, altering &c. highways.

Upon the memorial of Jonathan Clark and Ann Dewey, both of Lebanon, administrator and administratrix on the estate of Simeon Dewey of Lebanon, deceased, and guardians to all the children and heirs of the said Simeon, and of Elijah [308] Dewey of said Lebanon, || administrator on the estate of William Dewey, deceased, shewing that the said William on the 18th day of August 1746, made and executed to John Dewey a deed of sale of a certain tract of land lying in said Lebanon containing eighteen acres, lying near the house of Mr. Simon Gross, the bounds whereof appears by said deed, and that the same was made and done to indemnify the said John for a certain debt due from said William to the Rev<sup>d</sup> Mr. Searing of Newport; that afterwards the said Jonathan Clark and Simeon Dewey undertook to pay said debt, and at the request of said William the said John Dewey executed a deed of the same land to them, said Jonathan and Simeon, dated 8th July 1749, which was done only to secure and indemnify them on account of said debt, and that a part of the same land hath been sold to raise money for the payment of said debt and the same therewith fully paid and satisfied; further shewing, that the remainder of said land of right belonged to the said William, as the deeds of said eighteen acres of land were made and executed only for the security and indemnification of the said persons from the said debt, which is now paid; further shewing that the said William made a deed of the said remainder of said land to the said Elijah, and that the said

Simeon is deceased before any release made of said remainder, and that the children and heirs of said Simeon are young; praying thereon that the said Jonathan Clark and Ann Dewey may be impowered to release the right of said Simeon in said remaining land to him, said Elijah, as by said memorial on file: Resolved by this Assembly, that the said Jonathan Clark and Ann Dewey have liberty, and liberty is hereby granted to them, to make and execute to the said Elijah Dewey a deed of release of all the right, title and interest which belonged to the said Simeon Dewey in and unto the residue and remainder of the land aforesaid.

On the petition of Jacob Peck, of Harwinton in the county of Litchfield, *vs.* John Barber, of Harwinton aforesaid, as on file, the question was put, whether the pleas offered by the respondent in abatement of said petition are sufficient to abate the same: Resolved by this Assembly in the affirmative. *Cost allowed respondent is £3 10s. 2d. lawful money. Ex. granted June 6th 1760.*

On the petition of Beriah Tree, of Somers in the county of Hartford, *vs.* John Roberts, of Windsor in said county, as on file, the question was put, whether anything should be granted on said petition: Resolved by this Assembly in the negative. *Cost allowed respondent is £1 1s. 10d. lawful money. Ex. granted July 18th 1761.*

On the petition of Thomas Elmor, of Windsor in the county of Hartford, *vs.* Joseph Rockwell of Windsor aforesaid, as on file, the question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent is £2 13s. 4d. lawful money. Ex. granted July 10th 1760.*

On the petition of Stephen Cone, of East Haddam in the county of Hartford, *vs.* Eleazer Rowley of East Haddam aforesaid, executor of the last will and testament of Ebenezer Rowley late of said East Haddam, deceased, as on file, the question was put, whether anything should be granted on said petition: Resolved by this Assembly in the negative. *Cost allowed respondent is £2 17s. 8d. lawful money. Ex. granted July 31st 1760.*

[309] On the petition of Thomas Skerret junr, of New London in the county of New London, *vs.* Elizabeth Chapman of said New London, (widow,) administratrix on the estate of Ephraim Chapman late of said New London, deceased, and guardian to Thomas Chapman junr, Ephraim Chapman, Grace Chapman, Deborah Chapman, Elizabeth Chapman and Hannah Chapman, who are all minors, and Sarah Chapman,

all [of New London aforesaid, the children and heirs of the said Ephraim, deceased, as on file, the question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative.

On the petition of Gershom Nott, of Weathersfield in the county of Hartford, *vs.* William Howard, late of Farmington in the county aforesaid, (sometime called William Howard a transient person,) now of the Oblong in the Province of New York, as on file, the question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent is £2 12s. 0d. lawful money. Ex. granted June 30th 1760.*

This Assembly grants to his Honour the Governor the sum of sixty-six pounds, for the first half of his salary the current year, and the Treasurer of this Colony is ordered to pay the same accordingly.

This Assembly grants to his Honour the Governor the sum of seventy-five pounds, for his extraordinary services the last half year, and the Treasurer of this Colony is ordered to pay the same accordingly.

This Assembly grants to his Honour the Deputy Governor the sum of thirty-three pounds, for the first half of his salary the current year, and the Treasurer of this Colony is ordered to pay the same accordingly.

This Assembly grants to his Honour the Deputy Governor the sum of ten pounds, for his extraordinary services the year past, and the Treasurer of this Colony is ordered to pay the same accordingly.

This Assembly grants unto George Wyllys, Esqr, Secretary, the sum of twenty pounds, for his salary the last year, and the Treasurer of this Colony is ordered to pay the same accordingly.

This Assembly grants to Joseph Talcott, Esqr, Treasurer of this Colony, the sum of one hundred pounds, for his service as Treasurer the year past, and the Treasurer is ordered to pay the same accordingly.

This Assembly grants to Joseph Talcott, Esqr, the sum of sixty pounds, for his extraordinary services as Treasurer of this Colony the year past, and the Treasurer is ordered to pay the same accordingly.

Whereas Joseph Spencer, Esqr, is appointed by this Assembly to be judge of probate for the district of East Haddam for the year ensuing, and considering that he is now gone lieutenant-colonel in one of the regiments raised in this Colony for the service of the present campaign, and that it is

not convenient that said district remain destitute of a judge of probate during his absence in said service: Therefore this Assembly do appoint Alexander Phelps, Esqr, to be Judge of Probate for the district of East Haddam until the first day of December next, in the room of said Joseph Spencer, Esqr.

[310] On the petition of Reuben Cone, of East Haddam in the county of Hartford, *vs.* Stephen Cone of East Haddam aforesaid, as on file, the question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent is £3 5s. 6d. lawful money. Ex. granted Nov. 11th 1760.*

The Sum Total of the Additions to the Lists of Estate of several Towns in this Colony sent in to this Assembly are as follow, viz:

	<i>Single Additions.</i>			<i>Fourfold Additions.</i>		
Ashford,	£ 451	18	0	.	.	£202 0 0
Preston,	537	9	0	.	.	64 0 0
East Haddam,	201	1	0	.	.	42 0 0
Derby,	364	8	0	.	.	58 4 0
Killingsly,	541	0	0	.	.	
Woodbury,	830	1	9	.	.	245 13 0
Hebron,	25	8	0	.	.	140 0 0
Glassenbury,	372	2	6	.	.	175 4 0
Woodstock,	623	0	0	.	.	
Canaan,	269	2	0	.	.	
Stratford,	3927	19	8	.	.	
Groton,	320	12	6	.	.	967 16 0
Coventry,	148	4	6	.	.	149 8 0
Middletown,	1588	10	2	.	.	
Stonington,	619	8	0	.	.	5147 8 0
Bolton,	83	16	0	.	.	144 0 0
Weathersfield,	822	13	0	.	.	
Voluntown,				.	.	
Ridgfield,	195	5	9	.	.	106 16 0
Lebanon,	945	10	0	.	.	
Cornwall,	59	16	6	.	.	100 16 0
New Fairfield,	97	0	0	.	.	50 0 0

Cost allowed to Seth Dean, of Plainfield in the county of Windham, *vs.* Samuel Dorrance, of Sitate, in the county of Providence and Colony of Rhode Island, for attendance &c. to answer the petition of the said Dorrance preferred to this Assembly and by the petitioner withdrawn, is £2 2s. 7d. lawful money.

This Assembly appoints John Chester, Thomas Wells and Daniel Edwards, Esqrs, Col. Joseph Pitkin and Mr. John Ledyard, to attend his Honour the Deputy Governour at Hartford, to hear the records of the acts and doings of this As-

sembly publicly read, and see the same signed by the Secretary as perfect and compleat.

This Assembly is adjourned until the Governor, or in his absence the Deputy Governor, shall see cause to call it to meet again.

*Teste*, GEORGE WYLLYS, Secret'y.

[312] *Anno Regni Regis Georgii secundi tricesimo-quarto.*  
AT A GENERAL ASSEMBLY OF THE GOVERNOR AND COMPANY OF HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA HOLDEN AT NEW HAVEN IN SAID COLONY ON THE SECOND THURSDAY OF OCTOBER (AND CONTINUED BY SEVERAL ADJOURNMENTS UNTIL THE THIRTY-FIRST DAY OF THE SAID MONTH,) ANNOQUE DOMINI 1760.

*Present :*

The Honourable Thomas Fitch, Esq<sup>r</sup>, *Governor.*

The Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, *Deputy Governor.*

Roger Newton,	Thomas Wells,	} Esq <sup>rs</sup> , Assistants.
Ebenezer Silliman,	Benjamin Hall,	
Jonathan Trumble,	Daniel Edwards,	
Hezekiah Huntington,	Jabez Hamlin,	
Andrew Burr,	Matthew Griswold,	
John Chester,	Shubael Conant,	

*Representatives or Deputies who attended this Assembly are as follow, viz :*

Col. Joseph Pitkin, Mr. John Ledyard, for Hartford.  
Col. John Hubbard, Mr. John Whiting, for New Haven.  
Capt. Jeremiah Miller, Capt. Pygan Adams, for New London.  
Mr. David Rowland, Mr. David Burr jun<sup>r</sup>, for Fairfield.  
Capt. Samuel Murdock, Mr. Samuel Gray, for Windham.  
Capt. Elisha Sheldon, Col. Ebenezer Marsh, for Litchfield.  
Capt. Jabez Huntington, Mr. Daniel Lothrop, for Norwich.  
Col. David Whitney, Mr. Charles Burril, for Canaan.  
Mr. William Blodget, Capt. Moses Tyler, for Preston.  
Mr. Josiah Strong, Mr. Caleb Jewit, for Sharon.  
Mr. Roger Sherman, Mr. Bushnel Bostwick, for New Milford.  
Capt. John Strong, Capt. Jared Lee, for Farmington.  
Capt. Isaac Kellogg, Mr. Martin Smith, for New Hartford.  
Capt. Thomas Stevens, Capt. Benjamin Wheeler, for Plainfield.  
Mr. Samuel Craft, for Pomfret.

Mr. Thomas Matthews, Mr. John Lewis, for Waterbury.  
 Mr. Samuel Fitch, Mr. Joseph Platt, for Norwalk.  
 Mr. Samuel Kimberly, Mr. Jonathan Wells, for Glassenbury.  
 Mr. Comfort Starr, for Danbury.  
 Capt. Obadiah Johnson, Mr. John Curtis, for Canterbury.  
 Mr. Abraham Davenport, Capt. Charles Webb, for Stamford.  
 Mr. David Strong, Capt. Joel White, for Bolton.  
 Capt. John Fowler, Mr. Robert Treat, for Milford.  
 Capt. Joshua Wills, for Tolland.  
 Mr. Daniel Alden jun<sup>r</sup>, Mr. Nathan Johnson, for Stafford.  
 Capt. Hezekiah Whittlesey, Capt. John Murdock, for Say-  
 brook.  
 Mr. Joseph Strong jun<sup>r</sup>, Mr. Phineas Strong, for Coventry.  
 Mr. Daniel Booth, Mr. Jonathan Booth, for Newtown.  
 Capt. Joshua West, Mr. William Williams, for Lebanon.  
 Mr. Edward Collins, Mr. Nathaniel Terry, for Enfield.  
 Mr. Isaac Johnson, Mr. Ebenezer Smith jun<sup>r</sup>, for Woodstock.  
 Mr. Samuel Olmsted, Mr. Stephen Smith, for Ridgfield.  
 Capt. Theophilus Morgan, Mr. Benjamin Gale, for Killings-  
 worth.  
 Col. Hezekiah Sabin, Capt. Samuel Danielson, for Killingly.  
 Mr. Daniel Sherman, Col. Benjamin Hinman, for Woodbury.  
 Mr. John Everts, for Salisbury.  
 Mr. Samuel Nash, Mr. Samuel Pettibone, for Goshen.  
 Capt. John Humphry, Mr. David Phelps, for Symsbury.  
 Mr. Alexander Phelps, Mr. John Phelps, for Hebron.  
 Col. Elihu Chauncey, Capt. James Wadsworth, for Durham.  
 [313] Mr. Charles Whittlesey, Capt. Samuel Hulls, for Wal-  
 lingford.  
 Mr. William Wolcott, Capt. Josiah Bissel, for Windsor.  
 Mr. Seth Wetmore, Mr. Matthew Talcott, for Middleton.  
 Mr. Daniel Brainard jun<sup>r</sup>, for East Haddam.  
 Capt. Richard Wait, Capt. Nathan Jewit, for Lyme.  
 Mr. Joseph Sexton, for Somers.  
 Capt. Samuel Basset, Capt. James Wheeler, for Derby.  
 Col. Timothy Stone, Mr. Edmund Ward, for Guilford.  
 Col. Robert Walker, Mr. Ichabod Lewis, for Stratford.  
 Mr. John Clap, Capt. Jabez Sherwood, for Greenwich.  
 Capt. Elisha Williams, for Weathersfield.  
 Mr. Simeon Minor, Capt. John Dennison, for Stonington.  
 Mr. Luke Perkins, Capt. Robert Geer, for Groton.  
 Mr. James Barker, Capt. William Hoadly, for Branford.  
 Mr. William Hall, Mr. Timothy Metcalf, for Mansfield.  
 Mr. Nathan Eliot, for Kent.  
 Capt. Elijah Worthington, Mr. Dudley Wright, for Col-  
 chester.

Capt. Samuel Kent, Mr. William King, for Suffield.  
 Mr. Hezekiah Brainard, for Haddam.  
 Mr. Amos Babcock, Capt. Jedidiah Fay, for Ashford.  
 Capt. Robert Dixon, for Voluntown.  
 Mr. Daniel Catling, for Harwinton.

Capt. Jabez Huntington, Speaker } of the House  
 Mr. Abraham Davenport, Clerk } of Representatives.

[314] *Resolved by this Assembly,* That an humble Address be presented to his Majesty in the name of the Governor and Company of this Colony, congratulating his Majesty on the glorious success of his arms, especially in North America, and expressing the grateful sense this Colony hath of his paternal care &c. And his Honour the Governor is desired to make a draught thereof, and that the Governor and Secretary sign the same in the name of the said Governor and Company.

*Resolved by this [Assembly,]* That his Honour the Governor be desired in the name and on behalf of the Governor and Company of this Colony, by letter to address his Excellency General Amherst, therein congratulating him upon the happy success of his Majesty's arms under his care and direction, and giving him thanks for the beneficent care and wise conduct and protection of the troops under his command, and especially of the provincial troops of this Colony.

The Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, John Chester and George Wyllys, Esq<sup>rs</sup>, are hereby appointed a committee, they or any two of them, to sell seventeen thousand pounds sterling of the money granted and is or may be distributed and ordered to be paid this Colony on account of the services done in the year 1759, as soon as certain intelligence is had that said money is received by the Agent or Agents of this Colony. And the said committee is hereby directed to sell the same for the full value thereof in silver, gold, or bills of credit of this Colony emitted by act of Assembly in March 1759, to any person or persons that shall appear and pay the value thereof, as aforesaid, into the treasury of this Colony; and when such contract is made and the money or bills aforesaid paid into the treasury, and the Treasurer's receipt produced to said committee in evidence thereof, said committee is directed to lodge the same with the Secretary of this Colony and make a proper certificate thereof to his Honour the Governor, who is hereby desired and impowered, on receipt of such certificate, to draw proper bills of exchange on the present Agents jointly, or on either of them separately, as he

may judge most proper, in favour of such purchaser or purchasers, and for such sum or sums purchased as aforesaid.

This Assembly do appoint and impower Richard Jackson of London and Jared Ingersoll of New Haven, now residing in London, Esq<sup>rs</sup>, Agents and Attornies for the Governor and Company of this Colony, joyntly or severally to receive all such money as is granted by Parliament and is or may be distributed and ordered to be paid this Colony on account of the services done in obedience to his Majesty's command in the year 1759, and accordingly give his or their proper receipts therefor. And it is hereby ordered, that a proper instrument of procuracy or letter of attorney be made in the name of said Governor and Company, under the public seal and signed by the Governor and Secretary of this Colony, fully empowering the said Richard Jackson and Jared Ingersoll, Esq<sup>rs</sup>, both or either of them, for the purposes aforesaid.

*Resolved by this Assembly,* That Richard Jackson and Jared Ingersoll, Esq<sup>rs</sup>, Agents for this Colony who are impowered joyntly or severally to receive all such money as is granted and is or may be distributed and ordered to be paid this Colony on account of the services done in the year 1759, be and they or either of them are hereby directed on receipt of such money to send seventeen thousand pounds sterling thereof in specie to the Governor and Company of this Colony by the first good opportunity they or either of them may have to convey the same hither at a moderate insurance and in such coins as will turn out best for the advantage of the Colony, and to lodge the remainder of the money in some secure bank in London for safety, in the name and for account of this Colony, to be drawn out by the Agent or Agents for this Colony for the time being, and by the first good opportunity to inform thereof. And they or either of them are further directed to [315] pay out of the same || all such bills of exchange as may be drawn on them or either of them by his Honour the Governor in favour of any person or persons whomsoever.

The Governor and Company of his Majesty's English Colony of Connecticut in New England in America in General Court assembled do appoint Richard Jackson of London, Esq<sup>r</sup>, to be of Council for the aforesaid Governor and Company in all matters and causes that are or may be depending before any of his Majesty's courts of law or equity in Great Britain wherein the aforesaid Governor and Company are or may be interested and concerned.

The Governor and Company of his Majesty's English Colony of Connecticut in New England in America in General



Court assembled do nominate, constitute and appoint Thomas Life of Basinghall Street, London, Gent., to be Agent or Attorney for the said Governor and Company, to appear for and represent them before the King's Most Excellent Majesty, any of his courts, ministers of state or boards of audience in Great Britain, in all matters and affairs wherein the said Governor and Company are or may be interested or concerned, which they may or shall commit to him to be managed and transacted there. And this Assembly do order and enact, that a proper instrument of procuracy or letter of attorney be made out under the public seal of this Colony to the said Thomas Life, and signed by his Honour the Governor and the Secretary in the name and behalf of the said Governor and Company.

*Resolved by this Assembly,* That the Treasurer of this Colony be and he is hereby directed and ordered, to pay and discharge the Treasurer's notes of hand given to Jonathan Trumble, John Ledyard and David Rowland, Esqrs, for the money borrowed and received from them, out of such money as is now in his hands, and to keep a proper account thereof and from whom or on what account the money so paid was received; and that he in some proper manner notify the possessors of said notes that he is now ready to discharge the same.

An Act in Addition to an Act entituled An Act for regulating the Election of the Governor, Deputy Governor, Assistants, &c.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That the constables in the several towns in the county of Litchfield without further order shall warn all the freemen in their respective towns to meet together yearly on the third Tuesday of September, agreeable to the direction in said act given to the freemen of the counties of Hartford, New Haven and Fairfield, and conform themselves according thereto.

An Act in Addition to the Laws made for the Regulation of Ferries and for the Alteration of the Fare of the Ferries at New London and Saybrook.

Whereas the fare for transportation of wheel-carriages over the several ferries in this Colony has never been stated, and it is found necessary to alter the fare of the ferries at New London and Saybrook: And whereas it is provided that two boats shall be kept at each of the ferries at New London and Saybrook, the design of which provision is in a great measure frustrated by the negligence of the ferrymen in suffering both the boats frequently to remain long on the same side of the river, and thereby occasioning great delay to travellers: Which to prevent,

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That the ferrymen or tenders of the ferries at New London and Saybrook shall carefully and dilligently attend the con-[316] venience of passengers; and to that end || they shall not at either of said ferries suffer said two boats to lie at the same time on the same side the river, but from time to time, as soon as either of said boats have crossed such river and reached the opposite shore, the ferryman or ferrymen whose boat shall then lie at said shore shall immediately put off his boat and pass over to the other side of said river, whether there be any passengers ready to go over or not, unless the ferryman who last arrived to the shore where the other boat shall be lying shall immediately return to the shore from whence he came as soon as he can unload his passengers or freight. And when it shall so happen when either of said boats shall have put off from the shore any passengers shall be waiting or come before such boat shall arrive at the other shore, the ferryman on the opposite side shall immediately put off and carry over such passengers. And the fare shall belong to that ferryman on that side from whence they pass. And if any such ferryman or ferrymen shall neglect to conform to the true intent and meaning of this act, he or they for every such offence shall forfeit and pay the sum of twenty shillings, to be recovered in the same manner and for the same purpose as is by law already provided.

*And be it further enacted by the authority aforesaid,* That the fare of New London ferry shall be for a man, horse and load, four pence; a foot man, one penny half-penny; a led horse, two pence half-penny; for an ox or other neat kine, four pence half-penny; for sheep, swine or goats, one half-penny each; and that the fare of Saybrook ferry from the first of October to the first of April annually shall be for man, horse and load, eight pence; a foot man, three pence; a led horse, six pence; for an ox or other neat kine, eight pence; for sheep, swine, goats, one penny each, and that for the other months in the year the fare of said ferry shall be for a man, horse and load, six pence; a foot man, two pence; a led horse four pence; for an ox or other neat kine, six pence; for sheep, swine or goats, three farthings each.

*And be it further enacted by the authority aforesaid,* That the fare for wheel-carriages over the several ferries in this Colony shall be for each two wheel carriage with only one man and draught horse be double the fare for man, horse and load, already stated for such ferry; and for each person or horse more than one as abovesaid, the same respectively as

for foot men or led horses as is already stated ; and for each four wheel carriage shall be paid for such carriage with one man and draught horse, three times the sum of the stated fare of such ferry for man, horse and load, and for each person or horse more than one, the same respectively as for foot men or led horses as is already provided ; any law, usage or custom to the contrary notwithstanding.

*It is ordered and enacted by this Assembly,* That the brand for horses for the town of Goshen shall be the following figure or character, *viz* :  $\_K$ .

The Gentlemen nominated by the Freemen of this Colony to stand for Election in May 1761, are as follow, *viz* :

The Hon<sup>ble</sup> Thomas Fitch, Esq<sup>r</sup>.

The Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>.

Roger Newton, Esq<sup>r</sup>.

Jabez Hamlin, Esq<sup>r</sup>.

Ebenezer Silliman, Esq<sup>r</sup>.

Matthew Griswold, Esq<sup>r</sup>.

Jonathan Trumble, Esq<sup>r</sup>.

Shubacl Conant, Esq<sup>r</sup>.

Hezekiah Huntington, Esq<sup>r</sup>.

Phineas Lyman, Esq<sup>r</sup>.

Andrew Burr, Esq<sup>r</sup>.

Capt. Elisha Sheldon.

John Chester, Esq<sup>r</sup>.

Col. Eliphalet Dyer.

Thomas Wells, Esq<sup>r</sup>.

Mr. Roger Sherman.

Benjamin Hall, Esq<sup>r</sup>.

Col. Joseph Pitkin.

Daniel Edwards, Esq<sup>r</sup>.

Col. Robert Walker.

[317.] The Sum Total of the Lists of several Towns in this Colony as sent in to the General Assembly at New Haven October 1760.

Hartford,	£36998	18	3	New Haven,	£56175	11	6
New London,	33418	15	8	Fairfield,	55072	11	7
Windham,	26879	0	4½	Litchfield,	17245	10	0
Norwich,	57045	8	1	Canaan,	11120	16	6
Preston,	21003	7	0	Sharon,	12029	0	0
New Milford,	17701	6	4	Farmington,	45012	2	9
New Hartford,	5320	14	0	Plainfield,	12444	1	0
Pomfret,	22024	14	6	Waterbury,	23853	11	6
Norwalk,	35236	6	3	Glassenbury,	12964	0	2
Danbury,	21872	6	3	Canterbury,	16937	18	0
Stamford,	27882	13	8	Bolton,	9044	4	0
Milford,	25810	0	1	Tolland,	10202	0	0
Stafford,	6414	6	5	Saybrook,	21950	2	2
Coventry,	18089	0	8	New Town,	14973	0	9
Lebanon,	37175	6	6	Enfield,	9208	2	0
Woodstock,	18000	0	0	Ridgfield,	13172	6	7½
Killingsworth,	15814	5	0	Killingly,	22102	0	0
Woodbury,	41008	15	8	Salisbury,	11922	19	0
Goshen,	7455	2	0	Symsbury,	22976	8	0
Hebron,	19297	11	0	Durham,	10395	15	10
Wallingford,	43117	7	3	Windsor,	41089	14	2

Middletown,	£48516	0	8	East Haddam,	£21307	17	2
Lyme,	23124	18	9	Somers,	7690	15	0
Derby,	14102	11	3	Guilford,	31331	12	1
Stratford,	41070	4	10	Greenwich,	20702	5	6
Weathersfield,	26000	0	0	Stonington,	34306	9	0
Groton,	23017	13	5	Branford,	21478	16	2
Mansfield,	17212	3	9	Torrington, west			
Cornwall,	5752	10	6	side,	4173	4	0
Kent,	10000	0	0	do. east side,	1376	9	0
Suffield,	17472	11	6	Colchester,	24394	1	0
Haddam,	12626	15	6	Ashford,	12419	14	6
Voluntown,	10125	16	0	Harwinton,	5147	5	0

This Assembly appoints Thomas Darling, Esq<sup>r</sup>, to be a Justice of the Quorum for the county of New Haven until the first day of June next.

This Assembly do appoint Mr. Elisha Fitch of Norwich, in the room and stead of John Richards, Esq<sup>r</sup>, to be an Overseer of the tribe of the Pequot Indians living at Mashantuxit in Groton, and to joyn with Capt. Daniel Coit of New London in taking the care and oversight of said Indians and their affairs according to the power and direction heretofore given to the overseers of said Indians.

Upon the report of Messrs. Lord, Brainard and Murdock, a committee appointed by the General Assembly in May last to consider of certain places for setting up ferries on Connecticut River, one above and the other below Brockway's ferry, so called,

*Resolved by this Assembly:* That said report for further consideration be continued till the session of the Assembly in May next, and the same is continued accordingly.

And whereas it is thought expedient that a country road branching out of the now post road from New Haven to New [318] London be laid out in the || most convenient and direct course from about the town of Killingworth eastward to the towns of Norwich or Windham &c., crossing said river, which may tend to influence the establishing a certain place of ferriage upon said river,

*It is further resolved by this Assembly,* That Mr. Daniel Lothrop, Capt. Richard Hide and Mr. Isaac Tracy be and they are hereby appointed and authorized a committee to view the country and lands and said river, from said Killingworth to said Norwich and Wyndham &c., and properly investigate the best places for such country road and ferry, and mark or describe said road, and make return of their doings therein to this Assembly in May next, in order that such road may be opened and established accordingly.

We your Honours' Committee being appointed to receive, examine and adjust the several accounts for diet, medicines &c. supplied Robert Cromwell and make report whether the whole or what part thereof ought to be paid by Phineas Cook &c. beg leave to report, that we have received, examined and adjusted the several accounts referred to, and it is our opinion that there is justly due

On Dr. Amos Mead's acco't.	£ 3	14	0
On Nevel Conklin,	47	8	4
On Samuel Ketchum,	18	10	0.
On Dr. Peter Huggford,	37	11	3
On Jeremiah Anderson,		12	0
	—	—	—

Amounting in the whole to 107 15 7 lawful money, on account of the support of the said Robert Cromwell, and that the said Phineas Cook ought to pay £70 4 4 of the afore-said sum. All which is humbly submitted to your Honours. Signed, per order, Hez<sup>h</sup> Huntington.

The above report accepted and approved, and thereupon it is resolved and ordered, that upon the said Phineas Cook his paying to the Treasurer of this Colony the said sum of £70 4 4 lawful money or procuring good and sufficient security for the payment thereof within four months on interest, such security to be to the acceptance of John Whiting, Esq<sup>r</sup>, of New Haven, who is hereby desired and ordered to take the same and deliver it to the Treasurer, take his receipt therefor and lodge the same with the Secretary of this Colony, he, the said Phineas Cook, be released from his arrest, paying the cost thereof, and no longer holden to take care of or support the said Robert Cromwell.

Whereas it is represented to this Assembly by Matthew Griswold, King's Attorney for the county of New London, that he obtained judgment (in the name of Joseph Talcott, Esq<sup>r</sup>, Treasurer of this Colony, for the use and benefit of the Governor and Company of this Colony,) against Joseph Bill, of Norwich in the county of New London, before the superior court held at said Norwich on the fourth Tuesday of March 1759, for about the sum of thirty-two pounds lawful money for debt and cost, which judgment was obtained in an action brought on a bond of recognizance given by the said Joseph Bill for the appearance of John Bill of said Norwich to answer to a process against him for uttering a counterfeit bill; that execution was granted on said judgment, but personal estate not being to be found, said execution was levied on about one acre and half of land in said Norwich with a small house

thereon, all which was apprized at eighteen pounds; that no [319] person is impowered to dispose of said land: || It is therefore resolved by this Assembly, that the aforesaid Matthew Griswold be and he is hereby impowered and directed to make sale of said land taken by execution as aforesaid to the best advantage for the benefit of this Colony, and the committee appointed by this Assembly to give releases of the lands mortgaged to this Colony are hereby impowered and directed to execute a deed of said lands so taken by execution as aforesaid to the purchaser thereof, and that the aforesaid Matthew Griswold is hereby directed to receive the price of said land upon the delivery of said deed, and after deducting the cost of levying said execution and sale of said land to deliver the residue to the Treasurer of this Colony and take his receipt therefor and lodge the same with the Secretary of this Colony.

This Assembly do establish Mr. Nehemiah Lyon to be Captain of the 17th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Nathaniel Child to be Lieutenant of the 17th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Stephen May to be Ensign of the 17th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Enoch Davis to be Captain of the company or trainband in the parish of Ripton in the 4th regiment.

This Assembly do establish Mr. Peleg Burrit junr, to be Lieutenant of the company or trainband in the parish of Ripton in the 4th regiment.

This Assembly do establish Mr. Treat Mills to be Ensign of the company or trainband in the parish of Ripton in the 4th regiment.

This Assembly do establish Mr. Daniel Catling to be Ensign of the company or trainband in Harwinton in the 1st regiment.

This Assembly do establish Mr. John Coleman to be Captain of the 1st company or trainband in the town of Hartford.

This Assembly do establish Mr. George Palmer to be Captain of the company or trainband in the town of Norfolk.

This Assembly do establish Mr. William Walter to be Lieutenant of the company or trainband in the town of Norfolk.

This Assembly do establish Mr. Ezra Knap to be Ensign of the company or trainband in the town of Norfolk.

This Assembly do establish Mr. Ebenezer Norton to be Captain of the east company or trainband in Goshen.

This Assembly do establish Mr. John North to be Lieutenant of the east company or trainband in Goshen.

This Assembly do establish Mr. Joseph Giddings to be Captain of the company or trainband in the north society in New Fairfield.

This Assembly do establish Mr. Henry Bennit to be Lieutenant of the company or trainband in the north society in New Fairfield.

This Assembly do establish Mr. John Blackman to be Captain of the 2d company or trainband in Newton in the 4th regiment.

This Assembly do establish Mr. Jonathan Fairchild to be Lieutenant of the 2d company or trainband in Newton in the 4th regiment.

This Assembly do establish Mr. Silas Park to be Lieutenant of the 1st company or trainband in Preston in the 8th regiment.

This Assembly do establish Mr. Ebenezer Avery to be Ensign of the 1st company or trainband in Preston in the 8th regiment.

This Assembly do establish Mr. Simeon Raymond to be Lieutenant of the 2d company or trainband in Norwalk in the 9th regiment.

This Assembly do establish Mr. Nathaniel Benedict to be Ensign of the 2d company or trainband in Norwalk in the 9th regiment.

This Assembly do establish Mr. Daniel Comestock to be Captain of the 1st company or trainband in Kent.

[320] This Assembly do establish Mr. Jethro Hatch to be Lieutenant of the 1st company or trainband in Kent.

This Assembly do establish Mr. Benjamin Skiff to be Ensign of the 1st company or trainband in Kent.

This Assembly do establish Mr. Nathan Griswold to be Ensign of the 12th company or trainband in the 7th regiment.

This Assembly do establish Mr. Abijah Hall to be Captain of the 17th company or trainband in the 6th regiment.

This Assembly do establish Mr. Stephen Olmsted to be Lieutenant of the 17th company or trainband in the 6th regiment.

This Assembly do establish Mr. Silas Dunham to be Ensign of the 17th company or trainband in the 6th regiment.

This Assembly do establish Mr. James Terril to be Lieutenant of the 3d company or trainband in New Milford.

This Assembly do establish Mr. Moses Averil to be Ensign of the 3d company or trainband in New Milford.

This Assembly do establish Mr. Thaddeus Cook to be Lieutenant of the 2d company or trainband in Preston.

This Assembly do establish Mr. Nathaniel Cogswell to be Ensign of the 2d company or trainband in Preston.

This Assembly do establish Mr. Joseph Hobby to be Captain of the middlemost company or trainband in the town of Greenwich.

This Assembly do establish Mr. Eli Rundle to be Lieutenant of the middlemost company or trainband in the town of Greenwich.

This Assembly do establish Mr. Ruben Holmes to be Ensign of the middlemost company or trainband in the town of Greenwich.

This Assembly do establish Mr. Benjamin Bissel to be Lieutenant of the 2d company or trainband in Torrington in the first regiment.

This Assembly do establish Mr. James Noyes to be Lieutenant of the 1st company or trainband in the town of Stonington in the 8th regiment in this Colony.

This Assembly do establish Mr. Hempsted Minor to be Ensign of the 1st company or trainband in the town of Stonington in the 8th regiment in this Colony.

This Assembly do establish Mr. Zebulon Curtiss to be Captain of the 1st company or trainband in the town of Torrington.

This Assembly do establish Mr. Abel Beach to be Lieutenant of the 1st company or trainband in the town of Torrington.

This Assembly do establish Mr. Nathaniel Barber to be Ensign of the 1st company or trainband in the town of Torrington.

Whereas John Swetland and Joseph Swetland, both of Hartford, and others, legatees to the estate of Benjamin Swetland late of New London, deceased, exhibited their petition to the General Assembly of this Colony at their sessions in May last against John Richards, Esqr, of New London, complaining that said Richards and his wife secreted and detained some part of the personal estate of the said Benjamin Swetland, deceased, &c., praying that commissioners might be appointed to examine the said Richards and his said wife relating to the matters aforesaid &c., as per petition on file: And



whereas the said Assembly at their sessions aforesaid on the petition aforesaid did appoint Richard Lord of Lyme, Jabez Huntington and Ebenezer Bacchus of Norwich, Esqrs, a committee with full power and authority to call before them the aforesaid John Richards, Esqr, and his said wife and them examine upon oath &c. and make report to this Assembly of what they should find in the premises: And whereas the said committee pursuant to the power and direction aforesaid accordingly examin'd the aforesaid John Richards, Esqr, and his said wife on oath relating to the matters aforesaid, and have reported to this Assembly thereon that sundry articles of the personal estate that belonged to the said Benjamin, deceased, at the time of his death with the avails and of some other articles thereof which were sold by the administratrix on the estate of said deceased, in the whole to the amount of £105 14s. 10d. lawful money, came into the hands of said Richards; that said Richards made an inventory thereof as the estate of Hannah Swetland, administratrix aforesaid, and [321] accordingly exhibited the same to the || court of probates for the district of New London; which report is accordingly accepted and approved: It is thereupon resolved by this Assembly, that the aforesaid Richard Lord, Jabez Huntington and Ebenezer Bacchus be and they are hereby appointed a committee with full power and authority to repair to New London, hear the parties aforesaid in their evidences and pleas relating to the right and property of the said articles of personal estate (and avails aforesaid) of the said Benjamin, deceased, which came into the hands of said John Richards and mentioned in the report aforesaid, and to judge and determine in equity whether the said John Richards ought to account to said petitioners and other legatees of the said Benjamin's will, or such as claim under them, for such of said personal estate or avails which has come into his hands as aforesaid. And if said committee shall find that said Richards ought in equity to account to said petitioners &c. for the same or any part thereof, said committee are to determine the sum and to whom the same ought to be paid, and to make return of their doings on the premises to this Assembly at their sessions in May next.

On the petition of James Pelton of Guilford *versus* Jonathan Atwood of Woodbury, shewing to this Assembly that the jury missed the law in trial of a cause at the superior court held in New Haven in August term A. D. 1758, wherein said Pelton was plaintiff *vs.* said Atwood, in disallowing the testimony of one good and credible witness to be legal evidence, when in their

consciences they were perswaded said witness was true and credible; praying for liberty of another trial of said case, as per his petition on file appears: Resolved by this Assembly, that liberty be and hereby is granted unto said James Pelton of a new trial of said cause by way of review on the last Tuesday of February next at the superior court to be held in New Haven; and all cost including what has been already paid shall follow the final trial of said case.

Upon the petition of Robert Corning, late of Beverly in the county of Essex and Province of the Massachusetts Bay, now of Woborn in the county of Middlesex and Province aforesaid, representing that he brought his action against Malachi Corning, of Hartford in the county of Hartford, to the county court held at said Hartford in November 1757, on a bond dated the 27th of January 1747, demanding in damages seventy pounds lawful money; that said action being thence adjourn'd with said court to the adjourn'd county court held at said Hartford in January then next, and that the same was then tryed by the jury on the plea of owe nothing and found against the petitioner &c.; that the petitioner in joyning in said issue mistook and missed his plea &c.; praying liberty for a new trial &c.: Resolved by this Assembly, that the petitioner shall have liberty, and liberty is hereby granted to him, to have a new trial in the action aforesaid at the county court to be held at Hartford in the county of Hartford on the first Tuesday of November next, and the future cost only to follow the final judgment.

Upon the petition of Watrus Clark of Lyme, shewing to this Assembly that Nathaniel Shaw of New London obtain'd final [322] || judgment against said petitioner before the superior court held at Norwich in the county of New London on the fourth Tuesday of March last for the sum of one hundred pounds for damage and also for the sum of four pounds for cost; complaining that the jury mistook the law in construing the evidence exhibited in the trial of said action &c.; praying for a new trial &c., as per petition on file: Resolved by this Assembly, that said petitioner have liberty of a new trial in said action at the superior court to be held at Norwich in and for the county of New London on the fourth Tuesday of March next, by way of review, and that the cost from the beginning follow said trial.

Upon the petition of Daniel Smith, late of Haddam now of Grandvill in the county of Hampshire in the Province of the Massachusetts Bay, shewing to this Assembly that Elisha Wadsworth of Hartford obtained judgment against said peti-

tioner before the superior court held at Hartford on the first Tuesday of September last for the sum of £40 0s. 0*d.* lawful money for damages, and for the sum of £11 13s. 5*d.* like money for cost, which judgment was obtained in an action brought on a certain writing obligatory under the hand and seal of said petitioner conditioned for payment of £40 0s. 0*d.* in case a paper purporting the last will and testament of Mr. William Smith (late of Haddam, deceased, father to said petitioner) should not be proved &c. ; complaining that said writing obligatory was obtained by fraud, deceit &c. ; praying that said judgment might be set aside and said petitioner be decreed to have his cost &c. or that a committee be appointed to enquire into the matters complained of in said petition, as per petition on file: Resolved by this Assembly, that Col. Elihu Chauncey, Hezekiah Brainard, Esq<sup>rs</sup>, and Capt. Matthew Talcott be and they are hereby appointed a committee with full power to enquire and examine into the matters complained of in said petition, and report (what they shall find in the premises) to this Assembly at their sessions in May next, with their opinion thereon, and that execution on said judgment be stayed till the rising of this Assembly in May next.

Whereas upon the petition of John Marshall of Greenwich, administrator on the estate of John Marshall late of said Greenwich, deceased, against Thomas Hill, Anthony DeMill and Daniel Ogden, in their own right, and Samuel Hoit and John Griffin, administrators on the estate of David Marshall, deceased, the General Assembly in May last appointed Ebenezer Silliman, Esq<sup>r</sup>, Col. John Read and Mr. William Burr a committee to enquire and examine into the matter alledged in said petition relating to the petitioner's accounts against the estate of the said deceased and the receipts of the heirs of said deceased by the petitioner's delivering out portions of said estate to some of said heirs; which committee having reported that upon the account of land being put into the inventory of the estate of the deceased which did not belong thereto, and what was set off to the widow for her part of the personal estate, the inevitable loss upon the estate while in the petitioner's hands, and the cost and charges the petitioner hath been at in taking care of and protecting said estate and children, amounting in the whole to the sum of £996 9s. 11*d.* [323] ought in favour to the petitioner to be deducted out of the sum of the inventory, and that the sum of £1089 11s. 2*d.* and no more, remains to be accounted as clear estate; and that there being eleven children and the said sum of £1089 11s. 2*d.* to be divided in twelve equal parts in settlement, each

single share thereby is £90 15s. 11*d.*; and that Elizabeth, one of the daughters of said deceased, had received of the petitioner by way of portion, £30, and that there is now due to her £60 15s. 11*d.*; and that there hath been received by and for Hannah, another of the daughters of the deceased, of portion of the petitioner £99 1s. 10*d.* which is £8 15s. 11*d.* more than her portion of said estate; that Zacheus had received nothing, so that all his portion is still due, and that Ichabod had received of the petitioner, which ought to be accounted as part of his portion of said estate, the sum of £44 10s., so that there remains due from said estate upon the account of the said Ichabod the sum of £46 5s. 11*d.*; which report this Assembly approves of and accepts: And thereupon it is resolved by this Assembly, that for a full and compleat settlement of said estate of the said deceased John Marshall, that the said Elizabeth or her legal representatives have distributed, set out and delivered, as the full remaining part of her part and portion of her said father's, the deceased John Marshall's, estate, the sum of £60 15s. 11*d.* valued according to the inventory of said estate; and that the legal representatives of the said Zacheus have distributed, set out and delivered to them, as the full of the said Zacheus's proportion of the said deceased's estate, the sum of £90 15s. 11*d.* to be valued as aforesaid; and that the heirs and legal representatives of the said Ichabod have distributed, set out and delivered to them, as the full remains of the portion of the said Ichabod of his said father's estate, the sum of £46 5s. 11*d.* to be valued and computed as aforesaid. And it is hereby enacted, decreed and ordered, that the court of probate for the district of Fairfield do order the distribution of said estate according to this act, and that the same shall be a final distribution and settlement of said estate. And it is hereby further resolved and enacted, that the adjustment of petitioner's account and order of distribution by said court of probate referred to in the said petition, and also the said judgment of the superior court, be and the same are hereby reversed, set aside and made null and void.

Upon the memorial of Abigail Scofield, administratrix on the estate of Reuben Scofield late of Stamford, deceased, shewing to this Assembly that there have appeared more debts to be due from the estate of said deceased (since the grant of the General Assembly to sell land to pay the debts of said deceased) to the amount of fifteen pounds lawful money, which she hath nothing in her hands to answer; praying to be empowered to sell so much of the real estate of said deceased as

shall be sufficient to pay said sum with incident charges &c. as per memorial on file: Resolved by this Assembly, that the said Abigail Scofield be impowered and she is hereby impowered, to sell so much of the real estate of said deceased as shall be sufficient to pay said sum and the incident charges; taking the direction of the court of probates in the district of Stamford therein.

Upon the memorial of Josiah Brounson and others living within these limits and boundaries, *viz*: beginning at Westbury original bounds the southwest corner, then running one mile west, then running southwardly to the Eight Mile Brook where it runs out of the pond, then running down the brook to where the brook runs into Israel Curtises lot of mowing meadow land, then running eastwardly to the end of the lane by Eliphalet Bristol's, including said Bristol, then running in said lane to Lt. Samuel Wheeler's, then running by the said line between Waterbury and Derby to a turn of the line on Twelve Mile Hill, then running to the saw-mill on Hop Brook, then to the west side of a large rock with a number of pine trees on it east of Ebenezer Richardson's, then to where the road from Derby to Westbury enters Westbury bounds, and from thence by Westbury line to the first bounds, (excepting Ebenezer Porter,) representing to this Assembly the great distance they live from the respective places of public worship to which they belong, and the inconveniencies they labor [324] under from || the badness of the roads &c., praying for liberty to hire an orthodox preacher among them for four months in the year &c., as per memorial on file &c.: Resolved by this Assembly, that the memorialists be allowed, and liberty is hereby granted to them, to hire an orthodox preacher of the gospel to officiate among them for the space of four months in the year, *viz*: from the first day of December till the last day of March annually for the term of three years now next ensuing, and are hereby impowered to tax themselves and levy and collect such taxes as they shall agree upon for the purposes aforesaid in due form of law. And the memorialists and all dwelling within the limits aforesaid are, during the term aforesaid and their so hiring preaching as aforesaid, hereby exempted from paying any taxes for the support of the ministry in the respective parishes to which they severally belong, and shall have and enjoy all the powers &c. which are usual in cases where this priviledge has been before granted in this Colony.\*

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\* Incorporated as an ecclesiastical society by the name of Middlebury, December, 1790, and as a town, October, 1807.

Upon the memorial of Vans Kelly Mully, shewing that he was at the superior court holden at Fairfield on the last Tuesday save one in August last, by verdict of the jury found guilty and judgment of said court sentenced to suffer death for committing a rape on the body of one Amy Palmer of Greenwich in said county; that he has been unhappily brought up in gross and dangerous ignorance, so that tho' he is not insensible of his heinous guilt, the ground of his said condemnation, yet was in no wise aware the penalty thereof was indeed capital, and that tho' fairly and justly try'd and condemned, yet he hopes that regard being had to the singular difficulties attending the proof of some of the facts constituting such crime in general as well as to the certain circumstances (not in view at said trial) but now humbly submitted to consideration, some mitigation of his punishment may not be deemed inconsistent with the honour and wisdom of the law; and accordingly praying the mercy and commiseration of this Assembly in that regard &c.: Resolved by this Assembly, that the said Vanskelly Mully be reprieved and he hereby is reprieved from the said judgment and sentence by said superior court past upon him; and that in lieu of the pains of death and said condemnation to suffer the same he, the said Vanskilly Mulley, be sometime between the hours of ten of the clock in the forenoon and three in the afternoon of the fourth day of November next be had forth of the common goal where he now is to some convenient place for execution and be there caused to sit openly on the gallows, for such purpose to be erected, with an halter about his neck visibly hanging down beside his body for and during the full space of one hour, and that he be thereupon forthwith whipt to the number of thirty-nine stripes on his naked body, and then have his right ear nail'd to a post and cut off, and that he be then again committed to the said goal, and there in safe custody held until the 25th day of November, and that he, the said Van Skilly Mully, be then further whipt to the number of thirty-nine stripes on the naked body and thereupon recommitted to said goal and there be in safe custody holden until he be by public order carried out of this government. And it is further resolved and ordered, that the sheriff of the county of Fairfield carry this above resolve into execution, and that an attested copy hereof be his lawful and sufficient warrant to that purpose.

On the memorial of John Manning of Windham, administrator on the estate of the late Capt. James Brewster of said Windham, deceased, shewing to this Assembly that the debts

that remain due from said estate surmount the inventoried moveable estate and the money raised by the sale of land heretofore ordered by this Assembly the sum of £34 10s. 2d. lawful money; praying for liberty to make sale of so much of [325] the real || estate of said James Brewster, deceased, as shall raise the said sum of £34 10s. 2d. with the incident charges arising thereby: Resolved by this Assembly, that the memorialist have liberty, and liberty is hereby granted to him, to make sale of so much of the real estate of said James Brewster, deceased, as shall raise the said sum of £34 10s. 2d. lawful money with the incident charges arising thereby; taking the direction of the court of probate for the district of Windham therein.

Upon the memorial of Israel Brewster of Coventry, shewing to this Assembly that in the month of August last he lost a forty-shilling bill emitted on the credit of this Colony on the 13th of March 1760; that said bill by wet &c. became wholly obliterated and unfit for service; praying for payment of that sum out of the treasury &c., as per memorial on file: Resolved by this Assembly, that the Treasurer of this Colony pay out of the public treasury of the same to the said Israel Brewster the sum of forty shillings in bills of credit on this Colony with the interest arisen since said 13th of March 1760, taking his receipt for the same.

Upon the memorial of Solomon Bullard, of Walpole in the Province of the Massachusetts Bay, administrator on the estate of Ezra Moss late of said Walpole, deceased, shewing to this Assembly that the debts and charges of administration due from the estate of said deceased as allowed by the two courts of probate, one in the county of Suffolk in the said Province of the Massachusetts Bay, the other in the district of Plainfield in the Colony of Connecticut, exceed the personal estate of the said deceased the sum of forty-two pounds five shillings and five pence, and that the said deceased had real estate lying in Killingly in the aforesaid district of Plainfield and Colony of Connecticut inventoried at thirty-nine pounds three shillings, and exhibited in said court of probate for the district of Plainfield; and the memorialist praying that he or some other meet person might have liberty to sell the whole of said real estate or so much thereof as might be sufficient to procure the said sum of £42 5s. 5d. with the incident charges &c.: Resolved by this Assembly, that Mr. Boaz Sterns of said Killingly be impowered and hath liberty to sell so much of said real estate as may be sufficient to procure the said sum of £42 5s. 5d. with the incident charges arising thereon; taking the direc-

tion of the court of probate for the district of Plainfield therein.

Upon the memorial of Nathaniel Gidings, of Norwich in New London county, representing to this Assembly that the memorialist together with William Witter, Esqr, and Capt. Nathaniel Backus, incouraged by sundry subscriptions undertook to build a cart-bridge across Schotucket River in said Norwich, and that the memorialist in company with William Witter, Esqr, and Nathaniel Backus, hath erected and compleated a good, sufficient and compleat cart-bridge across said river, and that the monies subscribed for the encouragement of the undertakers was not sufficient to pay the cost of building said bridge by the sum of thirty-six pounds lawful money, which the memorialist hath paid out of his own estate, and prays that he may have liberty to demand and take toll of such persons, and such only, as have never paid any sum towards the erecting said bridge, whenever they shall pass over said bridge, until he shall have collected the afore-said sum of thirty-six pounds with two years interest thereon, as by memorial on file: Resolved by this Assembly, that the memorialist be impowered and he is hereby impowered, to demand and take toll at said bridge from all persons crossing the same, (except such as have heretofore paid towards erect-[326] ing said bridge,) at the following rates *viz*: four pence || for every man, horse and load; two pence for each single man or led horse, and two pence for each ox or other neat kine, and one penny for every hog or sheep, and eight pence for each team and cart, for the space of two years and no longer.

Upon the memorial of Eunice Morehouse, executrix of the last will and testament of Ephraim Morehouse late of Fairfield, deceased, shewing to this Assembly that the debts due from the estate of the said deceased with an allowance of necessaries to his widow surmount his moveable estate the sum of £51 9s. 8d. lawful money, for the payment whereof the said Ephraim hath made no provision in his will by ordering the sale of any part of his real estate; and praying that she or some other meet person may have liberty to sell so much of the real estate of the said deceased Ephraim Morehouse as will pay said sum with incident charges arising on such sale &c.: Resolved by this Assembly, that the said Eunice Morehouse and David Wheeler jun<sup>r</sup> have liberty, and they are hereby impowered, to sell so much of the real estate of the said Ephraim Morehouse as will be sufficient to pay and satisfy said sum of £51 9s. 8d. with the incident charges arising on such sale; taking directions of the court of probate in the district of Fairfield therein.



Upon the memorial of Samuel Sherwood of Fairfield, administrator on the estate of Joshua Disbrow late of said Fairfield, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount his, the said deceased's, moveable estate the sum of £28 3s. 8d. lawful money, and praying for liberty to sell so much of the said deceased's real estate as will be sufficient to pay said sum with incident charges arising on such sale: Resolved by this Assembly, that the said Samuel Sherwood have liberty and he is hereby empowered, to sell so much of the said deceased Joshua Disbrow's real estate as will pay and satisfy said sum of £28 3s. 8d. with the incident charges arising on such sale; taking directions of the court of probate in the district of Fairfield therein.

Upon the memorial of John Perkins and others, inhabitants of the parish of Newent in Norwich, and others inhabitants of Canterbury, and others inhabitants of the parish of Scotland in Windham, praying to this Assembly that they may be made one intire ecclesiastical society with the same powers and priviledges as other societies in this Colony have, and in order thereto praying for a committee to be appointed to repair to and view the circumstances of the memorialists and the societies to which they belong, at the cost of the memorialists, and make report to this Assembly at their next sessions thereon &c.: Resolved by this Assembly, that Messrs. Erastus Wolcott, Esqr, of Windsor, William Pitkin jun<sup>r</sup>, Esqr, and Mr. Boaz Sterns be a committee, and they are hereby appointed a committee, (at the cost of the memorialists,) to repair to the said parish of Newent, view the circumstances of the memorialists with the parishes to which they severally belong, and hear all parties concerned in the premises, and to report their opinion (as to the expediency of making a society as prayed for) to the General Assembly to be held at Hartford in May next.

Upon the memorial of Samuel Trowbridge of New Fairfield, executor of the last will and testament of Caleb Trowbridge late of New Fairfield aforesaid, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the moveable estate of said deceased and the value of [327] such lands as in and by said will || is ordered to be sold for payment of debts the sum of £24 1s. 5½d., and praying for liberty to sell so much of the other real estate of said deceased as will be sufficient to pay and satisfy said sum with incident charges &c.: Resolved by this Assembly, that the said Samuel Trowbridge have liberty, and he is hereby im-

powered, to sell (over and above the land ordered by said will to be sold as aforesaid) so much of the real estate of the said Caleb Trowbridge as will pay the sum aforesaid together with the incident charges arising on such sale; taking directions of the court of probate in the district of Danbury therein.

On the memorial of Samuel Richards and Hannah Buck, administrators on the estate of Pelatiah Buck jun<sup>r</sup>, late of Weathersfield in the district of Hartford, deceased, for liberty for sale of the real estate of the said deceased to the amount of £22 1s. 9d. lawful money for the payment of debts due from said estate with necessary charge of sale &c., as per memorial on file: Resolved by this Assembly, that the memorialists have liberty and it is hereby granted to them, to make sale of so much of the real estate of the said Pelatiah Buck jun<sup>r</sup>, as will raise the sum of £22 1s. 9d. lawful money with incident charges of sale; taking the advice of the court of probate in the district of Hartford therein.

Upon the memorial of Archibald Dixon of Lebanon, representing to this Assembly that his dwelling-house together with almost the whole of his household furniture, wearing apparel, provisions &c. were consumed by fire on the 18th day of August last, whereby he is reduced to great difficulty and straits, and also that he had consumed in and together with said house fifteen pounds in bills of credit of this Colony, forty shillings of which was emitted in August 1755, four pounds in the year 1758 or 1759, and the other nine pounds of the later emissions; praying that in consideration of his losses as aforesaid his Colony rate or tax which will become payable in the month of December next may be released and abated; praying also that the said bills of credit lost and consumed as aforesaid may be paid him out of the Colony treasury, as by said memorial on file: Resolved by this Assembly, that the Treasurer of this Colony pay, and he is hereby ordered to pay, unto the said Dixon out of the public treasury the full value of the bills of said Colony lost and consumed as abovesaid, that is to say, the value of one forty shilling bill emitted in August 1755, four pounds emitted in March 1759, and of nine pounds emitted by order of this Assembly in March 1760, all in bills of credit of this Colony, taking his receipt therefor.

Upon the memorial of Peter Smith, Thomas Hanford and Ebenezer Street, all of Norwalk, executors of the last will and testament of Matthew Smith late of Norwalk, deceased, shewing to this Assembly that the debts due from the estate of said Matthew Smith surmount the moveable estate the sum of

£100 7s. 7*d.*, and the said deceased hath made no provision in his said will to pay and satisfy said debts by the sale of lands; praying this Assembly for liberty to sell lands &c.: Resolved by this Assembly, that the memorialists have liberty and liberty is hereby granted, to make sale of so much of the real estate of said deceased as to pay and satisfy said sum of £100 7s. 7*d.* with the incident charges arising thereon; taking the advice of the court of probate in the district of Fairfield therein.

[328] Upon the memorial of John Northrop and John Benedict, both of Ridgfield in Fairfield county, executors of the last will and testament of Samuel Brown late of said Ridgfield, deceased, representing to this Assembly that the said Samuel Brown made his last will and testament bearing date May 1st, 1760, therein willed and ordered that his debts and funeral charges should be paid out of his estate, and that so much of his lands should be sold as should be sufficient to pay such debts and charges &c.; praying that the said John Northrop and John Benedict, or some other suitable person, might be authorized and impowered to make sale of so much of the lands of said Samuel, deceased, as shall be sufficient to pay and answer such debts and charges, as per memorial on file: Resolved by this Assembly, that the said John Northrop and John Benedict be authorized and impowered, and they are hereby authorized and impowered, to make sale of so much of the lands of the said Samuel, deceased, as shall be sufficient to satisfy and answer the debts and charges as aforesaid agreeable to said will of said deceased; taking direction of the court of probates in the district of Danbury therein.

Upon the memorial of Rachel Bunnil, administratrix on the estate of Parmenas Bunnil late of Wallingford, deceast, shewing to this Assembly that the debts due from said deceased's estate surmount the moveable part of said estate the sum of £16 0s. 8*d.* lawful money, and praying for liberty to sell so much of the real estate of the said deceast as to enable her to pay said sum with the incident charges arising on the sale of said lands &c.: Resolved by this Assembly, that said administratrix have liberty to make sale of so much of the real estate of said deceast, at the direction of the court of probate in New Haven district, as to enable her to pay said sum with the incident charges arising on the sale of said lands.

Upon the memorial of Joseph Comstock, administrator on the estate of John Comstock late of East Haddam, deceased,

shewing to this Assembly that the debts and charges due from said deceased's estate surmount the personal estate of said deceased the sum of £108 4s. 4½*d.* lawful money, and praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to raise said sum with the incident charges arising thereon: Resolved by this Assembly, that the said Joseph Comstock have liberty, and liberty is hereby granted to him, to sell so much of the real estate of said deceased as shall be sufficient to raise said sum with the incident charges arising thereon: taking the direction of the court of probate in the district of East Haddam therein.

Upon the memorial of Temperance Butler, of Saybrook in New London county, administratrix on the estate of Jonathan Butler late of said Saybrook, deceased, representing to this Assembly that the debts due from the estate of said deceased together with charges of administration and necessaries allowed the widow &c. surmount the inventory of the personal estate of said deceased the sum of £88 6s. 5*d.*; praying that this Assembly would grant to said memorialist liberty to make sale of so much of the real estate of said deceased [329] as shall be || sufficient to raise said sum with the incident charges of sale, and that Mr. Daniel Buckingham of said Saybrook and the memorialist, or either of them, may be appointed for that purpose: Resolved by this Assembly, that the memorialist have liberty to make sale of so much of the real estate of said deceased as shall be sufficient to raise said sum of £88 6s. 5*d.* with the incident charges of sale, and the memorialist and Mr. Daniel Buckingham of said Saybrook, or either of them, are hereby appointed to make sale thereof; taking the direction of the court of probate for the district of Guilford therein.

Upon the memorial of Stiles Stephens, administrator on the estate of William Welman late of Killingworth, deceased, shewing to this Assembly that the debts due from said estate surmount the moveable inventoried estate and charges allowed the sum of £25 2s. 8*d.*; praying this Assembly to grant liberty to the memorialist, or some other suitable person, to make sale of so much of the real estate of said deceased as to make said sum: Resolved by this Assembly, that said Stiles Stephens have liberty and he is hereby impowered, to sell so much of said real estate as to raise the sum of £25 2s. 8*d.* with incident charges; taking the direction of the court of probates in the district of Guilford therein.

Upon the memorial of Elizabeth Whittlesey 2d and Ambrose Whittlesey, both of Saybrook in the county of New

London, administrators on the estate of Ambrose Whittlesey, Esqr, late of said Saybrook, deceased, representing to this Assembly that in May 1758, the debts due from the estate of said deceased surmounted the personal estate of said deceased a considerable sum, and that the General Assembly held at Hartford on the 2d Thursday of May 1758, the memorialists made application to said Assembly for liberty to sell so much of the real estate of said deceased as should be sufficient to discharge said sum that said debts surmounted said personal estate, and that liberty was granted accordingly, and so much of said real estate was then sold as was sufficient to answer the purpose aforesaid, and that since that time there have debts appeared to be due from said estate to the amount of £40 2s. 8½*d.* lawful money, which the memorialists then had no notice of; praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to raise said sum with the charges of sale, and that some meet person may be appointed to do the same &c.: Resolved by this Assembly, that so much of the real estate of said deceased be sold as shall be sufficient to raise said sum of £40 2s. 8½*d.* lawful money together with the incident charges arising on such sale; and Hezekiah Whittlesey, Esqr, of said Saybrook, is appointed by this Assembly to make sale thereof, taking the directions of the court of probate for the district of Guilford therein.

Whereas upon the memorial of Charles King and others, inhabitants of the north part the town of Bolton and the east part of the second society in Windsor, representing to the Assembly in May last the great inconveniencies they are under in attending the public worship of God in the societies to which they respectively belong, praying to be made into a distinct ecclesiastical society that they may support the gospel among themselves &c., the said Assembly in May last thereon did appoint a committee to repair to said new proposed society, to view the situation and circumstances thereof and all matters relative thereto &c., and report their opinion thereon to this Assembly &c.: And whereas said committee have now made their report, that they are of opinion that it is very needful that there should be made a distinct ecclesiastical society, and most fitting and best that the bounds and limits thereof be as prayed for, as per report on file &c., which report this Assembly having approved and accepted of: It is thereon resolved and enacted, that the inhabitants of the north part of the town of Bolton and the east part of the town of Windsor living within the limits and bounds hereafter

mentioned be and hereby are made into a distinct ecclesiastical society by the name of the society of || North Bolton,\* and have and enjoy all the powers and priviledges of other ecclesiastical societies in this Colony, and that the bounds and limits thereof be as followeth, *viz*: Beginning on Bolton east line at five miles distance from Bolton southeast corner, thence running northerly in said line betwixt the towns of Coventry and Tolland on the east and Bolton on the west to Bolton northeast corner, thence turning westward in the line betwixt Bolton and Ellington to Bolton northwest corner, and still continuing the same course into Ellington about a mile and half and forty rods, thence turning and running southwardly at the west end of the second tier of lots to Hartford line, thence turning eastward in said line to Bolton or the T ditch, thence turning southwardly one mile in the line betwixt the towns of Hartford and Bolton, thence eastward to the first mentioned bounds.

Upon the memorial of Daniel Smith, administrator on the estate of Simon Smith late of New London, deceased, shewing that the debts due from the estate of said deceased surmount the personal estate of said deceased the sum of £130 6s. 9d.; praying liberty to sell so much of the real estate of said deceased as shall pay said sum with the incident charges arising on said sale &c.: Resolved by this Assembly, that liberty be granted and liberty is hereby granted to the said Daniel Smith, to sell so much of the real estate of said deceased as may raise and pay said sum and charge; taking the advice and direction of the court of probate for the district of New London therein.

Upon the memorial of the second society in Windsor, representing to this Assembly that some unhappy difficulties have arisen relative to the place affixed for building a meeting-house in said society; that the committee who affixed the same were under some misapprehension of some material facts relative thereto, and that the state of said society in some respects is since altered &c.; praying that a new committee might be appointed to affix the place whereon to build a meeting-house in said society, as per memorial on file: Resolved by this Assembly, that Jonathan Trumble, Hezekiah Huntington and Jabez Huntington, Esqrs, be and they are hereby appointed a committee, to repair to said second society in Windsor, view the circumstances thereof, hear all parties concerned, and affix the place whereon to build a meeting-house in said society, and make report of their doings thereon to this Assembly at their sessions in May next.

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\* Incorporated as the town of Vernon, October, 1808.

Upon the memorial of the inhabitants of the town of Plainfield in the county of Windham, shewing to this Assembly that a considerable number of the memorialists have soberly differed from the articles of discipline of the established church in said town, and have gathered into church state agreeable to Cambridge Platform, built a meeting-house and settled a minister accordingly, and that the memorialists have mutually and unanimously agreed to be two distinct societies, and that one third part of their rateable estate be exempted from being rated for the support of the said established church, and that the brethren differing as abovesaid have the benefit of the said one third part for the support of the worship of God amongst them annually, exclusive of such as are freed by law, as Baptists, Quakers &c., and that the other two third parts be continued to maintain the established worship aforesaid annually: this Assembly at their sessions [331] in May last appointed a committee to repair to the said towns, enquire into the matters contained in said memorial, and take a list of such inhabitants as are desirous to be made a new society, and make a particular representation of the method of setting off and constituting such new society: who have reported accordingly with their opinion thereon, as per the memorial and report on file appears: It is resolved by this Assembly, that Thomas Pierce, John Douglas, Ezekiel Pierce, Isaac Coit, James How, Isaac Shepard, John Welch, Thomas Gallop, Joseph Spaulding, Robert Washborn, Joseph Shepard, Andrew Backus, Gideon Bingham, Edward Spaulding, William Cutler, John How, Simon Shepard, Andrew Spaulding jun<sup>r</sup>, Curtis Spaulding, widow Sarah Welch, Nathaniel Pierce jun<sup>r</sup>, Abel Spaulding, Josiah Shepard, Edward Evans, Thomas Welch, widow Hannah Marsh, Jesse Spaulding, John Stevens, Reuben Shepard, Jonathan Parkhurst, Isaac Marsh, Samuel Wheeler, Ozias Gallop, Moses Barnet, John Spaulding, Nathaniel Marsh, Isaac Wheeler jun<sup>r</sup>, William Park jun<sup>r</sup>, Ephraim Spaulding, Nehemiah Park, William Park, Ebenezer Cole, Reuben Gerrald, Ephraim Wheeler, Azariah Spaulding, Joseph Kinsley, Samuel Parkhurst, Richard Lovejoy, Jonas Shepard, David Parkhurst, William Stevens, Jonas How, Jonas Wheeler, Timothy Peirce, John Pierce, Nathaniel Main, Timothy Parkhurst jun<sup>r</sup>, Abijah Dean, Eleazer Spaulding jun<sup>r</sup>, William Boyd, Jabez Parkhurst, Tilley Parkhurst, Joshua Dunlap, Ebenezer Kingsbury, Lemuel Pierce, Thomas How, John Wilson, Nathaniel Dean, James Kingsbury, Thomas Stevens, William Williams, Nehemiah Stevens, Lemuel Parkhurst, widow Lydia Stevens, Jesse Spaulding jun<sup>r</sup>, widow Ruth Gerrald, John Douglas jun<sup>r</sup>,

Doct. Ebenezer Robinson, John Spaulding jun<sup>r</sup>, Jacob Spaulding, Samuel Parkhurst jun<sup>r</sup>, Charles Spaulding, Ezekiel Spaulding, Rosewell Stevens, and Sandy Negro, persons who are inhabitants of and live within the limits of said town of Plainfield, be constituted and made a distinct ecclesiastical society, with all such powers, authorities and priviledges as other ecclesiastical societies in this government are vested with; and the meeting-house in which the aforementioned persons have been accustomed to meet for public worship be established for that use and purpose among them: Provided nevertheless, that whatever money remains due to the Rev<sup>d</sup> Mr. David Rowland, minister in said town, for his salary to this present time, be paid by the inhabitants in said town as before this division; that this now newly erected society take benefit of only one third part of the polls and rateable estate of said town for the support of the worship of God among them, and that the other, or first, society in said town take benefit of the two third parts of the polls and rateable estate of said town for the support of the public worship of God among them, and that when it happens that the polls and rateable estate of the members of this new erected, or second, society in said town shall be, as it now is, more than one third part of the whole town (exclusive of such as are freed by law, as Baptists, Quakers &c.) that then and in that case the first society in said town shall compute a tax on two-thirds of the rateable estate of said town, (exclusive of such as are freed by law, as aforesaid,) sufficient to raise the sum agreed on in said first society annually, and lay the same on themselves, and what they, the members of said first society, fall short of being two third parts of the polls and rateable estate, and thereby the tax falls short of raising the whole money granted or that may be hereafter granted for the settlement [332] or || salary of the minister of said first society, or for erecting or repairing the meeting-house among them, the committee of the said first society shall certify to the committee of said second society, or some principal members of said second society, the sum which by such computation appears to be wanted to make the sum granted by said first society as tho' the same was two third parts of the polls and rateable estate of the inhabitants of said town, and thereupon the committee of the said second society are hereby empowered to make and collect a tax on the inhabitants of said second society for the same, or by some other way or means make up such sum wanted as aforesaid, and pay the same to the committee of the first society for the use of said society; and this to be done annually. And in case the said second society



shall neglect or refuse to pay the same to said first society for more than one year after the same is requested and demanded of them, the said second society shall be deemed to forfeit and thereby shall forfeit the powers, authorities and priviledges hereby granted to them of being a distinct ecclesiastical society, and be subjected to the taxes laid in said first society as before the making of this act. And also, that all such as come from other places to settle in the limits of said town shall have liberty to joyn to which they please of said societies, and in case of non-election entred with the town-clerk within one year, they shall belong to the first society. And each person within said town that is within the age of twenty-one years shall have liberty to joyn to which he pleases of said societies, but in case of non-election entred with the town-clerk of said town within one year after such person comes to the age of twenty-one years, shall belong to said first society.

Whereas the trained soldiers living within the limits of Newbury society and now belonging to several military companies and two different regiments are desirous to be formed into a distinct company &c.: Resolved by this Assembly, that the soldiers living in said society whose names are, or by law ought to be, entered in the training-roll of any military company shall be made and formed into a distinct company or trainband, and that said company shall belong to the fourth regiment of militia in this Colony. And the colonel or chief officer of said regiment is directed to take care that said company be formed and proper officers nominated.

Upon the memorial of Matthew Mitchel, Aaron Mallery, Seth Preston, etc., selectmen in and for the town of Woodbury, shewing to this Assembly that sometime in September 1757, the selectmen of said Woodbury by and with the advice of the civil authority of said Woodbury took one Malachi Butler of said Woodbury with his family and estate into their hands, he, the said Butler, through idleness, mismanagement and bad husbandry being then in a likely way to spend all his estate, and then took an inventory of his estate which amounted to £179, one hundred of which is real estate, and the just debts then due from said estate and what hath since been expended for his support amount to £127 11s. 11d. lawful money, so that the debts, &c., surmount the moveable part of said estate the sum of £48 11s. 11d., and that the said Butler yet remains under circumstances not fit to have the management of his affairs; and praying to this Assembly for liberty to sell so much of the real estate of the said Butler as

to make said £48 11s. 11*d.* lawful money with incident [333] charges: || Resolved by this Assembly, that the said selectmen have liberty and liberty is hereby granted unto them; to sell so much of the real estate of the said Butler as to make said sum of £48 11s. 11*d.* lawful money together with the charges arising by said sale.

On the memorial of Hezekiah Tuttle of New Haven, administrator on the estate of Andrew Tuttle late of New Haven, deceased, shewing that the debts, &c., allowed by the court of probate in the district of New Haven against said estate surmount the whole moveable inventoried estate £58 10s. 8½*d.* and that he has nothing in his hands to pay the same &c.; praying to be impowered to sell so much of the real estate of the said deceased as shall enable him to pay said sum and incident charges, as per memorial on file: Resolved by this Assembly, that the said Hezekiah Tuttle be impowered, and he is hereby impowered, to make sale of so much of the real estate of the said deceased as shall raise the sum of £58 10s. 8½*d.* lawful money, and a further sum sufficient to pay the incident charges of such sale: taking the direction of the court of probate in the district of New Haven therein.

On the memorial of Elnathan Chatfield, administrator on the estate of Levi Chatfield late of Derby, deceased, shewing to this Assembly that the debts, &c., allowed by the court of probate against said estate surmount the whole moveable inventoried estate £8 9s. 7½*d.* and that he has nothing in his hands to pay the same, and praying for liberty to sell so much real estate of the said deceased as to pay said sum and incident charges, as per memorial on file: Resolved by this Assembly, that the said Elnathan Chatfield be and he hereby is impowered to sell so much of the real estate of the said deceased as shall raise a sum sufficient to pay said sum of £8 9s. 7½*d.* with the incident charges arising on such sale: taking the direction of the court of probate in the district of New Haven therein.

On the memorial of Catherine Robinson of New Haven, administratrix on the estate of Benjamin Robinson late of New Haven, deceased, shewing to this Assembly that the debts that have appeared since the grant of Assembly to sell lands and have been allowed by the court of probate against said estate, together with some allowance to the widow, amount to the sum of £27 11s. 8*d.* lawful money, and that she has nothing in her hands to pay the same, and praying to be impowered to sell so much of the real estate of the said deceased as to make said sum with the incident charges, as

per memorial on file: Resolved by this Assembly, that the said Catherine be impowered and she is hereby impowered, to sell so much of the real estate of the said deceased as shall be sufficient to enable her to pay said sum with the incident charges; taking the direction of the court of probate in the district of New Haven therein.

Upon the memorial of Jonathan Fitch, Esqr, of New Haven, representing to this Assembly that by virtue of a warrant directed to him as sheriff of New Haven county (and signed by John Whiting, Esqr,) he impressed a certain snow with a number of mariners in order to transport a number of the King's troops to Providence in the Colony of Rhode Island, upon which considerable cost and charges has arisen, &c. : praying that the same may be paid out of the public treasury of this Colony, as per memorial on file: Resolved by this Assembly, that the Treasurer of this Colony pay to said memorialist out of the public treasury of the same the sum of [334] forty-eight || pounds in bills of this Colony, to be applied to the payment of the charges aforesaid, taking a receipt of the said memorialist to account for the same when required, and lodge the same with the Secretary of this Colony.

This Assembly do establish Mr. David Hough to be Captain of the 6th company or trainband in the town of Norwich.

This Assembly do establish Mr. Isaac Huntington junr, to be Lieutenant of the 6th company or trainband in the town of Norwich.

This Assembly do establish Mr. Josiah Eames to be Ensign of the 6th company or trainband in the town of Norwich.

This Assembly do establish Mr. Gideon Stoddard to be Captain of the first company or trainband in Woodbury.

This Assembly do establish Mr. Charles Taintor to be Lieutenant of the north company or trainband in the town of Colchester.

This Assembly do establish Mr. Eleazer Bishop to be Lieutenant of the 5th company or trainband in New London, in the 3d regiment in this Colony.

This Assembly do establish Mr. Benjamin Woodruff to be Ensign of the 3d company or trainband in Litchfield.

This Assembly do establish Mr. John Gilman to be Captain of the 3d company or trainband in Hartford, in the 1st regiment in this Colony.

This Assembly do establish Mr. Russel Woodbridge to be Lieutenant of the 3d company or trainband in Hartford, in the 1st regiment in this Colony.

This Assembly do establish Mr. John Hurlburt to be En-

sign of the 3d company or trainband in Hartford, in the 1st regiment in this Colony.

This Assembly do establish Mr. Jonathan Wells to be Lieutenant of the south company or trainband in Durham.

This Assembly do establish Mr. Jonathan Huntington to be Captain of the 9th company or trainband in the town of Norwich.

This Assembly do establish Mr. George Dennis to be Lieutenant of the 9th company or trainband in the town of Norwich.

This Assembly do establish Mr. Christopher Reed to be Ensign of the 9th company or trainband in the town of Norwich.

This Assembly do establish Mr. James How to be Captain of the 8th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Isaac Shepard to be Lieutenant of the 8th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. John Stephens to be Ensign of the 8th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Israel Kimberley to be Captain of the 8th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Joseph Pierpont to be Lieutenant of the 9th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Prince Alden to be Lieutenant of the troop of horse in the 3d regiment in this Colony.

This Assembly do establish Mr. Abiel Squire to be Quarter-Master of the troop of horse in the 3d regiment in this Colony.

This Assembly do establish Mr. John Whitney to be Ensign of the company or trainband in Goshen in Lebanon, in the 12th regiment in this Colony.

This Assembly do establish Mr. Stephen Smith to be Lieutenant of the 7th company or trainband in the 2d regiment in this Colony.

[335] This Assembly do establish Mr. Timothy Andruss to be Ensign of the 7th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. John Brown to be Lieutenant of the 9th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Joseph Ransford to be Ensign of the 9th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Benjamin Fairweather to be Ensign of the company or trainband at the parish of Stratfield, in the 4th regiment in this Colony.

This Assembly do establish Mr. Samuel Filer to be Ensign of the 2d company or trainband in Windsor, in the first regiment.

This Assembly do establish Mr. Stephen Upson to be Lieutenant of the south company or trainband in Waterbury first society.

This Assembly do establish Mr. Jonathan Baldwin to be Ensign of the south company or trainband in Waterbury first society.

Whereas Col. John Chester, Col. Thomas Wells and Mr. Abner Moseley at the sessions of this Assembly in May last were appointed a committee to view the circumstances of the first and second societies in the town of Hartford, to the purpose of affixing and ascertaining of a rule or line for the division of said societies into school districts, and to make report to this sessions, and that said committee having never attended said business: It is therefore resolved by this Assembly, that the aforesaid gentlemen are now re-appointed to the same service as in said former appointment, and to make report to this Assembly in May next.

Upon the memorial of Frederick Curtiss of Canterbury, representing to this Assembly that in the [year] 1759 he belonged to the regiment of Connecticut forces commanded by Col. Fitch, that about the tenth of September in said year he was numbered with a scouting party under the command of Major Rogers to go from Crown Point against an Indian town called St. Francois, which town they destroyed, but afterwards in his return he was taken prisoner and detained in captivity till a flag of truce was prepared sometime in June last, conducted by Monsieur Bonneau, a French major, in which he was with about one hundred and twenty more prisoners brought to Crown Point and on the tenth of July last past got home again; praying this Assembly to make some allowance to him for his suffering and loss while detained in captivity as aforesaid, as by his memorial on file: Resolved by this Assembly, that the sum of fifteen pounds and ten shillings be granted unto said memorialist out of the public treasury of this Colony, and the Treasurer is hereby ordered to pay out the same to said Frederick Curtiss, taking his receipt therefor.

Upon the memorial of Hezekiah Johnson, of Mansfield in the county of Windham, administrator on the estate of Enoch Johnson late of said Mansfield, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the moveable estate of said deceased the sum of £103 13s. 6d. lawful money, for the payment of which sum said memorialist hath nothing in his hands, and praying for liberty and power to sell so much of the lands or real estate of said deceased as will be sufficient to pay said sum of £103 13s. 6d. lawful money with incident charges of such sale: Resolved by this Assembly, that the said Hezekiah Johnson, administrator as aforesaid, have liberty and liberty is hereby granted to him, to sell so much of the lands or real estate of said deceased as will be sufficient to pay said sum of £103 13s. 6d. lawful money with the charges of such sale; taking the direction of the court of probate for the district of Windham therein.

An Act for raising a certain Sum to be appropriated to the Erecting and Maintaining a Light-House near the Port of New London and for laying a Tax on Shipping for the Support thereof.

[336] Whereas sundry merchants and others, inhabitants of this Colony, have by their memorial represented the necessity of a Light-House to be erected and maintained at and near the port of New London, and praying for liberty of a lottery to raise monies for the building thereof,

*Be it therefore enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That liberty be and is hereby granted for a lottery for the raising of the sum of five hundred pounds to build a light-house at or near the port of New London, and also the sum of fifty pounds to defray the charge thereof by a deduction of twelve *per cent.* on the sale of the tickets in said lottery, and that Gurdon Saltonstall, Joseph Coit, Pygan Adams, Jeremiah Miller, Esq<sup>rs</sup>, and Capt. Matthew Talcott, Messrs. David Gardiner, Nathaniel Shaw, Joseph Chew and Thomas Mumford jun<sup>r</sup>, or any five of them, be and they are hereby appointed managers of said lottery, and that they be sworn to a faithful discharge of their trust, and that the said lottery be drawn under the inspection of John Richards and Daniel Coit, Esq<sup>rs</sup>, in New London, and that the said managers be allowed the aforesaid sum of fifty pounds for their trouble and expence in conducting the same.

*And it is further resolved by this Assembly,* That the above-said managers be and they are hereby appointed a committee to affix the place whereon to erect the said light-house, and also to receive into their hands the aforesaid sum of five hundred pounds, and go on to erect and build the same under the

care of any one of the said committee, and render an account thereof unto this Assembly when thereunto required; and when the said light-house is finished, they, or any three of them which shall be chosen by the said committee, are hereby appointed the overseers thereof and to procure a suitable person constantly to look after and tend the light and procure oil for the lamps in said light-house.

*And it is further enacted,* That after said light-house is finished and in such situation as to accommodate the navigation with a proper light, there shall be a tax laid on all shipping that shall be cleared out at any port in this Colony, (excepting vessels belonging to this Colony bound from the port of New Haven westward,) for the support and maintaining thereof, as followeth, that is to say: for each coasting vessel belonging to this Colony that shall clear out for any port or place between Philadelphia in Pensilvania and Portsmouth in New Hampshire, including all the ports in those Colonies, in burthen above ten tons and not more than thirty tons, the sum of one shilling and six pence; and for each coasting vessel above thirty tons and not more than fifty tons, the sum of two shillings; and for each coasting vessel above fifty tons and not more than seventy tons, the sum of two shillings and six pence, and so in proportion for coasting vessels of a larger burthen: and for each vessel that shall clear out as abovesaid for any port or place more remote than the said Colonies, above twenty tons and not more than fifty tons, the sum of four shillings and six pence; and for each vessel above fifty tons and not more than one hundred tons, the sum of six shillings, and so in proportion as they shall be larger.

*And it is further enacted,* That all vessels not belonging to this Colony which shall enter and clear at the said ports shall be subject to a tax double what is hereby laid on the navigation of this Colony, and in the same proportion of tonnage. Which tax becoming due as aforesaid shall from time to time be paid to and collected by the naval officer of the port where any such vessel shall be cleared out; which officers are hereby ordered and directed to pay the same to the said committee for the purpose aforesaid, deducting for their fees as they are allowed for collecting other duties.

Upon the memorial of Daniel Judson, administrator on the estate of Amos Hurd late of Woodbury, deceased, shewing to this Assembly that the debts due from the said estate (which hath appeared since the allowance of the Assembly in May last to sell real estate for the payment of debts) surmount the personal estate together with said allowance in May last the sum of three pounds four shillings and six pence lawful

[337] money; praying to this || Assembly for liberty to sell so much of the real estate of the said deceased as to make the said sum of £3 4s. 6*d.* together with the incident charges arising by said sale: Resolved by this Assembly, that the said administrator have liberty, and liberty is hereby granted unto him, to sell so much of the real estate of the said deceased as to make the sum of £3 4s. 6*d.* lawful money with the incident charges arising thereon; taking the direction of the court of probates for the district of Woodbury therein.

Upon the memorial of Nathan Williams, of Plainfield in the county of Windham, administrator on the estate of Samuel Williams late of said Plainfield, deceased, representing that the debts of said estate surmount the moveable part of said estate the sum of one hundred and sixty-two pounds and four pence; praying that so much of the real estate of the deceased might be sold as may be sufficient to answer said sum and incident charges, as by the memorial on file appears: Resolved by this Assembly, that so much of the real estate of the said deceased Samuel Williams be sold as will be sufficient to satisfy the sum of one hundred and sixty-two pounds and four pence with incident charges, for answering said debts and charges, and that the said administrator is hereby authorized to make sale thereof accordingly, taking the advice of the court of probate for the district of Plainfield therein.

Upon the memorial of Giles Yeomans of Stonington, administrator on the estate of Edward Yeomans of said Stonington, deceased, shewing to this Assembly that the debts due from said estate surmount the personal estate of the said deceased the sum of eighty pounds eleven shillings and three pence lawful money; praying for liberty to sell so much of the real estate of the said deceased as will raise said sum with the charges of sale &c., as per memorial on file: Resolved by this Assembly, that the memorialist have liberty and he is hereby empowered, to sell so much of the real estate of the said Edward Yeomans, deceased, as will raise the said sum of £80 11s. 3*d.* lawful money, with the incident charges arising on such sale; taking the direction of the court of probate in the district of New London therein.

Whereas the Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, Jabez Hamlin and William Wolcott, Esq<sup>rs</sup>, a committee appointed by act of this Assembly at their sessions in May in the 33d year of his present Majesty's reign, A.D. 1760, to repair to the first society in Woodstock, hear the parties in all their pleas, allegations and evidences touching their matters of difference, use their best endeavours to bring said contending parties to accommodate and make settlement of all such matters of differ-



ence, and of the true state of said society and the minister thereof respecting their present difficulties, and of their opinion thereon, to make report at this time, have reported that in pursuance of the above appointment and direction they have repaired to said first society in Woodstock and heard the parties on their matters of difference aforesaid, and have brought the said parties to an agreement to divide into two distinct ecclesiastical societies; which committee are of opinion that it is advisable that said agreement be ratified and confirmed according to the true intent and meaning thereof, in order to issue and final end to make of all differences and disputes subsisting between them; which agreement is in the words following, *viz*:

To the Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, Messrs. Jabez Hamlin, William Wolcott, Esq<sup>rs</sup>, a committee appointed by the Gen- [338] eral || Assembly in May last to repair to the first society of Woodstock in order to hear the contending parties there, to bring said parties to accommodate and make a settlement of all matters of difference subsisting between them &c.: We, the subscribers, appointed by said first society to represent said society before said committee touching said matters of difference &c., having considered the improbability of having said matters of difference settled while we remain in our present situation do, in behalf of ourselves and those we represent, in order to have peace restored and mutual love and friendship for the future subsist among us, and for the promoting as we hope both our spiritual and temporal interest, do come into the following agreement, which we desire said honourable committee to lay before the Hon<sup>ble</sup> General Assembly to be held at New Haven in October next, for their consideration and enforcing, *viz*: First, that all that part of said first society lying northerly of an east and west line dividing between the north and south proprieties be a distinct ecclesiastical society, with all the priviledges of such, which society so made and constituted to maintain and support the Rev<sup>d</sup> Mr. Stiles during his being and continuing to be their minister, according to the stipulations that have already been made or that such society may or shall hereafter enter into with him, and that the inhabitants of said north part pay to the said Mr. Stiles such of his said salary as after the expiration of the said Mr. Stiles's present yearly service in the ministry and until the abovesaid north part shall be made and constituted an ecclesiastical society as aforesaid shall become due, and that when such society shall be constituted as aforesaid that, notwithstanding the inhabitants of each society shall pay their taxes to such society to which they respectively

belong, according as by law is provided in such cases, yet any such person to have liberty to attend divine service and public worship in the other society to which they do not by such division belong as they choose, as that they shall not be accounted disorderly therein. (2.) That out of the money already granted and voted by said first society the said Mr. Stiles be paid his last year's salary with interest thereon ever since the same became due, on or before the first day of October next, and that his present year's salary, which will become due on the 7th day of August next, be paid him as soon as the suspension of said rates already granted be at an end and the same by law can be collected and paid, and the remainder of said taxes already granted by said society be appropriated for the payment of the charges of the above committee and other cost and expences arising relative thereto, and also for the payment of such charges and expences the late party, called the aggrieved party, have been at in procuring and maintaining preaching among themselves in the past times of difficulty aforesaid. (3.) As to the meeting-house now standing in said first society, it is further agreed that the said first society, *viz*: said south part, pay and refund to said north part after constituted a society as aforesaid, the sum of [339] one || hundred pounds, as their part and proportion of said meeting-house, *viz*: fifty pounds thereof when said north society shall have a meeting-house raised for said north society, and the other fifty pounds when such meeting-house shall be covered and inclosed, all in bills of this Colony then current. (4th.) It is also agreed that whenever and as soon as the General Assembly shall constitute said north part a society as aforesaid, said meeting-house standing in said first society shall be relinquished by such north society to said south society, so that neither said north part nor their said minister have any further right or challenge therein. (5.) That all the utensils &c. belonging to the church and communion table be equally divided between the said two societies, for the use they have been heretofore appropriated. All which we submit to be laid before the Hon<sup>ble</sup> the General Assembly in October next for their approbation and necessary acting thereon. In witness whereof we have hereunto set our hands this 10th day of July, A.D. 1760.

John May,	}	Committee.
Isaac Johnson,		
John Morss,		
Parker Morss,		
Nath <sup>l</sup> Child,		
Elisha Child,		

I, the subscriber, being the present pastor of said first society in Woodstock, do hereby manifest my free consent to the division of said society upon the terms above expressed, yet would not be understood to have the former covenant and agreement between me and said society any way altered or vacated until such division be accomplished. Abel Stiles,  
As per the report and agreement on file.

*Whereupon it is resolved by this Assembly,* That said report be accepted and approved, and the agreement therein referred to and above recited be and the same is hereby ratified and confirmed in all the parts and paragraphs thereof. And to that end,

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That all those inhabitants of the first society in Woodstock living northerly of an east and west line dividing between the north and south proprietaries be and hereby are erected, constituted and made a distinct ecclesiastical society, with all the priviledges, authorities and powers that other ecclesiastical societies by law are vested with, and shall be called and known by the name of North Woodstock, and that the Rev<sup>d</sup> Abel Stiles be and remain the present minister of said North Woodstock.

*And it is further resolved and enacted by the authority aforesaid,* That the said inhabitants of said North Woodstock shall and hereby are subjected as they in their above cited agreement have covenanted, to support and maintain the said Mr. Stiles as their minister during the time he shall continue so in the same manner as the said first society of Woodstock by their stipulation were obliged to do: and the said Mr. Stiles is hereby enabled to recover in the law of said inhabitants of North Woodstock all such sum or sums annually for his salary for the work of the ministry as he might or could have done of the inhabitants of the said first society by virtue of the stipulation between them.

*And it is further enacted by the authority aforesaid,* That the said Mr. Stiles and the inhabitants of said North Wood-  
[340] stock shall no more || have right to meet for divine worship in the meeting-house now standing in said first society, but the same shall quietly resign unto the inhabitants of said first society for their use and improvement for the purposes aforesaid, in consideration whereof the remaining inhabitants of said first society shall well and truly pay unto the said society of North Woodstock the sum of one hundred pounds stipulated to be paid them by the times in such stipu-

lation limited; and the said society of North Woodstock is hereby impowered to sue for and recover the same in the law, if need be.

*And it is further enacted by the authority aforesaid.* That all the utensils for the service of the communion table in the church in said first society shall be and hereby is ordered and directed to be equally divided between the remaining first society and the society of North Woodstock, as hath been mutually agreed they should be.

*And be it further enacted by the authority aforesaid,* That the said Mr. Stiles shall be paid his salary for his service the last year, which was payable on the 7th day of August last, out of the money already granted and voted by said first society, as soon as the same can be collected; and the collector or collectors of said rates are hereby ordered and directed to pay the same accordingly.

On the memorial of Nathaniel Bacon 2d, of Middleton, and Mary his wife, executors to the last will and testament of Mr. John Bartlet late of Middleton, deceased, shewing to this Assembly that the debts and charges &c. allowed by the court of probate for the district of Middleton against said estate surmount the moveable part of said estate the sum of twenty pounds nine shillings and three pence lawful money; praying for liberty to sell real estate &c.: Whereupon this Assembly grants liberty to the said memorialists to sell so much of the real estate of the said deceased as will procure the aforesaid sum of £20 9s. 3d. lawful money together with the incident charges arising on such sale; taking the direction of the court of probate for the district of Middleton therein.

On the memorial of David Goodrich and Thomas Belding jun<sup>r</sup>, administrators on the estate of Amos Belding late of Weathersfield, deceased, representing and shewing that there has been a further account of debts and charges due from the estate of said deceased (amounting to the sum of £18 11s. 9d. lawful money,) produced to and admitted by the court of probate for the district of Hartford, and praying allowance to make sale of the real estate of said deceased to answer the sum of the debts and charges aforesaid: This Assembly do substitute and appoint the said memorialists, (they obtaining advice of the said court of probate in the matter,) to make sale of so much of the real estate of the aforesaid Amos Belding, deceased, as may be sufficient to procure the aforesaid sum of £18 11s. 9d. lawful money, the amount of said debts and charges, (with the reasonable expence of transacting the

affair,) to be improved for the payment and satisfaction of the same.

On the memorial of John Clark and Abijah Hall, of Middleton in the parish of East Hampton, and the rest of the inhabitants of said parish, shewing to this Assembly that said [341] society are now but || about three thousand two hundred pounds on the public list, and that said society hath been at great expence and cost to settle a minister and build a meeting-house, and have raised said house and finished the outside, by which means the value of land is greatly inhanced, and that there is about 3500 acres of unimproved lands in said parish from the south part of said parish to half a mile north of the house of the heirs of James Cole that belongs to non-resident proprietors; praying for a tax of six pence per acre on all the unimproved lands of said non residents, proprietors within said bounds, to be improved for the finishing of said meeting-house and other parish charges, as per memorial on file: Resolved by this Assembly, that a tax of six pence on the acre be and it is hereby granted to be raised on all the unimproved lands in said society within the bounds aforesaid belonging to said non-resident proprietors, and that Mr. Silas Dunham of said parish be and he is hereby im- powered a collector to collect said tax, to be improved to finish said meeting-house; which collector shall have the same power and authority to collect said tax under the same direc- tions and restrictions as other collectors of society's rates and taxes are by the laws of this Colony.

*Resolved by this Assembly,* That the several sums hereafter expressed be paid out of the public treasury of this Colony to the several persons herein named, the same being in payment and satisfaction for keeping Robert Cromwell, a poor infirm person resident in Greenwich,

<i>viz:</i> To Doct. Mead.	£	3	14	0
To Nevil Conklin,		47	8	4
To Sam'l Ketcham,		18	10	0
To Peter Hugford,		37	11	3
To Jeremiah Anderson,		0	12	0

Amounting in the whole, £107 15 7, and that the Treasurer of this Colony is hereby ordered to pay the same accordingly.

*Resolved by this Assembly,* That his Hon<sup>r</sup> the Governor be desired to order the Treasurer of this Colony to attend on the Assembly as soon as may be, furnished with bills of this Colony sufficient for the purpose of paying off the wages of said Assembly.

On the petition of Earl Wright, of New Hartford in the county of Litchfield, *vs.* John Humphry, Esqr, of Symsbury in the county of Hartford, one of the proprietors of the common and undivided lands in said Symsbury, and the rest of the proprietors of the common and undivided lands in said town of Symsbury, as on file: The question was put, whether the pleas offered by the respondents in abatement of said petition are sufficient to abate the same: Resolved by this Assembly in the affirmative. *Cost allowed respondents is £1 11s. 6d. lawful money. Ex. gr. December 3d 1760.*

On the petition of Elisha Searl, of Coventry in the county of Windham, *vs.* Zebulon Babcock, otherwise called Zebulon Babcock of Sharon in the county of Litchfield, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative.

[342] On the petition of Henderson Inches, of Boston in the county of Suffolk in the Province of the Massachusetts Bay, as on file, *vs.* Freegrace Adams, of Suffield in the county of Hartford, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative.

On the petition of Normand Morison and Ann Morison his wife, both of Hartford in the county of Hartford, *vs.* Hezekiah Colyer of Hartford aforesaid, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative.

On the petition of Jonathan Hoadly, of Branford in the county of New Haven, *vs.* Jonathan Barker of Branford aforesaid, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative.

On the petition of Michael Judah, of Norwalk in the county of Fairfield, *vs.* Mary Ruscoe of the town of Norwalk aforesaid, widow, as on file: The question was put, whether the petitioner shall have the liberty of another tryal of his cause &c. as prayed for: Resolved in the negative.

On the petition of Elisha Wadsworth, of Hartford in the county of Hartford, *vs.* Daniel Smith, of Granville in the county of Hampshire in the Province of the Massachusetts Bay, (late called Daniel Smith jun<sup>r</sup> of East Haddam in the county of Hartford,) as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost granted respondent £3 10 4 L. money. Ex. granted May 17th 1763.*

Granted to his Honour the Governor one hundred pounds, for his salary for the last half year of the current year, and the Treasurer of this Colony ordered to pay the same accordingly.

Granted to his Honour the Governor fifty pounds, for his extraordinary service the first half of the current year, and the Treasurer of this Colony is ordered to pay the same accordingly.

Granted to his Honour the Deputy Governor fifty pounds, for his salary for the last half of the current year, and the Treasurer of this Colony is ordered to pay the same accordingly.

*Ordered,* That the Treasurer of this Colony pay out of the public treasury to the Hon<sup>ble</sup> Thomas Fitch, Esq<sup>r</sup>, Governor, the sum of seventy pounds, for his service in drawing bills of exchange on the Agent for the sum of twenty-two thousand pounds sterling, pursuant to the direction of the General Assembly at their session in October 1759.

*Resolved by this Assembly,* That the Treasurer of this Colony pay, and he is hereby ordered to pay, out of the Colony treasury to Mr. Timothy Green, printer, the sum of £16 18s. 6d., for his last half-year's salary and expences in transmitting the laws &c. to the several counties.

[343] Whereas on the memorial of John Wood &c. proprietors of Groton, preferred to the General Assembly in May last, representing the great difficulties and controversies subsisting between them and the Pequot Indians, respecting the Mashantuxets lands, John Chester, Jabez Hamlin and Seth Wetmore, Esq<sup>rs</sup>, were appointed a committee to hear, examine and report respecting said controversies; and whereas the said committee have entered upon said business, but by reason of the length and intricacy of said affair are not able to compleat and return their report to this Assembly: It is therefore resolved by this Assembly, that the said committee's power be continued, that they have liberty and authority to make their report &c. in the premises to this Assembly in May next; and the farther consideration of said memorial is also referred to said Assembly to be held in May next.

*It is resolved,* That such petitions, memorials and other business now lying before this Assembly not finished and determined be referred and the same are hereby referred to the consideration of this Assembly in May next.

This Assembly appoints John Chester, Thomas Wells and Daniel Edwards, Esq<sup>rs</sup>, Col. Joseph Pitkin, Mr. John Led-

yard, Mr. William Wolcott and Mr. Elisha Williams, to attend his Honour the Deputy Governour at Hartford, to hear the acts and doings of this Assembly publicly read and see the same signed by the Secretary as perfect and compleat.

*Teste*, GEORGE WYLLYS, Secret'y.

[344] *Anno Regni Regis Georgii tertii primo.* \*

AT A GENERAL ASSEMBLY OF THE GOVERNOR AND COMPANY OF HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA HOLDEN AT NEW HAVEN IN SAID COLONY (BY SPECIAL ORDER AND APPOINTMENT OF THE GOVERNOR OF SAID COLONY) ON THE TWENTY-SIXTH DAY OF MARCH, ANNOQUE DOMINI 1761.

*Present :*

The Honourable Thomas Fitch, Esq<sup>r</sup>, *Governor*.

The Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, *Deputy Governor*.

Roger Newton,	Benjamin Hall,	} Esq <sup>rs</sup> , Assistants.
Ebenezer Silliman,	Daniel Edwards,	
Jonathan Trumble,	Jabez Hamlin,	
Hezekiah Huntington,	Matthew Griswold,	
Andrew Burr,	Shubael Conant,	
John Chester,		

*Representatives or Deputies who attended this Assembly are as follows, viz :*

Col. Joseph Pitkin, Mr. John Ledyard, for Hartford.

Col. John Hubbard, Mr. John Whiting, for New Haven.

Capt. Jeremiah Miller, Capt. Pygan Adams, for New London.

Mr. David Rowland, Mr. David Burr jun<sup>r</sup>, for Fairfield.

Capt. Samuel Murdock, for Windham.

Capt. Elisha Sheldon, Col. Ebenezer Marsh, for Litchfield.

Capt. Jabez Huntington, Mr. Daniel Lothrop, for Norwich.

Col. David Whitney, Mr. Charles Burril, for Canaan.

Mr. William Blodget, Capt. Moses Tyler, for Preston.

Mr. Caleb Jewit, for Sharon.

Mr. Roger Sherman, Mr. Bushnel Bostwick, for New Milford.

Capt. John Strong, Capt. Jared Lee, for Farmington.

Capt. Isaac Kellogg, Mr. Martin Smith, for New Hartford.

Capt. Thomas Stevens, for Plainfield.

Mr. Samuel Craft, Mr. Jonathan Dresser, for Pomfret.

\* King George the second died October 25th, 1760. George the third was proclaimed King at New Haven January 22d, 1761.



- Mr. Thomas Matthews, Mr. John Lewis, for Waterbury.  
 Mr. Samuel Fitch, Mr. Joseph Platt, for Norwalk.  
 Mr. Jonathan Wells, for Glassenbury.  
 Mr. Comfort Starr, for Danbury.  
 Capt. Obadiah Johnson, Mr. John Curtis, for Canterbury.  
 Mr. Abraham Davenport, Capt. Charles Webb, for Stamford.  
 Mr. David Strong, Capt. Joel White, for Bolton.  
 Capt. John Fowler, Mr. Robert Treat, for Milford.  
 Mr. Zebulon West, Capt. Joshua Wills, for Tolland.  
 Mr. Nathan Johnson, for Stafford.  
 Capt. Hezekiah Whittlesey, Capt. John Murdock, for Say-  
 brook.  
 Mr. Joseph Strong jun<sup>r</sup>, Mr. Phineas Strong, for Coventry.  
 Mr. Daniel Booth, Mr. Jonathan Booth, for Newtown.  
 [345] Capt. Joshua West, Mr. William Williams, for Leb-  
 anon.  
 Mr. Edward Collins, Mr. Nathaniel Terry, for Enfield.  
 Mr. Isaac Johnson, Mr. Ebenezer Smith jun<sup>r</sup>, for Woodstock.  
 Mr. Samuel Olmsted, for Ridgfield.  
 Capt. Theophilus Morgan, Mr. Benjamin Gale, for Killings-  
 worth.  
 Capt. Samuel Danielson, for Killingly.  
 Mr. Daniel Sherman, Col. Benjamin Hinman, for Woodbury.  
 Capt. Samuel Moor, for Salisbury.  
 Mr. Samuel Nash, Mr. Samuel Pettibone, for Goshen.  
 for Symsbury.  
 Mr. John Phelps, for Hebron.  
 Col. Elihu Chauncey, Capt. James Wadsworth, for Durham.  
 Mr. Charles Whittlesey, Capt. Samuel Hulls, for Wal-  
 lingford.  
 Mr. William Wolcott, Capt. Josiah Bissell, for Windsor.  
 Mr. Seth Wetmore, Mr. Matthew Talcott, for Middleton.  
 Mr. Daniel Brainard jun<sup>r</sup>, for East Haddam.  
 Capt. Richard Wait, for Lyme.  
 Mr. Joseph Sexton, for Somers.  
 Capt. Samuel Basset, Capt. James Wheeler, for Derby.  
 Col. Timothy Stone, Mr. Edmond Ward, for Guilford.  
 Col. Robert Walker, Mr. Ichabod Lewis, for Stratford.  
 Capt. Jabez Sherwood, for Greenwich.  
 Capt. Elisha Williams, for Weathersfield.  
 Mr. Simeon Minor, Capt. John Dennison, for Stonington.  
 Capt. Robert Geer, for Groton.  
 Mr. James Barker, Capt. William Hoadly, for Branford.  
 Mr. William Hall, Mr. Timothy Metcalf, for Mansfield.  
 Mr. Jabez Swift, Mr. Nathan Eliot, for Kent.

Capt. Elijah Worthington. Mr. Dudley Wright, for Colchester.

Capt. Samuel Kent, Mr. William King, for Suffield.

Mr. Hezekiah Brainard, for Haddam.

Mr. Amos Babcock, Capt. Jedidiah Fay, for Ashford.  
for Voluntown.

Mr. Daniel Catling, for Harwington.

Capt. Jabez Huntington, Speaker } of the House

Mr. Abraham Davenport, Clerk } of Representatives.

An Act for raising in this Colony by Enlistments twenty-three hundred Men including Officers and for giving Directions concerning them in Consequence of his Majesty's Orders relative to the Services of the current Year and for making Provisions to defray the Charges arising thereby.

Whereas his Honour the Governor hath laid before this Assembly a letter lately received from the Right Hon<sup>ble</sup> William Pitt, one of his Majesty's principal Secretaries of State, bearing date 17th December 1760,\* signifying his Majesty's having it much at heart to prosecute the war with vigour, in order to reduce the enemy to accept of peace on terms of glory and advantage to his crown and beneficial in particular to his subjects in America, and that to contribute to this great and essential object the King's pleasure is to employ such part of the regular forces in North America as may be adequate to some great and important enterprize against [346] the enemy: the better to provide for the || security of his dominions and the possession of his conquest in America during their absence, that this Colony raise two-thirds the number of men they furnished for the last campaign, to be employ'd as his Majesty's Commander-in-Chief shall judge most conducive to the King's service. And whereas altho' this Colony is much weakened and exhausted in strength and treasure by its vigorous exertion in several former campaigns, yet still zealous for his Majesty's service and animated with the agreeable prospect that the future safety and welfare of his Majesty's dominions in America may be finally fixed in this promising and decisive crisis, and humbly and firmly relying on his Majesty's gracious encouragement for a proper compensation of our expences incur'd by this further exertion of our strength for his service in this important conjuncture:

*This Assembly doth therefore enact and resolve, and it is hereby enacted and resolved, That all necessary provision be made for levying, cloathing and paying twenty-three hundred able-bodied and effective men, officers included, to be raised by enlistments with all possible dispatch within this Colony. to*

\* Printed in *New York Colonial Documents*, VII, 452; *R. I. Colonial Records*, VI, 262.

march to such place or places in North America as his Majesty's Commander-in-Chief shall appoint, to be employed under the supreme command of his Majesty's said Commander-in-Chief in America in such manner as he shall judge most conducive to the King's service, in order the better to provide for the full and entire security of his Majesty's dominions in North America, and particularly of the possession of his Majesty's conquest there. during the absence of such part of the regular forces as may be adequate to some great and important enterprize which the King may have formed against the enemy.

That the said twenty-three hundred men to be raised as aforesaid shall be divided and formed and the same are hereby ordered to be formed into two regiments, each regiment to consist of twelve companies; and that for each regiment be appointed one colonel, one lieutenant-colonel, one major, one chaplain, one surgeon and one surgeon's mate, an adjutant, a quarter-master, an armourer and an armourer's mate, a sergeant-major and a drum-major; and for each company one captain, two lieutenants, one ensign, four sergeants, four corporals, a drummer and a clerk, and that each of the field officers have also the command of a company as captain thereof. And the Governor or Commander-in-Chief is desired as soon as may be, to give orders to the several inlisting officers to raise by inlistments with the utmost dispatch the levys for filling up and compleating the respective regiments and companies for the purpose aforesaid, and that especially as his Majesty's commands signified in the letter of his Secretary as aforesaid have unhappily failed to arrive till the season is now far advanced.

*And, to induce both officers and men chearfully voluntarily and speedily to engage and inlist in this service, this Assembly doth resolve and grant, That each enlisting officer shall receive for every able-bodied man by him enlisted who shall pass muster, the sum of five shillings as a reward for that service and expence therein, and that every able-bodied man, as well non-commission officer as private soldier, who hath been in the service in either of the former campaigns during the present war, who shall voluntarily inlist for this service in either of the regiments aforesaid and shall provide himself with suitable cloaths, a powder-horn and shot-bag, to the acceptance of the muster-master, shall on his being mustered be intituled to receive the sum of eleven pounds in bills of this Colony; and every other able-bodied man who shall voluntarily inlist into the service as aforesaid and shall furnish*

himself with cloathing &c. as aforesaid, on his being mustered shall be intituled to receive as a bounty the sum of seven pounds in bills as aforesaid; and each man inlisting on either of said encouragements shall be paid as a further bounty thirty-five shillings, bills as aforesaid, for the purpose of pro-[347] curing a lapelled coat for said || service. And in case any shall not properly furnish himself with all the articles aforesaid, his captain shall supply him or them therewith out of the said wages and bounty and then pay him or them the remainder, if any be. And for a further encouragement to both officers and soldiers, they and each of them shall receive a blanket and knapsack suitable for the service, to be delivered in the most convenient place or places, and shall have one month's pay advanced before they march out of the Colony.

*And be it further resolved and enacted,* That the pay of both officers and private soldiers in the ensuing campaign shall be the same as was fixed and stated for the last, according to the ranks they shall respectively sustain: such pay to begin on the day of their engaging or inlisting in the service, and to continue during their continuance therein. And that they shall be discharged from the same as soon as his Majesty's service will admit, and not be holden beyond the last day of November next. And his Honour the Governor is desired to issue his proclamation for acquainting them with the several encouragements given for inducing men to engage and enter into this great and salutary service for their King and country.

And whereas large sums of money will be necessary for the purposes aforesaid, which the public treasury exhausted by the large expences occasioned in several late campaigns is wholly unable at present to supply: Therefore,

*Be it further enacted,* That there be forthwith imprinted the sum of forty-five thousand pounds in bills of credit on this government equal to lawful money, of suitable denominations from nine pence to forty shillings, as the committee herein appointed shall direct, and of the same tenor of the emissions of bills of credit of this Colony, with interest at five *per cent. per annum*, payable at or before the 26th day of March 1766, dated the day of the session of this Assembly. And the Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, John Chester, George Wyllys and Daniel Edwards, Esq<sup>rs</sup>, or any three of them, are appointed a committee for the purpose aforesaid, and to take care that said bills be printed with all convenient speed, and to sign the same and deliver over to the Treasurer, taking his receipt therefor. And the said committee shall be sworn to

a faithful discharge of their said trust. And the Treasurer is hereby directed to pay out all the aforesaid bills with the interest computed thereon according to the orders of this Assembly.

And for providing and establishing an ample and sufficient fund to call in, sink and discharge the aforesaid sum of forty-five thousand pounds, according to an act of Parliament made in the 24th year of his late Majesty's reign, entitled An act to regulate and restrain paper bills of credit in his Majesty's Colonies of Rhode Island and Providence Plantations, Connecticut, the Massachusetts Bay and New Hampshire in America, and to prevent the same being legal tenders in payment of money,

*Be it enacted*, That a tax of five pence on the pound be and is hereby granted and ordered to be levied on all the polls and rateable estate in this Colony according to the list thereof to be brought in to this Assembly in October 1762, with the additions, which shall be collected and paid into the treasury of this Colony by the last day of December 1763; and also that a tax of seven pence on the pound be and is hereby granted and ordered to be levied on all the polls and rateable estate in this Colony according to the list thereof to be brought in to this Assembly in October 1764, with the additions, which shall be collected and paid into the treasury of this Colony by the last day of December 1765; which taxes may be discharged by paying the bills emitted by this act or lawful money, and no otherwise. And the Treasurer of this Colony is hereby directed and ordered to send forth his warrants for collecting the aforesaid taxes accordingly.

[348] And whereas || this Assembly humbly relies on a reimbursement of the charges arising from this present intended expedition, in consequence of his Majesty's royal encouragement to recommend the same to Parliament, and the money therefor may be expected before the time appointed for collecting the taxes aforementioned: Therefore,

*Be it enacted by the authority aforesaid*, That in case a sum sufficient for sinking and discharging the bills emitted by this act shall be reimbursed and shall arrive from Great Britain and be lodged in the treasury of this Colony, or shall be otherwise paid before the Treasurer shall have been obliged according to the direction of this act to send out his warrants to collect the taxes aforesaid, then and in that case the same shall be and is hereby appropriated for sinking and discharging the bills aforesaid, and the Treasurer is hereby directed to govern himself and pay out the same accordingly,

and the taxes which otherwise by this act before ordered to be collected are hereby made null and void.

And whereas a further supply of the treasury is necessary to be made, in order to pay the men raised on the present occasion upon their return: Therefore this Assembly grants and orders a rate or tax of four pence on the pound on all the polls and rateable estate in this Colony according to the list thereof brought into this Assembly in October last with the additions, to be collected and paid by the last day of December next in lawful money or bills of credit of this Colony, and the Treasurer is hereby directed to send out his warrants accordingly.

*And it is further resolved and ordered,* That whenever any paymaster of the money due on settlement of any pay-roll of any of the companies employ'd in the service of the current year shall have obtained order on the Treasurer therefor and the same exhibited for payment, the Treasurer may on sight make out orders on the constables collectors of the public tax in such town or towns whence the soldiers named in such rolls were collected, or that may be most convenient to facilitate the payment to be made, to such paymaster or his order in such town or towns to the amount of such pay-roll, or such part thereof as shall be needful, which orders such collectors are directed to answer in such manner as may be most practicable and satisfactory. And the Treasurer is also directed to keep clear accounts of all such orders, and see that each constable either by money or return of such orders duly discharged seasonably settle and make up his accounts with him according to law.

This Assembly do appoint Phineas Lyman, Esq<sup>r</sup>, to be Colonel of the first regiment in the forces to be raised in this Colony for the service of the current year.

This Assembly do appoint Nathan Payson, Esq<sup>r</sup>, to be Lieutenant-Colonel of the first regiment in the forces to be raised in this Colony for the service of the current year.\*

This Assembly do appoint John Durkee, Esq<sup>r</sup>, to be Major of the first regiment in the forces to be raised in this Colony for the service of the current year.

This Assembly do appoint Nathan Whiting, Esq<sup>r</sup>, to be Colonel of the second regiment in the forces to be raised in this Colony for the service of the current year.

This Assembly do appoint James Smedley, Esq<sup>r</sup>, to be

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\*Lt. Col. Nathan Payson died at Hartford April 17, 1761, in his 41st year. His place was supplied by Israel Putnam, who had been nominated by the Lower House as Lt. Colonel of the 2d regiment. *War*, ix, 120.

Lieutenant-Colonel of the second regiment in the forces to be raised in this Colony for the service of the current year.

This Assembly do appoint David Baldwin, Esq<sup>r</sup>, to be Major of the second regiment in the forces to be raised in this Colony for the service of the current year.\*

This Assembly do appoint Phineas Lyman, Esq<sup>r</sup>, Colonel of the first regiment, and Captain, Seth King Captain-Lieutenant,† Elihu Humphry Lieutenant, Ozias Bissell Ensign, of the first company.

[349] Nathan Payson, Lieutenant-Colonel, and Captain. John Thacher 1st Lieutenant, David Andruss 2d Lieutenant, Josiah Clark Ensign, of the 2d company.

John Durkee Major, and Captain, Jehiel Peck 1st Lieutenant, John Griswold 2d Lieutenant, Elihu Hide Ensign. of the 3d company.

John Patterson Captain, Solomon Wills 1st Lieutenant, Francis Hollister 2d Lieutenant, Jonathan Robbins jun<sup>r</sup> Ensign, of the 4th company.

John Stanton Captain, William Roe Miner 1st Lieutenant, James Brown 2d Lieutenant, William Dennison jun<sup>r</sup> Ensign, of the 5th company.

Timothy Hierlehey Captain, Jonathan Johnson 1st Lieutenant, Stephen White 2d Lieutenant, William Thompson Ensign, of the 6th company.

David Parsons Captain,‡ John Ordoway 1st Lieutenant, John Strong jun<sup>r</sup> 2d Lieutenant, Joseph Booth jun<sup>r</sup> Ensign, of the 7th company.

Zebulon Butler Captain, James Chapman jun<sup>r</sup> 1st Lieutenant, Fithin Sill 2d Lieutenant, Isaac Thompson Ensign, of the 8th company.

John Ellsworth jun<sup>r</sup> Captain,§ Levi Wells 1st Lieutenant, Moses Hall 2d Lieutenant, James Sparrow Ensign, of the 9th company.

Robert Durkee Captain, Josiah Smith 1st Lieutenant, William Cleveland 2d Lieutenant, Thomas Knowlton Ensign, of the 10th company.

Hugh Ledlie Captain, Peter Levens 1st Lieutenant, Josiah Morse 2d Lieutenant, Samuel Mott Ensign, of the 11th company.

John Spaulding Captain, Hezekiah Smith 1st Lieutenant,

\* Moses Park was quarter-master of the first regiment and Daniel Moulton of the second. *War*, ix, 220, 223.

† Roger Enos served as captain-lieutenant of this company and adjutant of the regiment. *War*, ix, 217.

‡ Seth King served as captain of this company. *War*, ix, 210.

§ Giles Wolcott served as captain of this company. *War*, ix, 193.

Elijah Sharp 2d Lieutenant, John Smith jun<sup>r</sup> Ensign, of the 12th company.

Nathan Whiting, Esq<sup>r</sup>, Colonel of the second regiment, and Captain, Abraham Foot Captain-Lieutenant, Joel Munson jun<sup>r</sup> Lieutenant, Samuel Adams Ensign, of the 1st company.

[350] James Smedley, Esq<sup>r</sup>, Lieutenant-Colonel, and Captain, Noble Benedict 1st Lieutenant. Abel Prindle 2d Lieutenant, Stephen Thorp Ensign, of the 2d company.\*

David Baldwin, Esq<sup>r</sup>, Major, and Captain, James Arnold 1st Lieutenant. Daniel Chatfield 2d Lieutenant, John Perrit Ensign. of the 3d company.

Samuel Whiting Captain, Nathan Tibbalds 1st Lieutenant, Anthony Carpenter 2d Lieutenant, James Stewart Ensign, of the 4th company.

Eldad Lewis Captain.† Josiah Stow 1st Lieutenant, Abner Curtice 2d Lieutenant, Oliver Welton Ensign, of the 5th company.

Thomas Hobby Captain, Jabez Hall 1st Lieutenant, Moses Smith jun<sup>r</sup> 2d Lieutenant, Joseph Stebbins Ensign, of the 6th company.

Amos Hitchcock Captain, Daniel Griswold 1st Lieutenant, Timothy Percival 2d Lieutenant, Theophilus Redfield Ensign. of the 7th company.

Azel Fitch Captain, David Woodward 1st Lieutenant, Eliphalet Wells 2d Lieutenant. Thomas Sumner Ensign. of the 8th company.

Thomas Pierce Captain, Abraham Tyler jun<sup>r</sup> 1st Lieutenant, Abner Hill 2d Lieutenant, Abraham Sherman Kimberly Ensign, of the 9th company.

Samuel Elmor Captain, Ashbel Humphry 1st Lieutenant, Samuel Hide 2d Lieutenant, Jesse Stephens Ensign, of the 10th company.

Archibald MacNeale Captain, Isaac Morse 1st Lieutenant, Ely Catling 2d Lieutenant, Reuben Bostwick Ensign, of the 11th company.

Joseph Hoit Captain, Levi Taylor 1st Lieutenant, Abraham Merwin 2d Lieutenant, Matthew Mead Ensign, of the 12th company, in the forces now ordered to be raised for the service of the ensuing campaign, and desire they may be commissioned accordingly. And in case any of the above-named persons shall refuse, his Honour the Governor is hereby desired to supply such vacancy and give commissions accordingly.

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\* Benjamin Summers served as 2d lieutenant and David Rumsey as Ensign of this company. *War*, ix, 215.

† Jabez Thompson served as captain of this company. *War*, ix, 194.



[351] This Assembly do appoint the Rev<sup>d</sup> George Beckwith of Lyme Chaplain of the first regiment, the Rev<sup>d</sup> Mark Levingsworth of Waterbury Chaplain of the 2d regiment,\* in the forces to be raised in this Colony for the service of the current year.

This Assembly do appoint Mr. Gideon Wells of Fairfield Surgeon, Mr. Philip Turner of Norwich Surgeon's Mate, of the first regiment; Mr. Gershom Dorrance of Voluntown Surgeon, Mr. Jonah Todd of New Milford Surgeon's Mate,† of the second regiment, in the forces to be raised in this Colony for the service of the current year.

This Assembly do appoint Hezekiah Huntington, Jabez Hamlin, John Hubbard, and Theophilus Nichols, Esq<sup>rs</sup>, Commissaries to provide blankets, knapsacks, hospital stores and other things proper for them to provide for the forces ordered by this Assembly to be raised for his Majesties service the current year: and the Committee of the Pay-Table are hereby ordered to draw on the Treasurer of this Colony for such sums of money as shall be necessary for the purposes abovesaid.

An Act for securing of Soldiers listed and taken into his Majesties Service from Arrests.

Whereas a number of troops may be raised in this Colony for his Majesty's service who may be liable to be taken out of such service by unjust or fraudulent arrests, whereby his Majesty and the public may be deprived of their service: Which to prevent,

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That no person whatsoever, who is duly enlisted or shall so list and enter himself a volunteer or shall be impressed into his Majesty's service during the continuance of this act, shall be liable to be taken out of his Majesty's service by any process or execution other than for some criminal matter, unless for a real debt or other just cause of action arisen before their entry into such service, and unless before the taking out of such process or execution, not being for a criminal matter, the plaintiff or plaintiffs therein, or some other person or persons on his or their behalf, shall make oath before the authority or officer granting such process or execution, who are empowered to administer the same, or before some other proper authority, that to his or their knowledge the original sum justly due or owing to the plaintiff or

\* Rev. William Cooke, Y. C. 1747, served as chaplain of this regiment and died in service. *War*, ix, 218.

† Nehemiah Clark served in this office. *War*, ix, 221.

plaintiffs from the defendant or defendants in the action or cause of action on which such process or execution shall issue amounts to the value of ten pounds sterling at least, a memorandum of which affidavit shall be entered on the back of such process or execution. And if any person shall be arrested contrary to the intent of this act, it shall and may be lawful for any one Assistant and one justice, or two justices (*quorum unus*,) upon complaint made thereof by the party himself or by any of his superior officers, to examine into the same by the oath of the parties or otherwise, and by warrant under their hands to discharge such soldier so arrested contrary to the intent of this act, upon due proof made before them that such soldier so arrested was legally inlisted or impressed as a soldier into his Majesty's service and arrested contrary to the intent of this act, and to award reasonable costs to the party complaining, and grant execution therefor accordingly.

*Provided nevertheless*, That nothing in this act shall be construed to extend to prohibit or hinder any process or execution going out against the estate of such soldiers in due form of law.

This Act to continue in force till the end of the sessions of this Assembly in October next.

[352] Whereas it is represented to this Assembly by sundry of the soldiers who served in the last campaign in the pay of this Colony, that the sutlers or traders who attended the regiments raised by this Colony demand exorbitant prices for such articles as they delivered to the soldiers in the army; that sundry law-suits have been and many more are likely to be commenced against the soldiers for recovery of said demands, by which the soldiers are liable to be greatly distressed unless said accounts be settled in a more summary way; praying for relief &c., as per memorial on file:

*Resolved by this Assembly*, That the sutlers or traders who attended the troops of this Colony in the last campaign be notified to appear before the General Assembly of this Colony to be holden at Hartford on the second Thursday of May next, to shew reason, if any they have, why their said accounts should not be examined in some proper manner and a just and reasonable price be fixed for each kind of article in their said accounts before payment thereof be made.

*It is also further resolved by this Assembly*, That all suits that are or may be commenced, relative to the matters aforesaid, shall be continued or adjourned till after the sessions of this Assembly in May next; and that the Secretary of this Colony is

hereby directed to cause a copy of this resolve to be published in the public news-papers at New Haven and New London, which publication shall be sufficient notice to said sutlers or traders to appear accordingly.

This Assembly doth appoint Col. Samuel Talcott to be of the Committee of the Pay-Table, in the room of Joseph Buckingham, Esqr, deceased.

This Assembly do appoint Daniel Edwards, Esqr, to be Judge of the Court of Probate for the district of Hartford until the first day of June next.

This Assembly advise and desire his Honour the Governor, as early as may be, make public his Majesty's most gracious proclamation for encouragement of piety and virtue and the suppression of vice and immorality, and therewith issue his proclamation, earnestly and strictly enjoyning and enforcing all persons to exert themselves to the same great and important purpose throughout this Colony: especially ordering and directing the reading thereof in all our ecclesiastical societies on the Sabbaths next preceding the first Mondays in the months of January and June annually.

*Resolved by this Assembly,* That the books of Heads of Agreement and Articles of Discipline &c., called the Saybrook Platform, in the hands of Mr. Timothy Green of New London, printer, according to the act of the General Assembly in October 1759, be distributed and sent to each and every of the towns in this Colony in proportion to their several lists in the year 1760, and that Pygan Adams and Jeremiah Miller, Esqrs, of New London, be appointed and they are hereby impowered and desired, to proportion said books as aforesaid, and bind up each town's proportion in a several bundle, and severally fix thereon the name of the town to which it belongs and number of books therein contained, and use their endeavour that in the easiest manner each town receive their proportion, either by delivering them immediately according to the order of such town, or by sending them to the sheriffs of the several counties whereto such towns belong, to be by such sheriffs delivered out to such towns or their order.

[353] This Assembly considering the extraordinary price foreign coins now bear in England, and also that the demand for and value of bills of exchange have of late greatly increased here, find it will be more for the interest and advantage of this Colony that the whole of the money granted and that is or may be paid this Colony on account of the services

done in the year 1759, be lodged in some secure bank in London, to be drawn out by bills of exchange, than that part thereof should be sent over in specie pursuant to the directions contained in a resolve of the General Assembly of this Colony held in October last: Whereupon it is resolved by this Assembly, that Richard Jackson and Jared Ingersoll, Esq<sup>rs</sup>, Agents for this Colony who are inpowered joyntly or severally to receive all such money as is granted and is or may be distributed and ordered to be paid this Colony on account of the aforesaid services, be and they or either of them are hereby directed, (the aforesaid resolve of the Assembly in October last notwithstanding,) on receipt of such money to lodge the whole thereof in some secure bank in London for safety, in the name and for account of this Colony, to be drawn out by the Agent or Agents for this Colony for the time being, and by the first good opportunity to inform thereof. And they or either of them are further directed to pay out of the same all such bills of exchange as may be drawn on them or either of them by his Honour the Governor in favour of any person or persons whomsoever.

Whereas it was resolved by this Assembly in October last that seventeen thousand pounds sterling of the money granted and that is or may be distributed and paid to this Colony for the services done in the year 1759, should when received by the Agent or Agents of this Colony be sent over to the Colony in specie: And whereas this Assembly in said October appointed the Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, John Chester and George Wyllys, Esq<sup>rs</sup>, a committee, they or any two of them, to sell seventeen thousand pounds sterling of the money granted for the services aforesaid for the full value thereof in silver, gold, or bills of credit of this Colony emitted by act of Assembly in March 1759, to any person or persons that should appear to pay the value thereof as aforesaid into the treasury of this Colony:

*It is now further resolved by this Assembly,* That upon certain intelligence being had that said money is received by the Agent or Agents of this Colony in England, and that notice of a resolve of this Assembly passed at the present session directing said Agents on receipt of such money, (the aforesaid resolve in October notwithstanding,) to lodge the whole thereof in some secure bank in London for safety, in the name and for account of this Colony, hath been received by said Agents before they have shipped and sent away the money ordered to be sent in October last, as aforesaid, the aforesaid committee shall sell thirty-four thousand pounds sterling of

said money, inclusive of the seventeen thousand pounds ordered to be sold in October last as aforesaid, in manner and form as is directed by the said act of this Assembly in that case made, made in October last; and his Honour the Governor is hereby desired and fully impowered to draw proper bills of exchange on the said Agents, or either of them, in favour of such purchaser or purchasers for such sum or sums purchased as aforesaid accordingly.

Upon the memorial of Peter Finch, of Stamford in the county of Fairfield, shewing to this Assembly that he listed in the provincial forces of this Colony the last campaign, under [354] the command of Capt. || Thaddeus Mead, and went with said forces as far as Oswegatchie, where sometime in August last he being in the trenches had his right hand shot off by a ball shot from the enemies cannon, by means of which he is wholly rendered unable to perform any common labour, having lost the use of his said hand, and that he hath but a very small interest to relieve him under his lame and difficult circumstances; praying this Assembly to grant him some proper help and assistance, in some measure to compensate the loss he hath thus unhappily sustained: This Assembly doth grant to the said memorialist fifty pounds, to be paid out of the public treasury unto James Finch of Stamford aforesaid, (guardian to the said memorialist,) for the use of the said memorialist; and the Treasurer of this Colony is ordered to pay the same accordingly.

Upon the memorial of Thankful Parker of Wallingford, administratrix of the estate of Eliphalet Parker late of said Wallingford, deceased, shewing that the debts, charges &c. allowed by the court of probate for the district of New Haven due from said estate surmount the moveable estate the sum of £18 1s. 2½*d.*; praying to be impowered to sell real estate to pay the same: Resolved by this Assembly, that the memorialist be and she is hereby impowered to sell so much of the real estate of the said Eliphalet Parker, deceased, as shall be sufficient to pay said sum of £18 1s. 2½*d.* lawful money, together with the incident charges of such sale; taking direction of the court of probate for the district of New Haven therein.

Upon the memorial of Jedidiah Harris, of Saybrook in New London county, administrator on the estate of Stephen Harris late of said Saybrook, deceased, representing to this Assembly that the debts due from the estate of said deceased, together with charge of administration, surmount the inventory of the personal estate of said deceased the sum of £92 0s. 0*d.*



- Mr. Abraham Davenport, Capt. Charles Webb, for Stamford.  
Major Daniel Ely, Mr. John Lay 2d, for Lyme.  
Capt. Isaac Kellogg, Mr. Martin Smith, for New Hartford.  
Mr. Thomas Matthews, Mr. John Lewis, for Waterbury.  
Mr. John Everts, Capt. Josiah Stoddard, for Salisbury.  
Capt. Theophilus Morgan, Capt. Elnathan Stevens, for Killingworth.  
Mr. Ebenezer Smith, for Woodstock.  
Capt. Benjamin Sumner, Mr. Elijah Whiton, for Ashford.  
Mr. Samuel Fitch, Mr. Joseph Platt, for Norwalk.  
Mr. Comfort Starr, Mr. Thomas Benedict, for Danbury.  
Capt. Benjamin Wheeler, Mr. Thomas Gates, for Plainfield.  
Mr. Jonathan Dresser, Mr. Samuel Craft, for Pomfret.  
Capt. Samuel Kent, Mr. William King, for Suffield.  
Mr. Andrew Stevens, for Canaan.  
Capt. Abel Gun, Capt. Samuel Bassett, for Derby.  
Mr. Zebulon West, Mr. Elisha Steel, for Tolland.  
Mr. John Wilford, Mr. James Barker, for Branford.  
Mr. Joseph Strong junr, Mr. Phineas Strong, for Coventry.  
Col. Joseph Spencer, for East Haddam.  
Capt. Hezekiah Whittlesey, Capt. John Murdock, for Saybrook.  
Mr. Daniel Sherman, Col. Benjamin Hinman, for Woodbury.  
Mr. Charles Whittlesey, Capt. Samuel Hulls, for Wallingford.  
Capt. Obadiah Johnson, Capt. Jabez Fitch, for Canterbury.  
Mr. Hezekiah Brainard, for Haddam.  
[356] Capt. John Strong, Mr. Jonathan Root, for Farmington.  
Mr. Elisha Gay, Mr. Benjamin Levens, for Killingly.  
Mr. William Wolcott, Capt. Josiah Bissell, for Windsor.  
Capt. Joshua West, Mr. William Williams, for Lebanon.  
Mr. John Clap, Mr. Eliphalet Mead, for Greenwich.  
Mr. Joseph Sexton, for Somers.  
Mr. Hezekiah Humphry, Capt. Jonathan Pettibone, for Symsbury.  
Capt. Wm. Samuel Johnson, Capt. Samuel Adams, for Stratford.  
Mr. Nehemiah Eastabrook, Mr. Timothy Metcalf, for Mansfield.  
Mr. Daniel Alden junr, Mr. Nathan Johnson, for Stafford.  
Mr. Cyrus Marsh, Mr. Nathan Eliot, for Kent.  
Col. Timothy Stone, Mr. Nathaniel Hill, for Guilford.  
Capt. John Fowler, Mr. John Herpin junr, for Milford.  
Capt. Samuel Morgan, Col. Samuel Coit, for Preston.  
Mr. John Kimberly, Mr. John Wells, for Glassenbury.  
Mr. Roger Sherman, Mr. Jehiel Hawley, for New Milford.

Capt. Robert Dixon, Mr. John Smith, for Voluntown.  
 Mr. Simeon Minor, Capt. John Williams, for Stonington.  
 Col. Christopher Avery, Mr. Luke Perkins, for Groton.  
 Mr. David Strong, Capt. Benjamin Talcott, for Bolton.  
 Capt. Moses Lyman, Capt. Samuel Pettibone, for Goshen.  
 Capt. Elijah Worthington, Mr. Dudley Wright, for Colechester.  
 Capt. Elisha Williams, Col. Elizur Goodrich, for Weathersfield.

Mr. Seth Wetmore, Mr. Matthew Talcott, for Middleton.  
 Capt. Alexander Phelps, Capt. Samuel Gilbert, for Hebron.  
 Mr. Ebenezer Terry, Mr. Edward Collins, for Enfield.

Capt. Jabez Huntington, Speaker } of the House of  
 Mr. Abraham Davenport, Clerk } Representatives.

This day being appointed by the royal charter and the laws of this Colony for the Election of the public officers of the Colony, *viz*: Governor, Deputy Governor, Assistants, Treasurer and Secretary, proclamation was made, and then the votes of the freemen were given in to the persons appointed by the Governor, Council and Representatives, to receive, sort and count them, (which persons so appointed were:) Jonathan Trumble, Esq<sup>r</sup>, Hezekiah Huntington, Esq<sup>r</sup>, Andrew Burr, Esq<sup>r</sup>, Benjamin Hall, Esq<sup>r</sup>, Daniel Edwards, Esq<sup>r</sup>, Jabez Hamlin, Esq<sup>r</sup>, Shubael Conant, Esq<sup>r</sup>, Mr. William Wolcott, Mr. Seth Wetmore, Col. Timothy Stone, Mr. Daniel Lyman, Mr. Simeon Minor, Col. Samuel Coit, Mr. David Rowland, Mr. Joseph Platt, Mr. William Williams, Major Jedidiah Elderkin, Mr. Daniel Sherman, and Capt. Samuel Pettibone, who were all sworn to a faithful discharge of that trust. And the freemen's votes being brought in, sorted and counted,

The Honourable Thomas Fitch, Esq<sup>r</sup>, is chosen Governor of this Colony for the year ensuing.

The Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, is chosen Deputy Governor of this Colony for the year ensuing.

Roger Newton, Esq<sup>r</sup>, Ebenezer Silliman, Esq<sup>r</sup>, Jonathan Trumble, Esq<sup>r</sup>, Hezekiah Huntington, Esq<sup>r</sup>, Andrew Burr, Esq<sup>r</sup>, John Chester, Esq<sup>r</sup>, Benjamin Hall, Esq<sup>r</sup>, Daniel Edwards, Esq<sup>r</sup>, Jabez Hamlin, Esq<sup>r</sup>, Matthew Griswold, Esq<sup>r</sup>, Shubael Conant, Esq<sup>r</sup>, Elisha Sheldon, Esq<sup>r</sup>, were chosen Assistants for the year ensuing.

[357] Joseph Talcott, Esq<sup>r</sup>, is chosen Treasurer of this Colony for the year ensuing.

George Wyllys, Esq<sup>r</sup>, is chosen Secretary of this Colony for the year ensuing.

The Governor's oath prescribed by the law of this Colony and



the oath required by act of Parliament, relating to Trade and Navigation, were administred (in presence of the Assembly) by the Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, Deputy Governor, to the Hon<sup>ble</sup> Thomas Fitch, Esq<sup>r</sup>, now chosen Governor.

The Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, now chosen Deputy Governor, had the Deputy Governor's oath prescribed by law administred to him by his Honour the Governor in the presence of the Assembly.

The Assistant's oath prescribed by law was administred by his Honour the Governor to Roger Newton, Ebenezer Silliman, Jonathan Trumble, Hezekiah Huntington, Andrew Burr, John Chester, Benjamin Hall, Daniel Edwards, Jabez Hamlin, Matthew Griswold, Shubael Conant, and Elisha Sheldon, Esq<sup>rs</sup>, now chosen Assistants.

The Treasurer's oath prescribed by law was administred by his Honour the Governor to Joseph Talcott, Esq<sup>r</sup>, now chosen Treasurer.

The Secretary's oath prescribed by law was administred by his Honour the Governor to George Wyllys, Esq<sup>r</sup>, now chosen Secretary, in the presence of the Assembly.

*Ordered*, That Andrew Burr, Esq<sup>r</sup>, and Mr. Samuel Olmsted return the thanks of this Assembly to the Rev<sup>d</sup> Mr. Jonathan Ingersol, for his sermon delivered before this Assembly on the 14th instant, and desire a copy thereof that it may be printed.

This Assembly do appoint the Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, to be Chief Judge of the Superior Courts in this Colony for the year ensuing.

This Assembly do appoint Ebenezer Silliman, Esq<sup>r</sup>, Daniel Edwards, Esq<sup>r</sup>, Benjamin Hall, Esq<sup>r</sup>, and Robert Walker, Esq<sup>r</sup>, to be Judges of the Superior Courts in this Colony for the year ensuing.

This Assembly do appoint Jabez Hamlin, Esq<sup>r</sup>, to be Judge of the County Courts in and for the county of Hartford the year ensuing.

This Assembly do appoint Roger Newton, Esq<sup>r</sup>, to be Judge of the County Courts in and for the county of New Haven the year ensuing.

This Assembly do appoint Hezekiah Huntington, Esq<sup>r</sup>, to be Judge of the County Courts in and for the county of New London the year ensuing.

This Assembly do appoint Andrew Burr, Esq<sup>r</sup>, to be Judge of the County Courts in and for the county of Fairfield the year ensuing.

This Assembly do appoint Jonathan Trumble, Esq<sup>r</sup>, to be

Judge of the County Courts in and for the county of Windham the year ensuing.

This Assembly do appoint John Williams, Esqr, to be Judge of the County Courts in and for the county of Litchfield the year ensuing.

This Assembly appoints Daniel Edwards, Esqr, to be Judge of the Court of Probate for the district of Hartford the year ensuing.

This Assembly appoints John Hubbard, Esqr, to be Judge of the Court of Probate for the district of New Haven the year ensuing.

This Assembly appoints Gurdon Saltonstall, Esqr, to be Judge of the Court of Probate for the district of New London the year ensuing.

[358] This Assembly appoints Andrew Burr, Esqr, Judge of the Court of Probate for the district of Fairfield the year ensuing.

This Assembly appoints Jonathan Trumble, Esqr, Judge of the Court of Probate for the district of Windham for the year ensuing.

This Assembly appoints Jabez Fitch, Esqr, Judge of the Court of Probate for the district of Plainfield the year ensuing.

This Assembly appoints Timothy Stone, Esqr, Judge of the Court of Probate for the district of Guilford the year ensuing.

This Assembly appoints Daniel Sherman, Esqr, Judge of the Court of Probate for the district of Woodbury the year ensuing.

This Assembly appoints Jonathan Hoit, Esqr, Judge of the Court of Probate for the district of Stamford the year ensuing.

This Assembly appoints Joseph Spencer, Esqr, Judge of the Court of Probate for the district of East Haddam the year ensuing.

This Assembly appoints Ebenezer Marsh, Esqr, Judge of the Court of Probate for the district of Litchfield the year ensuing.

This Assembly appoints Thomas Benedict, Esqr, Judge of the Court of Probate for the district of Danbury the year ensuing.

This Assembly appoints Hezekiah Huntington, Esqr, Judge of the Court of Probate for the district of Norwich the year ensuing.

This Assembly appoints Jabez Hamlin, Esqr, Judge of the

Court of Probate for the district of Middleton the year ensuing.

This Assembly appoints Ebenezer Williams, Esq<sup>r</sup>, Judge of the Court of Probate for the district of Pomfret the year ensuing.

This Assembly appoints John Williams, Esq<sup>r</sup>, Judge of the Court of Probate for the district of Sharon the year ensuing.

This Assembly appoints Zebulon West, Esq<sup>r</sup>, Judge of the Court of Probate for the district of Stafford the year ensuing.

This Assembly do appoint Joseph Pitkin, Esq<sup>r</sup>, William Wolcott, Esq<sup>r</sup>, Zebulon West, Esq<sup>r</sup>, Seth Wetmore, Esq<sup>r</sup>, to be Justices of the Peace and Quorum for the county of Hartford the year ensuing.

This Assembly do appoint Thomas Wells, Phineas Lyman, George Wyllys, Joseph Talcott, John Ledyard; Thomas Hosmer, Jonathan Hills, Samuel Talcott, Daniel Bissell, Samuel Eno, Pelatiah Mills, Erastus Wolcott, Elizur Goodrich, Jonathan Belding, Joseph White, Joseph Southmayd, Joseph Hooker, John Hooker, Solomon Whitman, Hezekiah Gridley, Jared Lee, Joseph Hart, Hezekiah Brainard, Joseph Wells, John Owen, Judah Holcomb, Samuel Kent jun<sup>r</sup>, Jonathan Hale, Joseph Spencer, Daniel Cone, Daniel Brainard, jun<sup>r</sup>, Ephraim Terry, Nathaniel Foot, Epaphras Lord, John Watrous, Jonathan Kilborn jun<sup>r</sup>, John Phelps, Samuel Gilbert, Alexander Phelps, Thomas Pitkin, Isaac Pinney, Samuel Reynolds, Thomas Seymour, Elisha Williams, Nathaniel Chauncey, John Strong, Jonathan Pettibone, Hezekiah Humphry, Abner Barker, Elisha Steel, John Kimberly, and William Wells, Esq<sup>rs</sup>, to be Justices of the Peace for the county of Hartford the year ensuing.

[359] This Assembly do appoint John Hubbard, Elihu Chauncey, Timothy Stone, Thomas Darling, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum for the county of New Haven the year ensuing.

This Assembly do appoint John Prout, Deodate Davenport, Samuel Sherman, John Whiting, Daniel Lyman, Samuel Sacket, Robert Treat, Nathan Baldwin, Joseph Woodruff, Samuel Basset, Samuel Riggs, Timothy Russell, Daniel Holbrook, Charles French, Thomas Clark, Thomas Matthews, Joseph Hopkins, Samuel Hall, Elibu Hall, Ezekiel Royce, John Hall 2d, Caleb Merriman, Charles Whittlesey, James Wadsworth, Jonathan Russel, Josiah Rogers, Samuel Barker, James Barker, William Hoadly, Theophilus Rossiter,

Samuel Robinson, Nathaniel Ruggels, John Grave, John Fowler, Caleb Humberston, and James Wadsworth jun<sup>r</sup>, Esq<sup>rs</sup>, to be Justices of the Peace for the county of New Haven the year ensuing.

This Assembly do appoint John Griswold, Christopher Avery, Richard Lord, Isaac Huntington, Pygan Adams, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum for the county of New London the year ensuing.

This Assembly do appoint John Richards, Daniel Coit, Jeremiah Miller, William Hilhouse, Luke Perkins, William Williams, Nathan Smith, Ebenezer Avery, Simeon Minor, Joseph Dennison, Samuel Prentice, Amos Cheesebrough, Samuel Morgan, Samuel Coit, William Witter, Ebenzer Backus, Jabez Huntington, William Whiting, Jacob Perkins, Ebenezer Hartshorn, Simon Tracy jun<sup>r</sup>, Humphry Avery, Samuel Ely, John Lay 2d, George Dorr, Nathaniel Clark, Jedidiah Chapman, John Tulley, Hezekiah Whittlesey, Elnathan Stephens, Benjamin Gale, Aaron Eliot, Joseph Wilcocks, Benjamin Lee, and John Williams jun<sup>r</sup>, Esq<sup>rs</sup>, to be Justices of the peace for the county of New London the year ensuing.

This Assembly do appoint Jonathan Hoit, David Rowland, Samuel Fitch, John Read, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum for the county of Fairfield the year ensuing.

This Assembly do appoint Robert Walker, Robert Fairchild, Agur Tomlinson, Samuel Adams, Ichabod Lewis, Theophilus Nichols, William Burr, Lothrop Lewis, Moses Dimon, Samuel Sherwood, Joseph Platt, Thomas Fitch jun<sup>r</sup>, Elias Betts, Theophilus Fitch, Abraham Davenport, Jonathan Maltbie, Peter Mead, John Ferris, Samuel Olmsted, Samuel Smith 3d, Thomas Benedict, Samuel Gregory, Comfort Starr, Benajah Case, Ephraim Hubbel, Caleb Baldwin, Richard Fairman, James Walker, Jabez Mead, Esq<sup>r</sup>, to be Justices of the Peace for the county of Fairfield the year ensuing.

This Assembly do appoint Shubael Conant, Esq<sup>r</sup>, to be a Justice of the Quorum for the county of Windham the year ensuing.

This Assembly do appoint John Dyar, Jabez Fitch, and Joshua West, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum for the county of Windham the year ensuing.

This Assembly do appoint Jonathan Huntington, Nathaniel Huntington, Eliphalet Dyar, Jedidiah Elderkin, Samuel Gray, Stephen Fuller, Joseph Fowler, Joseph Clark, William Metcalfe, William Williams, Samuel Huntington of Canterbury, Benjamin Wheeler, John Smith, Robert Dixon, Jere-

miah Keeney, Joseph Cady, Samuel Danielson, Jacob Dresser, Thomas Moffat, Joseph Strong jun<sup>r</sup>, Phineas Strong, Silas Long, Joseph Storrs, Amos Badcock, Elijah Whiton, Ebenezer Wales, Timothy Sabin, Ebenezer Williams, William Osgood, Thomas Williams, Samuel Chandler, Nathaniel Childs, Ebenezer Smith jun<sup>r</sup>, John Grosvenor, John Curtis, and Nathaniel Wales, jun<sup>r</sup>, Esq<sup>rs</sup>, to be Justices of the Peace for the county of Windham the year ensuing.

This Assembly do appoint Ebenezer Marsh, Increase Moseley, Roger Sherman and Daniel Sherman, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum for the county of Litchfield the year ensuing.

This Assembly do appoint John Williams, Timothy Collins, Jacob Woodruff, Daniel Everit, Elisha Stoddard, Benjamin Hinman, Tilly Blakely, Paul Welch, Bushnel Bostwick, Timothy Hatch, John Ransom, Daniel Lee, || John Beach, Samuel Pettibone, David Whitney, John Beebe, John Patterson, Isaac Kellogg, Cyprian Webster, Abijah Catling, Ebenezer Lyman, John Cook, Michael Humphry, James Landon, John Hutchinson, John Gay, Daniel Griswold of Sharon, Nathan Eliot, Matthew Gillet, and John Hitchcock, Esq<sup>rs</sup>, Justices of the peace for the county of Litchfield the year ensuing.

This Assembly do appoint Daniel Sherman, Esq<sup>r</sup>, to be a Justice of the Quorum for the county of Litchfield the year ensuing.

An Act for the Alteration of the Time appointed in the Month of June for the Meeting of the Justices &c. by an Act entituled An Act for the more effectual putting in Execution the Laws against Prophaneness and Immorality and for promoting Christian Knowledge.

Whereas meeting at the time already appointed in the month of June is attended with some inconveniences,

*Be it therefore enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That for the future the justices of the peace, grand-jurors, constables and tything-men in the respective towns in this Colony shall meet together in the respective towns to which they belong on the third Monday of June annually, for the purposes in said act mentioned.

An Act in further Addition to the Law entituled An Act providing in Case of Sickness.

Whereas notwithstanding all the provision that hath already been made for preventing the spreading of the small-pox or other contagious disease and for preservation of the inhabitants from such infections and for the well regulating and ordering such persons as have been desirous of going into the practice of being inoculated in order to receive the small-pox, it is manifest that the infection hath spread in many

instances from the places where such practice hath been carried on, which hath greatly terrified many of the inhabitants of this Colony, and if such practice should be continued would much endanger the people and create great inquietude,

*Be it therefore enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That no person or persons whatsoever shall, after the first day of June next, presume to set up or carry on the practice of inoculation within this Colony, nor shall any person or persons directly or indirectly give, communicate or receive the infection of the small-pox by way of inoculation, or in any other method voluntarily give or receive such infection. And if any person or persons whatsoever after the first day of June next shall presume to set up or carry on the practice of inoculation within this Colony, or shall directly or indirectly give, communicate or receive the infection of the small-pox by way of inoculation, or shall in any other way or method voluntarily give or receive such infection, contrary to the true intent and meaning of this act, every such person so offending shall pay a fine of fifty pounds to the treasurer of the county where such person shall be convicted.

And whereas such practice may be carried on in such secret and clandestine manner that full proof thereof in the ordinary method cannot always be had, nor reasonably expected,

*Be it therefore enacted by the authority aforesaid,* That whensoever any person or persons shall be brought to tryal on complaint made against such person or persons for being guilty of the breach of this act, such person or persons shall be deemed and adjudged guilty, altho' the complainant shall not be able to produce any other proof than to render it probable that such person or persons have lately had the small-pox, except such person or persons shall make oath before the court before whom such person or persons are on tryal, that he or they have not voluntarily, directly or indirectly, given nor received said infection, either by inoculation or any other way or means whatsoever; which oath the said court are hereby impowered to administer.

[361] And whereas there are many instances where persons have gone out of this Colony into some other Province and have received the small-pox by way of inoculation and returned into this Colony again before such persons have been sufficiently cleansed, and by that means have spread the infection,

*Be it therefore enacted by the authority aforesaid,* That whenever any person or persons belonging to this Colony shall go into any other Province or Colony and there voluntarily receive the infection of the small-pox, either by way of inoculation or any other way or means, no such person or persons shall return into this Colony again under twenty days after leaving the hospital or the infected place. And if any person or persons belonging to this Colony shall at any time hereafter go out of this Colony into any other Province or Colony and there voluntarily receive the infection of the small-pox, either by way of inoculation or other ways, and shall return into this Colony contrary to the true intent and meaning of this act, every such person so offending shall pay a fine of twenty pounds to the treasurer of the county where such person or persons shall be convicted. And if upon the tryal of any person or persons on complaint made of being guilty of the breach of this act, such person shall refuse to make oath before the court which hath cognizance of the same, that he or they have not had the small-pox within the time and in the manner mentioned in the complaint, which oath the said court are hereby impowered and directed to admit such person to, each and every such person or persons shall be deemed and adjudged guilty, unless such person or persons shall produce proper certificate from the physician under whose care such person or persons have been while under the operation of such infectious disease, that such person or persons have been sufficiently cleansed, and also a certificate from some Assistant or justice of the peace within this Colony, that such person or persons have made oath before him that there had been more than twenty days after his or their leaving the hospital or place of infection before such person or persons returning into this Colony, which oath each and every Assistant and justice of the peace are hereby impowered and directed to administer so often as there shall be occasion, and to give certificate thereof accordingly.

*And it is further enacted by the authority aforesaid,* That it be the duty of every constable and grand-jury-man within this Colony to make diligent inquiry within their respective precincts and due presentment make of all persons that shall be suspected to be guilty of the breach of this act in any part thereof.

*And it is further enacted by the authority aforesaid,* That whensoever any person that is not an informing officer shall complain of any person or persons for the breach of this act and prosecute the same to effect, such complainant shall be entituled to and receive one half of the penalty in said act

contained; anything in the foregoing act contained to the contrary notwithstanding.

*And it is further enacted by the authority aforesaid,* That whensoever any person or persons belonging to this Colony shall go into any other Province or Colony and there voluntarily receive the infection of the small-pox and shall upon his returning into this Colony bring the infection either in his cloaths or other ways and give or communicate the same to any other person or persons, such person shall be liable to pay to the party hurt or injured thereby treble damages and cost of prosecution.

This act to continue in force till the rising of this Assembly in October next, and no longer.

[362] This Assembly grants that the fees for the chief judge of the superior court for the time being, in lieu of such allowances as have been made, shall be the sum of sixteen shillings *per diem*.

This Assembly grants that the fees for each of the assisting judges of the superior court, in lieu of such allowances as have been made them, shall be the sum of fourteen shillings *per diem*.

The Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, John Chester and George Wyllys, Esq<sup>rs</sup>, are hereby appointed a committee, they or any two of them, to sell the remainder of the sterling money granted and received for the services done in the year 1758, which is left in London in the care of the Agent for this Colony, and so much of the money granted and is or may be distributed and ordered to be paid this Colony on account of the services done in the year 1759, as shall make up the sum of six thousand and five hundred pounds sterling, as soon as certain intelligence is had that said money is received by the Agent or Agents of this Colony. The said committee is hereby directed to sell the same for the value thereof in silver, gold, or bills of credit of this Colony emitted by act of Assembly in March 1758, to any person or persons that shall appear and pay the value thereof as aforesaid into the treasury of this Colony. And when such contract is made and the money or bills aforesaid paid into the treasury, and the Treasurer's receipt produced to said committee in evidence thereof, said committee is directed to lodge the same with the Secretary of this Colony and make a proper certificate thereof to his Honour the Governor, who is hereby desired and impowered, on receipt of such certificate, to draw proper bills of exchange on the Agent of this Colony in favour of such purchaser or purchasers, and for such sum or sums purchased as aforesaid.



*Resolved by this Assembly,* That Jabez Hamlin, Joseph Pitkin, John Ledyard, William Pitkin jun<sup>r</sup>, Esq<sup>rs</sup>, and Capt. John Lawrence, be a committee to audit the Colonies accounts with the Treasurer, which committee shall take the oath appointed by law therefor, and they are hereby directed to receive of the Treasurer all such bills of the several emissions of this Colony which are ordered to be brought into the treasury to be sunk, whether brought in by rates or exchange, and the same burn and consume to ashes, and to keep an exact account of the same and give their receipt therefor. And they are further directed to receive of the Treasurer all such bills of the old and middle tenor of this Colony brought in by exchange, being true bills, and burn and consume the same to ashes, and give their receipt for the same, and also to settle and adjust the account of the several rates and all other the Treasurer's accounts of disbursements, and see that the same are well avouched and stated, and make return of their doings to this Assembly in October next.

This Assembly do appoint Phineas Lyman, Esq<sup>r</sup>, to be Major-General of the forces ordered to be raised in the Colony of Connecticut for the ensuing campaign, and desire that he may be commissioned accordingly

*Resolved by this Assembly,* That Doctor Gideon Wells be and he is appointed Director of the Hospital Stores supply'd by this Colony for the ensuing campaign: and it shall be the duty of said director to have a general care and inspection over all the hospital stores, medicines and instruments, and to take special care that they are not imbezzled but used for the purposes only for which the same are provided, and when [363] the campaign is over, to collect the remainder, || and (if he can) send them home to some one of the commissaries appointed by this Assembly, duly notifying such commissary thereof: but if no opportunity presents to do the same, then to lodge the same with some proper person in Albany for account of this Colony, and take receipt therefor and deliver the same to some one of the commissaries aforesaid.

*Resolved by this Assembly,* That the Treasurer of this Colony be and he is hereby directed and impowered, to call the several agents who have been appointed to sue in the bonds due to the Governor and Company of this Colony to account for the several bonds and mortgages which have been by them respectively received, and for their proceedings therein; and that the several King's attornies in the several counties in this Colony, for the time being, be and they are hereby required from time to time to apply to the Treasurer

and Secretary of the Colony and of them receive the bonds and mortgages due to the Governor and Company as they shall become due and payable, giving their respective receipts therefor, and being so received they and each of them are hereby impowered, appointed and directed, to collect and sue in the same; and such King's attornies shall annually, some time in the month of May, render to the Treasurer of this Colony for the time being an exact account of their proceedings therein, and pay into the treasury such sums of money as they shall have respectively collected, taking the Treasurer's receipt therefor and lodging the same with the Secretary of this Colony.

Whereas this Assembly are informed that a number of French prisoners of war have been lately brought into the port of New London in this Colony by a vessel belonging to said port, which are not within the regulations of the law of this Colony entitled An act directing how prisoners of war that may be sent into this Colony shall be governed and disposed of, but ought not to be at large &c.: It is therefore resolved by this Assembly, that the said prisoners so brought into New London aforesaid shall forthwith by warrant from two justices of the peace of the county of New London be committed to the common goal of said county and thenceforward shall be, remain and continue in all respects under the rules, orders and regulations of the act aforesaid, to all intents, constructions and purposes whatsoever, as tho' they had been brought or sent into this Colony by any of his Majesty's generals or commanders of his ships of war.

Whereas there are now lying in the hands of the Treasurer, or in the hands of the administrators of the late Treasurer, sundry bonds given for the purchase of the remaining rights in the township of Norfolk, the property of which bonds (by virtue of an act of this Assembly made and passed in May 1733) belong to the several towns and societies that made and computed lists in the year 1732, in proportion to said lists: Therefore, it is now resolved, that Jabez Hamlin, Elihu Chauncey and Seth Wetmore, Esqrs, be a committee to make a distribution of said bonds to and among said towns and societies. And it is further resolved, that upon application made to said committee by any of the obligors or proprietors of said township of Norfolk for a renewal or exchange of any of said bonds, and upon their producing good and sufficient bonds, to the acceptance of said committee, they are hereby authorized and fully impowered to exchange said bonds and to take new bonds payable to the committees of the respect-

ive towns who are or shall be appointed by such towns to receive the same according to such their respective proportions. And said committee are directed to take said bonds payable as aforesaid at the expiration of two years from the rising of this Assembly, with the lawful interest thereof during the term aforesaid, unless the interest be some otherways secured. And if said obligors or proprietors shall neglect or refuse during the term of nine months from the rising of this Assembly, to make application to said committee for such renewal or exchange, and shall not procure good and sufficient [364] bonds || as aforesaid, said committee are directed with the new bonds so exchanged or renewed, to deliver the old bonds to the committees of said towns, taking receipts therefor, agreeable to said act of May 1733, and lodge the same with the Secretary of this Colony.

It being represented to this Assembly that there is need of a public highway or country road to be laid out and made on the east side of Ousatunnick River, to lead from Hawkins's Ferry in Derby to the highway that crosses said river at the lower bridge in Canaan, and that the same would be of common conveniency and advantage: It is therefore resolved by this Assembly, that Capt. Moses Lyman and Mr. Ebenezer Hills, both of Goshen, and Mr. John Catling of Litchfield, be and they are hereby appointed a committee to repair to and view the land by and near said river in the respective towns and places through which said road is proposed to be laid out, and if they shall find that there can be a good cartway made, and shall judge that it will be of common conveniency and advantage, that they mark and describe the best places for said road adjoining to or as near said river as will be convenient for a good cartway, and a full description thereof with their opinion of the necessity and conveniency thereof to make report to the General Assembly to be holden at New Haven in October next.

*Resolved by this Assembly,* That Daniel Lyman of New Haven, Esq<sup>r</sup>, and Mr. Samuel Bishop jun<sup>r</sup>, of said New Haven, be and they are hereby directed and impowered to receive of the Treasurer a certain bond from Joseph Bishop, Samuel Baker and Josiah Pond, to the Governor and Company of this Colony, and to use and take all proper means and methods to recover and receive or take security for the payment of the moneys thereon due, giving their receipt and being therefor accountable to the Treasurer.

Whereas the General Assembly at their sessions in October last appointed Mr. Daniel Lothrop, Capt. Richard Hyde

and Mr. Isaac Tracy a committee authorized to view the country and lands over Connecticut River from Killingworth to Norwich and Windham &c., and investigate the best places for a country road and ferry and mark or describe said road, and make return of their doings therein to this Assembly in May then next, in order that a road may be opened and established accordingly; and whereas said committee have not performed said business, nor made return as aforesaid: Therefore, resolved by this Assembly, that Mr. Samuel Tracy be appointed and he is hereby authorized and appointed, together with said Daniel Lothrop and Capt. Richard Hide, a committee, or any two of them, to view said country and lands over said river and mark out or describe said road, and make return of their doings to this Assembly in their present sessions if practicable, otherwise to the sessions of this Assembly in October next, that a road may be opened and established according to the aforesaid act.

*Resolved by this Assembly,* That Capt. Titus Hurlburt take into his care the Battery at New London, together with all the stores thereto belonging, which are to remain under his care until the sessions of this Assembly in May next. And the said Hurlbut is impowered to appoint some suitable person to be gunner thereof, and that on the first day of June next he enlist or detach twenty men near said battery, to be under the command of said Hurlbut, to assist him in said [365] battery, || and that one of said men duly attend the said captain's command in his turn to watch and ward in said battery, from the first day of June until the last day of November next, and that the men as they shall have leisure from other duty in their turn shall be employed in cleaning up the small-arms and cutlasses that are in the said battery. And the said Hurlbut shall be allowed for his services nine pounds, and that the gunner be allowed for his service two pounds; and that each man shall be allowed three shillings for his service per day, for each day he shall so watch and ward.

This Assembly do appoint Samuel Coit, Esqr, to be Lieutenant-Colonel of the 8th regiment in this Colony.

This Assembly do appoint Amos Cheesborough, Esqr, to be Major of the 8th regiment in this Colony.

This Assembly do establish Elisha Marvin to be Captain of the company or trainband made out of the 3d company in the town of Lyme.

This Assembly do establish Jasper Griffin to be Lieutenant of the company or trainband made out of the 3d company in the town of Lyme.

This Assembly do establish Joseph Harvey to be Ensign of the company or trainband made out of the 3d company in the town of Lyme.

This Assembly do establish Mr. John Camp to be Ensign of the 10th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Elnathan Hall to be Captain of the company or trainband in the south society in New Fairfield in the 4th regiment in this Colony.

This Assembly do establish Mr. David Wakley to be Lieutenant of the company or trainband in the south society in New Fairfield in the 4th regiment in this Colony.

This Assembly do establish Mr. Zacheus Brush to be Ensign of the company or trainband in the south society in New Fairfield in the 4th regiment in this Colony.

This Assembly do establish Mr. Ebenezer Carpenter to be Lieutenant of the 9th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Jedidiah Benton to be Ensign of the 9th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Stephen Prentis to be Captain of the 4th company or trainband in the town of New London in the 3d regiment in this Colony.

This Assembly do establish Mr. Jeremiah Tabor to be Lieutenant of the 4th company or trainband in the town of New London in the 3d regiment in this Colony.

This Assembly do establish Mr. Jabez Beebe to be Ensign of the 4th company or trainband in the town of New London in the 3d regiment in this Colony.

This Assembly do establish Mr. Josiah Stoddard to be Captain of the 2d company or trainband in the town of Salisbury.

This Assembly do establish Mr. James Bird to be Lieutenant of the 2d company or trainband in the town of Salisbury.

This Assembly do establish Mr. Ebenezer Stevens to be Ensign of the 2d company or trainband in the town of Salisbury.

This Assembly do establish Mr. Zaccheus Gillet to be Ensign of the 3d company or trainband in the town of Symsbury in the first regiment in this Colony.

This Assembly do establish Mr. Jonathan Peck to be Captain of the 3d company or trainband in the town of Norwich in the 3d regiment in this Colony.

This Assembly do establish Mr. Joseph Sanford to be Lieu-

tenant of the 3d company or trainband in the town of Norwich in the 3d regiment in this Colony.

This Assembly do establish Mr. Timothy Seymour to be Captain of the 4th company or trainband in the town of Hartford in the 1st regiment in this Colony.

This Assembly do establish Mr. Benjamin Colton to be Lieutenant of the 4th company or trainband in the town of Hartford in the 1st regiment in this Colony.

[366] This Assembly do establish Mr. Abraham Sedgwick to be Ensign of the 4th company or trainband in the town of Hartford in the 1st regiment in this Colony.

This Assembly do establish Mr. Bryan Rosseter to be Lieutenant of the south company or trainband in the town of Durham.

This Assembly do establish Mr. John Noyes Wadsworth to be Ensign of the south company or trainband in the town of Durham.

This Assembly do establish Mr. James Dyar to be Captain of the 2d company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Joseph Adams to be Lieutenant of the 2d company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Benjamin Smith to be Ensign of the 2d company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Timothy Lockwood to be Captain of the eastermost company or trainband in the town of Greenwich.

This Assembly do establish Mr. William Morgan to be Captain of the 4th company or trainband in the town of Groton in the 8th regiment in this Colony.

This Assembly do establish Mr. Elijah Morgan to be Lieutenant of the 4th company or trainband in the town of Groton in the 8th regiment in this Colony.

This Assembly do establish Mr. Henry Williams to be Ensign of the 4th company or trainband in the town of Groton in the 8th regiment in this Colony.

This Assembly do establish Mr. Eliada Parker to be Ensign of the first company or trainband in the town of Wallingford.

This Assembly do establish Mr. Joseph Ruggles to be Captain of the company or trainband in Newbury society.

This Assembly do establish Mr. Benjamin Dunning to be Lieutenant of the company or trainband in Newbury society.

This Assembly do establish Mr. Robert Bostwick to be Ensign of the company or trainband in Newbury society.

This Assembly do establish Mr. Zebulon Peck to be Lieutenant of the company or trainband in New Cambridge in the town of Farmington.

This Assembly do establish Mr. Gershom Tuttle to be Ensign of the company or trainband in New Cambridge in the town of Farmington.

This Assembly do establish Mr. John Jeffery to be Captain of the company or trainband in the town of Cornwall.

This Assembly do establish Mr. Levi Crocker to be Lieutenant of the company or trainband in the town of Cornwall.

This Assembly do establish Mr. Thomas Porter to be Ensign of the company or trainband in the town of Cornwall.

This Assembly do establish Mr. Edward Scovel to be Captain of the 1st company or trainband in the town of Waterbury.

This Assembly do establish Mr. Amos Hitchcock to be Lieutenant of the 1st company or trainband in the town of Waterbury.

This Assembly do establish Mr. Thomas Belding to be Lieutenant of the 3d company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Ebenezer Beebe to be Lieutenant of the 6th company or trainband in the town of New London in the 3d regiment in this Colony.

This Assembly do establish Mr. Ephraim Leech to be Ensign of the 6th company or trainband in the town of New London in the 3d regiment in this Colony.

This Assembly do establish Mr. Samuel Nash to be Captain of the west company or trainband in the town of Goshen in the 13th regiment in this Colony.

This Assembly do establish Mr. Jonathan Buel to be Lieutenant of the west company or trainband in the town of Goshen in the 13th regiment in this Colony.

This Assembly do establish Mr. Ebenezer Hill to be Ensign of the west company or trainband in the town of Goshen in the 13th regiment in this Colony.

This Assembly do establish Mr. Asa Hopkins to be Lieutenant of the 1st company or trainband in the town of Litchfield.

This Assembly do establish Mr. David Landon to be Ensign of the 1st company or trainband in the town of Litchfield.

[367] This Assembly do establish Mr. Thomas Wilmott to

be Captain of the 1st company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. David Atwater to be Ensign of the 1st company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Nathaniel Tuttle to be Captain of the south company or trainband in the town of Woodbury in the 13th regiment in this Colony.

This Assembly do establish Mr. James Hard jun<sup>r</sup> to be Captain of the 1st company or trainband in Newton in the 4th regiment in this Colony.

This Assembly do establish Mr. William Gould to be Lieutenant of the 3d company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Samuel Filer to be Lieutenant of the 2d company or trainband in the town of Windsor in the 1st regiment in this Colony.

This Assembly do establish Mr. Eliakim Gaylord to be Ensign of the 2d company or trainband in the town of Windsor in the 1st regiment in this Colony.

This Assembly do establish Mr. Timothy Hill to be Lieutenant of the 6th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Moses Blackley to be Ensign of the 6th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Simeon Minor jun<sup>r</sup> to be Lieutenant of the 4th company or trainband in the town of Stonington in the 8th regiment in this Colony.

This Assembly do establish Mr. Paul Wheeler to be Ensign of the 4th company or trainband in the town of Stonington in the 8th regiment in this Colony.

This Assembly do establish Mr. David Seward to be Captain of the 5th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. John Davis to be Lieutenant of the 5th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Hooker Bartlet to be Ensign of the 5th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Phineas Judd to be Lieutenant of the 13th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Zebulon Jones to be Cap-



tain of the south and 1st company or trainband in the town of Somers in the 1st regiment in this Colony.

This Assembly do establish Mr. Robert Pease jun<sup>r</sup> to be Lieutenant of the south and 1st company in the town of Somers in the 1st regiment in this Colony.

This Assembly do establish Mr. Reuben Cooley to be Ensign of the south and 1st company in the town of Somers in the 1st regiment in this Colony.

This Assembly do establish Mr. Luke Cooley to be Captain of the 2d or north company or trainband in the town of Somers in the 1st regiment in this Colony.

This Assembly do establish Mr. Charles Sheldon to be Lieutenant of the 2d or north company or trainband in the town of Somers in the 1st regiment in this Colony.

This Assembly do establish Mr. Joseph Bewel to be Ensign of the 2d or north company or trainband in the town of Somers in the 1st regiment in this Colony.

This Assembly do establish Mr. Enos Attwater to be Captain of the 1st company or trainband in New Cheshire parish in Wallingford.

This Assembly do establish Mr. John Hall the 3d to be Lieutenant of the 1st company or trainband in New Cheshire parish in Wallingford.

This Assembly do establish Mr. Elisha Griswold to be Captain of the troop of horse in the 6th regiment in this Colony.

This Assembly do establish Mr. Comfort Sage to be Lieutenant of the troop of horse in the 6th regiment in this Colony.

This Assembly do establish Mr. Nathaniel Coleman to be Quarter-Master of the troop of horse in the 6th regiment in this Colony.

This Assembly do establish Mr. Thomas Selden to be Lieutenant of the 14th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Warren Green to be Ensign of the 14th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Stephen Lane to be Lieutenant of the 4th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Russel Woodbridge to be Captain of the 3d company or trainband in the town of Hartford in the 1st regiment in this Colony.

[368] This Assembly do establish Mr. John Hurlburt to be

Lieutenant of the 3d company or trainband in the town of Hartford in the 1st regiment in this Colony.

This Assembly do establish Mr. James Bidwell to be Ensign of the 3d company or trainband in the town of Hartford in the 1st regiment in this Colony.

This Assembly do establish Mr. Isaac Moseley to be Lieutenant of the 4th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. John Wells to be Ensign of the 4th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Isaac Lee to be Ensign of the 13th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Joseph Tyler to be Captain of the 3d company or trainband in the town of Preston in the 8th regiment in this Colony.

This Assembly do establish Mr. Hezekiah Lord junr, to be Lieutenant of the 3d company or trainband in the town of Preston in the 8th regiment in this Colony.

This Assembly do establish Mr. Elias Lord to be Ensign of the 3d company or trainband in the town of Preston in the 8th regiment in this Colony.

This Assembly do establish Mr. Daniel Bull to be Captain of the 2d company or trainband in the town of Hartford in the 1st regiment in this Colony.

This Assembly do establish Mr. Daniel Sheldon to be Lieutenant of the 2d company or trainband in the town of Hartford in the 1st regiment in this Colony.

This Assembly do establish Mr. Medad Webster to be Ensign of the 2d company or trainband in the town of Hartford in the 1st regiment in this Colony.

This Assembly do establish Mr. Zebediah Andrus to be Captain of the 5th company or trainband in the town of Norwich in the 3d regiment in this Colony.

This Assembly do establish Mr. Elijah Brewster to be Lieutenant of the 5th company or trainband in the town of Norwich in the 3d regiment in this Colony.

This Assembly do establish Mr. Joseph Bently to be Ensign of the 5th company or trainband in the town of Norwich in the 3d regiment in this Colony.

This Assembly do establish Mr. Joseph Cutler to be Captain of the 4th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Nathaniel Daniels to be

Lieutenant of the 4th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. John Johnson to be Ensign of the 4th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Stephen Strickland to be Lieutenant of the 12th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. William House to be Ensign of the 12th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Alexander Phelps to be Captain of the north company or trainband in the first society in the town of Hebron.

This Assembly do establish Mr. David Barber to be Lieutenant of the north company or trainband in the first society in the town of Hebron.

This Assembly do establish Mr. Obadiah Horsford to be Ensign of the north company or trainband in the first society in the town of Hebron.

This Assembly do establish Mr. Jonathan Humphry to be Lieutenant of the south company or trainband in the town of Symsbury in the 1st regiment in this Colony.

This Assembly do establish Mr. William Clark to be Captain of the north company or trainband in the first society in the town of Lebanon.

This Assembly do establish Mr. Joseph Marsh to be Lieutenant of the north company or trainband in the 1st society in the town of Lebanon.

This Assembly do establish Mr. Timothy Clark to be Ensign of the north company or trainband in the 1st society in the town of Lebanon.

This Assembly do establish Mr. Dennis Bement to be Captain of the 1st company or trainband in the town of Enfield.

This Assembly do establish Mr. Ephraim Pease to be Lieutenant of the 1st company or trainband in the town of Enfield.

This Assembly do establish Mr. Shubael Geer to be Ensign of the 1st company or trainband in the town of Enfield.

This Assembly do establish Mr. Stephen Johnson to be Captain of the 8th company or trainband in the town of Norwich in the 3d regiment in this Colony.

This Assembly do establish Mr. David Andrus to be Lieu-

tenant of the 8th company or trainband in the town of Norwich in the 3d regiment in this Colony.

[369] Upon the memorial of Azariah Odel of Fairfield, administrator on the estate of Kate Leavit late of said Fairfield, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the moveable part of said estate the sum of £12 4s. 3½*d.* lawful money, and praying for liberty to make sale of so much of the real estate of said deceased as will raise said sum &c.: Resolved by this Assembly, that the said Azariah Odel have liberty and he is hereby impowered, to sell so much of the real estate of the said deceased Kate Leavit as will be sufficient to pay said sum of £12 4s. 3½*d.* with the incident charges arising on such sale; taking directions of the court of probate in Fairfield district therein.

Upon the memorial of Frederick Hawley of Stratford, administrator on the estate of Sarah Nichols late of Stratford, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the moveable estate of said deceased the sum of £66 15s. 10*d.* lawful money, and praying for liberty to sell so much of the real estate of said deceased as to pay said sum with the incident charges arising thereon, as by said memorial may appear: Resolved by this Assembly, that the memorialist have liberty, and liberty is hereby granted to the memorialist and he is hereby fully authorized and impowered, to sell so much of the real estate of said deceased as to make the aforesaid sum of £66 15s. 10*d.* lawful money, and the charges thereon arising; taking the directions of the judge of the court of probate for the district of Fairfield therein.

Upon the memorial of Daniel Tooker, of Greenwich in this Colony, shewing that he hath for some time used and exercised the art or trade of tanning leather, being licensed thereto according to law, and now tans such abundant quantities thereof that he has not vent therefor in this Colony; that he imports the greatest part of the hides he so tans from abroad and from places without this Colony whereto he is obliged to make remittances, which he is not capable of making but with tanned leather and which is contrary to the statute of this Colony in that case made and provided; praying for liberty of this Assembly to transport out of this Colony such part or all such leather so made as aforesaid as this Assembly shall think fit, as per memorial on file: Resolved by this Assembly, that the memorialist shall have liberty and be permitted, and liberty is hereby granted to the memorialist and

hereby he is permitted, to transport from this Colony any and all such tanned leather as he, the memorialist, shall so tan as aforesaid, during the pleasure of this Assembly; anything in the statute aforesaid to the contrary notwithstanding.

On the memorial of Rebecka Sage, administratrix on the estate of Amos Sage late of Middleton, deceased, shewing to this Assembly that the debts and charges allowed by the court of probate in the district of Middleton against said estate surmount the moveable part thereof the sum of £69 1s. 10 $\frac{3}{4}$ d. lawful money, and thereupon praying for liberty to some suitable person to sell land &c: Resolved by this Assembly, that Mr. Solomon Sage have liberty, and liberty is hereby granted, to sell so much of the lands of the said deceased as will procure the aforesaid sum of sixty-nine pounds lawful money, for the payment of the debts aforesaid, together with the incident charges arising on such sale; taking the direction of the court of probate in the district of Middleton therein.

On the memorial of Hannah Burnham of Middleton, administratrix on the estate of Michal Burnham late of Middleton, deceased, shewing to this Assembly that the debts and charges due from said estate and allowed by the court of probate for the district of Middleton surmount the moveable part of said estate the sum of five hundred ninety-four pounds nineteen shillings and eleven pence lawful money; thereupon [370] praying for liberty || to sell lands &c.: Resolved by this Assembly, that Capt. Joseph Gleason of Middleton be appointed, and he is hereby appointed and fully empowered, to make sale of so much of the real estate of said deceased as will procure the sum aforesaid with the incident charges arising on such sale; taking the direction of the court of probate for the district of Middleton therein.

Upon the memorial of Daniel Fuller of Willington, shewing to this Assembly that in the year A.D. 1758, he, the said Daniel Fuller, did exchange lands in said Willington with the Rev<sup>d</sup> Mr. Daniel Fuller of said Willington, who about the latter end of November 1758, was taken sick of the small-pox, who did in the time of his sickness cause a deed of conveyance of eighty-one acres of land in Willington to be made, conveying the same to the memorialist, which deed is dated December the 1st day A.D. 1758, which deed the said Mr. Daniel Fuller did sign, seal and deliver before witnesses, and was desirous to have acknowledged the same, but that there was no authority to be had to take the acknowledgment of said deed by reason of the infectious distemper, and that the said Rev<sup>d</sup>

Mr. Daniel Fuller soon after died of said sickness, never having acknowledged said deed &c.; praying this Assembly to order and decree, that the said deed so executed by the said Mr. Daniel Fuller, when the same shall be recorded, the said deed or a copy of such record be allowed as evidence as though the same had been acknowledged &c. as per memorial on file appears: Resolved by this Assembly, that the said deed so made, signed and sealed, by the said Mr. Daniel Fuller be recorded, and that the same being recorded, the same or a copy of such record shall be allowed as evidence to all intents and purposes as though the same had been acknowledged by the grantor before lawful authority.

Upon the memorial of Daniel Horsford jun<sup>r</sup>, administrator upon the estate of Thomas Dibble late of Torrington, deceased, representing to this Assembly that the debts due from the estate of said deceased surmount the personal estate of said deceased the sum of £35 15s. 9d. lawful money; praying that some suitable person might be appointed to make sale of so much of the real estate of said deceased as should be sufficient to pay said sum with the incident charge arising on such sale, as per memorial appears: Resolved by this Assembly, that the memorialist have liberty, and liberty is hereby granted unto him, to make sale of so much of said estate as shall be sufficient to pay said sum of £35 15s. 9d. with the incident charge arising thereon; taking the advice and direction of said court of probate in the district of Litchfield therein.

Upon the memorial of Stephen Hull of Fairfield, administrator on the estate of Peter Hull late of said Fairfield, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the moveable part of said estate the sum of £56 3s. 0½d. and praying for liberty to sell so much of the real estate of said deceased as will raise said sum &c.: Resolved by this Assembly, that the said Stephen Hull have liberty and he is hereby impowered, to sell so much of the real estate of said deceased as will be sufficient to pay said sum of £56 3s. 0½d. with the incident charges arising on such sale; taking the direction of the court of probate in the district of Fairfield therein.

[371] Upon the memorial of Nathan Johnson and others, inhabitants of the west part of Stafford in the county of Hartford, representing that they live at a great distance from the meeting-house in said Stafford, so that they cannot without great difficulty attend the public worship there, and thereby their families are in a great measure destitute of the preach-

ing of the gospel; praying to be made a distinct ecclesiastical society &c., as per memorial on file: Resolved by this Assembly, that the memorialists and all other the inhabitants living within the bounds and limits mentioned and described in the vote of the inhabitants of said town of Stafford in their town meeting May 4th 1761, *viz*: To begin at or near the head of Willamantick River where it comes out of Brimfield into said Stafford, and then down the river as the river runs to the place at which the west branch empties itself into the middle branch of said river against Mr. John Lindseys meadow, and from thence a due south point till it strikes the south line of the town of said Stafford, be and the same are hereby made and constituted a distinct ecclesiastical society, with the same powers, priviledges and immunities as the other ecclesiastical societies in this Colony by law have. And the said society shall be called, known and distinguished by the name of West-Stafford.

Upon the memorial of Robert Cleland of New London, school-master to the Mohegan Indians, shewing to this Assembly that sundry of the parents of the Indian children belonging to his school aforesaid have died in the King's service, and others of them are under such needy circumstances that they are unable to provide dinners for such of their children as ought to attend said school, whereby the good ends proposed in erecting and maintaining said school is liable to be injured &c.; praying that some small allowance might be made out of the public treasury of this Colony for that purpose &c. as per memorial on file: Resolved by this Assembly, that the sum of six pounds in bills of this Colony be paid to said memorialist out of the public treasury of this Colony, to be applied to the use and purpose aforesaid, taking the advice and direction of the Rev<sup>d</sup> David Jewet and Pygan Adams, Esq<sup>r</sup>, of New London, therein; and the Treasurer of this Colony is hereby ordered and directed to pay the same accordingly.

On the memorial of Mr. Benjamin Woodbridge of New Haven, clerk, representing that on the 22d July 1759, on request of the minor party of the first society in Wallingford and the concurrent advice of an ecclesiastic council he had assisted said minor party in carrying on divine worship on the Sabbath in the meeting-house of said first society during the intermission of the major part of said society's worship; that as the same was undertaken on the advice of those whose good intentions as well as wisdom and acquaintance with the rules of decency and order he had no reason to question, and

executed with all due solemnity and simplicity of mind, he might reasonably hope and expect no offence should have been taken thereat; that he nevertheless was soon after complained of and prosecuted as a violator of the law, before John Whiting, Esqr, justice of the peace, and on the 15th August then next judged guilty of disorderly assembling on said Sabbath, and accordingly sentenced to pay a fine of ten shillings and costs of prosecution &c. to the detriment of his ministerial character and grievous disadvantage of his discharge of office &c., and thereupon praying relief &c.: This Assembly, being satisfied of the innocent intentions of the memorialist, in great tenderness and veneration for the sacred office and in prevention of all hindrance in due discharge thereof, do resolve, that the memorialist be restored to all that which by occasion of said judgment he hath lost and been subjected to, which is the sum of £2 1s. 2*d.*, and that he in equity ought not to stand in the light and under the burdens of a criminal, do therefore order the Treasurer of this Colony to pay to the memorialist out of the public treasury the sum abovesaid, the amount of the judgment aforesaid.

[372] Upon the memorial of Sarah Redfield, administratrix on the estate of Capt. Peleg Redfield late of Killingworth, deceased, representing to this Assembly that the debts due from said estate and charges of administration surmount the personal estate of said deceased the sum of £88 11*s.* 8*½d.* lawful money, and praying for liberty to make sale of so much of the real estate of said deceased as may be sufficient to pay said sum with the incident charges arising thereon: Resolved by this Assembly, that Mr. Jonathan Wilcocks of said Killingworth be appointed and impowered to make sale of so much of the real estate of said deceased as shall be sufficient to pay said sum with the incident charges arising thereon; taking the direction of the court of probate in the district of Guilford therein.

On the memorial of Jacob Hinsdall and Anne Peck of Harwinton, executors on the last will and testament of Jacob Peck of said Harwinton, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the moveable estate the sum of £86 16*s.* 0*d.* lawful money, and praying liberty to sell so much of the real estate of said deceased as to make said sum of £86 16*s.* 0*d.* lawful money with the incident charges arising thereon, as by said memorial on file may appear: Resolved by this Assembly, that the memorialists have power, and they are hereby authorized and fully impowered, to sell so much of the real estate of



said deceased as to make the aforesaid sum of £86 16s. 0*d.* lawful money, to answer said debts and the charges arising thereon; taking the direction of the court of probate for the district of Litchfield therein.

Upon the memorial of Matthew Mead and Jeremiah Mead, both of Norwalk, administrators on the estate of Thaddeus Mead late of said Norwalk, deceased, shewing to this Assembly that the debts due from the estate of said deceased with some allowance to the widow exceed the moveable part of said estate the sum of £143 7s. 2 $\frac{3}{4}$ *d.*, and praying for liberty to sell so much of the real estate of said deceased as will raise said sum &c.: Resolved by this Assembly, that the said administrators have liberty and they are hereby impowered, to sell so much of the real estate of said deceased as will be sufficient to pay said sum of £143 7s. 2 $\frac{3}{4}$ *d.* with the incident charges arising on such sale; taking the direction of the court of probate in the district of Fairfield therein.

Upon the memorial of Eunice Morehouse of Fairfield, executrix of the last will and testament of Ephraim Morehouse late of said Fairfield, deceased, shewing to this Assembly that since the Assembly of this Colony in October last granted liberty for the sale of some part of the real estate of said deceased for the payment of his debts that then appeared to surpass his moveable estate, a further account of debts due from said estate hath been rendered to and allowed by the court of probate in Fairfield district, amounting to the sum of £30 11s. 10*d.* and that she hath no moveable estate of the said deceased in her hands to pay the same, and that the testator made no provision in his said will for the payment of his debts otherwise than out of his moveable estate, and praying for liberty to sell so much of the real estate of said deceased as will pay said sum of £30 11s. 10*d.* &c.: [373] Resolved by this Assembly, that the said Eunice Morehouse and David Wheeler jun<sup>r</sup>, both of said Fairfield, have liberty to sell and they are hereby impowered to sell so much of the real estate of said deceased as will be sufficient to raise said sum of £30 11s. 10*d.* with the incident charges arising on such sale; taking directions of the court of probate in the district of Fairfield therein.

Upon the memorial of Nathan Burwell and John Patrick, both of Norwalk, administrators on the estate of David Olmsted late of said Norwalk, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the moveable part of said estate the sum of £75 3s. 7*d.* lawful money, and praying for liberty to sell so much of

the real estate of said deceased as will raise said sum &c.: Resolved by this Assembly, that the said administrators have liberty and they are hereby impowered, to sell so much of the real estate of the said deceased David Olmsted as will be sufficient to pay said sum of £75 3s. 7*d.* with the incident charges arising on such sale; taking directions of the court of probate in Fairfield district therein.

On the memorial of David Jacobs, administrator on the estate of Abraham Jacobs late of New Haven, deceased, representing to this Assembly that the debts due from the estate of said deceased surmount the personal estate of said deceased the sum of £11 7s. 10<sup>3</sup>/<sub>4</sub>*d.* lawful money; praying for liberty to sell so much of the real estate of said deceased as may be sufficient to raise said sum with the incident charges, as per memorial appears: Resolved by this Assembly, that said David Jacobs have liberty, and liberty and authority is hereby granted to the said David Jacobs, to sell and convey so much of the real estate of said deceased as shall be sufficient to raise said sum of £11 7s. 10<sup>3</sup>/<sub>4</sub>*d.* with the incident charges which may arise on such sale; taking the advice of the court of probate for the district of New Haven therein.

Upon the memorial of Daniel Dudley and Mary Dudley, administrators on the estate of Daniel Dudley late of Woodbury, deceased, shewing to this Assembly that the debts and charges due from said estate together with some small allowances made to the widow of things necessary to keep house surmount the moveable part of said estate the sum of £38 3s. 8*d.* 2*q.* lawful money, and praying for liberty to make sale of so much of the real estate of the said deceased as to make said sum &c., as per memorial on file: Resolved by this Assembly, that the said Daniel Dudley have liberty, and liberty is hereby granted unto him, to make sale of so much of the real estate of the said Daniel Dudley, deceased, as to make said sum of £38 3s. 8*d.* 2*q.* lawful money, with incident charges arising thereon; taking the direction of the court of probate in the district of Woodbury therein.

Upon the memorial of Abner Mallery and Mary Mallery, administrators on the estate of John Mallery late of Woodbury, deceased, shewing to this Assembly that the debts and charges due from said estate with some small allowances made to the widow of things necessary to keep house surmount the moveable part of said estate the sum of £59 13s. 7<sup>3</sup>/<sub>4</sub>*d.* lawful money, and praying for liberty to sell so much of the real estate of the said deceased as to make said sum &c., as per memorial on file: Resolved by this Assembly, that the

said Abner Mallary have liberty, and liberty and authority is hereby granted unto him, the said Abner Mallary, to make sale of so much of the real estate of the said John Mallary, deceased, as to make said sum of £59 13s. 7 $\frac{1}{4}$ d. lawful money with incident charges arising thereon; taking the direction of the court of probate for the district of Woodbury therein.

[374] Upon the memorial of Timothy Benedict, Samuel Gates, Jonah Foster and others, living in that part of the town of Ridgfield commonly called the New Patent, shewing to this Assembly that the memorialists live in the north part of said town and very remote from the place of public worship to which they belong; therefore praying to be made a distinct ecclesiastical society with the following limits, *viz*: to begin at the southwest corner at a place called the Two Mile Monument upon the Colony line a little south of the horse-pound, from thence a straight line to the mill bridge near Isaac Kclers dwelling house, and from thence a straight line to a chestnut-oak tree near the outlet of Bennits Pond, (so called,) one of the perambulation bounds between Danbury and Ridgfield, from thence a straight line as the perambulation line runneth to a heap of stones upon a ledge of rocks near or upon Jacob Wildman's lot southwardly from his dwelling house, and from thence a straight line to a large heap of stones in the perambulation line westerly of Samuel Benedicks dwelling house, and from thence in the perambulation line northerly to the northwest corner of Danbury township, and from thence west as New Fairfield line runs to the Colony line, from thence southerly by the Colony line to the first station: Resolved by this Assembly, that Abraham Davenport and Increase Moseley, Esq<sup>rs</sup>, and Mr. Daniel Booth of Newtown, be and they are hereby appointed a committee to repair to and view the place described in said memorial and hear all parties concerned and consider the circumstances and report their opinion of the expediency of making a distinct ecclesiastical society within the limits aforesaid to the General Assembly to be holden at New Haven in October next.

Upon the memorial of Mary Skinner and Ichabod Stimpson, administrators on the estate of Joseph Skinner late of Tolland, deceased, shewing to this Assembly that the debts, charges and allowances due from the estate of the said Joseph Skinner, deceased, surmount the personal estate of said deceased the sum of £22 9s. 2d. 3, lawful money; praying for liberty to sell so much of the real estate of said deceased as to raise said sum together with the necessary inci-

dent charges arising on said sale, as per memorial on file appears: Resolved by this Assembly, that the said Mary Skinner and Ichabod Stimpson, administrators, have liberty and they are hereby impowered, to sell so much of the real estate of the said Joseph Skinner, deceased, as to raise the said sum of £22 9s. 2d. 3, lawful money, together with the necessary incident charges arising on said sale; taking the direction of the court of probate in the district of Stafford therein.

Upon the memorial of Ebenezer Leach, of Coventry in the county of Windham, shewing to this Assembly that one Joseph Green, an Indian servant to said memorialist, was a soldier in the northern campaigns in the years 1757 and 1758, in which service an illness came upon him which fell into his right hip and grew worse and worse until his right hip, thigh and leg became one continued putrifying sore, notwithstanding all endeavours that could be used and means applied by the most experienced surgeons, and so continued under the most distressing pain and care of the physicians for one year, during which illness said memorialist expended much time and money; praying for some allowance out of the treasury of the Colony: Resolved by this Assembly, that said memorialist be allowed for the physicians bills and his other expences in said illness, the sum of forty pounds lawful money out of the treasury of this Colony, and the Treasurer of this Colony is hereby ordered and directed to pay the same accordingly.

[375] Upon the memorial of Judah Hart and Sarah Hart, administrators of the estate of James North late of Canaan, deceased, representing to this Assembly that the debts due from the estate of said deceased which was allowed by the court of probates for the district of Sharon surmount the whole moveable estate and so much of the real estate of said deceased as hath already been sold by order of the General Assembly the sum of £31 5s. 8½d. lawful money; praying that Capt. Thomas North of Sharon might be impowered to sell so much of real estate as to pay said sum with the incident charge of sale, taking the direction of the court of probate in said district, as per the memorial appears: Resolved by this Assembly, that said Thomas North have liberty and authority is hereby granted unto him, to sell so much of said estate as shall be sufficient to pay said £31 5s. 8½d. with the incident charge of such sale; taking the direction of the court of probates in said district therein.

Upon the memorial of the inhabitants of the town of Staf-

ford, representing to this Assembly that the bounds dividing between the said town of Stafford and the town of Union have never been erected and fixed, by means whereof many difficulties have already arisen and many more are likely to arise respecting the eastward extent of the township of Stafford aforesaid, and praying this Assembly to appoint some suitable person or persons to set up and fix the bounds between said towns: Resolved by this Assembly, that Joseph Strong jun<sup>r</sup>, Zebulon West and William Wells, Esq<sup>rs</sup>, be appointed and they are hereby appointed a committee to repair to, set up and fix the bounds dividing between said towns as prayed for, and make report to this Assembly in October next.

Upon the memorial of Jeremiah Macomber, conservator of the person and estate of Samuel Cooper of New Haven, representing to this Assembly that from the 8th day of April 1759, till the 8th day of April last, together with some charge of selling land according to act of Assembly in May 1759, as allowed by the county court held in New Haven in April last, surmounts all that he has in his hands as conservator to pay the same the sum of £27 6s. 7½*d.* lawful money; praying that he might be appointed to make sale of so much of the real estate of said Samuel Cooper as shall enable him to pay said sum with the charge of sale: Resolved by this Assembly, that said conservator have liberty, and liberty, authority and power is hereby granted to the said conservator, to sell so much of said real estate as shall be sufficient to pay said sum of £27 6s. 7½*d.* together with the charges arising on such sale; giving an account to said county court of his proceedings therein.

On the memorial of Martha Atwater and Joel Atwater, administrators on the estate of Jonathan Atwater late of New Haven, deceased, representing to this Assembly that the debts due from the estate of said deceased with some allowance to the widow surmount the personal estate of said deceased the sum of £253 9s. 2½*d.* lawful money; praying for liberty to sell so much of the real estate of said deceased as may be sufficient to raise said sum with the incident charges; as per memorial appears: Resolved by this Assembly, that said Joel Atwater have liberty, and liberty and authority is hereby granted to [376] the said Joel Atwater, || to sell and convey so much of the real estate of said deceased as shall be sufficient to raise said sum of £253 9s. 2½*d.* with the incident charges which may arise on such sale; taking the advice of the court of probate for the district of New Haven therein.

On the memorial of John Hall 4th of Wallingford, administrator on the estate of Abraham Hall late of said Wallingford, deceased, representing to this Assembly that the debts due from the said estate surmount the personal estate of said deceased the sum of £32 2s. 8½*d.* money; praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay said sum and incident charges &c., as per said memorial on file appears: Resolved by this Assembly, that the memorialist have liberty, and liberty and power is hereby granted to the said memorialist, to sell and convey so much of the real estate of said deceased as shall be sufficient to raise said sum of £32 2s. 8½*d.* with the incident charges of such sale; taking the direction of the court of probate for the district of New Haven therein.

On the memorial of Sarah Alling, administratrix on the estate of Ebenezer Alling late of Wallingford, deceased, representing to this Assembly that the debts due from the estate of said deceased surmount the personal estate of said Ebenezer the sum of £74 5s. 6*d.* money; praying for liberty to sell so much of the real estate of said deceased as may be sufficient to raise said sum with the incident charges, as per said memorial appears: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted to the said memorialist, to sell and convey so much of the real estate of said deceased as shall be sufficient to raise said sum of £74 5s. 6*d.* with the incident charges which may arise on such sale; taking the advice of the court of probate for the district of New Haven therein.

Upon the memorial of Joseph Bewel jun<sup>r</sup>, of Somers in the county of Hartford, shewing to this Assembly that he being in the King's service in the year 1758, in Col. Lyman's regiment and Capt. Chapman's company, and being out in the scout under Major Rogers and in the fight near Fort Ann the 8th day of August in said year, did then and there receive a wound in his leg by a bullet from the enemy; praying this Hon<sup>ble</sup> Assembly to grant said memorialist the sum of five pounds out of the treasury of this Colony therefor: Resolved by this Assembly, that said memorialist be allowed and paid out of [the] treasury of this Colony the said sum of five pounds as prayed for, and that the Treasurer of this Colony be directed accordingly.

Upon the memorial of Lydia Kelsey, late of Killingsworth in the county of New London, now of Westfield in the Province of the Massachusetts Bay, a minor, by her guardian David Noble, late of Hebron in the county of Hartford, now

of a place called Pantosuck in said Province, representing that in the winter last past she was taken sick of the small-pox at said Westfield, and that the charge and expence of her sickness till the time of her recovery amounts to £26 11s. 11*d.* lawful money, and that she hath neither money or moveable estate to pay the same; praying that her said guardian may be impowered to sell so much of her real estate as shall be sufficient to pay said sum &c.: Resolved by this Assembly, that the said David Noble, guardian to the said Lydia, be impowered and he is hereby fully authorized and impowered, to sell so much of the real estate of the said Lydia Kelsey which lyeth in said town of Killingsworth as shall be sufficient to procure the aforesaid sum of £26 11s. 11*d.* and the incident charges arising on said sale.

[377] Upon the memorial of Jonas Marsh and Mercy Merrills, of Canaan in Litchfield county, executors on the last will and testament of Jonathan Fellows late of said Canaan, deceased, representing to this Assembly that the debts due from the estate of said deceased surmounted the moveable estate of said deceased the sum of £44 14s. 4½*d.* lawful money, and that liberty hath herefore been granted by this Assembly for the sale of so much of the estate as amounted to the sum of £20 1s. 9*d.*, and that there is debts yet remaining due from said estate the sum of £24 12s. 7½*d.* lawful money, and no moveable estate to answer the same; praying for liberty to sell so much of said real estate of said deceased, to answer the same &c.: Resolved by this Assembly, that Isaac Lawrence of said Canaan have liberty and he is hereby fully authorized and impowered, to make sale of so much of the real estate of said deceased as will amount to the said sum of £24 12s. 7½*d.* lawful money, together with the incident charge arising thereon, and also pay the said debts: taking the direction of the court of probate in the district of Sharon therein.

On the memorial of Thomas Blakesly, Caleb Humaston and others, inhabitants of Waterbury in the county of New Haven, representing to this Assembly the necessity of a good cart bridge over Waterbury River near the center of the parish of Northbury in said town; that said town refusing to build such bridge the memorialists have at great expence by subscription erected a good bridge across said river at said place &c.; praying that said town may be obliged to refund said expence and to maintain said bridge for the future &c., as per memorial on file: Resolved by this Assembly, that the inhabitants of the town of Waterbury aforesaid shall and they are

hereby ordered to pay and satisfy to the memorialists the sum of thirty pounds money, in reimbursement of their expences in building the bridge aforesaid, and that the said bridge shall be kept up and maintained at the cost of the inhabitants of said town of Waterbury for the future.

Upon the memorial of William Noyes and Seth Marvin, administrators on the estate of Matthew Marvin late of Lyme, deceased, shewing to this Assembly that the debts due from the estate of said deceased with the charge of administration surmounts the personal estate of said deceased the sum of £421 19s. 5d. lawful money; praying that some suitable person may be appointed to make sale of so much of the real estate of said deceased as shall be sufficient to pay said sum with the incident charges arising on such sale, as per memorial on file: Resolved by this Assembly, that said memorialists have liberty, and liberty and authority is hereby granted to said memorialists, to make sale of so much of the real estate of said deceased as shall amount to the sum of four hundred and twenty-one pounds nineteen shillings and five pence lawful money, with the incident charges arising on such sale; taking the direction of the court of probate for the district of New London therein.

Upon the memorial of Robert Seeley, administrator on the estate of Zadock Seeley late of Newtown, deceased, shewing to this Assembly that the debts due from said estate surmount the personal estate of the deceased the sum of four pounds three shillings; praying to this Assembly for liberty to sell lands, as per memorial on file: Resolved by this Assembly, that the memorialist have liberty and he is hereby impowered, to make sale of so much of the lands of the deceased as to procure the aforesaid sum of four pounds three shillings together with the incident charge arising by said sale; taking the direction of the court of probate in the district of Danbury therein.

[378] Upon the memorial of Peter Hepburn of Milford, representing to this Assembly that he has taken the ferry established by authority of the General Assembly on the east side of Stratford River; that he gives a large rent therefor in expectation of keeping a house of public entertainment at said ferry, which would also be very beneficial for travellers passing said ferry: but that he being at that time out of the government, he was unhappily forgotten by the authority and selectmen of Milford during all the period by law allowed for nominating tavern-keepers &c.; praying for liberty to keep a public house of entertainment the year ensuing, as per memorial on file: Resolved by this Assembly, that the said



Peter Hepburn have liberty, and liberty is hereby given to the said Peter Hepburn, to keep a house of public entertainment at said ferry the year ensuing, subject to the same laws, rules and regulations that other tavern-keepers and licenced houses in this Colony are subject to.

Upon the memorial of Worthy Waters jun<sup>r</sup> and Ruth Brown, administrators on the estate of John Brown late of Hebron, deceased, representing to this Assembly that debts due from said estate and charges allowed with some small allowance made to the relict of said deceased surmount the personal estate of said deceased the sum of £29 1s. 5*d.* lawful money, and praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to raise said sum with the incident charges arising thereon: Resolved by this Assembly, that the memorialist have liberty and liberty to sell so much of the real estate of said deceased as shall be sufficient to raise [said] sum with the incident charges arising thereon; taking the direction of the court of probate in the district of East Haddam therein.

On the memorial of Thomas Sadd jun<sup>r</sup> of Windsor, executor to the last will of Timothy Bissell, late of Windsor in the district of Hartford, deceased, for liberty to sell real estate of the said deceased for the payment of debts &c. due from said estate to the value of £11 2s. 11*d.* lawful money, as per memorial on file: Resolved by this Assembly, that the said Thomas Sadd jun<sup>r</sup>, have liberty, and liberty is hereby granted to the said Thomas Sadd jun<sup>r</sup>, to sell so much of the real estate of the said deceased as will raise the sum of £11 2s. 11*d.* lawful money, for the payment of said debts with incident charges of sale; taking the advice of the court of probate in the district of Hartford therein.

On the memorial of Christian Smith, administratrix on the estate of Levi Smith late of Weathersfield, deceased, for liberty to sell of the real estate of the said deceased to the value of £11 3s. 2½*d.* lawful money, for the payment of debts and charges due from said estate, as per memorial on file: Resolved by this Assembly, that the memorialist have liberty, and liberty is hereby granted that there be sold of the real estate of the said deceased to the value of £11 3s. 2½*d.* lawful money, with incident charges of sale; and this court appoints Israel Williams of Weathersfield to sell said real estate for the payment of said debts, taking the advice of the court of probate in the district of Hartford therein.

Upon the memorial of Jacob Keeney jun<sup>r</sup> of New Milford, shewing that in September 1755, he was imprest to serve as

a soldier in the pay of this Colony in the company commanded by Capt. Thomas Hobby, || and that he joined and marched with said company to Lake George, and that he continued at Fort Edward to keep garrison until April 1756, and then on his return home was taken captive by the Indians and carried to an Indian town near Montreal, where he remained in captivity and endured great hardships until August 1760, and that his gun and cloaths were taken from him by the enemy; therefore praying for some reward out of the treasury of this Colony: Resolved by this Assembly, that the memorialist have paid to him out of the treasury of this Colony the sum of fifteen pounds on account of his being captivated as aforesaid, and the Treasurer is hereby ordered to pay the same accordingly.

Upon the memorial of John Huntington and James Steel, administrators on the estate of Andrew Huntington late of Tolland, deceased, shewing to this Assembly that the debts, charges and allowances due from the estate of said Andrew Huntington, deceased, surmount the personal inventoried estate of said deceased the sum of £64 15s. 5d. lawful money; praying for liberty to sell so much of the real estate of said deceased as to raise the said sum of £64 15s. 5d. lawful money, for the payment of debts, with the incident charges arising on said sale, as per memorial on file appears: Resolved by this Assembly, that the said John Huntington and James Steel have liberty, and liberty, power and authority is hereby granted to them, to sell so much of the real estate of said Andrew Huntington, deceased, as to raise the sum of £64 15s. 5d. lawful money, for the payment of debts, with the incident charges arising on said sale; taking the direction of the court of probate in the district of Stafford therein.

On the memorial of Nathaniel Perry and Zaccheus Morehouse &c., church-wardens and vestry-men of Trinity Church, so called, within the first society in Fairfield, shewing to this Assembly the great difficulties the professors of the Church of England belonging to said church labour under with respect to repairing their said church or meeting-house for divine worship, for want of power and authority to tax themselves for such purpose; praying for relief in the premises: Resolved by this Assembly, that the church-wardens and vestry-men of said church, or the major part of them, be and hereby are (on five days notice) fully authorized and empowered to call the members and professors of the Church of England belonging to said church to meet at such time and place as they shall appoint, when and where being so met, they shall

be and hereby are fully authorized and impowered by their major vote to grant such rates and taxes to be levied and collected from such professors as aforesaid as shall be necessary for the purpose of repairing such meeting-house or church. And they are also hereby further authorized and impowered to choose a committee to manage the repairing of such house, and to appoint a collector to collect such rate or tax, who shall have the same power and authority to collect such rate or tax and be accountable therefor in the same manner as other collectors by law are; and any one Assistant or justice of the peace is hereby impowered and directed, on application to him made by such committee, to issue such warrant for collecting such rate as by law they are impowered and directed for collecting other rates and taxes.

Upon the memorial of Elizabeth Hull of New Haven, administratrix on the estate of John Hull late of said New Haven, deceased, shewing to this Assembly that the debts and charges allowed by the court of probate in the district of New Haven against the estate of the said deceased with some small allowance to the widow surmount the whole inventoried moveable estate the sum of £27 8s. 3d. lawful money, and praying that so much of the real estate may be sold as shall be sufficient to raise said sum with the incident charges arising [380] thereon, as per said memorial on file: || Resolved by this Assembly, that Abraham Auger of said New Haven have liberty, and liberty and authority is hereby granted to him, the said Abraham Auger, to make sale and convey so much of the real estate of the said deceased as shall be sufficient to raise said sum of £27 8s. 3d. with the incident charges arising thereon; taking the directions of the court of probate in the district of New Haven therein.

On the memorial of Samuel Horton, shewing to this Assembly that he had burnt in his house on the 3d day of May 1761, paper bills of this Colony to the amount of forty shillings lawful money, and praying that an order might be granted to him on the Treasurer of this Colony for the sum of forty shillings, as per said memorial on file: Resolved by this Assembly, that the said Samuel Horton be allowed and that there be paid to him out of the treasury of this Colony the sum of forty shillings in paper bills; and the Treasurer is hereby ordered to pay the same accordingly.

Upon the memorial of John Lewis, Phineas Royce, Timothy Porter, Jeremiah Peck, Timothy Clark and Ezra Brounson, listers of the town of Waterbury, representing that in the year last past, being listers of said town as aforesaid, they

assessed fourfold Joseph Guernsey of said Waterbury in the sum of £176; that the said Joseph Guernsey afterwards applied to a justice of the peace and two of the selectmen in said town, who abated the said fourfold assessment to the said Joseph Guernsey, to wit, three fourth parts thereof, being £132; that said justice and selectmen mistook the law &c.; praying that the doings of said justice and selectmen be set aside &c.: Resolved by this Assembly, that the aforesaid doings of the said justice and selectmen in granting an abatement of the aforesaid three fourth parts of said fourfold assessment shall be and the same is hereby reversed, set aside and made void, and all collectors and others concerned are to conform themselves to this resolve.

Upon the memorial of Thomas Hosmer and others, proprietors of the township of Winchester, Torrington &c., and inhabitants of New Hartford, Symsbury &c., representing that there is great necessity of a public road or highway to be laid out, to begin near the dwelling house of Samuel Derham in said Torrington at the end of the highway already laid out, and from thence to said township of Winchester near the course of the road as now used, and from thence through said Winchester near the dwelling house of Adam Mott and Jonathan Mott, or where it may best suit, until it comes to the country road in Norfolk: Resolved by this Assembly, that Capt. Jonath. Pettibone and Mr. Abel Merrills be and they are hereby appointed a committee to view and consider the necessity and conveniency of there being a highway laid out at or near the place aforesaid, and make report of what they shall find and of their opinion thereon to this Assembly at their sessions in October next.

Upon the memorial of William Tanner, Benoni Peck and others, representing that Ousatunnick River, (so called,) running thro' the western part of this Colony from the line of the Massachusetts Colony down as far as Derby may without great expence be so cleared and disencumber'd of its present obstructions as to render it greatly advantageous for transportation &c. and beneficial especially to the western parts of this government, and praying liberty to such purpose to set up a lottery &c.: Resolved by this Assembly, that Benjamin Hall, Esq<sup>r</sup>, and Col. Joseph Wooster be and they are hereby appointed a committee to repair to said river and [381] the same carefully to view and examine, noticing the width, depth, gentleness or rapidity of its current in the several parts of it, incumbrances by trees, rocks or ledges, or of what kind soever, during their progress therein carefully

keeping an exact and circumstantial journal of whatever they find worthy of notice therein, as particularly as may be describing everything considerable as an hindrance to navigation or carriage up and down said stream, together with their opinion touching the practicableness of removing the same and the expence necessary to that purpose, and thereof to make return to this Assembly in their sessions at New Haven in October next.

Upon the memorial of Mehitabel Clark (the third) of Haddam in the county of Hartford, administratrix on the estate of Jacob Clark late of said Haddam, deceased, representing to this Assembly the debts due from the estate of said deceased with some allowance made to the widow surmount the personal estate of the said Jacob Clark the sum of £12 2s. 10*d.* lawful money, and praying for liberty to sell so much of the real estate of the said deceased as shall raise the said sum with the incident charges arising thereon: Resolved by this Assembly, that Michal Clark of said Haddam have liberty and liberty and power is hereby granted him, to sell so much of the real estate of the said Jacob Clark, deceased, as shall raise the said sum of twelve pounds two shillings and ten pence of lawful money, with the incident charges arising on such sale; taking the direction of the court of probate in and for the district of Middleton therein.

Upon the memorial of Sarah Scott, administratrix on the estate of Benjamin Scott late of Tolland, deceased, shewing to this Assembly that the debts, charges and allowances due from the estate of the said Benjamin Scott, deceased, surmount the personal estate of said deceased the sum of £16 4s. 4*d.* lawful money; praying for liberty to sell so much of the real estate of said deceased as will raise said sum together with the incident charges arising on said sale; as per memorial on file appears: Resolved by this Assembly, that the said Sarah Scott, administratrix, have liberty and she is hereby impowered, to sell so much of the real estate of the said Benjamin Scott, deceased, as will raise the said sum of £16 4s. 4*d.* lawful money, for the payment of debts, together with the incident charges arising on said sale; taking the direction of the court of probates in the district of Stafford therein.

Upon the memorial of Jonathan Olmsted and Mary Cole, both of Hartford, administrators on the estate of Jonathan Cole late of Hartford, deceased, representing to this Assembly that the debts and charges due from said deceased's estate and necessaries allowed the widow surmount the moveable

estate of said deceased the sum of forty pounds four shillings and five pence farthing; praying for liberty to sell so much of the real estate of said deceased as shall pay and answer the aforesaid sum &c., as per memorial on file: Resolved by this Assembly, that the memorialists have liberty and liberty is hereby granted to them, to make sale of so much of the real estate of said deceased as shall be sufficient to pay and answer the aforesaid sum of forty pounds four shillings and five pence one farthing and the incident charges arising thereon; taking the direction of the court of probates for the district of Hartford therein.

Upon the memorial of Joseph Luce jun<sup>r</sup> of Tolland, administrator on the estate of Israel Luce late of Sharon, deceased, [382] shewing to this Assembly || that the debts, charges and allowances due from the estate of the said Israel Luce, deceased, surmount the personal estate of the said deceased the sum of £41 7s. 3d. 2, lawful money; praying for liberty to sell so much of the real estate of said deceased as to raise said sum together with the necessary incident charges arising on said sale, as per memorial on file appears: Resolved by this Assembly, that the memorialist have liberty and he is hereby impowered, to sell so much of the real estate of the said Israel Luce, deceased, as to raise the aforesaid sum of £41 7s. 3d. 2, lawful money, for the payment of the debts of the said deceased, together with the necessary incident charges arising on said sale; taking the direction of the court of probates in the district of Sharon therein.

Upon the memorial of Azariah Bedient of Norwalk, administrator on the estate of Thomas Bedient late of said Norwalk, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the moveable part of said estate the sum of £62 6s. 3d. for the payment whereof he hath nothing in his hands, and praying for liberty to make sale of so much of the real estate of said deceased as will pay and discharge said sum &c.: Resolved by this Assembly, that the memorialist have liberty and he is hereby impowered, to sell so much of the real estate of the said deceased Thomas Bedient as will be sufficient to pay and discharge said sum of £62 6s. 3d. with the incident charges arising on such sale; taking directions of the court of probate in the district of Fairfield therein.

Upon the memorial of Archibald Kesson, administrator on the estate of John Divan Berry late of Woodbury, deceased, shewing to this Assembly that the debts and charges due from said estate surmount the moveable part of said estate

the sum of £28 4s. 4*d.* lawful money, and praying for liberty to make sale of so much of the real estate as to make said sum of £28 4s. 4*d.* &c., as per memorial on file: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby given to the said Archibald Kesson, to make sale of so much of the real estate of the said John Divan Berry as to make said sum of £28 4s. 4*d.* lawful money with incident charges arising thereon; taking the direction of the court of probate for the district of Woodbury therein.

Upon the memorial of Peter Ward, administrator on the estate of Amos Ward late of Somers, deceased, representing to this Assembly that the debts due from said estate of said deceased surmount the personal estate of said deceased the sum of sixty-two pounds twelve shillings and nine pence lawful money, and praying that liberty may be granted to some meet person to sell all or so much of the real estate of said deceased as shall be sufficient to raise said sum with the incident charges arising thereon: Resolved by this Assembly, that the memorialist have liberty and he is hereby empowered, to sell so much of the real estate of said deceased as shall be sufficient to raise said sum with the incident charges arising thereon; taking the direction of the court of probates in the district of Stafford thereon.

Upon the memorial of Ralph Isaacs of Norwalk and David Burr jun<sup>r</sup> of Fairfield, both of Fairfield county, as they are executors of the last will and testament of Andris Truby late of Fairfield, deceased, representing to this Assembly that the debts due from the estate of said deceased surmount the credits and moveable estate of said deceased the sum of eighty-six pounds twelve shillings and seven pence; that they have nothing in their hands to pay the same; praying that they, or either of them, may have liberty to sell so much of the real estate of said deceased as shall be sufficient to pay and answer said sum with the necessary charges thereon, as per [383] memorial on file: || Resolved by this Assembly, that said David Burr jun<sup>r</sup>, one of the said executors, shall have liberty, and liberty is hereby granted to him, to make sale of so much of the real estate of said deceased as shall be sufficient to pay and answer said sum of eighty-six pounds twelve shillings and 7*d.* with the necessary charges arising on such sale; taking the direction of the court of probate for the district of Fairfield therein.

Upon the memorial of Mary Mattoon, administratrix on the estate of Nathaniel Mattoon late of Wallingford, deceased,

shewing that the debts due from said estate with some allowances made to the widow surmount the moveable estate of said deceased the sum of £67 10s. 11*d.* lawful money; praying this Assembly for liberty to sell so much of the real estate of said deceased as will be sufficient to procure said sum and incident charges of sale: Resolved by this Assembly, that the memorialist have liberty and she is hereby impowered, to sell so much of the real estate of the said Nathaniel Mattoon, deceased, as will be sufficient to procure said sum of £67 10s. 11*d.* together with the incident charges of such sale; taking the direction of the court of probate for the district of New Haven therein.

Upon the memorial of the selectmen of the town of Newtown, shewing to this Assembly that for many years past the said town has been at the cost and charge of supporting two idiots and distracted persons. *viz.*: Thaddeus and Phineas Lyon, which cost &c. has been £25 0s. 0*d.*, and said persons still remain very chargeable to said town; and also shewing that some time since there has a small piece of land of between five and six acres accrued to said Thaddeus &c. by the death of their brethren, valued by apprizers at £13 0s. 0*d.* lawful money; praying to this Assembly for liberty to sell said land for the payment of said sum: Resolved by this Assembly, that said selectmen of said Newton have liberty and they are hereby impowered, to make sale of said land to pay said sum or so much of said sum as said land shall be sold for.

Upon the memorial of John Moor of Lyme, administrator on the estate of Robert Chapman late of Lyme, deceased, shewing to this Assembly that the debts due from said estate with the charges of administration and some small allowance for the support of the family of said deceased amounts to the sum of £22 6s. 0*d.* lawful money, that the whole inventoried estate of said deceased amounts to the sum of £22 6s. 0*d.* lawful money, whereof £18 4s. 0*d.* is real and the residue, *viz.*: £4 2s. 0*d.* is personal estate; praying for liberty to sell the real estate of said deceased to pay the said debts &c., as per memorial on file &c.: Resolved by this Assembly, that said memorialist have liberty, and liberty and authority is hereby granted to him, to make sale of so much of the real estate of said deceased for the purpose aforesaid as shall be necessary to pay said debts &c. (saving to the widow her right of dower;) taking the direction of the court of probate of New London therein.

Upon the memorial of Judith Shaler, Joshua Dart and



John Gilbert, of Bolton, administrators on the estate of Ebenezer Shaler, late of Bolton in the district of Hartford, deceased, shewing to this Assembly that the debts due from the estate of said deceased after necessaries set out to the widow surmount the personal estate of said deceased the sum of £96 13s. 3*d.* lawful money; praying for liberty to make sale of so much of the real estate of said deceased as shall satisfy said sum: Resolved by this Assembly, that the memorialists have liberty and they are hereby authorized and impowered, to make sale of so much of the real estate of said deceased as to satisfy said sum with incident charges of said sale; taking the advice of the court of probate in said district therein.

Upon the memorial of Samuel Phelps of Lyme, administrator on the estate of Silas Tiffany late of Lyme, deceased, with the will of said Tiffany annexed, representing that the debts due from the estate of said deceased surmount the personal estate the sum of £38 5s. 2*d.* and that no provision is made in said will for the payment of said debts; praying for liberty to sell and dispose of so much of said real estate as shall be sufficient to raise said sum together with the incident charges of sale: Resolved by this Assembly, that said administrator have liberty, and liberty is hereby granted to him, to [384] make || sale of so much of the real estate of said deceased as shall be sufficient to raise said sum of £38 5s. 2*d.* together with the incident charges arising on said sale; taking the direction of the court of probate for the district of New London therein.

Upon the memorial of Samuel Bears and Moses Peck, of Newtown in the county of Fairfield, executors to the last will and testament of Job Northrop late of said Newtown, deceased, shewing to this Assembly that no provision was made in said will for the payment of the debts due from said estate any farther than the moveable estate extended, which debts with the allowance of £9 6s. 0*d.* of necessaries for the widow as allowed by the court of probate in the district of Danbury surmount said moveable estate the sum of £43 6s. 9½*d.*; praying to this Assembly for liberty to sell so much of the real estate of said deceased as to pay said sum of £43 6s. 9*d.* 3: Resolved by this Assembly, that the said executors have liberty, and power is hereby given to them, to sell so much of the real estate of said deceased as to pay said sum of £43 6s. 9*d.* 3, with the necessary charges arising thereon: taking the direction of the court of probate in the district of Danbury therein.

Upon the memorial of Daniel Thomas of New Haven, ad-

ministrator on the estate of Daniel Thomas late of said New Haven, deceased, shewing to this Assembly that the debts and charges allowed by the court of probate for the district of New Haven against the estate of the said deceased surmount the whole inventoried moveable estate the sum of £39 7s. 11*d.* lawful money, and praying that he may have liberty to make sale of so much of the real estate of the deceased as may be sufficient to raise said sum of £39 7s. 11*d.* with the incident charges arising thereon, as per said memorial on file may appear: Resolved by this Assembly, that the said Daniel Thomas have liberty, and liberty and power is hereby granted to him the said Daniel Thomas, to make sale of so much of the real estate of the said deceased as may be sufficient to raise said sum of £39 7s. 11*d.* lawful money, with the incident charges arising thereon; taking the directions of the court of probate for the district of New Haven therein.

Upon the memorial of William Durkee, administrator on the estate of Jacob Woodward late of Woodstock, deceased, representing to this Assembly that the debts due from the estate of said deceast surmount the personal estate of said deceast the sum of £244 16s. 0*d.* lawful money; praying that so much of the real estate of said Jacob Woodward be sold as to raise said sum of £244 16s. 0*d.* and the incident charges arising thereon: Resolved by this Assembly, that so much of the real estate of said Jacob Woodward be sold as will raise said sum of £244 16s. 0*d.* and the incident charges arising thereon, and that the said William Durkee is appointed to make sale of said real estate, taking the direction of the judge of probates in the district of Pomfret therein.

On the memorial of Samuel Pratt, of Saybrook in New London county, conservator of the person and estate of Ebenezer Pratt of said Saybrook, representing to this Assembly that on settlement of his accounts in his aforesaid capacity by the county court for New London county there appears to be due from said estate and allowed by said court the sum of £34 19s. 10*d.* lawful money, for payment whereof no personal estate of said Ebenezer remains in the hands of the memorialist; praying that liberty may be given to some meet person to sell so much of the real estate of said Ebenezer as shall be sufficient to satisfie said debt and to raise a further sum for defraying the growing expence for the support of the said Ebenezer Pratt; as per memorial on file appears: Resolved by this Assembly, that Capt. Hezekiah Whittlesey of said Saybrook have liberty, and liberty and authority is here- [385] by granted to the said || Hezekiah Whittlesey, to sell

and dispose of so much of the real estate of said Ebenezer Pratt as shall be sufficient to pay said debt and also to raise a further sum not exceeding £20 0s. 0*d.* lawful money, for defraying the farther charge of the support of said Ebenezer and the incident charge arising on such sale; rendering an account of his proceedings herein and of the monies which may arise on such sale to the county court for New London county.

Upon the memorial of Samuel Peck, administrator on the estate of Joseph Peck late of Greenwich, deceased, representing to this Assembly that the debts due from said deceased's estate surmount the personal estate of said deceased the sum of £48 19s. 9½*d.* and praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to raise said sum with the incident charges arising thereon: Resolved by this Assembly, the memorialist have liberty and he is hereby impowered, to sell so much of the real estate of said deceased as shall be sufficient to raise said sum with the incident charges arising thereon; taking the direction of the court of probates in the district of Stamford therein.

Upon the memorial of Rachel Moger of Stanford, administratrix on the estate of Samuel Moger late of said Stanford, deceased, shewing to this Assembly that she hath already obtained liberty to sell and dispose of the real estate of the said deceased for the payment of the debts and charges due from said estate to the amount of £19 10s. 9*d.* and that the whole of said real estate of the said deceased consists of a house and lot and shop, prized at £34, and that the said memorialist after having obtained liberty as aforesaid attempted both in a public and private manner to make sale of a part of said real estate to pay said debts and charges, but hath not been able to effect said sale nor make payment of said debts and charges, there being no person willing to purchase a part of said real estate unless they can purchase the whole, she being thereby greatly troubled and perplexed, and praying for liberty to sell the whole of said real estate of the said Samuel Moger, deceased, &c., as per memorial on file: Resolved by this Assembly, that the said memorialist have liberty, and liberty is hereby given unto her, the said memorialist, to make sale of the whole of said real estate of the said Samuel Moger, deceased, and the remainder of said estate besides said sum of £19 10s. 9*d.* and the incident charges arising on said sale be disposed of or paid to the widow and heirs of said deceased in such manner and proportion as the court of probate for the district of Stanford shall order and direct.

Upon the memorial of Ebenezer Jones, of Coventry in the county of Windham, administrator on the estate of John Clesson of Lebanon, deceast, shewing to this Assembly that the debts due from the estate of said deceast surmount the moveable inventoried estate the sum of £17 11s. 1*d.* lawful money; praying for liberty from this Assembly to sell so much of the real estate of said deceast as to pay said sum of £17 11s. 1*d.* with the charges arising thereon: Resolved by this Assembly, that the said Ebenezer Jones has. liberty, and liberty is hereby granted unto him, to sell so much of the real estate of the said deceast as to enable him to pay the sum of £17 11s. 1*d.* lawful money together with the charges arising on said sale; taking the direction of the court of probate in the district of Windham therein.

Upon the memorial of Mehitabel Tracy, of Canterbury in the county of Windham, administratrix on the estate of Phineas Tracy late of said Canterbury, deceast, shewing to this Assembly that the real estate of said deceast amounts to the sum of £1298 0s. 0*d.* and that the moveable or personal estate of the deceast amounts to no more than the sum of £369 17s. 8*d.*, and that the debts due from said estate with necessaries allowed to the widow &c. amounts to the sum of £761 8s. 9*d.*, so that the debts &c. surmount the said personal estate the sum of £391 11s. 1*d.*: praying to this Assembly for liberty to sell so much of said real estate as to pay said sum of £391 11s. 1*d.*: Resolved by this Assembly, that Mehitabel [386] Tracy, the administratrix || to said estate, have liberty, and power is hereby granted to her, to sell so much of said real estate as to pay said sum of £391 11s. 1*d.* with the necessary charges arising thereon; taking the directions of the court of probate for the district of Plainfield therein.

Upon the memorial of Thomas Fuller 2*d.*, Jared Spencer and Ebenezer Spencer, selectmen of the town of East Haddam in the county of Hartford, representing to this Assembly that one Jonathan Hinkley of said East Haddam being likely to come to want by mismanagement and bad husbandry, was by the selectmen of said town with the advice of Joseph Spencer, Esqr, a justice of peace for said county, in the year A. D. 1757, taken with his family into the care of said town, and that they, the said selectmen, accordingly proceeded to set up a notification and take an inventory of said Hinkley's estate &c., according to the directions of the statute in that case made and provided, and that the said Hinkley then being so much in debt and also having several helpless children, one in particular which is like to be chargeable all its life-time,

the said debts together with the charges of supporting said family to October A. D. 1759, surmounted the personal estate of said Hinkley the sum of £21 19s. 5*d.* lawful money; and that the selectmen of said town by their memorial at the sessions of the General Assembly said October A. D. 1759, obtained liberty to make sale of so much of the real estate of said Hinkley as might enable them to pay said sum with incident charges &c.; and also, that the said Hinkley and family ever since have been and still are in the care of said town, and that there hath sundry small debts appeared against said estate since said memorial was preferred, which with the necessary expences for the support of said family ever since said October A. D. 1759, to the present time, amounts to the sum of £14 15s. 3*d.* lawful money; praying for liberty to sell land &c., as per memorial on file appears: Resolved by this Assembly, that the memorialists be impowered, and they are hereby impowered, to make sale of so much of the real estate of said Hinkley as shall enable them to pay the said sum of £14 15s. 3*d.* lawful money, together with the incident charges arising on such sale, to be by them improved for the payment of said debts &c.

Upon the memorial of Prince Goodin, a free negro, shewing to this Assembly that in the year 1757, he enlisted into the company under the command of Col. Israel Putnam, and went to Fort Edward, and when Fort William Henry was taken he fell into the hands of the enemy and was carried captive to Montreal and there continued until said Montreal was taken and then joyned said company and came home; praying for a meet recompence to be paid to him out of the treasury of this Colony: Resolved by this Assembly, that the said Prince have ten pounds paid to him out of the treasury of this Colony, for his so continuing in captivity as aforesaid.

On the memorial of Odiah Loomis and Nathaniel Loomis, both of Windsor, conservators of the person and estate of Lydia Moor of said Windsor, representing to this Assembly that on settlement of their accounts against said Lydia by the county court for the county of Hartford there appeared to be due from said Lydia and was allowed by said court the sum of £29 5s. 4½*d.* money; praying for liberty to sell so much of the real estate of said Lydia as shall be sufficient to raise said sum together with the further sum of £20 0s. 0*d.*, as per memorial on file: Resolved by this Assembly, that the said conservators have liberty, and liberty and authority is hereby granted to the said conservators, to sell and convey so much

of the real estate of said Lydia as shall be sufficient to satisfy said sum of £29 5s. 4½*d.* together with incident charges of such sale, together with the further sum of £20 0s. 0*d.* for defraying the further expence of the support of said Lydia; being accountable to the county court of Hartford county therefor.

Upon the memorial of Joseph Comstock, of East Haddam in the county of Hartford, administrator on the estate of John Comstock late of said East Haddam, deceased, representing to this Assembly that the debts and charges due from the estate of said deceased surmount both the personal estate of said deceased and also the sum of money for which [387] lands heretofore || were ordered to be sold by this Assembly for the payment of the debts of said deceased, the sum of £77 1s. 3*d.* lawful money; praying for liberty to sell lands &c.: Resolved by this Assembly, that the memorialist be impowered, and he is hereby impowered, to make sale of so much of the real estate of said deceased as to pay the said sum of £77 1s. 3*d.* lawful money, with the incident charges arising on such sale; taking the directions of the court of probate for the district of East Haddam therein.

On the memorial of Ruth Churchill of Middleton, shewing to this Assembly that on the evening next after the first of March past her father, Mr. Daniel Churchill, had his house consumed by fire, and that she had in said house consumed by the fire four pounds fifteen shillings bills of credit of this Colony; praying that she may have that sum allowed and paid to her out of the public treasury of this Colony, as per memorial on file: Resolved by this Assembly, that the said Ruth Churchill be allowed and that there be paid to her out of the treasury of this Colony the aforesaid sum; and the Treasurer is hereby ordered to pay the same accordingly.

On the memorial of Levi Clinton of New Haven, representing to this Asssembly that he is duly appointed conservator of the person and estate of Thomas Clinton of said New Haven; that on a settlement of said conservator's account by the county court of New Haven county it appears that the said estate is indebted the sum of £36 10s. 7*d.* which cannot be discharged without selling the real estate of said Thomas, being an old dwelling house with an acre of land adjoining and twenty-one acres of brushy pasture with three quarters of an acre of salt meadow; praying for liberty to sell said real estate for payment of said debts and further support of said Thomas, as per memorial on file: Resolved by this Assembly, that the said conservator have liberty, and liberty, author-

ity and power is hereby granted to the said conservator, to sell and convey the real estate of said Thomas aforementioned; giving an account of his proceedings herein to the county court of New Haven county, and being thereto accountable for any surplus which may arise on such sale more than sufficient to satisfy said debt so allowed as aforesaid.

Upon the memorial of Eliphalet Comstock of Kent, and Samuel Comstock and Abel Camp, both of New Milford, shewing to this Assembly that the memorialists have been at considerable pains and cost in discovering and tendering to justice sundry persons in the county of Litchfield who were justly suspected to be guilty of making and uttering false and counterfeit coin made in imitation of Spanish mill'd dollars, and that on the complaint of the said Eliphalet Comstock sundry persons, *viz*: Samuel Palmer, Perez Partridge and Stephen Brown, all of Kent, and Edward Cogswell jun<sup>r</sup> of New Milford, were apprehended and by lawful authority recognized to appear before the superior court held at Litchfield in August 1760, and that the said Palmer, Partridge and Cogswell not appearing before said superior court, their bonds of recognizance, being fifty pounds each, became forfeit and due to the treasury of this Colony; and that altho' the complaint was made against said persons only in the name of the said Eliphalet, yet the other memorialists were equally concerned in discovering and prosecuting the said persons complained of, and that they had been at considerable trouble and expence therein, for which they have received no reward; therefore praying this Assembly to grant them ten pounds out of each of said forfeited bonds: Resolved by this Assembly, that the memorialists shall have the sum of five pounds each out of said forfeited bonds when the money thereon due is received into the treasury of this Colony; and the Treasurer is hereby ordered to pay the same to them accordingly.

Upon the memorial of Zebulon Gibbs and others, inhabitants in the south part of Litchfield, representing that they having for some time past enjoyed the priviledge of having the gospel preached to them three months in the winter season are now so increased that they have no place where they can conveniently meet for public worship &c.; praying for the addition of a month further priviledge, and power to build a [388] meeting-house and || to tax themselves therefor &c., as per memorial &c.: Resolved by this Assembly, that the inhabitants living within the limits and boundaries mentioned in the grant of the Assembly of the priviledges aforesaid be, and they are hereby, allowed to have the gospel preached

among them for four months in the winter season, and shall have liberty to build a meeting-house for public worship there. And the said inhabitants are also hereby impowered to tax themselves for the purposes aforesaid in the same manner as the societies in this Colony by law established usually do, and shall have the proper powers of such a society for the purposes aforesaid, and are hereby exempted from paying one third part of the taxes which shall or may be laid on them for building or repairing any meeting-house or supporting ministers in any other place or society to which any of the said inhabitants may belong, so long as they shall procure the gospel to be preached among them. And Daniel Sherman, Esqr, Col. Benjamin Hinman and Mr. Benjamin Stiles are hereby appointed a committee to fix a stake for a place whereon to build a meeting-house for said inhabitants and to make return of their doings therein to this Assembly in October next.

Upon the memorial of Joshua Mudge, of Canaan in the county of Litchfield, representing that in the year 1760 he was a soldier enlisted under Capt. Tarball Whitney in Col. Wooster's regiment; that during the campaign at a place called Oswagatchy he received a wound in his face, occasioned by a cannon ball from the fort, and that thereby he lost the sight of his right eye, &c.: praying relief under his unhappy loss &c.: Resolved by this Assembly, that the memorialist shall receive the sum of fifteen pounds on account of the loss of his eye; and a copy of this act shall be a sufficient warrant to the Treasurer to pay the same to him out of the public treasury of this Colony.

Upon the memorial of Daniel Greenell, administrator on the estate of William Greenell late of Saybrook, deceased, representing to this Assembly that the debts and charges due from said estate surmount the personal estate of said deceased the sum of £79 6s. 9d. lawful money, and praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to raise said sum with the incident charges arising thereon: Resolved by this Assembly, that Joseph Spencer of Saybrook have liberty to sell so much of the real estate of said deceased as shall be sufficient to raise said sum with the incident charges arising thereon; taking the direction of the court of probate in the district of Guilford therein.

Upon the memorial of Abraham Camp of Middleton, administrator on the estate of Noadiah Allen of Middleton, late deceased, representing to this Assembly that the debts and



charges due from the estate of said deceased and allowed by the court of probate for the district of Middleton surmount the moveable estate of the said deceased the sum of fourteen pounds five shillings and eight pence; praying for liberty to sell so much of the real estate of the said deceased as shall be sufficient to pay and answer the said sum of fourteen pounds five shillings and eight pence with the necessary charges arising thereon, as per memorial on file: Resolved by this Assembly, that the memorialist have liberty, and liberty is hereby granted to him, to make sale of so much of the real estate of said deceased as shall be sufficient to pay and answer said sum of fourteen pounds five shillings and eight pence with the necessary charges arising thereon; taking the direction of the court of probate for the district of Middleton therein.

Upon the memorial of Lydia Perkins and Joshua Perkins, of Lyme in the county of New London, administrators on the estate of John Perkins late of said Lyme, deceased, representing to this Assembly that the debts and charges due from the estate of said deceased surmount the personal estate of said deceased the sum of £72 7s. 4d. lawful money; praying for liberty to sell lands &c.: Resolved by this Assembly, that the memorialists be impowered, and they are hereby impowered, to make sale of so much of the real estate of said deceased as will enable them to pay the said sum of £72 7s. 4d. lawful money, with incident charges arising on such sale; taking the directions of the court of probate for the district of New London therein.

[389] Upon the memorial of Lemuel Roberts of Symsbury, conservator of the person and estate of John Roberts of said Symsbury, an impotent person, representing that the memorialist since his said appointment had expended and laid out a considerable sum towards the support of said impotent person, amounting to the sum of thirty-one pounds sixteen shillings and two pence one farthing, money, and had exhibited his account of his said expences to the county court held at Hartford in the county of Hartford in April last, which was by said county court accordingly allowed; that the estate of the said impotent person consists only of lands which lye within the said town of Symsbury, and the memorialist praying that the selectmen of said town of Symsbury, or some other meet persons, might be authorized to make sale of so much of said lands (in such part thereof as shall be least detrimental to the whole) that shall be sufficient to discharge and pay the said sum already allowed by said county court with the charges arising

hereon, &c.: Resolved by this Assembly, that Hezekiah Humphry, Esqr, of said Symsbury, be appointed and he is hereby appointed and authorized, to make sale of so much of said impotent person's lands (in the best manner and in such part thereof as shall least prejudice the whole) that shall be sufficient to pay and discharge the aforesaid sum of thirty-one pounds sixteen shillings and two pence one farthing with all the incident charges arising thereon, and that the same be accordingly applied.

Upon the petition of Andrew Burr junr, late of New Haven now of Fairfield, representing that some time in the month of January 1751, he was lawfully married to one Lydia Smith, then of Norwalk, and with her in the discharge of the duties of his marriage covenant happily liv'd during the space of about four years and until in prosecution of his lawful business he from said port of New Haven sail'd master of a vessel bound to the West Indies, with design and expectation in about three months to return again; that being during said voyage unprosperous and unhappily reduced and so involved in debt as to render his safe return impracticable, he with much reluctance betook himself to such business abroad as might afford the fairest prospect of retrieving his circumstances, tho' with little advantage upon the whole after sundry years diligent prosecution, maintaining in the mean time an intercourse with his said wife, and by frequent letters communicating his unalter'd conjugal affection and continual purpose to return when he safely might, and affording her also by himself or the kind aid of his friends at home something not inconsiderable for her relief and support; that the said Lydia, excited nevertheless and induced by ill advice and misrepresentations, at the superior court at New Haven in February 1759, preferred her petition, therein charging the present petitioner with three years wilful desertion and total neglect of the duties of his said marriage covenant, and praying to be divorced &c.; that said Lydia being heard on her said petition and the evidence by her produced in proof of the matters of fact therein alledged, said superior court were of opinion they were sufficiently prov'd, and did thereupon accordingly consider, declare and decree her, said Lydia, to be freed and discharged of her obligations in virtue of said marriage covenant; that the said Lydia being thus legally disengaged from the petitioner has since intermarried with one Mr. Nehemiah Strong of said New Haven; that he stands prepared to shew his said departure and tedious absence not by any construction of law to have amounted to wilful deser-

tion, nor such a neglect of conjugal duty as ought to be deemed a violation of his said marriage covenant, and alledging said judgment to have been render'd on evidence *ex parte* and but partially shewing said cause, and that the same is in fact [390] erroneous, and praying a reversal thereof &c.: || The parties by their respective council learned in the law being now heard: This Assembly are of opinion that the petitioner's said departure and long absence amounts not to such a violation of said marriage covenant as to warrant a separation by divorce, and that in the said judgment of said superior court manifest error hath intervened, and have thereupon considered and resolved the same be reverst. And the said judgment of said superior court hereby is reverst and made altogether null and void.

Upon the memorial of John Olmsted, of Colchester in the county of Hartford, representing that the selectmen of said Colchester on the seventh of July last past laid out a highway of two rods wide and two hundred rods long from East Haddam town line through the memorialist's farm in said Colchester whereon he now lives, and made and recorded a survey thereof in the public records of said town of Colchester; that said selectmen afterwards represented their said doings to the county court held at said Hartford on the second Tuesday of April last, praying that a jury might be summoned to assess the damages done to the memorialist by laying out of said highway through said farm as aforesaid; that said county court thereupon did order a jury to be summoned &c.; that said jury had no right or authority to intermeddle therein, and that said highway was not wanted for public use &c., as per memorial on file: It is thereupon resolved by this Assembly, that the doings of said selectmen in laying out said highway, and the ordering of a jury by said county court to assess the damages &c. be set aside, and the same is hereby set aside and decreed to be null and void.

Upon the petition of Henry Minor and others, listers for the town of Stonington for the year 1759, representing to this Assembly that in said year in the month of November and December, they had carefully inspected the various lists of the inhabitants of said town given in to them in said year, and on such inspection and viewing the estate of said inhabitants did find large quantities of lands and some personal estate left out of said lists, and thereupon (pursuant to the laws of this government) did fourfold sundry of said inhabitants for said estate so left out of their said list, and that a number of said persons fourfolded as aforesaid (*viz* :) Nehemiah Williams,

Joshua Holmes, Joseph Page and Joseph Page jun<sup>r</sup>, Benjamin Clark, Joseph Noyce, Daniel Stanton, Simeon Minor jun<sup>r</sup>, Phineas Stanton and William Slake, did at several times in the year 1760, make application to the civil authority and selectmen of said town of Stonington, to have their said fourfold assessments abated, and that said authority and selectmen did abate them as set forth in said petition. Further representing that said authority and selectmen in abating said assessments did misjudge and act against law; praying for relief &c.: Resolved by this Assembly, that the said authority and selectmen in abating said fourfold assessments of the above-mentioned persons did misjudge and mistook the law, and said judgments are hereby reverst and declared null and void, and that each and every of said persons above-mentioned pay their several rates and taxes arising on said fourfold assessments or any of them according to law, and that the same be collected accordingly, said abatements notwithstanding. *Cost allowed the said Henry Minor &c. vs. the said Nehemiah Williams &c. is £9 7 6 lawful money. Ex. granted August 12th 1761.*

Upon the report of Shubael Conant, William Wolcott and William Pitkin jun<sup>r</sup>, Esq<sup>rs</sup>, a committee appointed by this Assembly in May last to hear the parties and consider the matters referred to in the petition of Josiah Talcott of Weathersfield and Elijah Francis of Farmington, executor of the last will and testament of James Francis, deceased, against Asa Douglas of Canaan and Timothy Hollister of Glassenbury, respecting certain lands by the said parties purchased of Wentworth, Colden and Harrison, lying within the Province of New York, and with respect to the payments and disbursements made towards the procuring of a title to said lands &c., reporting that they had heard the said parties on all the matters referred to in said petition, with all evidence by them produced relative thereto, and that they found that said Asa Douglas and Timothy Hollister were in arrears to the petitioners for monies advanced towards said purchases, and [391] that they ought to pay unto the said Josiah Talcott £208 11s. 8¼d. New York money, and to the said Elijah Francis the sum of £53 16s. 4½d. like money, the whole amounting to £262 8s. 0¾, and that the said Asa Douglas ought to pay the sum of £8 15s. 5¼d. as his part thereof, and that the said Timothy Hollister ought to pay the residue of said sum, being £253 12s. 7½d., as per report on file &c.: Resolved by this Assembly, that the aforesaid report of said committee be and the same is hereby accepted and approved,

and thereupon it is decreed by this Assembly, that the said Josiah Talcott and Elijah Francis, executor as aforesaid, shall have and recover against the said Asa Douglas £8 15s. 5¼*d.* New York money, and against the said Timothy Hollister £253 12s. 7½*d.* like money, £208 11s. 8¼*d.* thereof to be paid to said Talcott, and £53 16s. 4½*d.* thereof to be paid to the said Elijah Francis, executor as aforesaid, and also to recover their cost, allowed to be £6 4 4 lawful money, and that execution be awarded accordingly. *Ex. gr. June 16th 1761.*

Upon the petition of Thomas Pool, representing to this Assembly that Japheth Utley brought his action against him, said Thomas Pool, to the adjourned county court held at Windham within and for said county on the 3d Tuesday of February 1760, on a certain bond with conditions thereto annexed, as set forth in said petition, which action came to a final trial at the superior court held at said Windham 3d Tuesday of March last, and that the only question in said cause at said final trial was, whether said superior court (as a court of chancery) had right by law to chancer said bond, and that said superior court gave their judgment that by law said bond could not be chancer'd, and that said Utley should recover the sum of said bond, which was £200 0s. 0*d.* lawful money, and that execution had issued on said judgment accordingly; praying that this Assembly, as a court of chancery and equity, would take said cause under their consideration and chancer said bond down to what is just and equitable; taking into consideration the condition of said bond and everything relative thereto: as per said petition on file; and that said judgment of said superior court be reverst and set aside: Resolved by this Assembly, that the bond recited in said petition, on which the judgment of the superior court referred to was rendered, be chancer'd down to the sum of sixty-two pounds lawful money, and that the petitionee have and recover of the petitioner the said sum of sixty-two pounds for damages in said cause, together with the cost taxed and allowed therein by said superior court, (which was £11 8s. 7*d.* lawful money,) and upon the petitioners paying to the petitionee the said sums, amounting to the sum of £73 8s. 7*d.*, said judgment of said superior court and the execution thereon issued shall be esteemed and accounted paid, satisfied and discharged.

Whereas upon the memorial of John Wood, Silas Dean, Nathaniel Brown jun<sup>r</sup> and Jacob Park, proprietors of the common and undivided lands in the town of Groton, and the rest of the proprietors of said common lands, representing

that there had been long controversies subsisting between the said proprietors and the Pequot Indians respecting the Mashantuxet lands in said Groton, where the said Indians live, and their respective rights and improvements thereof, and said controversies were like to continue &c., praying that a committee should be appointed to the purpose of quieting and settling said controversy &c. as per memorial on file, it was resolved by this Assembly, that John Chester, Jabez Hamlin, and Seth Wetmore, Esq<sup>rs</sup>, should be a committee at the cost of the memorialists, to repair to said Groton, to view and enquire into the circumstances of the said Mashantuxet lands, and to examine and consider all former acts of this Assembly respecting the said lands and the claims and improvements of the said memorialists and of the said Indians that they might find or that should be laid before them, and all other matters relative to the right or improvement of said lands referred to in said memorial, and to make report of what they should [392] find, with their opinion thereon: || And whereas said committee after repairing to said Groton, viewing and considering the circumstances of said land, and largely hearing the parties on the premises, have made report to this Assembly of their proceedings therein and the exhibits laid before them by the parties with their opinion thereon, that the differences subsisting between the said proprietors and said Indians very much arise from the unhappy tenure of their lands, and that if the Indians might hold the land not yet divided free from all incumbrances, which by the representation made on Mr. Hempstead's plan contains nine hundred eighty-nine acres and sixty-eight rods, it would be a better estate to them than the whole under the present tenure, and that with proper improvement it would be sufficient for the use and improvement of that tribe, and that the residue of said lands should be and remain to said proprietors; as per said report on file appears: Resolved by this Assembly, that the said report of the said committee be and the same is hereby accepted and approved, and that the said land yet undivided, containing in quantity about nine hundred eighty-nine acres and 68 rods according to the representation thereof made on said Hempstead's plan, be and the same is hereby confirmed to, settled upon and appropriated to the sole use and improvement of said Indians, their heirs and successors, and that the residue of said land being the divided part thereof, containing in quantity about six hundred fifty-six acres and one hundred rods, be and the same is hereby fully confirmed to and settled upon said proprietors, their heirs and assigns forever, to be by them held according to the disposi-

tions which have been or shall be thereof made by said proprietors; any judgment or recovery of any part thereof had or obtained by the said Indians notwithstanding. And all such judgments and recoveries, and all the proceedings thereon, are hereby reversed and made null and void.

Upon the petition of Daniel Smith, of Grandville in the county of Hampshire and Province of the Massachusetts Bay, late of Haddam in Hartford county, brought to this Assembly at their session in October last at New Haven, shewing that Elisha Wadsworth of Hartford obtained judgment against him at the superior court held at Hartford the first Tuesday of September last, for the sum of forty pounds lawful money for damages, and for the sum of eleven pounds 13s. 5*d.* like money for cost, which judgment was obtained in an action brought on a certain writing obligatory under the hand and seal of the petitioner, dated the 4th of October 1757, conditioned for the sum of forty pounds in case a paper purporting to be the last will and testament of Mr. William Smith late of Haddam, deceased, father to the petitioner, should not be proved &c.; complaining that the said writing obligatory was obtained by fraud and deceit without any consideration; praying that said judgment might be set aside and made null and void and of none effect, and all the doings thereon, and that the petitioner might be restored to all the cost and damage he had been put to in defending against said suit, with additional cost, or that a committee be appointed to enquire into all matters complained of in said petition, as per petition on file: on which Elisha Chauncey, Hezekiah Brainard, Esq<sup>rs</sup>, and Capt. Matthew Talcott were appointed a committee, to enquire and examine into the matters complained of in said petition, who have at this Assembly reported, that they find that the petitioner was imposed upon, and that the petitionee did by his own meer fraud and deceit and without any consideration procure the petitioner to sign and execute said writing obligatory, and that they were of opinion that the said judgment complained of ought to be set aside and made null and void and all the proceedings thereon, and the petitioner restored to all the cost and damage he had been put to in defending against said suit, and his future cost, as per report on file, which report is approved of and accepted: And thereupon resolved and decreed by this Assembly, that the judgment of the said superior court held at Hartford in September [393] last, complained of in said petition, be set aside, reversed and made of none effect, and the execution thereon awarded be stayed and made utterly void, and the petitioner

be restored to all his damage and cost in defending against said suit, allowed to be the sum of £20 8s. 6*d.* and his future cost, and that execution be awarded accordingly. *Cost allowed petitioner is £16 10s. 8d. lawful money. Ex. granted Octob. 28th 1761.*

Upon the report of Messrs. Erastus Wolcott, William Pitkin jun<sup>r</sup> and Boaz Sterns, a committee appointed by this Assembly at their sessions at New Haven in October 1760, to repair to the parish of Newent in the town of Norwich. to view the circumstances of John Perkins, Matthew Perkins, Samuel Bishop jun<sup>r</sup> and others, memorialists, inhabitants living some within said parish of Newent, some within the first society in Canterbury, and others in the society of Scotland in the township of Windham, and the circumstances of the parishes to which they severally belong, praying to be made a distinct society and to have the following limits and bounds, (to wit:) Beginning at Shoatucket River at the lower end of the great island near the place called Wequannuck, and thence to run northeasterly three hundred and ninety-five rods to the mouth of the great brook which runs into the little river, thence up said brook by the stream till it comes to Canterbury line, from thence north-northwest two miles and one-half, thence west one hundred and fifty rods to Windham town line, thence by said town line south sixteen degrees west two hundred and fifty rods, thence westerly sixty-five rods, thence south one hundred rods, thence a little north of west one hundred and sixty rods, thence southwesterly forty-five rods, thence west twenty degrees north one hundred and ninety rods, thence west sixty rods, thence southwesterly one hundred rods to Windham town line where the road to Scotland passeth the line, thence by the line between Windham and Norwich to Shoatucket River, including in Windham the farm belonging to Joseph Wood jun<sup>r</sup>, where he now dwells, which is adjoyning to said line, and by Shoatucket River to the first mentioned boundary, &c.; reporting that on the 28th, 29th and 30th days of April last they had viewed the said parish of Newent, the first society in Canterbury and said parish of Scotland, and circumstances of the memorialists, and largely heard all parties, and that it is their opinion there should be an ecclesiastical society as prayed for &c.: It is therefore resolved by this Assembly, that the memorialists and all such as shall live within the aforesaid lines, limits and boundaries above described, (exclusive of Samuel Lovet, Joseph Bushnell, John King, Jacob Fuller, David Longbottom, Jonah Birchard, Jonathan French, Nathaniel Clark and John



Smith junr, and their estates, and of the lands of the Apthorps and Allen in said Canterbury,) shall be and they are hereby constituted and declared to be a distinct ecclesiastical society by the name of Hanover, with the same powers and priviledges as other ecclesiastical societies in this Colony have and do enjoy; and that the place for building of a meeting-house in said society shall be at a certain stake erected and standing on the land of the said Mathew Perkins, on the northwest side of and by the road or highway leading from Abner French's to Ebenezer Rudes, where they now dwell. Said stake to be included within the cells of said meeting-house. And further, that all the inhabitants living within the lines and limits of said society shall for the future be one distinct military company with powers and under the same regulations as other military companies are, and shall belong to the third regiment in said Colony; and all the inhabitants who live within the limits of said parish of Newent shall for the future be and remain one distinct military company.

And whereas the memorialists have in their said memorial represented that a proper instrument had been by them executed, obliging the subscribers thereunto to pay the several sums to their names therein respectively annexed, in order to the raising and establishing a fund of more than fourteen hundred pounds lawful money, to be loaned out and the annual interest thereof to be applied for the support of an orthodox minister in said society, and the same instrument [394] shewn to this Assembly and urged as a reason, among other things, why the memorialists should be made a distinct society as aforesaid: It is therefore further resolved and decreed by this Assembly, that the aforesaid subscribers, their heirs &c., according to their covenant in said instrument, do as soon as may be either pay or with good sureties secure to be paid into the hands of such committee as said society shall appoint to receive the same, all such sum or sums as the said subscribers respectively have in said instrument annexed to their names as aforesaid. And all such monies and securities shall be taken and held by the said committee or their successors for the use of said society, and the annual interest arising thereon shall be improved for the maintenance and support of an orthodox ministry in said society for ever, so far as shall be necessary therefor; and if any overplus shall at any time remain, such overplus shall be improved for the supporting of schools in said society.

This Assembly do establish Mr. Obadiah Gore to be Ensign of the 8th company or trainband in the town of Norwich in the 3d regiment in this Colony.

This Assembly do establish Mr. Abraham Blackslee to be Ensign of the 9th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Joel Catling to be Captain of the east company or trainband in the town of Harwinton in the first regiment in this Colony.

This Assembly do establish Mr. Jacob Benton to be Lieutenant of the east company or trainband in the town of Harwinton in the first regiment in this Colony.

This Assembly do establish Mr. Samuel Stone Butler to be Ensign of the east company or trainband in the town of Harwinton in the 1st regiment in this Colony.

This Assembly do establish Mr. John Wilson to be Captain of the west company or trainband in the town of Harwinton in the 1st regiment in this Colony.

This Assembly do establish Mr. Daniel Catling to be Lieutenant of the west company or trainband in the town of Harwinton in the 1st regiment in this Colony.

This Assembly do establish Mr. David Heyden to be Ensign of the west company or trainband in the town of Harwinton in the 1st regiment in this Colony.

This Assembly do establish Mr. Stephen St. John 2d to be Captain of the 1st company or trainband in the 1st society in the town of Norwalk.

This Assembly do establish Mr. Thomas Belding to be Lieutenant of the 1st company or trainband in the 1st society in the town of Norwalk.

This Assembly do establish Mr. Abraham Camp Ensign of the company or trainband in the 1st society in the town of Norwalk.

This Assembly do establish Mr. Simeon Raymond to be Captain of the 2d company or trainband in the 1st society in the town of Norwalk.

This Assembly do establish Mr. Nathaniel Benedict to be Lieutenant of the 2d company or trainband in the 1st society in the town of Norwalk.

This Assembly do establish Mr. Benjamin Isaacs to be Ensign of the 2d company or trainband in the 1st society in the town of Norwalk.

This Assembly do establish Mr. Phineas Hanford to be Captain of the 3d company or trainband in the 1st society in the town of Norwalk.

This Assembly do establish Mr. Zuriel Raymond to be Lieutenant of the 3d company or trainband in the 1st society in the town of Norwalk.

This Assembly do establish Mr. Nathan Burrel jun<sup>r</sup> to be

Ensign of the 3d company or trainband in the 1st society in the town of Norwalk.

This Assembly do establish Mr. Ezekiel Williams to be Captain of the 1st company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Elisha Treat to be Lieutenant of the 1st company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Elisha Wright to be Ensign of the 1st company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Nathaniel Hoit junr, to be Captain of the 1st company or trainband in the town of Stanford.

This Assembly do establish Mr. Samuel Hutton to be Lieutenant of the 1st company or trainband in the town of Stanford.

This Assembly do establish Mr. Ebenezer Holly to be Ensign of the 1st company or trainband in the town of Stanford.

This Assembly do establish Mr. Elisha Alverd to be Ensign of the company or trainband in the parish of Greenfield in the 4th regiment in this Colony.

[395] This Assembly do establish Mr. Ebenezer Geer to be Captain of the 5th company or trainband in the town of Preston in the 8th regiment in this Colony.

This Assembly do establish Mr. Daniel Morgan to be Lieutenant of the 5th company or trainband in the town of Preston in the 8th regiment in this Colony.

This Assembly do establish Mr. Peter Rose to be Ensign of the 5th company or trainband in the town of Preston in the 8th regiment in this Colony.

This Assembly do establish Mr. Samuel Richards to be Captain of the company or trainband in the parish of Middlesex.

This Assembly do establish Mr. Samuel Youngs to be Lieutenant of the company or trainband in the parish of Middlesex.

This Assembly do establish Mr. Silas Park to be Captain of the 1st company or trainband in the town of Preston in the 8th regiment in this Colony.

This Assembly do establish Mr. Joseph Keeney to be Lieutenant of the 1st company or trainband in the town of Preston in the 8th regiment in this Colony.

This Assembly do establish Mr. Joseph Morgan to be Cap

tain of the 4th company or trainband in the town of Preston in the 8th regiment in this Colony.

This Assembly do establish Mr. Roger Sterry to be Lieutenant of the 4th company or trainband in the town of Preston in the 8th regiment in this Colony.

This Assembly do establish Mr. Samuel Freeman to be Ensign of the 4th company or trainband in the town of Preston in the 8th regiment in this Colony.

Upon the memorial of Thomas Parsons, Joseph Kingsbury and Daniel Perkins, listers of the town of Enfield, representing that in the year 1759, they had fourfold assessed many of the inhabitants of said Enfield, who upon application made to Samuel Kent jun<sup>r</sup>, Esq<sup>r</sup>, justice of the peace, and two of the selectmen of said Enfield had procured an abatement of said fourfold assessments without any reasonable cause for such abatement; praying for redress of such grievance &c.: Resolved by this Assembly, that William Wolcott, Esq<sup>r</sup>, and Capt. Ebenezer Grant be and they are hereby appointed a committee to repair to said town of Enfield and to enquire into the matters set forth in said memorial, and to make their report of what they find upon such their enquiry to this Assembly at their sessions in October next.

Upon the memorial of Abel Phelps and Mary his wife, Moses Granger and Deborah his wife, Thomas Hawley and Hannah his wife, and Ann Eno, all of Symsbury, and Sarah Eno of Windsor, representing that their father, James Eno of said Symsbury, late deceased, by his deed dated 30th of April 1741, for the consideration of one hundred pounds old tenor mortgaged to the Governor and Company of this Colony fifty acres of land in said Symsbury at a place called Turkey Hills, bounded as in said deed; praying that the right of the said Governor and Company may be granted to the memorialists, and that a committee be appointed to execute a deed in the name of the said Governor and Company of the said premises, upon their paying into the treasury of said Colony the sum of twenty-six pounds lawful money, being the value of said mortgage money and interest, &c.: Resolved by this Assembly, that George Wyllys and John Ledyard, Esq<sup>rs</sup>, be appointed and they are hereby appointed and fully impowered, in the name of the Governor and Company of said Colony to make and execute unto the memorialists a deed of all their right in said mortgaged premises, upon their first paying into the public treasury of said Colony the said sum of twenty-six pounds lawful money and producing the Treasurer's receipt therefor to said committee, who are to lodge said receipt when received with the Secretary of said Colony.

Upon the memorial of Abner Quitterfield of Sharon, executor of the last will and testament of Solomon Dunham late of [396] Sharon, deceased, || shewing to this Assembly that the debts due from the estate of said deceased surmount the moveable part of said estate the sum of thirty-four pounds sixteen shillings and ten pence lawful money, and that there is no direction in the will of the said deceased to sell lands for the payment of debts &c.; praying for liberty to sell so much of the lands of the said Solomon Dunham, deceased, as to procure said sum of £34 16s. 10d. &c.: Resolved by this Assembly, that the memorialist have liberty and he is hereby impowered, to make sale of so much of the real estate of the said deceased as to procure the sum of £34 16s. 10d. lawful money with incident charges arising thereon; taking the advice of the court of probates in the district of Sharon therein.

Upon the memorial of Nathan Stuart of Norwalk, administrator on the estate of Nathan Osborn late of New Fairfield, deceased, shewing to this Assembly that the debts due from the estate of the said deceased surmount the moveable estate the sum of £20 2s. 8¼d., praying for liberty to make sale of so much of the real estate as to pay said sum &c.: Resolved by this Assembly, that liberty be granted to the memorialist and he is hereby impowered, to make sale of so much of the real estate of the said deceased as to pay said sum of £20 2s. 8¼d. and the incident charges arising thereon; taking the advice of the court of probates in the district of Danbury therein.

Upon the memorial of Elizabeth Cooper, of Killingsly in the county of Windham, administratrix on the estate of Abraham Cooper late of said Killingsly, deceased, shewing to this Assembly that the debts due from said estate with allowances made by the court of probates to the widow surmount the personal or moveable estate of said deceased the sum of thirty-one pounds ten shillings and ten pence three farthings lawful money, and praying to this Assembly for liberty to sell so much of the real estate of said deceased as to raise said sum with the incident charges arising thereon, as per memorial on file &c.: Resolved by this Assembly, that the said Elizabeth Cooper shall have liberty, and liberty and power is hereby granted to her, the said Elizabeth Cooper, to sell so much of the real estate of the said Abraham Cooper, deceased, as to raise said sum of thirty-one pounds ten shillings and ten pence three farthings lawful money, with the incident charges arising on [said] sale; taking the direction of the court of probate for the district of Pomfret therein.

Upon the memorial of Ephraim Kingsbury, Jacob Hide and others, inhabitants of the society in the town of Norwich called the West Farms or West Society in Norwich, representing that said Norwich west society at their lawful meeting held on the 23d day of March last voted that the said society should be divided into two distinct ecclesiastical societies, and that the dividing line should be as follows, *viz*: Beginning in the dividing line between the first society in said Norwich and said west society at such place that to run thence to the grist-mill of Mr. Timothy Ayer in a straight course will pass near the south side of the dwelling-house of David Ladd, then from said grist-mill to the dwelling-house of John Squire in said society, then the same course to Norwich town line, and that the inhabitants that live on the easterly and northeasterly side of said line, including the said house of John Squire, should be one distinct ecclesiastical society; praying for such division &c., as per memorial on file: Resolved by this Assembly, that all the aforesaid inhabitants living on the easterly and northeasterly side of said line, including the || house of said John Squire, shall be and they are hereby made, constituted and established to be one distinct ecclesiastical society by the name of the Eighth Society in Norwich, and that they are hereby endowed and invested with the same powers and privileges as other ecclesiastical societies have and enjoy; and that the other part of said west society on the westerly and southwesterly side of said dividing line shall retain the name, powers and privileges of said west society.

Upon the memorial of the inhabitants of North Woodstock in the town of Woodstock in the county of Windham, and of Theophilus Chandler, Samuel Chandler, Moses Mercy, William Nelson and Edward Bugbee, inhabitants of Thomson parish in the town of Killingly, and of Henry Child, Peter Child, inhabitants of the society of New Roxbury in said town of Woodstock, representing that the extent and bounds of said North Woodstock are small, praying that all those inhabitants living in said Thomson parish and lands lying within the following bounds, to wit: beginning at the southwest corner of the abovesaid Theophilus Chandler's land in the east line of said North Woodstock, from thence eastward bounding on said Chandler's south line to the southeast corner of his land, thence northerly half a mile to a heap of stones, thence east to Quinabaug River, thence northerly by said river as far as said parish extends, thence westerly to the northeast corner of said North Woodstock, thence southerly

by the line of said North Woodstock to the first mentioned corner, and also within the following bounds which are within said society of New Roxbury, to wit: beginning at the southernmost part of the land of Capt. Nehemiah Lyon in the dividing line between said societies of North Woodstock and New Roxbury, from thence to extend west to the country road over Horse Hill, so called, to a heap of stones, thence northerly bounding west on said road until it comes to where the said road intersects the west line of said parish of North Woodstock: Resolved by this Assembly, that all those inhabitants and lands within the aforesaid bounds and limits, as above described, within said Thomson parish, and all those inhabitants and lands within the described lines and bounds in said New Roxbury society, exclusive of John Marscraft and his lands, shall be and they are hereby annexed to the said society of North Woodstock, and for the future shall be deemed to be of that society.

On the memorial of Timothy and Rachel More, administrators on the estate of David More late of Symbury in the county of Hartford, deceased, praying for liberty to sell real estate of the said deceased the value of £66 1s. 6*d.* lawful money, for the payment of debts due from said estate &c., as per memorial on file: Resolved by this Assembly, that the said memorialists have liberty, and liberty is hereby granted to the said memorialists, to make sale of so much of the real estate of the said deceased as will raise the sum £66 1s. 6*d.* lawful money, for the payment of said debts due from said estate, with incident charge of sale; taking the advice of the court of probates in the district of Hartford therein.

Upon the memorial of Charity Lothrop, administratrix on the estate of Ezra Lothrop late of Norwich, deceased, shewing to this Assembly that the debts due from the estate of the said deceased together with some necessaries allowed to the widow by the court of probate for the district of Norwich surmount the inventoried personal estate of the said deceased the sum of four hundred and sixty pounds five shillings one penny and 3 farthings, and praying for liberty and power to sell so much of the real estate of the said deceased as to raise the said sum with the incident charges arising on such sale: Resolved by this Assembly, that the said Charity Lothrop have liberty and power, and the same is hereby granted to her, to sell so much of the real estate of the said deceased as to raise the sum of four hundred and sixty pounds five shil-  
[398] lings one penny and three farthings lawful money, || and the incident charges arising on such sale; taking the direc-

tion of the court of probate for the district of Norwich therein.

Upon the memorial of Ezekiel White of Lyme, shewing to this Assembly that in the month of April 1756, being a soldier inlisted in the company under the command of Lt. Colonel Israel Putnam and ordered on a covering party to escort Major Dyar and others from Fort Edward to Saratoga, was taken prisoner by the Indians and carried to Cochenawago, where he was detained upwards of four years &c., suffered hardships &c.; praying for some allowance out of the public treasury &c., as per memorial on file: Resolved by this Assembly, that fifteen pounds be paid out of the public treasury of this Colony to the aforesaid Ezekiel White, and that the Treasurer of this Colony be and he is hereby ordered and directed to pay the same accordingly.

Upon the memorial of Joseph Taylor and Simon Baxter and others, all inhabitants of the township of Hartland in the county of Litchfield, shewing to this Assembly that there hath already settled in said township and are now therein resident the number of thirty-seven families, and about seven more families coming to settle therein very soon, and now dwelling in the limits of the same the number of two hundred and twelve persons; praying this Assembly to grant to the memorialists and their successors such priviledges for the well governing the inhabitants thereof as other towns in this Colony now have and do enjoy; as per memorial on file &c.: Resolved by this Assembly, that the memorialists inhabitants of said Hartland be and they are hereby made and created an entire town by the name of the Town of Hartland; and this Assembly do also grant said town of Hartland all such rights, powers, priviledges and immunities as any other towns in this Colony now have and do enjoy, and that Messrs. Joseph Taylor and Simon Baxter, both of said town, be and they are hereby appointed and empowered to give due warning and notice to all the inhabitants of said town to meet at some suitable place in said town on the second Tuesday of July next, to choose and elect all such town officers for the current year until December next, as other towns in this Colony by law have right to choose and appoint, and then proceed as such other towns are by law enabled to do.

Upon the memorial of John Coleman and Medad Lyman, keepers of his Majesty's goals in the county of Hartford and New Haven, representing that in the year A. D. 1759, (by order of law) had committed to their care a number of French prisoners taken at Niagara, who continued in their custody



until about the beginning of the present year, which time they did (according to order) take care of and provide for said prisoners, and were at extraordinary trouble in letting to labour said prisoners, taking receipts, giving discharges, and risqueing and hazarding the escape of other prisoners by frequently opening the goal doors &c., for which they have not received the least satisfaction: praying that they may have paid them such sum or sums as shall be thought a reasonable recompence, as per memorial &c.: Resolved by this Assembly, that the said John and Medad, and all other goalers in this Colony who have had the care and custody of any such French prisoners, shall have liberty and liberty is hereby granted them, to lay their several accounts for adjust- [399] ment || before the honourable judges of the superior court, who are hereby authorized to adjust the same, and what sum or sums they shall judge just for said goalers severally to receive, to draw an order for the payment thereof on the Treasurer of this Colony, who is hereby ordered to pay the same.

Upon the report of Jonathan Trumble, Hezekiah Huntington and Jabez Huntington, Esqrs, a committee appointed by this Assembly to fix a stake for the 2d society in Windsor to build a meeting-house, that they repair'd to said society, view'd the parts and heard the parties, and affixed a stake on the west side of the street near the course of the line between the lands of Mr. Benjamin Newberry and Mr. Joseph Newberry, on which their dwelling-houses stand, which stake is to be included within the sills of said meeting-house: Resolved by this Assembly, that the place affixed as aforesaid be the place for said society to build a meeting-house for divine worship.

Upon the memorial of John Townly of Hartford, late from England, representing that he came into the said town of Hartford in October last, purchased himself a freehold with full purpose to make himself an inhabitant in said town, and that afterwards he imported about £2000 sterling in goods from London, that the duty of 5 *per cent.* was required of him by the collector of excise in said Hartford upon his bringing said goods into said town &c.: praying to be excused from said duty, for the reasons in said memorial mentioned &c.: Resolved by this Assembly, that the said John Townley be and he is hereby released and discharged from all demands made against him on account of his importing and bringing in of the said goods into the said town of Hartford, as aforesaid.

Upon the memorial of the inhabitants of the first and second societies in the town of Hartford, representing that the inhabitants of the first and second societies in said town have no distinct or distinguishable parochial bounds or limits, and that they are so situated and interspersed one among another that it thence becomes impracticable to set up schools or school-houses in either of said societies, so as to accommodate the particular members of either respectively; that it is therefore necessary that the said two societies promiscuously considered should be divided into two distinct districts for the purposes of erecting, keeping, and supporting of parish schools according to the intention of the law requiring such schools to be kept &c., and praying for the aid of this Assembly in this behalf: It is therefore resolved by this Assembly, that the said two societies be divided into two distinct districts for the purposes of erecting, keeping and maintaining of parish schools in the same. And it is hereby ordered and decreed, that all such persons as are or shall be liable to be rated by either of said societies living on the north side of the little river in said town shall be one entire district known by the name of the North District; and all those persons as are or shall be liable to be rated by either of said societies living south of said little river shall be one entire district by the name of the South District. And the aforesaid inhabitants within their respective districts shall have the same powers and priviledges for the erecting, keeping, supporting and regulating of their parish schools and the interests to them belonging as any other parish or society within this Colony have or do enjoy; and they shall also be in all respects subject to the same rules, laws and orders for the keeping and maintaining of their said parish schools as other societies and parishes are.

[400] On the memorial of Nathan Adams and others, inhabitants of sundry towns in this Colony, principally of the towns of Fairfield and Norwalk, representing to this Assembly the great difficulties and dangers that attend the passing Saugatnek River lying between said townships of Fairfield and Norwalk, more especially in the winter season, for want of a good and sufficient bridge cross said river in the country or post road through this Colony to New York; praying the attention and special direction of this Assembly: Resolved by this Assembly, that the inhabitants of said towns of Fairfield and Norwalk be notified to appear before this Assembly at their sessions at New Haven in October next, to shew reason, if any they have, why they should not be obliged by

act of this Assembly to build and maintain a good and sufficient bridge cross said river in said road; and the Secretary of this Colony is hereby directed sometime before the month of August next to send a copy of this act to the town clerk of each of said towns, which shall be a sufficient notification for said towns to appear for the purposes aforesaid.

On the memorial of Isaac Johnson of Wallingford, administrator on the estate of Stephen Ward late of Derby, deceased, representing to this Assembly that the debts due from said estate surmount the personal estate of said deceased the sum of £16 7s. 10½*d.* money; praying for liberty to make sale of so much real estate of said Stephen as will be sufficient to pay said sum and incident charges &c., as per said memorial on file appears: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted to the said memorialist, to sell and convey so much of the real estate of said deceased as shall be sufficient to raise said sum of £16 7s. 10½*d.* with the incident charges of such sale; taking the advice and direction of the court of probate for the district of New Haven therein.

Upon the memorial of Nathaniel Griffen of Symsbury, representing that in the year 1760, he was a lieutenant in the company under Capt. Noah Humphry, and being stationed at the little falls on Mohawk River in the battoe service and moving of a laden battoe into said river was hurt with a roll on which said battoe was moved, the same catching and running over his foot and near midway of his leg, crushing all the bones and flesh &c., whereby he is likely to remain greatly disabled from labour &c., praying relief &c.: Resolved by this Assembly, that the said Nathaniel Griffen be paid out of the public treasury of this Colony the sum of twenty pounds money, and the Treasurer is hereby ordered and directed to pay the same to him.

Upon the memorial of Mary Gillet, of Torrington in Litchfield county, and James Frisby of Litchfield in said county, administrators on the estate of Jonathan Gillet late of said Torrington, deceased, shewing that the debts due from said estate surmount the said personal estate the sum of £23 7s. 8*d.* lawful money, exclusive of the widow's necessaries; praying they might have liberty to sell so much of the real estate of said deceased as may satisfy said sum of £23 7s. 8*d.* [401] and incident charges arising thereon: || Resolved by this Assembly, that the said memorialists have liberty and they are hereby authorized and fully impowered, to make sale of so much of the real estate of said deceased as to satisfy

said sum of £23 7s. 8d. together with incident charges thereon; taking the advice of the court of probate in the district of Litchfield therein.

On the memorial of David Jacobs, administrator on the estate of Amos Jacobs late of New Haven, deceased, representing to this Assembly that the debts due from said deceased's estate with some allowance to the widow surmount the personal estate of said deceased the sum of £23 19s. 10 $\frac{3}{4}$ d. lawful money; praying for liberty to sell so much of the estate of said deceased as may be sufficient to raise said sum with the incident charges, as per memorial appears: Resolved by this Assembly, that said David Jacobs have liberty, and liberty and authority is hereby granted to the said David Jacobs, to sell and convey so much of the real estate of said deceased as shall be sufficient to raise said sum of £23 19s. 10 $\frac{3}{4}$ d. with the incident charges which may arise on such sale; taking the advice of the court of probate for the district of New Haven therein.

Upon the memorial of Daniel Crowfoot of Newtown, shewing to this Assembly that on the 8th day of April 1760, he had accidently burnt the one half of a twenty-shilling bill of the Colony of Connecticut of March date 1758; praying to this Assembly for liberty to have £1 3s. 0d. in Connecticut bills paid to him out of the treasury of said Colony, he returning the other half of said bill: Resolved by this Assembly, that the Treasurer of said Colony pay out of said treasury unto said Crowfoot the sum of £1 3s. 0d. of said Colony's bills, he returning the other part of said bill.

Pursuant to a resolve of this Assembly at their sessions specially conven'd at New Haven on the 26th day of March last, relating to the sutlers or traders who attended the troops of this Colony in the last campaign: It is now resolved by this Assembly, that Elisha Sheldon, Esq<sup>r</sup>, Col. Christopher Avery, Mr. David Rowland, Mr. Comfort Starr, Mr. Matthew Talcott, Mr. Isaac Tracy, and Capt. Obadiah Johnson be and they are hereby appointed a committee to examine the accounts of the aforesaid sutlers or traders relating to the articles they delivered to the soldiery in the army in the last campaign. And said committee are hereby directed to attend at convenient time and place, and duly examine and consider the accounts aforesaid with all the evidence relative thereto which the aforesaid traders or sutlers shall see cause to lay before them. And the said committee are to make a just estimate and set a just and reasonable price for each kind of article therein according to

the circumstances of the time and place when and where the same was delivered, and make report of their doings therein to this Assembly at their present sessions.

*Resolved by this Assembly,* That Jonathan Trumble, David Rowland and William Wolcott, Esq<sup>rs</sup>, be a committee and they are hereby appointed a committee, to receive of the Hon<sup>ble</sup> William Pitkin, John Chester and George Wyllys, Esq<sup>rs</sup>, who were appointed in October 1759 to sell the £22000 sterling money &c., the receipts they have taken for the money paid into the Colony treasury, compute the same [402] that it may be known what monies are lodged in || the treasury for the sterling sold, and to settle the accompts with the said committee respecting those matters and deliver the said receipts into the hands of the Secretary of the Colony; and further, to consider what may be a meet recompence to said committee for their service in the matters aforesaid, and make report to this Assembly.

On the petition of Joseph Talcott, of Hartford, Esq<sup>r</sup>, Treasurer of the Colony of Connecticut, *vs.* Benjamin Allyn, of Windsor in the county of Hartford, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative.

On the petition of Abner Ely of Middleton in the county of Hartford, *vs.* Mary Merriman of said Middleton, administratrix on the estate of Capt. Henry King late of Middleton aforesaid, deceased, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent is £2 5s. 4d. lawful money. Ex. granted Oct. 28th 1761.*

On the petition of Stephen Cone, of East Haddam in the county of Hartford, *vs.* Eleazer Rowley of said East Haddam, executor of the last will and testament of Ebenezer Rowley of East Haddam aforesaid, late deceased, as on file: The question was put, whether the pleas offered by the respondent in abatement of this petition are sufficient to abate the same: Resolved by this Assembly in the affirmative. *Cost allowed respondent is £2 10s. 6d. lawful money. Ex. granted Oct. 28th 1761.*

On the petition of Abner Parker and Sarah Parker, both of Saybrook in the county of New London, administrators on the estate of Gideon Parker late of Saybrook aforesaid, deceased, *vs.* Hezekiah Prat of Saybrook aforesaid, as on-file: The question was put, whether the pleas offered by the respondent in abatement of this petition are sufficient to abate the same: Re-

solved in the affirmative. *Cost allowed respondent is £1 19s. 4d. lawful money. Ex. granted Sept. 5, 1761.*

On the petition of John Hanchet, of Suffield in the county of Hartford, *vs.* Ezra Hanchet, Rhoda Hanchet and Abigail Hanchet, (children and heirs of Ezra Hanchet, late of Suffield aforesaid, deceased,) and Charles Granger and Abigail his wife, (who was the widow and relict of said Ezra Hanchet, deceased,) all of Suffield aforesaid &c. as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondents is £7 2s. 6d. lawful money. Ex. granted June 11th 1761.*

On the petition of Nathaniel Porter, of Windsor in the county of Hartford, administrator on the estate of Joseph Porter of said Windsor, late deceased, *vs.* David Elsworth of Windsor aforesaid, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent is £2 19s. 2d. lawful money. Ex. granted July 6th 1761.*

Henderson Inches, of Boston in the county of Suffolk and Province of the Massachusetts Bay, *vs.* Freegrace Adams, of Suffield in the county of Hartford, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent is £4 4s. 8d. lawful money.*

[403] On the petition of James Munn, of Colchester in the county of Hartford, *vs.* Joseph Wright of Middleton in the county aforesaid, as on file: The question was put, whether there is manifest error in the judgment of the superior court complained of in said petition: Resolved by this Assembly in the negative. *Cost allowed respondent is £1 7s. 8d. lawful money. Ex. granted Sept. 5th 1761.*

On the petition of Samuel Tyler, of Wallingford in the county of New Haven, *vs.* Asa Barnes of Wallingford aforesaid, as on file: The question was put, whether the pleas offered by the respondent in abatement of this petition are sufficient to abate the same: Resolved by this Assembly in the affirmative. *Cost allowed respondent is £2 3s. 9d. lawful money.*

On the petition of John Glover, Daniel Booth and Benjamin Curtiss, all of Newtown in the county of Fairfield, and the rest of the inhabitants of said Newtown, *vs.* Robert Walker, Esqr, and Capt. John Porter, both inhabitants of the town of Stratford in the county aforesaid, and the rest of the

inhabitants of said town of Stratford, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondents is £3 0s. 2d. lawful money.*

Cost allowed to Joshua Robbins the 3d, of Weathersfield in the county of Hartford, for attendance &c. to answer the petition of Perez Marsh, of Hadley in the county of Hampshire and Province of the Massachusetts Bay, by the said Marsh preferred to this Assembly and withdrawn, is £3 3s. 6d. lawful money. *Ex. granted July 9th 1761.*

This Assembly grants to the Hon<sup>ble</sup> Thomas Fitch, Governor, one hundred pounds, for his salary the first half of the current year.

This Assembly grants to the Hon<sup>ble</sup> William Pitkin, Deputy Governor, fifty pounds, for his salary the first half of the current year.

This Assembly grants to the Hon<sup>ble</sup> Thomas Fitch, Esqr, Governor of this Colony, the sum of fifty pounds money, for his extraordinary services for the half year now last past.

This Assembly grants to the Secretary of this Colony the sum of twenty pounds, for his salary the last year.

This Assembly grants to the Treasurer of this Colony one hundred pounds, for his salary the last year.

This Assembly grants to the Treasurer of this Colony the sum of sixty pounds, for his extraordinary services the last year.

Whereas Timothy Green of New London hath exhibited his account to this Assembly amounting to the sum of £21 18s. 0d. for services from Nov. 1760 and his salary to this time, as per said account on file appears: Resolved by this Assembly, that the said account be and the same is hereby allowed, and the Treasurer of this Colony is hereby directed to pay unto the said Timothy Green out of the public treasury the abovesaid sum of £21 18s. 0d. in full for the services in said account mentioned and charged.

Mr. Timothy Green of New London, printer, exhibited to this Assembly his account amounting to the sum of £125, for printing and binding two thousand of the books called the Saybrook Confession of Faith &c., according to an act of this Assembly passed at their session in October 1759, and the agreement of the committee appointed to procure said work to be done, as per account on file, which account is accepted and allowed: It is therefore resolved by this Assembly, that the Treasurer of this Colony pay unto the said Timothy Green in bills of credit of this Colony the sum of ninety-five [404] pounds in bills || of credit of this Colony, the balance

due on said account and in full discharge thereof, taking his receipt therefor.

Capt. Titus Hurlbut having laid before this Assembly his account for taking care of the New London Battery, his own wages, soldiers' wages &c., to the amount of £29 15s. 0d. lawful money, and the same being approved and allowed: It is therefore resolved by this Assembly, that the Treasurer of this Colony be and the said Treasurer is hereby directed to pay to said Titus Hurlbut the said sum of twenty-nine pounds fifteen shillings, taking receipt thereof.

Cost allowed to Joseph Desborough, John Hollinworth, Ebenezer Wakeman, Ebenezer Hull junr, Humphry Ogden, Gershom Banks and Daniel Morris, all of the town and county of Fairfield, listers of said town of Fairfield &c., for attendance to answer the memorial of Joseph Wakeman of Fairfield aforesaid, by him preferred and negatived by this Assembly, is £4 3s. 0d. lawful money. *Ex. granted June 10th, 1761.*

Cost allowed to Jonathan Gillet, Israel Holly junr, and Samuel Hitchcock, all of Sharon in the county of Litchfield, listers of the town of Sharon &c., for attendance &c. to answer the memorial of Joel Harvey of Sharon aforesaid, by the said Harvey preferred against them and negativ'd by this Assembly, is £3 14s. 4d. lawful money. *Ex. granted July 10th, 1761.*

The Sums Total of the Additions to the Lists of the Polls and Rateable Estate of the Inhabitants of the several Towns hereafter named sent in to this Assembly are as follow, viz:

	<i>Single Additions.</i>				<i>Fourfold Additions.</i>		
Hartford,	£1319	3	0	.	£63	4	0
New Haven,	949	14	3	.	436	8	0
New London,	493	4	0	.	841	5	0
Fairfield,	574	3	3	.	766	8	0
Windham,	905	10	6	.	934	1	0
Litchfield,	251	7	0	.			
Norwich,	650	10	6	.	558	12	0
Harwington,				.			
Durham,	2	6	0	.	163	17	0
Ridgfield,	585	17	0	.	159	4	0
Sharon,				.			
Newtown,	1221	11	0	.			
Stamford,	140	14	0	.	237	4	0
Lyme,				.			
New Hartford,	351	7	0	.			
Waterbury,	641	11	0	.	229	4	0
Salisbury,	223	16	0	.	159	10	0
Killingworth,				.			
Woodstock,	594	0	0	.	172	0	0



	<i>Single Additions.</i>			<i>Fourfold Additions.</i>		
Ashford,	£738	1	0	.	.	.
Norwalk,	751	0	4	.	.	£187 12 0
Danbury,	68	3	9	.	.	129 0 0
Plainfield,	340	2	6	.	.	164 0 0
Pomfret,	601	5	0	.	.	312 12 0
Suffield,				.	.	
Canaan,	67	17	0	.	.	116 0 0
Derby,	176	1	0	.	.	785 17 0
Tolland,	114	16	0	.	.	369 4 0
Branford,	214	11	6	.	.	206 10 0
Coventry,	559	14	10	.	.	500 11 2
East Haddam,	84	1	0	.	.	56 12 0
Saybrook,	340	2	0	.	.	657 16 0
Cornwall,	101	6	0	.	.	142 0 0
Torrington,	58	2	0	.	.	144 0 0
Woodbury,	823	17	9	.	.	141 0 0
Wallingford,	459	2	6	.	.	270 15 6
[405] Canterbury,	248	12	0	.	.	211 8 0
Haddam,				.	.	204 12 10
Farmington,	424	18	0	.	.	668 6 0
Killingly,	1213	10	0	.	.	72 0 0
Windsor,	112	18	0	.	.	818 12 0
Lebanon,	285	2	6	.	.	126 8 0
Greenwich,	1198	1	0	.	.	124 10 0
Somers,	123	10	0	.	.	
Symsbury,	335	10	0	.	.	
Stratford,	4478	18	2	.	.	725 4 0
Mansfield,	638	0	0	.	.	241 9 6
Stafford,	1330	1	0	.	.	
Kent,	2112	0	0	.	.	
Guilford,	144	8	9	.	.	320 0 0
Milford,	406	5	7	.	.	248 9 0
Preston,	284	18	0	.	.	
Glassenbury,	433	17	0	.	.	
New Milford,	103	11	3	.	.	
Voluntown,	249	7	0	.	.	
Stonington,	1018	10	6	.	.	1667 8 0
Groton,	1833	12	0	.	.	470 8 0
Bolton,	199	18	0	.	.	
Goshen,	183	13	0	.	.	72 0 0
Colchester,	1388	19	0	.	.	604 12 0
Weathersfield,	1992	5	5	.	.	
Middleton,	716	15	0	.	.	323 13 0
Hebron,	416	0	0	.	.	
Enfield,	575	10	0	.	.	146 8 0

This Assembly appoints John Chester and Daniel Edwards, Esq<sup>rs</sup>, Col. Joseph Pitkin and Mr. John Ledyard, to attend his Hon<sup>r</sup> the Deputy Governor at Hartford to hear the records of the acts and doings of this Assembly publicly read and see the same signed by the Secretary as perfect and compleat.

This Assembly is adjourned until the Governor, or in his absence the Deputy Governor, shall see cause to call it to meet again.

*Teste*      GEORGE WYLLYS Secret'y.

[407]      *Anno Regni Regis Georgii tertii secundo.*

AT A GENERAL ASSEMBLY OF THE GOVERNOR AND COMPANY OF HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA HOLDEN AT NEW HAVEN IN SAID COLONY ON THE SECOND THURSDAY OF OCTOBER (BEING THE EIGHTH DAY OF SAID MONTH) AND CONTINUED BY SEVERAL ADJOURNMENTS UNTIL THE THIRTY-FIRST DAY OF THE SAME MONTH, ANNOQUE DOMINI 1761.

*Present :*

The Honourable Thomas Fitch, Esq<sup>r</sup>, *Governor.*

The Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, *Deputy Governor.*

Roger Newton,	Daniel Edwards,	}      Esq <sup>rs</sup> , Assistants.
Ebenezer Silliman,	Jabez Hamlin,	
Jonathan Trumble,	Matthew Griswold,	
Hezekiah Huntington,	Shubael Conant,	
Andrew Burr,	Elisha Sheldon,	
Benjamin Hall,		

*Representatives or Deputies who attended this Assembly are as follow, viz :*

Col. Samuel Talcott, Col. Joseph Pitkin, for Hartford.

Mr. Daniel Lyman, Mr. Samuel Bishop, for New Haven.

Capt. Jeremiah Miller, Major Charles Bulkley, for New London.

Mr. David Rowland, Mr. David Burr jun<sup>r</sup>, for Fairfield.

Mr. Samuel Gray, Capt. Jonathan Rudd, for Windham.

Col. Ebenezer Marsh, Capt. Isaac Baldwin, for Litchfield.

Capt. Jabez Huntington, Mr. Isaac Tracy, for Norwich.

Col. Jonathan Hoit, Mr. Abraham Davenport, for Stamford.

Col. David Whitney, Mr. Charles Burril, for Canaan.

Mr. Thomas Fitch jun<sup>r</sup>, Mr. Peter Lockwood, for Norwalk.

Capt. John Fowler, Mr. John Herpin, for Milford.

Capt. John Strong, Mr. Isaac Lee, for Farmington.

Capt. Josiah Bissel, Mr. Erastus Wolcott, for Windsor.

- Mr. Richard Mather, Mr. William Noyes, for Lyme.  
 Mr. Daniel Alden jun<sup>r</sup>, Mr. Josiah Convers, for Stafford.  
 Capt. Isaac Kellogg, Mr. Martin Smith, for New Hartford.  
 Capt. Daniel Paine, Mr. Manassah Hosmer, for Woodstock.  
 Mr. Jonathan Dresser, Mr. Samuel Craft, for Pomfret.  
 Capt. Samuel Basset, Capt. James Wheeler, for Derby.  
 Mr. Thomas Russel, Mr. Joshua Pierce, for Cornwall.  
 Mr. John Case, Mr. Hezekiah Humphry, for Symsbury.  
 Mr. Zebulon West, Mr. Elisha Steele, for Tolland.  
 Maj. Amos Cheesbrough, Capt. Phineas Stanton, for Ston-  
 ington.  
 Mr. Joseph Sexton, for Somers.  
 Capt. Benjamin Wheeler, Capt. Thomas Stevens, for Plain-  
 field.  
 Mr. Amos Babcock, Capt. Jedidiah Fay, for Ashford.  
 [408] Capt. John Beach, Capt. Samuel Nash, for Goshen.  
 Mr. Samuel Olmsted, Mr. Lemuel Abbot, for Ridgfield.  
 Capt. Elnathan Stevens, Capt. Theophilus Morgan, for Killing-  
 worth.  
 Mr. Joseph Wells, for Haddam.  
 Mr. Comfort Starr, for Danbury.  
 Mr. Edward Collins, Capt. Joseph Olmsted, for Enfield.  
 Capt. Obadiah Johnson, Capt. Jabez Fitch, for Canterbury.  
 Mr. Simon Learned, Capt. Samuel Danielson, for Killingly.  
 Mr. John Kimberly, Mr. John Wells, for Glassenburg.  
 Mr. Dudley Woodbridge, Capt. William Williams, for Groton.  
 Capt. Jonathan Belding, for Weathersfield.  
 Capt. Abijah Catling, for Harwington.  
 Mr. Joseph Strong jun<sup>r</sup>, Mr. Phineas Strong, for Coventry.  
 Capt. Timothy Judd, Capt. George Nichols, for Waterbury.  
 Capt. Joel White, Capt. Benjamin Talcott, for Bolton.  
 Capt. John Williams, Mr. John Pardee, for Sharon.  
 Mr. John Everts, Mr. Timothy Brownson, for Salisbury.  
 Mr. Cyrus Marsh, Mr. Nathan Eliot, for Kent.  
 Capt. Samuel Morgan, Capt. Joseph Tyler, for Preston.  
 Mr. Daniel Bostwick, Mr. Bushnel Bostwick, for New Milford.  
 Capt. Joshua West, Mr. William Williams, for Lebanon.  
 Col. Timothy Stone, Mr. Nathaniel Hill, for Guilford.  
 Mr. James Barker, for Branford.  
 Col. Robert Walker, Mr. Ichabod Lewis, for Stratford.  
 Capt. James Wadsworth, for Durham.  
 Mr. Seth Wetmore, Mr. Matthew Talcott, for Middleton.  
 Capt. Henry Champion, Mr. Dudley Wright, for Colchester.  
 Mr. Charles Whittlesey, Capt. Samuel Hull, for Wallingford.  
 Mr. Daniel Sherman, Col. Benjamin Hinman, for Woodbury.

Mr. Caleb Baldwin, Mr. Richard Fairman, for Newton.

Mr. William Hall jun<sup>r</sup>, Mr. Nathan Arnold, for Mansfield.

Mr. John Smith, for Voluntown.

Capt. Hezekiah Whittlesey, Capt. John Murdock, for Saybrook.

Col. Joseph Spencer, for East Haddam.

Mr. John Clap, for Greenwich.

Capt. Alexander Phelps, for Hebron.

Mr. William King, for Suffield.

Capt. Jabez Huntington, Speaker	} of the House of
Mr. Abraham Davenport, Clerk	

[409] An Act in Addition to an Act entituled An Act relating to Bridges.

Whereas in sundry instances within this Colony the divid-ent lines between some towns are rivers across which there is need of a bridge or bridges, and no provision is already made by law to compel the towns so adjoining to such rivers to build and maintain suitable and sufficient bridges: For remedy whereof,

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That when and so often as a bridge or bridges shall be want-ing over such river or rivers as are the dividing line between any towns in this Colony, and such towns so adjoining do not agree to proceed and build such bridge or bridges, it shall and may be lawful for any person or persons to make applica-tion to the county court within the same county for that pur-pose; which person or persons moving as aforesaid shall, at least twelve days before the sitting of such court, cause a ci-tation to be served on one or more of the selectmen of such towns so adjoining where such bridge or bridges are needed, to appear, if they see cause, at said court and make their ob-jections, if any they have, against the necessity of having said bridge or bridges; and thereupon, if no objections be offered, or if the objections be judged insufficient, said county court may appoint a committee of two or three able, judicious men, freeholders of the next towns, to enquire into the necessity and conveniency of having such bridge or bridges and point out the place where such bridge or bridges shall be erected, and make report of their opinion thereon; and it being by such court accepted and judged of common necessity and conveniency, the said towns shall forthwith proceed to erect and build such bridge or bridges; and the selectmen of such towns are hereby authorized and fully impowered, to proceed and build such bridge or bridges, and to levy and raise a tax or rate upon the inhabitants of such towns, accord-ing to the list of polls and rateable estate therein, that shall be sufficient for the payment of the expence of erecting and

building such bridge or bridges: the expence thereof to be equally divided between such towns. And the selectmen of any town that shall neglect their duty as directed in this act shall forfeit and pay the sum of ten pounds for every six months they shall neglect the same: one half to the county treasurer for the use of said county, the other half to him or them that shall complain of and prosecute the same to effect.

*And it is further enacted by the authority aforesaid,* That where any bridge or bridges are or shall be erected for public use across any such river, it shall be the duty of the towns next adjoining to such river to keep and maintain such bridge or bridges in good and sufficient repair: the expence to be paid by such towns in equal proportion; which bridge or bridges shall be under the same regulation as other bridges in this Colony by law are, only the forfeitures and penalties shall be paid by such town that shall neglect or refuse to keep such bridge or bridges in repair according to law; any law, usage or custom to the contrary notwithstanding.

An Act for reviving an Act of this Assembly made and passed in their Sessions in May last entituled An Act in further Addition to the Law entituled An Act providing in Case of Sickness.

Whereas it is provided in said act, that the same should continue in force until the rising of this Assembly, and no longer: Therefore,

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That the said act entituled An act in further addition to the law entituled an act providing in case of sickness, be revived and the same is hereby revived in every part and paragraph thereof, and to continue and be in force until the rising of this Assembly in May next, and no longer.

[410] An Act for raising and establishing the Fees of the County Surveyors in this Colony.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That for the future the fees for the surveyor of lands in the respective counties in this Colony shall be, for himself and horse *per diem*, besides expences, the sum of five shillings lawful money.

*Resolved by this Assembly,* That for the more convenient and comfortable return of the troops from the camp, which have been raised in this Colony the current year, the Committee of the Pay-Table draw on the Treasurer of the Colony for the sum of six hundred pounds, to be paid to Mr. William Williams of Lebanon, who is hereby appointed to receive the same and as soon as may be carry said sum and thereof deliver three hundred pounds to each colonel or chief officer of

the regiments raised as aforesaid, and take receipts for the same so delivered; that each colonel or chief officer shall pay two hundred and fifty pounds of the money received by him as aforesaid to the captains or chief officers of the several companies in his regiment in equal proportion, taking receipts therefor; that each of said captains or chief officers shall pay out the sum by him received in equal proportion to the company under his command, as part of their wages; that the sum of fifty pounds remaining in the hands of each of said colonels be by them severally improved in making such needful provision for the sick and infirm of their respective regiments as they shall judge best for their comfortable return from the camp; that said colonels provide passages by water, if to be had, for such of the sick as may be best accommodated that way, and carts, waggons or horses for such of the sick as cannot so conveniently return by water, according to their best discretion. And if any of said troops on their return shall by sickness, lameness or any casualty be rendered altogether unable to march or unfit to be transported in such carriages as may be provided for that purpose, they shall be committed to the care of one or more of the selectmen or to one of the civil authority in the respective towns in this Colony, where they shall be left, who shall make suitable provision for them until they shall be able to march or are fit to be transported home: accounts whereof being laid before the Committee of the Pay-Table shall be by them adjusted and payment thereof ordered out of the Colony treasury.

*Provided nevertheless,* That if the aforesaid sick and infirm soldiers should be sent from the camp and be on their return before the said Mr. William Williams arrives there and delivers said money according to the foregoing directions, then and in such case he is hereby ordered to deliver one hundred pounds thereof to the chief officer or surgeon to whom the command and oversight of such sick and infirm are committed, taking his receipt therefor; which officer or surgeon is hereby directed to use and improve the same, or so much thereof as may be needed, in making suitable provision for such sick and infirm soldiers, and shall provide such water and land carriages as are before mentioned in this act, for the reception and transportation of such sick, infirm or lame soldiers, and shall keep an account of all such sums of money as he shall expend for the use and benefit of such sick and infirm soldiers, which accounts such officer or surgeon shall lay before the Committee of the Pay-Table and account for such part of said hundred pounds as remains in

his hands, (if any be,) not laid out and expended for such sick and infirm soldiers. And the said Mr. Williams shall, after his delivering the aforesaid sum of one hundred pounds, proceed to the camp and there deliver the remaining five hundred pounds to the colonels of the regiments, to be by them paid out as is before in this act ordered and directed.

The Sums Total of the Lists of Estate of the several Towns in this Colony hereafter named sent in to this Assembly are as follow, viz:

Hartford,	£39826	11	6	Canterbury,	£17447	9	2
New Haven,	54103	14	3	Killingly,	24293	0	0
New London,	32149	10	9	Glassenbury,	14001	19	1
Fairfield,	56684	18	4	Groton,	23713	15	6
Windham,	28044	16	9	Weathersfield,	27812	2	3
Litchfield,	17835	6	0	Harwington,	5359	2	0
Norwich,	56617	8	0	Coventry,	18527	10	6
Stamford,	28691	11	2	Waterbury,	25208	18	0
Canaan,	11535	3	6	Bolton,	9471	4	0
Norwalk,	35888	0	7	Sharon,	12178	18	6
Milford,	26813	0	10	Salisbury,	12021	1	6
Farmington,	47591	15	10	Kent,	10500	0	0
Windsor,	42832	0	0	Preston,	21021	8	0
Lyme,	24720	12	8	New Milford,	17930	19	2
Stafford,	7015	8	5	Lebanon,	38062	10	0
New Hartford,	5812	5	0	Guilford,	32877	12	2 1
Woodstock,	18700	0	0	Branford,	21651	2	7
Pomfret,	23342	5	6	Stratford,	44000	0	0
Derby,	14516	19	4	Durham,	10279	1	7 1
Cornwal,	5862	2	4	Middleton,	50576	16	0
Symsbury,	22624	19	0	Colchester,	26873	1	0
Tolland,	10803	6	0	Wallingford,	45814	11	0
Stonington,	36720	8	1	Woodbury,	40463	19	3
Somers,	7540	8	0	Newtown,	17343	19	0
Plainfield,	10003	15	0	Mansfield,	16545	5	6
Ashford,	12524	0	0	Voluntown,	10378	2	0
Goshen,	8166	6	0	Saybrook,	22055	6	0
Ridgfield,	13200	0	0	East Haddam,	22425	17	9
Killingworth,	16729	17	4	Greenwich,	19967	5	1
Haddam,	13261	7	0	Hebron,	18893	16	0
Danbury,	21142	10	2	Torrington,			
				west side,	4272	3	0
Enfield,	10244	1	0	Suffield,	16920	0	0

This Assembly desire his Honour the Governor, and appoint Ebenezer Silliman, Andrew Burr, David Rowland, Esq<sup>rs</sup>, and Mr. Thomas Fitch jun<sup>r</sup>, to be a committee to assist him, to review, correct and compleat the Answers to the Queries sent the Governor and Company of this Colony from the Right Hon<sup>ble</sup> the Lords Commissioners for Trade and

Plantations in Great Britain,\* and when finished his Honour is desired to transmit the same as soon as conveniently may be to their Lordships.

[412] This Assembly do appoint and empower Richard Jackson, Esq<sup>r</sup>, of Inner Temple, London, Attorney for the Governor and Company of this Colony, to receive all such money as is granted by Parliament and is or may be distributed and ordered to be paid this Colony on account of the services done in obedience to his Majesty's command in the year 1760, and accordingly give his receipt therefor. And it is hereby ordered, that a proper instrument of procuration or letter of attorney be made in the name of said Governor and Company, under the public seal and signed by the Governor and Secretary of this Colony, fully empowering the said Richard Jackson, Esq<sup>r</sup>, for the purpose aforesaid.

*Ordered*, Ebenezer Silliman, Esq<sup>r</sup>, and Col. Samuel Talcott congratulate Jared Ingersoll, Esq<sup>r</sup>, on his safe arrival from England, and return him the thanks of this Assembly for the good services he hath done for this Colony during his agency at the Court of Great Britain.

The Gentlemen nominated by the Votes of the Freemen of this Colony (as sent in to this Assembly) to stand for Election in May next are as follow, viz:

The Hon<sup>ble</sup> Thomas Fitch, Esq<sup>r</sup>.

The Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>.

Roger Newton, Esq<sup>r</sup>.

Matthew Griswold, Esq<sup>r</sup>.

Ebenezer Silliman, Esq<sup>r</sup>.

Shubael Conant, Esq<sup>r</sup>.

Jonathan Trumble, Esq<sup>r</sup>.

Elisha Sheldon, Esq<sup>r</sup>.

Hezekiah Huntington, Esq<sup>r</sup>.

Phineas Lyman, Esq<sup>r</sup>.

Andrew Burr, Esq<sup>r</sup>.

Col. Eliphalet Dyer.

John Chester, Esq<sup>r</sup>.

Mr. Roger Sherman.

Benjamin Hall, Esq<sup>r</sup>.

Col. Robert Walker.

Daniel Edwards, Esq<sup>r</sup>.

Capt. Jabez Huntington.

Jabez Hamlin, Esq<sup>r</sup>.

Mr. David Rowland.

*Resolved by this Assembly*, That the selectmen of each town in this Colony be and are hereby directed to collect the number of the inhabitants in each town, whites and blacks, and send the same to his Hon<sup>r</sup> the Governor at or before the first day of January next; † and the Representatives of each town are desired to advise the selectmen of their duty herein; and where there is any town that does not send any Repre-

\* These answers may be found in the Appendix. The Assembly had before appointed a committee of nine on the affair. *War*, x. 400.

† No returns of this census are to be found in our archives, and the following details are all that I have obtained from other sources:

From a memorandum in an account book of Capt. John Lawrence,

“HARTFORD, December 18th, 1761.

An exact account taken of the Number of Souls in the Town of Hartford by



sentatives, or where any Representatives are absent, the Representatives of the next adjoining town are desired to advise the selectmen of such towns hereof; that the colonels of each regiment in this Colony are hereby directed to collect the number of the soldiers in each trainband within their regiments and send a muster-roll thereof to his Hon<sup>r</sup> the Governor at or before the first day of January next; and that the collectors and naval officers in this Colony are hereby desired to send to his Hon<sup>r</sup> the Governor by the first day of January next the number of shipping and sea-men within each of their districts in this Colony.

*Resolved by this Assembly,* That Jonathan Trumble, Esq<sup>r</sup>, be appointed and he is hereby appointed, to enquire into, manage and settle the affair of the monies borrowed by this government of the Crown in the year 1756, and afterwards supposed to be repaid to Mr. Apthorp of Boston, agent to Messrs. Tomlinson and Hanbury, contractors with the Crown for remitting monies to the army in America, and make report to this Assembly in May next.

This Assembly appoints Samuel Chandler of Killingsley Surveyor of Lands in and for the county of Windham.

[413] This Assembly do establish Mr. Justus Buck to be Captain of the 13th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Amos Tirrel to be Ensign of the 2d military company of the town of New Town in the 4th regiment in this Colony.

This Assembly do establish Mr. Amos Terrill to be Ensign of the 2d military company of the town of New Town in the 4th regiment in this Colony.

This Assembly do establish Mr. Caleb Jewit to be Captain of the east military company or trainband in the town of Sharon.

J. L. and the rest of the Selectmen, agreeable to an act of the General Assembly, *viz*:

	White.	Black.
North side of the Little River,	868	68
South side Do.	720	41
East side of the Great River,	1565	23
West part of the town,	633	20
Total,	3786	152

156 Families on the north side.

Test. JOHN LAWRENCE."

A letter of Rev. Ebenezer Dibblee, dated March 25, 1762, gives the population of Greenwich as 2021 whites and 52 blacks, and that of Stamford as 2746 whites and 86 blacks.

The Rev. Jonathan Marsh, the first minister in New Hartford, states that there were in that town in 1761, about 110 families and 674 souls.

The population of the whole Colony was, whites 141,000, blacks 4,590.

This Assembly do establish Mr. Thomas Pardee to be Lieutenant of the east military company or trainband in the town of Sharon.

This Assembly do establish Mr. Jehiel Pardee to be Ensign of the east military company or trainband in the town of Sharon.

This Assembly do establish Mr. John Penoyer to be Captain of the first company or trainband in the town of Sharon.

This Assembly do establish Mr. Joseph Averil to be Captain of the 13th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Nicholas Parker to be Lieutenant of the 13th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Solomon Cowls to be Captain of the first company or trainband in the town of Farmington in the 1st regiment in this Colony.

This Assembly do establish Mr. Elijah Porter to be Ensign of the first company or trainband in the town of Farmington in the 1st regiment in this Colony.

This Assembly do establish Mr. Daniel Brainard to be Captain of the 1st troop of horse in the 12th regiment in this Colony.

This Assembly do establish Mr. William Clark to be Lieutenant of the 1st troop of horse in the 12th regiment in this Colony.

This Assembly do establish Mr. Israel Wyat Wells Quartermaster of the 1st troop of horse in the 12th regiment in this Colony.

This Assembly do establish Mr. Jonathan Gillet to be Captain of the company or trainband in Wintonbury in the first regiment in this Colony.

This Assembly do establish Mr. Reuben Loomis to be Lieutenant of the company or trainband in Wintonbury in the first regiment in this Colony.

This Assembly do establish Mr. Pelatiah Mills junr to be Ensign of the company or trainband in Wintonbury in the first regiment in this Colony.

This Assembly do establish Mr. Matthew Loomis to be Captain of the 1st company or trainband in the town of Bolton in the first regiment in this Colony.

This Assembly do establish Mr. Thomas Pitkin junr to be Lieutenant of the 1st company or trainband in the town of Bolton in the 1st regiment in this Colony.

This Assembly do establish Mr. John Gilbert to be Ensign

of the 1st company or trainband in the town of Bolton in the 1st regiment in this Colony.

This Assembly do establish Mr. Joseph Perry to be Lieutenant of the troop of horse in the 13th regiment in this Colony.

This Assembly do establish Mr. Silas Hickcox to be Cornet of the troop of horse in the 13th regiment in this Colony.

This Assembly do establish Mr. Thomas Warner to be Quarter-Master of the troop of horse in the 13th regiment in this Colony.

This Assembly do establish Mr. John Hughs to be Ensign of the 1st company or trainband in the town of Norwich.

This Assembly do establish Mr. Elisha Lothrop to be Lieutenant of the 4th company or trainband in the town of Norwich.

This Assembly do establish Mr. Jeremiah Kinsman to be Ensign of the 4th company or trainband in the town of Norwich.

This Assembly do establish Mr. Charles Burrill to be Captain of the south company or trainband in the town of Canaan.

This Assembly do establish Mr. Daniel Horsford junr to be Lieutenant of the south company or trainband in the town of Canaan.

This Assembly do establish Mr. Asa Douglas to be Ensign of the south company or trainband in the town of Canaan.

[414] This Assembly do establish Mr. John Pierson to be Captain of the 10th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Nathan Griswold to be Lieutenant of the 10th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Samuel Pierson to be Ensign of the 10th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Josiah Harrison junr to be Ensign of the 11th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Josiah Cows to be Captain of the 2d company or trainband in the parish of Southington.

This Assembly do establish Mr. Aaron Webster to be Lieutenant of the 2d company or trainband in the parish of Southington.

This Assembly do establish Mr. Josiah Newell to be Ensign of the 2d company or trainband in the parish of Southington.

This Assembly do establish Mr. Caleb Humiston to be Ensign of the company or trainband in Northbury in the town of Waterbury.

This Assembly do establish Mr. Ebenezer Hinman to be Lieutenant of the south company or trainband in the town of Woodbury in the 13th regiment in this Colony.

This Assembly do establish Mr. Joseph Richards to be Ensign of the south company or trainband in the town of Woodbury in the 13th regiment in this Colony.

This Assembly do establish Mr. Daniel Maltbie to be Captain of the 14th company in the 2d regiment in this Colony.

This Assembly do establish Mr. Benjamin Maltbie to be Lieutenant of the 14th company in the 2d regiment in this Colony.

This Assembly do establish Mr. Michael Tainter to be Ensign of the 14th company in the 2d regiment in this Colony.

This Assembly do establish Mr. Caleb Phelps to be Captain of the 1st company or trainband in the town of Windsor in the 1st regiment in this Colony.

This Assembly do establish Mr. Henry Allyn to be Lieutenant of the 1st company or trainband in the town of Windsor in the 1st regiment in this Colony.

This Assembly do establish Mr. Abner Mallery to be Ensign of the 1st company or trainband in the town of Woodbury.

This Assembly do establish Mr. Benjamin Griswold to be Captain of the 5th company or trainband in the town of Windsor in the 1st regiment in this Colony.

This Assembly do establish Mr. Ebenezer Bément to be Lieutenant of the 2d company or trainband in the town of Kent.

This Assembly do establish Mr. Nehemiah Gaylord to be Ensign of the 2d company or trainband in the town of Torrington in the 1st regiment in this Colony.

This Assembly do establish Mr. Isaac Shepard to be Captain of the 8th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. John Stevens to be Lieutenant of the 8th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Philip Spaulding to be Ensign of the 8th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Isaac Lawrence to be Captain of the 1st company or trainband in the town of Canaan.

This Assembly do establish Mr. Benjamin Stevens to be

Lieutenant in the 1st company or trainband in the town of Canaan.

This Assembly do establish Mr. John Franklin to be Ensign of the 1st company or trainband in the town of Canaan.

This Assembly do establish Mr. Erastus Wolcott to be Captain of the 3d company or trainband in the town of Windsor in the 1st regiment in this Colony.

This Assembly do establish Mr. Samuel Goff Moor to be Lieutenant of the 3d company or trainband in the town of Windsor in the 1st regiment in this Colony.

This Assembly do establish Mr. Samuel Smith to be Ensign of the 3d company or trainband in the town of Windsor in the 1st regiment in this Colony.

This Assembly do establish Mr. Samuel Bishop to be Captain of the company or trainband in the parish of Hannover.

This Assembly do establish Mr. Matthew Perkins to be Lieutenant of the company or trainband in the parish of Hannover.

This Assembly do establish Mr. Isaiah Williams to be Ensign of the company or trainband in the parish of Hannover.

[415] This Assembly do establish Mr. Joseph Painter to be Lieutenant of the 8th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Caleb Baldwin the 3d to be Lieutenant of the 1st company or trainband in the town of Newton in the 4th regiment in this Colony.

This Assembly do establish Mr. Nathan Hickcox to be Captain of the 5th company or trainband in the town of Woodbury.

This Assembly do establish Mr. Stephen Lane to be Captain of the 4th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. John Crane to be Lieutenant of the 4th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Abraham Hurd to be Ensign of the 4th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. David Sage to be Captain of the 8th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Samuel Hall to be Lieutenant of the 8th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. George Ranney to be En-

sign of the 8th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. John Elsworth jun<sup>r</sup> to be Captain of the 6th company or trainband in the town of Windsor in the 1st regiment in this Colony.

This Assembly do establish Mr. Jonathan Bartlet to be Lieutenant of the 6th company or trainband in the town of Windsor in the 1st regiment in this Colony.

This Assembly do establish Mr. Ephraim Bancraft jun<sup>r</sup> to be Ensign of the 6th company or trainband in the town of Windsor in the 1st regiment in this Colony.

This Assembly do establish Mr. Andrew Ward jun<sup>r</sup> to be Captain of the 2d company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Joseph Jennings to be Captain of the troop of horse in the 5th regiment in this Colony.

This Assembly do establish Mr. Hezekiah Huntington to be Lieutenant of the troop of horse in the 5th regiment in this Colony.

This Assembly do establish Mr. Joseph Bingham jun<sup>r</sup> to be Cornet of the troop of horse in the 5th regiment in this Colony.

This Assembly do establish Mr. Simeon Scripture to be Quarter-Master of the troop of horse in the 5th regiment in this Colony.

This Assembly do establish Mr. Ezra Hickox to be Lieutenant of the troop of horse in the 9th regiment in this Colony.

This Assembly do establish Mr. John Weed to be Cornet of the troop of horse in the 9th regiment in this Colony.

This Assembly do establish Mr. Thomas Hanford to be Quarter-Master of the troop of horse in the 9th regiment in this Colony.

This Assembly do establish Mr. Joseph Bacon jun<sup>r</sup> to be Cornet of the troop of horse in the 6th regiment in this Colony.

This Assembly do establish Mr. Joshua Blatchly to be Lieutenant of the 14th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Nathaniel Stevens to be Ensign of the 14th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Edward Convers to be Captain of the 7th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. John Alton to be Lieutenant of the 7th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Joseph Elliot to be Ensign of the 7th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Joseph Wilford to be Ensign of the 3d company or trainband in the 2d regiment in this Colony.

*Ordered*, That the Treasurer of this Colony pay out of the public treasury unto John Catlin the sum of three pounds, to Moses Lyman the sum of five pounds ten shillings, and to Ebenezer Hill the sum of five pounds ten shillings, in full for their service in viewing and marking out a road from Derby to Canaan, pursuant to the direction of this Assembly at their sessions in May last.

[416] On the memorial of Silas Dunham of Middleton in said Colony, administrator on the estate of Henry Waters late of said Middleton, deceased, shewing to this Assembly that the debts and charges due from said estate surmount the moveable part of said estate the sum of £46 6s. 0d. lawful money; thereupon praying for liberty to sell lands &c.: Resolved by this Assembly, that liberty be granted to the memorialist and he is hereby impowered, to sell so much of the real estate of said deceased as will procure the aforesaid sum of £46 6s. 0d. together with the incident charges arising on such sale; taking the direction of the court of probate in the district of Middleton therein.

On the memorial of Nathaniel Bacon 2d, of Middleton in the Colony of Connecticut, and Mary his wife, executors to the last will and testament of Mr. John Bartlet late of said Middleton, deceased, shewing to this Assembly that in October last they had liberty to sell some part of the real estate of said deceased to pay the debts of said estate, since which there has more debts appeared to be due from said estate, to the sum of £4 6s. 8d., thereupon praying for further liberty to sell so much more of the real estate of said deceased as will procure said sum with the incident charges: Resolved by this Assembly, that liberty be granted to the memorialists and they are hereby impowered, to sell so much more of the real estate of said deceased as will procure the aforesaid sum of £4 6s. 8d. with the incident charges arising on such sale; taking the direction of the court of probate for the district of Middleton therein.

Upon the memorial of James Edmonds, Matthew Hubbel

&c., inhabitants of the parish of Southbury in the town of Woodbury in Litchfield county, living on the tract of land hereafter described, *viz*: that tract of land called the South Purchase, so far as it lyeth within the limits of the parish aforesaid, with the addition on the east side of said purchase of all the land comprehended on the north by the highway leading from said purchase to town, a little north of Stephen Brownson's present dwelling house, to the road leading from the Pierces to town, and from thence eastward to the northeast corner of the farm called originally Pierces farm, then southwardly in the east line of said farm to the southeast corner of the same, then westwardly until it comes to the east line of said purchase, a little north of Samuel Wheeler's present dwelling house, representing to this Assembly that they live at a considerable distance from the place of public worship in said society and have very bad and rough roads to pass in thereto, so that they are unable to attend the same for a great part of the year &c.; praying for liberty to uphold the worship of God among themselves for the space of four months in the year &c., as per memorial on file &c.: Resolved by this Assembly, that the memorialists and all others dwelling within the limits aforesaid shall have liberty to have the gospel preached to them by such orthodox minister as they shall procure for the space of four months in the winter season for the term of four years now next ensuing, and that they shall be and are hereby exempted from all parish charges for the support of the ministry during the term aforesaid in said parish in proportion to the time allowed them to have preaching among themselves as aforesaid; and that the memorialists &c. have liberty, and liberty and power is hereby granted to them, of taxing themselves and choosing all necessary officers for the purposes aforesaid as the ecclesiastical societies by law in this Colony established already have.

On the memorial of Jeremiah Osborn of New Haven, shewing that he had built a house on the post road on the west side of New Haven east river commodiously situate for a ferry over said river, and praying for liberty to keep a ferry on the west side thereof, as per his memorial on file appears: Resolved by this Assembly, that liberty be and the same is hereby granted unto the said Jeremiah Osborn to keep a ferry at the post road over said New Haven east river, and [417] that the same shall be and is hereby subjected to || the laws respecting ferries and ferry-men, and that the fare thereof be as follows, *viz*: for each person, horse and load, 4*d.*; one person, 2*d.*; for every horse or neat cattle, 2*d.*; for sheep or



swine, one penny per head; any law, usage or custom to the contrary notwithstanding.

On the memorial of Martha Johnson of Middleton, administratrix of the estate of Samuel Johnson junr, late of Middleton in said Colony, deceased, shewing to this Assembly that the debts and charges due from said estate surmount the moveable part thereof the sum of £62 1s. 4*d.* lawful money: thereupon praying for liberty to sell land &c.: Resolved by this Assembly, that the memorialist have liberty and she is hereby empowered, to make sale of so much of the real estate of said deceased as will procure the aforesaid sum of £62 1s. 4*d.* lawful money, together with the incident charges arising on such sale; taking the direction of the court of probate for the district of Middleton therein.

On the memorial of William Harris and Isaac Woodward, both of Middleton in said Colony, administrators on the estate of Joseph Harris late of said Middleton, deceased, shewing to this Assembly that the debts and charges due from said estate surmount the moveable part thereof the sum of £36 6s. 9½*d.* lawful money; thereupon praying for liberty to sell real estate: Resolved by this Assembly, that liberty be granted to the memorialists and they are hereby empowered, to sell so much of the real estate of said deceased as will procure the aforesaid sum of £36 6s. 9½*d.* together with the incident charges arising on such sale; taking the direction of the court of probate for the district of Middleton therein

Upon the memorial of Mercy Clark and Samuel Clark, administrators on the estate of Zadok Clark late of Woodbury, deceased, shewing to this Assembly that the debts, charges and allowances against said estate surmount the moveable part of said estate the sum of £69 13s. 4½*d.* lawful money, and praying for liberty to sell so much of the real estate of the said deceased as to make said sum &c.: Resolved by this Assembly, that the memorialists have liberty and liberty is hereby granted unto them, to make sale of so much of the real estate of the said Zadok Clark, deceased, as to make said sum of £69 13s. 4½*d.* lawful money, with the incident charges arising thereon; taking the direction of the court of probate in the district of Woodbury therein.

Upon the memorial of Abigail Harris, administratrix on the estate of Nathaniel Harris late of Lebanon, deceased, shewing to this Assembly that the debts due from surmount the inventoried moveable estate of said deceased Nathaniel the sum of fifty-one pounds in lawful money, and praying to be empowered to make sale of real estate sufficient to enable

her to pay said sum and necessary costs arising thereon, as per memorial on file: Resolved by this Assembly, that the memorialist be and she is hereby impowered, to make sale of so much of the real estate of said deceased as shall be sufficient to pay said sum of fifty-one pounds in lawful money with the necessary costs arising thereon; taking the direction of the court of probate for the district of Windham therein.

Upon the memorial of Nathan Tracy of Preston, shewing to this Assembly that he lost his pocket-book in the barn sometime in the month of January 1760, in which book he had one twenty-shilling bill and one ten-shilling bill of the late emissions of this Colony, and that said book &c. being so lost was not found until the 5th day of October instant, and that said bills were so consumed and defaced that they are of no value; praying to this Assembly to have paid him out of the treasury of this Colony the sum of thirty shillings of the emissions of this Colony of March date 1760: Resolved by this Assembly, that the said memorialist have paid to him out of the treasury of this Colony the sum of thirty shillings of the emission of March date 1760, and the Treasurer is hereby ordered to pay the same accordingly.

Upon the memorial of Solomon Williams and Timothy Williams, administrators on the estate of Timothy Williams late of Hartford in the county of Hartford, deceased, shewing to this Assembly that the debts and charges due from the estate of said deceased surmount the moveable estate of said deceased the sum of £51 15s. 10*d.* lawful money; praying for liberty to sell so much of the real estate of said deceased as will raise said sum of £51 15s. 10*d.* lawful money, together with the necessary charges of such sale, for the payment of said debts and charges, and that Capt. Samuel Wells [418] of || said Hartford be appointed to make such sale, as per memorial on file: Resolved by this Assembly, that said Capt. Samuel Wells of said Hartford be allowed and liberty is hereby granted unto him, to make sale of so much of the real estate of said deceased as shall be sufficient to pay said sum of £51 15s. 10*d.* lawful money together with necessary charges of such sale; taking the direction of the court of probate for the district of Hartford therein.

Upon the memorial [of] Zebulon Jones, administrator on the estate of Benjamin Jones late of Somers, deceased, shewing to this Assembly that the debts and charges due from the estate of said deceased, as allowed by the court of probate for the district of Hartford, surmount the personal inventoried estate of said deceased the sum of £75 16s. 1*d.* 2, lawful

money; praying for liberty to sell so much of the real estate of said deceased as will be sufficient to raise the aforesaid sum of £75 16s. 1*d.* 2, lawful money with the incident charges arising thereon, as per memorial on file: Resolved by this Assembly, that the said administrator have liberty and he is hereby impowered, to sell so much of the real estate of said deceased, for the payment of debts, as will be sufficient to raise the sum of £75 16s. 1*d.* 2, lawful money, with the incident charges arising thereon; taking the direction of the court of probates for the district of Hartford therein.

Upon the memorial of Ezekiel Ladd, administrator on the estate of Phineas Nash late of Windsor in Ellington parish, deceased, shewing to this Assembly that the debts, charges and allowances due from the estate of said deceased, as allowed by the court of probates for the district of Stafford, surmount the personal inventoried estate of said deceased the sum of £86 19s. 5*d.* lawful money; praying for liberty to sell so much of the real estate of said deceased as will be sufficient to raise the said sum of £86 19s. 5*d.* lawful money with the incident charges arising thereon, as per memorial on file: Resolved by this Assembly, that the said administrator have liberty and he is hereby impowered, to sell so much of the real estate of said deceased as will be sufficient to raise the said sum of £86 19s. 5*d.* lawful money, for the payment of debts, with the incident charges arising thereon; taking the direction of the court of probates for the district of Stafford therein.

Upon the memorial of Abel Beekwith and Lucy Beekwith, late Lucy Dewolf, both of Lyme in New London county, which Lucy is administratrix on the estate of Simon Dewolf late of said Lyme, deceased, representing to this Assembly that all the personal estate of said deceased is paid out to the creditors of said estate, and that there is none of the estate of said deceased left in the hands of said administratrix except £21 19s. 5*d.* in real estate, and that there is a debt due to the memorialists of £13 16s. 2*d.* lawful money, for the cost of said administratrix in administring on said estate; praying this Assembly that the memorialists may have liberty to sell and dispose of so much of said real estate as shall be sufficient to raise said sum of £13 16s. 2*d.* with the incident charges of sale &c.: Resolved by this Assembly, that liberty be granted, and liberty is hereby granted to the memorialists, to sell and dispose of so much of said real estate of said deceased in the hands of said administratrix as shall be sufficient to raise said sum of £13 16s. 2*d.* lawful money,

together with the incident charges of sale ; taking the directions of the court of probate for the district of New London therein.

Upon the memorial of Zeruiah Converse, administratrix on the estate of Jonathan Converse late of Killingly, deceased, shewing to this Assembly that the debts &c. due from said estate surmount the personal estate of said deceased the sum of £13 13s. 6*d.* lawful money ; praying to this Assembly for liberty to sell so much of the real estate of said deceased as to pay the said sum of £13 13s. 6*d.*: Resolved by this Assembly, that the said administratrix have liberty, and liberty is hereby granted her, to sell so much of the real estate of said deceased as to pay said sum of £13 13s. 6*d.* with the necessary charges arising thereon ; taking the directions of the court of probate for the district of Pomfret therein.

Upon the memorial of Nathan Burr, executor of the last will and testament of Nathaniel Burr late of Fairfield, deceased, shewing to this Assembly that the debts due from [419] the estate of said deceased surmount his || moveable estate the sum of £20 16s. 11*d.* and that the said deceased in his said will made no other provision for the payment of his debts than what his moveable estate would answer, and praying for liberty to sell so much of the real estate of said deceased as will raise said sum &c.: Resolved by this Assembly, that the said Nathan Burr have liberty and he is hereby empowered, to sell so much of the real estate of the said Nathaniel Burr as will be sufficient to pay and satisfy said sum of £20 16s. 11*d.* with the incident charges arising on such sale ; taking directions of the court of probate in the district of Fairfield therein.


Upon the memorial of David Wakeman and Daniel Wakeman, administrators on the estate of Stephen Wakeman late of Fairfield, deceased, shewing to this Assembly that the debts due from the estate of the said deceased surmount his moveable estate the sum of £41 19s. 2*d.*, and praying for liberty to sell so much of the real estate of the said deceased as will be sufficient to raise said sum &c.: Resolved by this Assembly, that the said administrators have liberty and they are hereby empowered, to sell so much of the real estate of the said deceased Stephen Wakeman as will be sufficient to pay and satisfy said sum of £41 19s. 2*d.* with the incident charges arising on such sale ; taking directions of the court of probate in the district of Fairfield therein.

Upon the memorial of John Gilbert &c., inhabitants of the northerly parts of the parishes of Stratfield and Greenfield,

and of the westerly part of the parish of North Stratford, in the county of Fairfield, praying this Assembly that they may be made a distinct ecclesiastical society, and that their limits may be: to begin at the northeasterly corner of the parish of Norfield, and to extend from thence southeasterly in the easterly line of Norfield parish down to the southeasterly corner of said parish, and to continue the same course till it comes down even with the second cross highway, so called, and from thence to run in a straight course to said second cross highway, and then to run in said highway until it comes to the highway that passes from front to rear of the long lots in Fairfield between Morehouse's and Turney's long lots, so called, and thence to run down in said last-mentioned highway till it comes to the first cross highway, so called, and from thence to extend easterly in said cross highway till it comes to Fairfield mill river, so called, and thence to run with said river until it comes to the line between the towns of Fairfield and Stratford, and from thence to run on a course at right angles 250 rods into Stratford, and from thence to run a parallel line to said town's line northerly until it comes to the easterly bounds of the parish of Stratfield, and then to run in the line of said Stratfield until it comes to the southeasterly corner of the parish of Reading, and from thence to run in the southerly line of said Reading parish until it comes to the place began at; or that a committee may be appointed to view their circumstances and situation, and make report &c.: Resolved by this Assembly, that Samuel Olmsted, Esqr, of Ridgfield, Samuel Fitch, Esqr, of Norwalk, and John Fowler, Esqr, of Milford, be and they are hereby appointed a committee to view the circumstances of the memorialists, their situation and the circumstances of the adjoining societies, and to hear all parties concerned therein, and their report thereof with their opinion thereon to make to the General Assembly to be holden at Hartford in May next.\*

Upon the memorial of Samuel Morehouse of Fairfield, administrator on the estate of Isaac Frost late of said Fairfield, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the moveable part of said estate the sum of £51 2s. 8 $\frac{1}{2}$ d. lawful money, and praying for liberty to sell so much of the real estate of said deceased as will raise said sum &c.: Resolved by this Assembly, that the said Samuel Morehouse have liberty and he is hereby impowered, to sell so much of the real estate of the said deceased Isaac Frost as will be sufficient to pay and

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\*A society was constituted October 1762, by the name of North Fairfield. 

satisfy said sum of £51 2s. 8 $\frac{1}{2}$ d. with the incident charges arising on such sale; taking directions of the court of probate in the district of Fairfield therein.

Upon the memorial of Benjamin Williams of Saybrook in New London county, administrator on the estate of Capt. Samuel Williams late of said Saybrook, deceased, shewing [420] that the debts due from said estate and || charges of administration, together with some small allowance of necessaries set out to the widow of said deceased, surmount the personal or moveable of said estate of said deceased the sum of £165 15s. 10 $\frac{1}{2}$ d. lawful money; praying for liberty to make sale of so much of the real estate of said deceased as to raise said sum &c., as per memorial on file: Resolved by this Assembly, that the memorialist have liberty and he is hereby authorized and fully impowered, to make sale of so much of said real estate as to raise said sum with incident charges thereon; taking advice of the court of probate in the district of Guilford therein.

On the memorial of Mehitabel Clark, of Haddam in Hartford county, administratrix on the estate of Jacob Clark late of said Haddam, deceased, shewing to this Assembly that in May last at their sessions at Hartford the memorialist was impowered to sell some part of the real estate of the said deceased to pay the debts due from said estate, there not being personal estate to pay the same, since which there has more debts appeared to be due from said estate to the sum of twenty pounds 11s. 6d. allowed and approved of by the court of probate for the district of Middleton; praying for liberty to sell so much more of the real estate of said deceased as to make said sum of £20 11s. 6d. with the incident charges &c., as per memorial on file: Resolved by this Assembly, that liberty be granted to the memorialist and she is hereby impowered, to sell so much more of the real estate of said deceased as to make said sum of £20 11s. 6d. with the incident charges thereon arising; taking the advice of the court of probate for the district of Middleton therein.

Upon the memorial of Gurdon Saltonstall, Joseph Coit &c., managers, overseers and directors for building a light-house in New London, shewing to this Assembly that they have built and compleated the same in the best manner, and beside the provision made by this Assembly for defraying the charge thereof they have been obliged to advance out of their own pockets for compleating said work the sum of £215 4s. 10 $\frac{1}{2}$  d. lawful money; praying this Assembly that said memorialists may have granted to them out of the public treasury of

this Colony said sum of £215 4s. 10½*d.* lawful money: Resolved by this Assembly, that said memorialists, (*viz.*) Gurdon Saltonstall, Joseph Coit, Nathaniel Shaw, Jeremiah Miller, David Gardiner, Joseph Chew, Thomas Mumford jun<sup>r</sup>, Pygan Adams and Matthew Talcott, shall receive out of the public treasury of this Colony said sum of £215 4s. 10½*d.* lawful money, and the Treasurer of this Colony is hereby ordered to pay the same accordingly.

Upon the memorial of John Perry, administrator on the estate of John Perry the elder, late of Ashford, deceased, shewing to this Assembly that the debts due from said estate surmount the personal inventoried estate of said deceased the sum of £70 18s. 0*d.* lawful money; praying for liberty to sell so much of the real estate of said deceased as shall answer the aforesaid sum of £70 18s. 0*d.* lawful money with incident charges of sale, as per memorial on file: Resolved by this Assembly, that the said administrator have liberty and he is hereby impowered, to sell so much of the real estate of said deceased as will raise or answer the said sum of £70 18s. 0*d.* lawful money, together with the incident charges arising thereon; taking the direction of the court of probate for the district of Pomfret therein.

On the memorial of Stephen Cooper and Joseph Cooper, both of New Haven, administrators on the estate of Joseph Cooper late of said New Haven, deceased, shewing to this Assembly that the debts and charge allowed by the court of probate for the district of New Haven against said estate surmount the whole moveable estate £58 11s. 0¼*d.* money; praying they might be impowered to sell so much of the real estate of the said Joseph Cooper, deceased, as shall raise said sum with the incident charges arising thereon &c., as by said memorial may appear: Resolved by this Assembly, that the said Stephen Cooper and Joseph Cooper have liberty, and liberty and authority is hereby granted to the said Stephen Cooper and Joseph Cooper, to sell so much of the real estate of the said deceased as will raise said sum of £58 11s. 0¼*d.* with the incident charges arising on such sale; taking the directions of the court of probate for the district of New Haven therein.

Upon the memorial of Samuel Williams and Susannah Bissel, administrators on the estate of Ephraim Bissel late of Waterbury, deceased, shewing to this Assembly that the debts, charges and allowances against said estate surmount [421] the || moveable part of said estate the sum of £21 3s. 2*d.* 2, lawful money, and praying for liberty to sell so much

of the real estate of the said deceased as to make said sum &c.: Resolved by this Assembly, that the memorialists have liberty, and liberty is hereby granted unto them, to make sale of so much of the real estate of the said Ephraim Bissel, deceased, as to make said sum of £21 3s. 2*d.* 2, lawful money, together with incident charges arising thereon; taking the direction of the court of probate in the district of Woodbury therein.

Upon the memorial of Sarah Nickerson, executrix to the last will and testament of William Nickerson late of Ridgfield, deceased, shewing to this Assembly that the real estate of said deceased amounts to the sum of £115 10s. 0*d.* and that his moveable estate amounted to but £21 12s. 11*d.* and that the debts due from said estate amount to the sum of £109 4s. 4*d.* which surmounts the moveable estate of said deceased the sum of £87 11s. 5*d.* and that the said Nickerson by his last will and testament hath ordered his said debts should be paid out of his estate but hath made no provision in said will for the sale of any of his lands &c.; praying this Assembly to empower said memorialist with Comfort Starr, Esq<sup>r</sup>, of Danbury, to make sale of so much of the real estate of the said deceased as to pay the aforesaid debts together with the incident charges arising thereon &c., as per memorial on file: Resolved by this Assembly, that the memorialist together with the said Comfort Starr, Esq<sup>r</sup>, have liberty and they are hereby empowered, to sell so much of the real estate of the said deceased as shall amount to the sum of £87 11s. 5*d.* lawful money; taking the direction of the court of probate for the district of Danbury.

Upon the memorial of Thomas Mumford jun<sup>r</sup>, of New London, praying for the use of ten carriage-guns belonging to the Colony, to be used on board a privateer by him now fitting out against his Majesties enemies &c., as per memorial on file &c.: Resolved by this Assembly, that the said Thomas Mumford shall have the use of said ten carriage-guns with their necessary apparatus, which were lately used on board the country vessel, from this time to the first of May next; and those persons in whose hands the same are hereby are directed to deliver the same to him on his giving good security to the acceptance of Gurdon Saltonstall and Jeremiah Miller, Esq<sup>rs</sup>, to return the same in as good condition as when received, or in case of accident others of as good quality &c. in the judgment of said Saltonstall and Miller.

Upon the memorial of Benajah Humphry, of Symsbury in the county of Hartford, shewing to this Assembly that he is



labouring under very melancholy and chargeable circumstances on account of supporting and taking care of his unhappy, unfortunate and distracted son Roger, who by the honourable superior court is justly sentenced to constant confinement during his natural life, and that notwithstanding the bounty granted by this Assembly was considerable, yet that sum hath been wholly expended in paying the charges of his imprisonment and trial at said superior court, and erecting a small place to confine him at home; and that since he hath been confined at home, he hath been at the cost of finding him the necessaries of his support, which is one year and eleven months; and that his said son received his first illness while he was a soldier in the government's service; as per memorial on file: Resolved by this Assembly, that the said Benajah Humphry shall receive out of the treasury of this Colony the sum of twenty pounds lawful money, and the Treasurer is hereby ordered to pay the same accordingly.

Upon the memorial of Josiah Curtis and Peter Hepburn, ferrymen attending Stratford Ferry, representing to this Assembly the great difficulty they are in transporting carriages over said ferry and in tackling and untackling the same &c.; praying that the fare of said ferry for such transportation may be advanced &c., as per memorial on file &c.: Resolved by this Assembly, that for the future the fare of said ferry for transporting each wheel-carriage, the persons traveling therein and horse or horses thereunto belonging, over said ferry shall be eighteen pence lawful money; and the ferrymen there are hereby authorized to ask and receive the same.

[422] Upon the memorial of Daniel Roe and Elizabeth Ives, administrators on the estate of Ephraim Ives late of Farmington, deceased, shewing to this Assembly that the debts and charges due from the estate of said deceased surmount the personal or moveable of said deceased the sum of £23 9s. 11*d.* lawful money; praying for liberty to sell so much of the real estate of said deceased as will be sufficient to raise the sum of £23 9s. 11*d.* lawful money, for the payment of said debts with incident charges arising on said sale, as per memorial on file: Resolved by this Assembly, that the said administrators have liberty and they are hereby empowered, to sell so much of the real estate of said deceased as will raise the said sum of £23 9s. 11*d.* lawful money, for the payment of said debts, with the incident charges arising on said sale; taking the direction of the court of probate for the district of Hartford therein.

Upon the memorial of Abigail Lord, administratrix on the

estate of William Lord, late of Fairfield in the county of Fairfield, and now deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount his moveable estate the sum of £34 14s. 9½*d.*, and praying for liberty to sell so much of the real estate of said deceased as will be sufficient to raise said sum &c.: Resolved by this Assembly, that said administratrix have liberty and she is hereby impowered, to sell so much of the real estate of said deceased William Lord as will be sufficient to pay and satisfy said sum of £34 14s. 9½*d.* with the incident charges arising on such sale; taking directions of the court of probate in the district of Fairfield therein.

Upon the memorial of Phineas Peck, administrator of the estate of Hannah Thorp late of Wallingford, deceased, shewing to this Assembly that the debts due from the estate of the said deceased Hannah Thorp surmount the whole inventoried moveable estate of the said deceased the sum of £23 2s. 1*d.* lawful money, and thereon praying this Assembly to give him liberty to sell so much of the real estate of the said deceased Hannah Thorp as will pay and satisfy the said sum of £23 2s. 1*d.* together with the incident charges arising thereon, and to authorize and impower him therefor, taking the directions of the court of probates in New Haven district therein: Resolved by this Assembly, that the said Phineas Peck have liberty and is hereby authorized and impowered, to sell so much of the real estate of the said deceased Hannah Thorp as will pay and satisfy the said sum of £23 2s. 1*d.* together with the incident charges arising on such sale; taking the directions of the court of probate in New Haven district therein.

On the memorial of Constant Kirtland, of Wallingford in New Haven county, conservator of the person and estate of Josiah Bocket of Wallingford aforesaid, shewing to this Assembly that before the county court held at New Haven the first Tuesday of April last he exhibited his account of his conservatorship to said court: it being allowed and adjusted there was allowed to be due to him the sum of twenty-six pounds eight shillings and three farthings: praying to this Assembly that the selectmen of Wallingford, or some other person, may be impowered to sell so much real estate of said Bocket's as to make said sum with eight pounds he has expended since said court and six pounds more: said last mentioned sums to be further accounted for with said county court, being £40 8s. 0¾*d.* in whole, as per memorial on file: Resolved by this Assembly, that Mr. Caleb Johnson of Walling-

ford, one of the selectmen of said town, be impowered and he is hereby impowered, to sell so much of the real estate of said Josiah Brocket as to make said sum of £40 8s. 0 $\frac{3}{4}$ d., taking the direction of said county court therein, and the overplus money not already allowed and accounted for be improved for the support of said Brocket from April court aforesaid until the same be expended, if said Brocket live, and if so happen he should not live to expend the whole of said overplus money, then what remains to be for the use of the right heirs of said Brocket.

Upon the memorial of John Hill and Keziah Hill, both of Glassenbury, executors of the last will and testament of John [423] Hill senr, late of said || Glassenbury, deceased, representing to this Assembly that the debts and charges due from the estate of said John Hill, deceased, surmount the personal estate of said deceased the sum of three hundred forty-eight pounds six shillings and seven pence lawful money, and that said deceased in his last will and testament gave the main part of his real estate to his sons and declared in his last will and that his will was that his said sons should pay his just debts and should have what was due to said testator; that said sons of said testator have no estate to pay the aforesaid sum withal, except the estate willed and given to them in the aforesaid will; that all of said sons except two are minors under the age of twenty-one years, and can make no disposition of any of their said estate for payment of the debts of said deceased &c.; praying this Assembly to grant said memorialists liberty and them fully authorize and impower, to make sale of said real estate as to raise said sum with incident charges thereon, as per memorial on file may appear: Resolved by this Assembly, that the memorialists have liberty and they are hereby authorized and fully impowered, to make sale of so much of the real estate of said deceased as will raise a sum sufficient to pay said sum of £348 6s. 7d. together with the incident charges of sale; taking the advice of the court of probate in the district of Hartford therein.

Upon the memorial of George Mill of Stanford, a soldier discharged from his Majesty's regular troops, poor and impotent, &c., praying for liberty to peddle in the several towns in this Colony for the necessary support of himself and family &c., as per memorial on file &c.: Resolved by this Assembly, that the said George Mill have liberty, and liberty is hereby given him, to travel as a pedlar or petty-chapman throughout this Colony, and to deal and trade as such in

manner as other pedlars by law licensed are enabled to do, to all intents and purposes.

Upon the memorial of Thomas Grant, Joseph Stedman, John Grant, Daniel Rockwell, Daniel Skinner, Thomas Sadd jun<sup>r</sup>, Samuel Smith, and others subscribers thereunto, inhabitants of a place called Wapping on the east side of the second society in Windsor, representing to this Assembly that the memorialists live one with another near five miles from the meeting-house lately built in said society, that in the setting said meeting-house no regard was had to the memorialists and their families; praying this Assembly that the five families living at the east end of the three mile lots, with all the rest living at the east end of said second society, be formed into a distinct half society, with powers and priviledges to hire preaching among themselves &c., as per memorial on file &c.: Resolved by this Assembly, that the memorialists and all living within the limits aforesaid have liberty, and liberty is hereby granted to them, to procure the preaching of the gospel amongst themselves five months in the year annually, with powers and priviledges to tax themselves for raising money for the support of the preaching of the gospel for the term aforesaid in the same manner, and to that end to choose all officers as other societies in said Colony are by law enabled, and shall be exempted from the payment of any taxes for supporting the ministry in the said second society during said five months annually or part thereof: provided they procure such preaching said five months, or in such part thereof as they shall have preaching as aforesaid.

Upon the memorial of Benjamin Bancraft, Eleazer Pomroy, Ichabod Fitch and Abraham Beach, representing to this Assembly that they delivered sundry articles for the relief of the sick soldiers belonging to this Colony by order of the commanding officers while in the campaign, and for which they have not been paid; praying for payment &c.: Resolved by this Assembly, that the Committee of the Pay-Table be and they are hereby directed to examine and adjust the said accounts of said memorialists, and what they find justly due from this Colony shall order payment of the same out of the public treasury of this Colony accordingly, with such interest as they shall judge to be just and reasonable.

Upon the memorial of John Hide of Canterbury, shewing to this Assembly that he was a soldier in the campaign in the year 1760, under Capt. Palmer, and being employed in the rowing and setting the battoes in Moehauk River and by

reason of the said hard service occasioned a very grievous sore on his left hand, and thereby the same is almost useless &c., praying this Assembly to grant that some meet sum be paid to him out of the treasury of this Colony &c.: Resolved by this Assembly, that the said memorialist have the sum of fifteen pounds paid to him out of the treasury of this Colony for his hand being so hurt &c. And the Treasurer is hereby ordered to pay the same accordingly.

[424] Upon the memorial of Joseph Divine, of Kent in the district of Litchfield, administrator on the estate of Nathaniel Divine late of said Kent, deceased, shewing that the debts due from the said estate with the charges &c. allowed surmount the personal estate of the said deceased the sum of £27 7s. 9d. and praying for liberty to make sale of so much of the real estate of the said deceased as to answer and pay the said sum with the incident charges arising on said sale, as per memorial on file: Resolved by this Assembly, that the said Joseph Divine have liberty and he is hereby empowered, to make sale of so much of the real estate of the said deceased as to answer and pay the said sum of £27 7s. 9d. taking the advice of the court of probate for the district of Litchfield.

Upon the memorial of Isaac Swan, of Kent in the district of Litchfield, administrator on the estate of John Wedge late of said Kent, deceased, shewing that the debts due from the said estate and charges allowed surmount the personal estate of the said deceased the sum of £165 7s. 7d. and praying for liberty to make sale of so much of the real estate of the said deceased as to answer and pay the said sum with the incident charges arising on said sale; as per memorial on file: Resolved by this Assembly, that the said Isaac Swan have liberty and he is hereby empowered, to make sale of so much of the real estate of the said deceased as to answer and pay the said sum of £165 7s. 7d. with the incident charges thereon arising; taking the advice of the court of probate for the district of Litchfield.

Upon the memorial of John Moss, Timothy Wilcockson and others, inhabitants of the parish of Ripton, and Nathan Booth and Jonathan Curtis and others, inhabitants of the parish of North Stratford, praying to be a distinct ecclesiastical society with proper limits and boundaries as set forth in said memorial, or that a committee may be appointed to view the circumstances of the memorialists and make report &c., as by said memorial &c.: Resolved by this Assembly, that Elisha Sheldon, Esqr, Messrs. Increase Mosely and Timothy

Judd be, and they are hereby, appointed a committee to repair to and view the circumstances of said memorialists and all concerned in the premises, and the bounds and limits referred to in said memorial, and hear all parties concerned, and make their report to this Assembly in their sessions in May next, with their opinion thereon.\*

Upon the memorial of Stall Worthy Waters and Ruth Brown, administrators on the estate of John Brown late of Hebron, deceased, representing to this Assembly that the debts due from the estate of said deceased and charges allowed over and above what of the real estate of said deceased hath already been sold by order of Assembly surmount the personal estate of said deceased the sum of £11 18s. 7½*d.* lawful money, and praying for liberty to sell so much of the real estate of said deceased with the incident charges arising therein: Resolved by this Assembly, that the memorialists have liberty and liberty is hereby granted to them, to sell so much of the real estate of said deceased as shall be sufficient to raise said sum with the incident charges therein arising; taking the direction of the court of probate in the district of East Haddam therein.

Upon the memorial of Aaron Brownson, John Standley, and the rest of the inhabitants of Farmington that were excluded from the parish of Kinsington (by act of Assembly made and passed at their sessions at Hartford in May 1754,) shewing to this Assembly that, notwithstanding their liberty to assemble with said parish of Kensington for the public worship of God reserved to them in and by said act, yet by reason of their great distance they cannot at all times of the year receive the benefit and priviledges thereof, and that they are under great difficulty and disadvantage for want of schooling; thereupon praying for liberty to set up and carry on the public worship of God and schooling among themselves: Resolved by this Assembly, that the inhabitants living within the following bounds, *viz:* Abutting south on the parish of Meriden, north on the parish of Kinsington, west on the parish of Southington, and east on the line of Middleton and Farm-  
[425] ington, have liberty, and liberty is hereby granted || them, to set up and carry on the public worship of God among themselves under the general restrictions of the law, for and during the term of four months annually, and also to set up and maintain a school among themselves. And to enable them to do the same, it is further resolved, that the said in-

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\* A society was established in May 1762, and named New Stratford: now the town of Monroe.

habitants be warned to meet together in manner and form as new ecclesiastical societies by law are, and being so met they are hereby authorized and impowered by their major vote to tax themselves to raise money for the purposes aforesaid, and to choose a committee, collector or collectors, which collector so chosen shall have all the power and authority that collectors of town and society rates by law have, and in case of refusal to serve (being so chosen) shall be liable and subjected to the same pains and penalties that by law society collectors are subjected to.

Upon the memorial of William Park of Plainfield, shewing to this Assembly that Benjamin Swan of Litchfield was convicted at the superior court holden at Windham the 3d Tuesday of September 1760, for uttering counterfeit dollars, and that by said court was ordered to pay a fine of twenty pounds lawful money and all the cost and charge of his prosecution, which amounted to about twenty pounds more, and that the said Benjamin had no estate to pay and satisfy said sums, and thereupon the said superior court assigned him in service for the term of five years to the said memorialist, and accordingly he, the said memorialist, then paid the whole of said cost and gave his note to pay said sum of twenty pounds to the Treasurer of this Colony within one year from that time, and that soon after said Benjamin was so assigned was taken sick &c., and when he got well inlisted and went into his Majesty's service in the last campaign, and was taken with the small-pox and therewith died the 3d day of July last; praying to this Assembly that he may be released from paying said sum of twenty pounds, and that he may be discharged from said note: Resolved by this Assembly, that the memorialist be discharged from said note, and that he is hereby released from paying said sum of twenty pounds.

Upon the memorial of Timothy Benedict, Samuel Gates, Jonah Foster, inhabitants of that part of Ridgfield commonly called the New Patent, and the rest of the inhabitants living within said New Patent, representing to this Assembly that they live very remote from any place of public worship, whereby they and their children are in a great measure prevented the attending the same &c.; praying that they, the memorialists, may be made and constituted a distinct ecclesiastical society within the bounds and limits following, *viz*: To begin at the southwest corner at a place called the Two Mile Monument upon the Colony line a little south of the horse-pound, from thence a straight line to the mill bridge near Isaac Keeler's dwelling house, and from thence a straight line to a

chestnut-oak tree near the outlet of Bennit's Pond, so called, one of the perambulation bounds between Danbury and Ridgfield, from thence a straight line as the perambulation line runneth to a heap of stones upon a ledge of rocks near or upon Jacob Wildman's lot southwardly from his dwelling-house, and from thence a straight line to a large heap of stones in the perambulation line westerly of Samuel Benedict's dwelling-house, and from thence in the perambulation line northerly to the northwest corner of Danbury township, and from thence west as New Fairfield line runs to the Colony line, from thence southerly by the Colony line to the first station; as per memorial on file: Resolved by this Assembly, that the memorialists &c. living within bounds and limits aforesaid be and they are hereby made, constituted and established a distinct ecclesiastical society by the name of Ridgbury, and shall have, exercise and enjoy all the powers, privileges and rights that other ecclesiastical established societies in this Colony by law are vested with and have right to exercise and enjoy, and be under like regulations in all respects.

Upon the memorial of John Bidwell and Josiah Gilman of Hartford, administrators on the estate of John Gilman late of said Hartford, deceased, shewing to this Assembly that the debts due from the estate of said John Gilman, deceased, together with the charges &c. exhibited and allowed by the court of probates for the district of Hartford, with a small allowance for the widow, surmount the moveable estate of said deceased the sum of two hundred and fifty-two pounds seven shillings four pence lawful money; praying for liberty to sell so much of the real estate of the said deceased as will pay and satisfy the aforesaid £252 7s. 4d. together with the incident charges of said sale: It is therefore resolved, that [426] liberty is granted || to the said John Bidwell and Josiah Gilman, and they are impowered, to make sale of so much of the lands of the said deceased as shall amount to the aforesaid sum of £252 7s. 4d. lawful money, together with the incident charges arising on said sale; taking the direction of the court of probates in the district of Hartford therein.

On the memorial of Abigail Kilborn of Hartford, administratrix on the estate of Nathaniel Kilborn late of said Hartford, deceased, representing that the debts due from said estate surmount the inventoried personal estate of said deceased the sum of three hundred ninety-three pounds seven shillings and four pence half-penny lawful money; that the only real estate of deceased consists in about half an acre of land with



a large dwelling-house thereon, lying on the Main Street in Hartford aforesaid; praying liberty to sell of said real estate to answer the sum abovesaid &c.: Resolved by this Assembly, that said administratrix together with Mr. Benjamin Paine of Hartford be and they are hereby impowered, to sell of said real estate of said deceased to answer the sum abovesaid with incident charges of sale; taking the direction of the court of probate for the district of Hartford therein.

On the memorial of Abiah Sage of Middleton, administratrix on the estate of Ebenezer Sage late of Middleton, deceased, shewing to this Assembly that the debts surmount the moveable estate of the deceased the sum of three hundred forty-one pounds 13s. 2d.; praying for liberty to sell so much of real estate of the said deceased as to make said sum of £341 13s. 2d. with the incident charges thereon, as per memorial on file: Resolved by this Assembly, that the said administratrix be allowed and liberty is hereby granted to her, to sell so much of the real estate of said deceased as to make said sum with the necessary charges thereon arising; taking the directions of the court of probate for the district of Middleton therein.

Upon the memorial of Peter Rice, administrator on the estate of Timothy Loomis late of Symsbury, deceased, shewing to this Assembly that the debts and charges due from said estate with what is allowed to the widow surmount the personal or moveable estate of said deceased the sum of £25 2s. 6d. lawful money, for the payment of which he has no moveable estate; praying for liberty to sell so much of the real estate of said deceased as will raise the sum of £25 2s. 6d. lawful money, with the incident charges arising on said sale; as per memorial on file: Resolved by this Assembly, that the said administrator have liberty and he is hereby impowered, to sell so much of the real estate of said deceased as will raise the said sum of £25 2s. 6d. lawful money, for the payment of said debts, together with the incident charges arising thereon; taking the direction of the court of probates for the district of Hartford therein.

Upon the memorial of Seth Benedict, administrator on the estate of Thomas Benedict the 2d, late of Norwalk, deceased, shewing to this Assembly that the debts due from the estate of the said deceased Thomas Benedict together with a small allowance of necessaries to the widow of the said deceased surmount the moveable or personal estate of the said deceased the sum of £18 6s. 8d. 3, lawful money, and thereon praying for liberty to sell so much of the real estate of the

said deceased as will pay and satisfy the said sum of £18 6s. 8d. 3, together with the incident charges arising thereon, and that he may be authorized and impowered therefor, taking the direction of the court of probate in Fairfield district therein: Resolved by this Assembly, that the said Seth Benedict have liberty and is hereby authorized and impowered, to sell so much of the real estate of the said deceased Thomas Benedict as will pay and satisfy the said sum of £18 6s. 8d. 3, together with the incident charges arising on such sale; taking the directions of the court of probate in Fairfield district therein.

Upon the memorial of Submit Crooker, administratrix on the estate of Joseph Crooker late of Hebron, deceased, representing to this Assembly || that the debts due from the estate of said deceased and charges allowed surmount the moveable estate of said deceased the sum of £70 19s. 11 $\frac{1}{4}$ d. lawful money, and praying for liberty to sell so much of the real estate of said deceased as will be sufficient to raise said sum with the incident charges arising thereon: Resolved by this Assembly, that the memorialist have liberty to sell so much of the real estate of said deceased as will be sufficient to raise said sum with the incident charges arising therein; taking the direction of the court of probate in the district of East Haddam therein.

Whereas William Tanner and others, inhabitants in this Colony, by their memorial have represented to this Assembly that the Ousatunnick River, (so called,) running thro' the western part of this Colony. might be so cleared of its present obstructions as to render it greatly advantageous for transportation &c.: praying for liberty to set up a lottery for that purpose &c.,

*Be it therefore enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That liberty be and is hereby granted for a lottery for the raising the sum of three hundred pounds, to be used for clearing said river, and also the sum of sixty pounds for defraying the charges thereof by a deduction of ten pounds *per cent.* on the sale of the tickets in said lottery. And John Williams, Esqr, of Sharon, Messrs. Cyrus Marsh of Kent, Charles Burrel of Canaan, William Tanner and Benoni Peck of Cornwall, and Jehiel Hawley and John Hitchcock, Esqrs, of New Milford, or any five of them, be and they are hereby appointed managers of said lottery, and that they be sworn to a faithful discharge of their trust; and that said lottery be drawn under the inspection of two of his Majesties justices of

the peace for the county of Litchfield, and that the said managers be allowed the said sum of sixty pounds for their trouble and expence in conducting the same.

*And it is further resolved by this Assembly,* That said managers be and they are hereby appointed a committee to receive into their hands the said three hundred pounds and apply the same to the best advantage for clearing the said river, and to render their account thereof to this Assembly when thereunto required.

Whereas upon the memorial of Thomas Parsons, Daniel Perkins and Joseph Kingsbury, listers for the town of Enfield for the year 1759, brought to the General Assembly held at Hartford in May 1761, representing to said Assembly that in said year 1759, they fourfolded a large number of the inhabitants of said town for certain estate by them left out of their lists given in in said year, and that a number of said persons so fourfolded in February 1761, did apply to Samuel Kent jun<sup>r</sup>, Esq<sup>r</sup>, justice of peace, and Edward Collins and Dennis Bement, two of the selectmen for said town of Enfield, to abate said fourfold assessments, and that said authority and selectmen did abate of said fourfold assessments to the amount of £448, as will appear by the doings of said authority and selectmen; praying to said Assembly, for relief &c., on which memorial said Assembly did appoint William Wolcott, Esq<sup>r</sup>, and Capt. Ebenezer Grant, to be a committee to repair to said town of Enfield and inquire into the matters set forth in said memorial and make report of what they should find &c., which committee according to said appointment hath since repaired to said Enfield, made inquiry, and made report to this Assembly, which report is by this Assembly accepted and approved: Whereupon it is resolved by this Assembly, that the judgment and determination of said justice Kent and said selectmen in abating said fourfold assessments shall be null and void, and said fourfold assessments shall be and remain as if said abatement had never been made.

Upon the memorial of Thomas Hosmer &c., proprietors and inhabitants of the townships of Winchester, Torrington &c., representing that there was necessity of a highway or public road to be laid out, to begin at or near the dwelling-house of Samuel Durham in said Torrington, at the end of the highway already laid out from thence to said township of Winchester near the course the road goes thro' Winchester near the house of Adam or Jonathan Mott till it meet the country road in Norfolk, and praying for a committee to

view &c. And whereas a committee was appointed by this Assembly in their sessions at Hartford on the second Thursday of May 1761, to view and consider the necessity and conveniency of there being a road or highway laid out at or near the place aforesaid and report their opinion thereon, which [428] committee have reported to this Assembly || there is necessity of a road or public highway being laid out thro' Torrington and Winchester at or near the place above described, and that it may be of great conveniency: Whereupon it is resolved, that Jonathan Pettibone, Esqr, Messrs. Abel Merrills and Abraham Kellogg of New Hartford be, and they are hereby, appointed a committee, they or any two of them, to lay out a road or highway at the place aforesaid according to their best discretion, to be at the cost of Torrington and the proprietors of Winchester, and make return of their doings therein to this Assembly at their session in May next at Hartford.

An Act for raising (by voluntary Enlistment) two hundred and twenty-six Effective Men including Officers, for the Security of his Majesty's Northern Conquests in America during the ensuing Winter and until the first Day of July next.

Whereas his Honour the Governor has communicated to this Assembly a letter from his Excellency Gen<sup>l</sup> Amherst, of the 15th of June last, therein requesting the continuance of a number of the troops in the pay of this Colony during the ensuing winter and until the first day of July next unless his Majesty's service will admit of their being released sooner, for the protection of the several forts and country in general: This Assembly sensible of the importance of the service, and desirous to promote his Majesty's service proposed by his excellency and act fully up to our proportion, the heavy burden now lying on this Colony notwithstanding,

*It is therefore resolved and enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That there be proper encouragement given for the new enlisting two hundred and twenty-six able-bodied men, including officers, viz: two captains\* and four lieutenants, of the troops now in the pay of this Colony, to continue during the ensuing winter and until the first day of July next unless his Majesty's service will admit of their being released sooner. And that for the encouragement of such enlisting, each non-commissioned officer and soldier shall have a bounty of forty shillings, which with one month's advance pay shall be paid him upon enlistment; and that each commissioned officer shall also have advanced one

\* The captains were Azel Fitch and Hugh Ledlie. In Capt. Fitch's company Daniel Moulton and Moses Smith were lieutenants. *War*, ix, 216, X, 54.

month's pay upon his being commissioned or appointed for said service, which advanced pay for both officers and soldiers shall be accounted as so much paid for their future service; and that the pay of both officers and soldiers shall be the same as in the present campaign. And his Honour the Governor is desired, in such manner as he shall think proper, to inform the troops of this Colony now in camp the purport of this act, and order and direct the principal officers to use their influence with the soldiery to encourage the enlistment aforesaid, and generally to do everything necessary to carry this act into execution. And his Honour the Governor is also desired to use his influence with his Excellency General Amherst for the speedy dismissal of the troops of this Colony now in camp, save only such that shall enlist into the service aforesaid.

*Resolved by this Assembly,* That the Treasurer of this Colony be directed and he is hereby directed, to make and keep a full and particular account or accounts of all such [429] bonds and other securities due and payable to this || government which he hath delivered or shall deliver out (by order of this Assembly) to the several King's attornies or other person to collect, and also keep an account distinct and separate from the account current of this Colony, of all sums of money paid in by said collectors on account of such bonds or securities delivered out as aforesaid, and credit such particular account or accounts of bonds &c. delivered out as aforesaid distinctly and separately, and a copy thereof transmit annually to the Secretary of this Colony, so that the same may lay before this Assembly at their sessions at Hartford in May.

Upon the petition of John Hall of New London, shewing to this Assembly that Andrew Makenzie, late of New London, obtained judgment against said petitioner before the county court held at New London within and for the county of New London on the second Tuesday of June 1759, for the sum of £259 12s. 7d. lawful money, for debt and cost on one certain bond given by said petitioner to the said Makenzie; that said petitioner's council mistook the plea before said county court in said action; praying for a new trial &c., as per petition on file &c.: *Resolved by this Assembly,* that said petitioner be and he is hereby granted the liberty of a new trial in said action by way of review before the county court to be held at Norwich within and for the county of New London on the fourth Tuesday of November 1761, and that the future cost only follow said trial.

Upon the petition of Ebenezer Mix, of Hartford in the county of Hartford, complaining that John Eliot, late of New Haven in the county of New Haven, now of Leicester in the county of Worcester and Province of the Massachusetts Bay, and Lydia his wife, by deed dated the first day of July A. D. 1760, conveyed to him sundry pieces of land situated in Wallingford in New Haven county, and that he, said Mix, in consideration thereof made, executed and delivered to the said Eliot one note of hand for £426 13s. 4*d.* lawful money, payable within one year from the date thereof, also one other note of the same sum payable in two years with interest after the expiration of one year from the date thereof, also one other note of hand of the same sum payable in three years with interest after the expiration of one year from the date thereof, all which notes were dated the first day of July A. D. 1760; that he was led into said contract by the fraud of said Eliot, and that the same was fraudulently procured by said Eliot; praying said contract might be declared null and void and on his delivering up said deed of conveyance (which hath not been recorded) to said Eliot that said notes should be declared void and be delivered up by said Eliot to him &c., as per petition on file may appear: And the parties appeared before this Court and by their council largely heard on the matters of fraud complained of in said petition with their evidences in the case: And this Court is of opinion, that the said Mix was by the fraud and circumvention of the said Eliot led into said contract. And it is therefore ordered and by this Court decreed, that said deed abovementioned executed by the said Eliot and his said wife to the said Ebenezer Mix be by him given up to them, the said Eliot and wife, or to either of them, without entring the same on record. And this Court do further decree, that the abovementioned and described three notes given and executed by the said Mix to the said Eliot, be null and void, and that the sums of money mentioned in said notes shall not be recoverable in law, and that said notes shall accordingly be delivered to the said Mix.\*

[430] Upon the petition of James Tilley of New London, administrator on the unadministred estate of John Savil late of said New London, deceased, representing that the sum of £7739 7s. 0*d.* old tenor, of the said Savil's personal estate was distributed to and among the heirs of the said Savil by one Bryant Palmes late of said New London, then being administrator of the goods and estate of said Savil, now

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\* This decree was reversed by the General Assembly, May 1762.

deceased, and that he, said Tilley, hath been obliged to pay out the sum of £283 4s. 11*d.* lawful money, to satisfy the debts which said Savil's estate did owe, and also hath been put to the expence of £17 0s. 0*d.* lawful money, and that he has been able to get into his hands £876 3s. 6*d.* old tenor, and £126 11s. 6*d.* lawful money, of the said Savil's estate, and no more; praying relief &c. as by petition on file &c.: Resolved by this Assembly, that Messrs. Christopher Avery of Groton in New London county, Esq<sup>r</sup>, Jeremiah Miller, Esq<sup>r</sup>, and Mr. David Gardiner, of New London, be and are hereby appointed commissioners, and they are hereby impowered to examine into the circumstances of said estate and all matters relative to the settlement thereof, and to enquire what debts have been paid or satisfied or still remain due from said estate, and whether any and what assets remain in the hands of said administrator for payment thereof, and all things tending to a just and equitable settlement of said estate, and make report of what they shall find in the premises with their opinion thereon to this Assembly in May next, to which time said petition is continued.

Upon the petition of Alexander Hoskins, of Windsor in the county of Hartford, representing that John Hoskins the 3*d*, of said Windsor, and Jerusha his wife, brought their action of assault and battery against the petitioner and John Hubbard the 3*d* of said Windsor, for abusing the said Jerusha; that said Hubbard having deceased, pending said action, the same was then prosecuted only against the petitioner, and on final trial had thereon before the superior court held at Hartford in and for the county of Hartford on the first Tuesday of September last past on the plea of not guilty verdict and judgment was had and rendered against the petitioner for large damages and cost; complaining that the said jury in said trial erred and mistook the law on the facts which appeared and were proved to them &c. ; praying for another trial of said case &c., as per petition on file: Resolved by this Assembly, that the petitioner have liberty and liberty is hereby granted to him, of another trial of said case before the superior court to be held at Hartford in and for said county of Hartford on the first Tuesday of March next, and that all costs follow the final judgment which shall be given in said case.

Upon the petition of Daniel Booth, Caleb Baldwin and Benjamin Curtis, all inhabitants of Newton and proprietors of the common and undivided land in said Newton, and the [431] rest of the inhabitants || of said Newton, and the rest

of the proprietors of said common and undivided land in said Newton, representing to this Assembly that the dividing line between the towns of Newton and Stratford was for a long time unsettled and uncertain, which occasioned tedious and unhappy disputes and controversies between said towns, the same subsisting and continuing until the year 1725, when the said towns and the proprietors of the common and undivided lands in said towns by their respective committees (in order to prevent any further disputes and contentions respecting such dividing line, and to settle and make the same known and sure,) did honestly and in an amicable manner agree to settle and establish a dividing line between said towns, beginning at the northwest corner bounds between Fairfield and Stratford townships, and from thence running on the south or southerly side of Monhantick Swamp, and so on a straight line to the half-way river, and then the river till it empties itself into the great river, which river and line to be the dividing line between the said towns of Stratford and Newton; that the said agreement was put into writing and duly executed, and that the same was accepted and approved of by the inhabitants of said town, at least by the proprietors of the common and undivided land in said Stratford, but such acceptance &c. not being entred upon record rendered said agreement weak and not a lawful evidence of such dividing line: but said agreement being so honestly made as aforesaid, said line therein contained ought to be deemed and accounted the dividing line between said towns, both as to jurisdiction and property; praying that said agreement may be confirmed and established, and that said line may be the dividing line between said towns, both as to jurisdiction and property &c., as per petition on file: Resolved by this Assembly, that the said agreement mentioned in said petition be confirmed and the same is hereby confirmed and established, and that the said line and monuments mentioned and contained therein shall be and the same is hereby declared to be the dividing line between said towns of Stratford and Newton, both as to jurisdiction and property.

Upon the petition of Isaac Tyler, of Wallingford in the county of New Haven, representing that Benjamin Atwater, Caleb Johnson, Samuel Hall 3d, Ebenezer Burrel and Samuel Levit, all of said Wallingford, as selectmen of said Wallingford brought a writ of error against him to the superior court held at New Haven on the last Tuesday of August 1761, bearing date the 6th of August 1761, setting forth that said selectmen brought an action on the statute of this Colony en-



tituled An act to prevent encroachments on highways and on common and undivided lands, by writ dated the 12th day of June 1760, against him, said Tyler, demanding 40s. for having erected his fence on highway in the same place where it had been removed by said selectmen after due warning, before Benjamin Hall, Assistant; that before said Assistant said Tyler having plead that he was well seized in fee of the land on which he erected said fence, the said cause was removed into the county court held at New Haven in the county of New Haven on the second Tuesday of November 1760, and from thence came to the adjourned county court held at said New Haven on the second Tuesday of January 1761, where judgment was rendered on said plea of title in favour of said Tyler against said selectmen to recover his cost taxed at £7 10s. 3d. lawful money, complaining of error in the judgment of said county court, for that title was no plea in said case and therefore it ought not to have been on such plea removed from said Assistant, and said county court had no jurisdiction. Further representing, that said superior court on [432] said writ of error at said superior court held at said New Haven the last Tuesday of August aforesaid did render judgment in favour of said selectmen against said Tyler, that said judgment of said county court was erroneous, and that said selectmen should recover of said Tyler £14 3s. 4d. lawful money. Further representing, that said judgment of said superior court was erroneous, and praying the same might be reversed and that he might be restored to the damage he hath thereby sustained: Resolved by this Assembly, that there is error in said judgment of said superior court, and that the same be reversed, and it is hereby reversed and set aside. And it is considered, that the said Tyler recover of said selectmen the sum of £15 14s. 11d. lawful money, as damages he hath sustained by means of said erroneous judgment, and that execution be issued accordingly. *Ex. granted Decem. 15th 1761.*

Upon the petition of Jonathan Nott, of Weathersfield in Hartford county, representing to this Assembly that he and his wife Sarah, 3d day of March 1756, made, executed and acknowledged a deed of three acres of land, in said petition described, to their grand-children John Collins and Giles Collins, and to their heirs &c., and at the time of executing said deed they, said Jonathan and Sarah, reserved to themselves the improvement of said lands during their natural lives, and for that purpose said petitioner was to keep said deed in his own possession unrecorded; further representing

that said deed without the privity of said petitioner was taken out of his possession and put on the record of the town in which said land lay, and that Samuel Steel of said Weathersfield by force of said deed on or about the 15th day of July last past (as guardian to said Giles Collins, the said John being dead,) by force of said deed entered into said three acres of land and cut and carried away the petitioner's good crop of wheat which he had sown and raised on said land; as per said petition &c.: Resolved by this Assembly, that said petitioner shall have and hold the quiet use, possession and improvement of said three acres of land during his natural life, (said deed notwithstanding,) and that said Steel shall pay to said petitioner and said petitioner recover of said Steel the sum of four pounds lawful money in damage. *Cost allowed petitioner £6 0s. 0d. lawful money. Ex. granted Nov. 6, 1761.*

Upon the petition of John Adsit, of Lyme in New London county, representing to this Assembly that Samuel Beckwith late of said Lyme, deceased, in his life time owed to the petitioner by note of hand the sum of £12 0s. 0d. lawful money, and that he had never received any part of said sum and had lost his said note, and that Ezekiel Minor of said Lyme, administrator on the estate of said deceased, refused payment thereof; praying for relief &c.: Resolved by this Assembly, that the petitioner shall be entituled to demand and recover out of the estate of said deceased in the hands of said administrator the sum of £12 0s. 0d. lawful money, subject to the same deductions that other demands on said estate are subject to.

This Assembly do appoint Asa Spalding of Fairfield Surveyor of Lands within and for the county of Fairfield.

[433] To the Hon<sup>ble</sup> the General Assembly of the Colony of Connecticut now sitting at New Haven October 2d Thursday 1761: We your Honours' committee, being by this Assembly at their sessions at Hartford in May last appointed to fix a place whereon to build a meeting-house for the inhabitants in the south part of Litchfield, and to make return of our doings to this Assembly, beg leave to report to your Honours, that at the request and on the desire of a committee appointed by said South Farms to that purpose on the 29th day of September 1761, we repaired to said South Farms, and after having viewed the circumstances and situation of said vicinity and heard the pleas of all parties concerned in the premises, we have affixed a stake within the highway on the south side of the path that goeth east and west from Mr. Henry Gibbs to Lt. Charles Woodroofs, on a rising ground a

little east of a new built house belonging to Mr. Samuel Barnard: the above mentioned stake to be within the sills of said meeting-house. All which is humbly submitted by your Honours' most obedient humble servants,

Dan<sup>l</sup> Sherman, }  
 Benj<sup>a</sup> Hinman, } Committee.  
 Benj<sup>a</sup> Stiles, }

Which report is accepted and approved by this Assembly.

This Assembly grants to each of the captains who shall be ordered to tarry at Crown Point &c. thro' the winter the sum of forty shillings per month, and to each lieutenant twenty shillings per month, to commence from the first day of December next and continue during the time they remain in the service, in addition to the pay already allowed for such officers respectively.

*Resolved by this Assembly,* That his Honour the Governor be desired to direct Joseph Talcott, Esq<sup>r</sup>, Treasurer of this Colony, forthwith to attend this Assembly and bring with him a sum in bills of credit sufficient to pay the members of this Assembly for their service the present session.

Whereas there is in the hands of Jared Ingersole, Esq<sup>r</sup>, of New Haven, a bond in favour of the Governor and Company of this Colony against Elihu Hall, Esq<sup>r</sup>, of Wallingford, conditioned for a sum of about three hundred pounds on interest, that is now due: This Assembly do appoint and fully impower Jared Ingersole, Esq<sup>r</sup>, aforesaid, to ask, demand, sue for and recover said sum of money due on said bond, and the same when recovered to pay into the public treasury of this Colony, taking his receipt therefor and lodge the same with the Secretary of this Colony.

This Assembly desire his Honour the Governor to write to Sir Jeffry Amherst touching his examination of the Colony's demand for victualing the troops raised and sent to the relief of Fort William Henry in August 1757, which is referred to him by the Lords of the Treasury. And if the attendance of some person or persons on Sir Jeffry to forward the examination and payment of the same is thought needful, his Honour is desired to authorize and send some suitable person or persons to him accordingly.

*Resolved by this Assembly,* That the Treasurer of this Colony pay, and he is hereby ordered and directed to pay out of the treasury of this Colony to Captain Titus Hurlbut the sum of three pounds twelve shillings in full of his account for repairing the fort in New London.

[434] On the petition of Thomas Hubbard of Boston, Esq<sup>r</sup>, against Robert Cook of Farmington, at the General Assembly at their sessions at New Haven in October last said petition was negativ'd by said Assembly and cost thereon was allowed in favour of the said Robert Cook, amounting to the sum of £3 17s. 6d. which was taxed accordingly, but by some means unknown the same was lost and never entered on the records of that sessions: Whereupon it is ordered and enacted by this Assembly, that the said Robert Cook have the aforesaid cost of £3 17s. 6d. allowed in his favour against the said Thomas Hubbard, and the same is hereby allowed to be taxed and granted accordingly. *Ex. granted Jan. 4th, 1762.*

This Assembly grants to Daniel Lothrop, Richard Hide and Samuel Tracy the sum of six pounds, for their service in viewing the country to find a road from Killingworth to Norwich and a suitable place for a ferry across Connecticut River for those that travel such road, and the Treasurer is ordered to pay the same accordingly.

On the petition of Jeremiah Osborn, of New Haven in the county of New Haven, *vs.* Samuel Cook of New Haven aforesaid, as surviving partner of Mr. Archibald McNiel late of said New Haven, deceased, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent £2 15s. 10d. lawful money.*

On the petition of Joseph Bishop and Keturah Bishop, both of Saybrook in the country of New London, *vs.* Abner Parker of Saybrook aforesaid, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent £1 8s. 2d. lawful money. Ex. granted May 18th 1762.*

On the petition of Robert Barber, of Worcester in the county of Worcester in the Province of the Massachusetts Bay, *vs.* Timothy Burbank, of Suffield in the county of Hartford, otherwise called Timothy Burbank of Springfield in the county of Hampshire and Province aforesaid, as on file: The question was put, whether the petitioner shall be allowed the liberty of another tryal of his cause &c. as prayed for: Resolved by this Assembly in the negative. *Cost allowed respondent £3 0s. 10d. lawful money. Ex. granted May 24 1762.*

On the petition of Timothy Barker, of Branford in the county of New Haven, *vs.* David Leavit, of Woodbury in the

county of Litchfield, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative.

This Assembly doth grant to the Honourable Thomas Fitch, Esqr, Governor, one hundred and fifty pounds for his salary the last half of the current year, and the Treasurer is ordered to pay the same accordingly.

This Assembly doth grant to the Honourable William Pitkin, Esqr, Deputy Governor, fifty pounds for his salary the last half of the current year, and the Treasurer is ordered to pay the same accordingly.

*Resolved by this Assembly,* That the Treasurer of this Colony pay, and he is hereby ordered and directed to pay out of the treasury of this Colony to Mr. Timothy Green, printer, for his last half year's salary and for all his other services done for this Colony since the first day of July 1761, the sum of nineteen pounds seven shillings.

*It is resolved,* That such petitions, memorials and other business now lying before this Assembly not finished and [435] determined be referred || and the same are hereby referred to the consideration of this Assembly in May next.

This Assembly appoints John Chester, Daniel Edwards, Esqrs, Col. Joseph Pitkin and Col. Samuel Talcott, to attend his Honour the Deputy Governor at Hartford, to hear the records of the acts and doings of this Assembly publicly read and see the same signed by the Secretary as perfect and compleat.

On the petition of Samuel Nash, of Goshen in the county of Litchfield, and the rest of the inhabitants of said Goshen, *vs.* Solomon Buel of Litchfield, one of the principal inhabitants of the said town of Litchfield, and the rest of the inhabitants of said Litchfield, as on file: The question was put, whether anything should be granted on said petition: Resolved by this Assembly in the negative. *Cost allowed respondents is £4 12s. 0d. lawful money.*

This Assembly is adjourned until the Governor, or in his absence the Deputy Governor, shall see cause to call it to meet again.

*Teste*      GEORGE WYLLYS Secret'ry.

[436] *Anno Regni Regis Georgii tertii secundo.*

AT A GENERAL ASSEMBLY OF THE GOVERNOR AND COMPANY OF HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA HOLDEN AT NEW HAVEN IN SAID COLONY (BY SPECIAL ORDER AND APPOINTMENT OF HIS HONOUR THE GOVERNOR) ON MARCH THE FOURTH DAY, ANNO DOMINI 1762.

*Present :*

The Honourable Thomas Fitch, Esq<sup>r</sup>, *Governor.*

The Hon<sup>ble</sup> William Pitkin, Esq<sup>r</sup>, *Deputy Governor.*

Roger Newton,	Jabez Hamlin,	} Esq <sup>rs</sup> , Assistants.
Hezekiah Huntington,	Matthew Griswold,	
Jonathan Trumble,	Shubael Conant,	
John Chester,	Elisha Sheldon,	
Andrew Burr,		

*Representatives or Deputies who attended this Assembly are as follows, viz :*

Col. Samuel Talcott, for Hartford.

Mr. Daniel Lyman, Mr. Samuel Bishop, for New Haven.

Capt. Jeremiah Miller, Major Charles Bulkley, for New London.

Mr. David Rowland, for Fairfield.

Mr. Samuel Gray, Capt. Jonathan Rudd, for Windham.

Col. Ebenezer Marsh, for Litchfield.

Capt. Jabez Huntington, Mr. Isaac Tracy, for Norwich.

Col. Jonathan Hoit, Mr. Abraham Davenport, for Stamford.

Col. David Whitney, Capt. Charles Burril, for Canaan.

Mr. Thomas Fitch jun<sup>r</sup>, Mr. Peter Lockwood, for Norwalk.

Capt. John Fowler, Mr. John Herpin, for Milford.

Capt. John Strong, Mr. Isaac Lee, for Farmington.

Capt. Josiah Bissel, Capt. Erastus Wolcott, for Windsor.

Mr. Richard Mather, Mr. William Noyes, for Lyme.

Mr. Josiah Convers, for Stafford.

for New Hartford.

Capt. Daniel Pain, Mr. Manassah Horsmer, for Woodstock.

Mr. Jonathan Dresser, Mr. Samuel Craft, for Pomfret.

Capt. Samuel Basset, Capt. James Wheeler, for Derby.

Mr. Thomas Russel, Mr. Joshua Pierce, for Cornwall.

Mr. John Case, Mr. Hezekiah Humphry, for Symsbury.

Mr. Zebulon West, Mr. Elisha Steel, for Tolland.

Major Amos Cheesborough, Capt. Phineas Stanton, for Stonington.

Mr. Joseph Sexton, for Somers.

for Plainfield.

Mr. Amos Babcock, Capt. Jedidiah Fay, for Ashford.

Capt. John Beach, Capt. Samuel Nash, for Goshen.

Mr. Lemuel Abbot, for Ridgfield.

Capt. Elnathan Stevens, Capt. Theophilus Morgan, for Killingworth.

Mr. Joseph Wells, for Haddam.

Mr. Comfort Starr, for Danbury.

Mr. Edward Collins, Capt. Joseph Olmsted, for Enfield.

Capt. Obadiah Johnson, for Canterbury.

Mr. Simon Learned, Capt. Samuel Danielson, for Killingly.

Mr. John Wells, for Glassenbury.

Mr. Dudley Woodbridge, for Groton.

Capt. Jonathan Belding, for Weathersfield.

[437] for Harwington.

Mr. Joseph Strong jun<sup>r</sup>, Mr. Phineas Strong, for Coventry.

Capt. Timothy Judd, Capt. George Nichols, for Waterbury.

Capt. Joel White, Capt. Benjamin Talcot, for Bolton.

Capt. John Williams, Mr. John Pardee, for Sharon.

Mr. John Everts, Mr. Timothy Brownson, for Salisbury.

Mr. Cyrus Marsh, Mr. Nathan Eliot, for Kent.

Capt. Samuel Morgan, Capt. Joseph Tyler, for Preston.

Mr. Daniel Bostwick, Mr. Bushnel Bostwick, for New Milford.

Capt. Joshua West, Mr. William Williams, for Lebanon.

Col. Timothy Stone, Mr. Nathaniel Hill, for Guilford.

Mr. James Barker, for Branford.

Mr. Ichabod Lewis, for Stratford.

Col. Elihu Chauncey, Capt. James Wadsworth, for Durham.

Mr. Seth Wetmore, Mr. Matthew Talcott, for Middleton.

Mr. Dudley Wright, for Colchester.

Mr. Charles Whittlesey, Capt. Samuel Hull, for Wallingford.

Mr. Daniel Sherman, Col. Benjamin Hinman, for Woodbury.

Mr. Richard Fairman, for New Town.

Mr. William Hall jun<sup>r</sup>, Mr. Nathan Arnold, for Mansfield.

Capt. Robert Dixon, Mr. John Smith, for Voluntown.

Capt. Hezekiah Whittlesey, Capt. John Murdock, for Saybrook.

Col. Joseph Spencer, for East Haddam.

for Greenwich.

Mr. John Phelps, for Hebron.

Capt. Samuel Kent, Mr. William King, for Suffield.

Capt. Jabez Huntington, Speaker } of the House of  
Mr. Abraham Davenport, Clerk } Representatives.

An Act for raising in this Colony by Enlistment Twenty-three hundred Men including Officers and for giving Directions concerning them and for making Provision to defray the Charges arising thereby.

Whereas his Honour the Governor hath laid before this Assembly a letter lately received from the Earl of Egremont, one of his Majesty's principal Secretaries of State, bearing date

December 12th A.D. 1761, \* therein requiring him forthwith to use his utmost endeavours and influence with the Assembly, to induce them to raise the same number of men they raised for the last year's campaign, to be employed under the supreme command of his Majesty's Commander-in-Chief in North America in such manner as he shall judge most conducive to the King's service: And whereas altho' this Colony is much weakened and exhausted, both in strength and treasure, by its vigorous exertions in several former campaigns, yet still zealous for his Majesties service and animated with the agreeable prospect that the future safety and welfare of his Majesties dominions in America will be fixed and secured, and humbly and firmly relying on his Majesties gracious encouragement for a proper compensation of our expences incurred by this further exertion of our strength for his service in this important conjuncture,

*This Assembly doth therefore enact and resolve, and it is hereby enacted and resolved,* That all necessary provision be made for levying, cloathing and paying the same number of men as was raised here for the last year's campaign, viz: twenty-three hundred able-bodied and effective men, officers included, to be raised by enlistments with all possible dispatch within this Colony, to march to such place or places in North America as his Majesties said Commander-in-Chief shall appoint. That the said twenty-three hundred men to be raised [438] as aforesaid || shall be divided and formed, and the same are hereby ordered to be formed, into two regiments, each regiment to consist of twelve companies; that for each regiment be appointed one colonel, one lieutenant-colonel, one major, one chaplain, one surgeon and one surgeon's mate, an adjutant, a quarter-master, a serjeant-major and a drum-major, and for each company one captain, two lieutenants and one ensign, four serjeants, four corporals, a drummer and a clerk, and that each of the field officers have also the command of a company as captain thereof. And the Governor or Commander-in-Chief is desired as soon as may be to give orders to the several enlisting officers to raise by enlistment with the utmost dispatch the levys for filling up and compleating the said regiments and companies for the purpose aforesaid.

And, to induce both officers and men chearfully and speedily to engage and enlist into this service, this Assembly do resolve and grant, that each enlisting officer shall receive

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\* Printed in *Documents relating to the Colonial History of New York*, VII, 481, *R. I. Col. Records*, VI, 296.



for every able-bodied man by him enlisted who shall pass muster, the sum of five shillings as a reward for that service and expence therein; and that every able-bodied man, as well non-commission officer as private soldier, who shall voluntarily enlist for this service in either of the regiments aforesaid, and shall provide himself with suitable cloathing to the acceptance of the muster-master, shall on his being mustered be entituled to and receive the sum of seven pounds in bills of this Colony; and each man enlisting shall as a further encouragement be paid thirty-five shillings bills as aforesaid for the purpose of procuring a lapelled coat for said service; and in case any shall not properly furnish himself with the articles aforesaid, his captain shall supply him or them therewith out of the said bounty and then pay him the remainder, if any be. And for a further encouragement to both officers and soldiers, they and each of them shall receive a blanket and knapsack suitable for the service, to be delivered in the most convenient place or places, and shall have one month's pay advanced before they move out of this Colony.

*And be it further enacted and resolved,* That the pay of both officers and private soldiers in the ensuing campaign shall be the same as was fixed and stated the last year according to the ranks they shall respectively sustain: such pay to begin on the day of their engaging and enlisting in the service, and to continue during the time they remain therein; and that they shall be discharged as soon as his Majesties service will admit, and not be holden beyond the last day of November next. And his Honour the Governor is desired to issue his proclamation for acquainting them with the several encouragements given for inducing men to engage and enter into this important service for their King and country.

And whereas large sums of money will be necessary for the purposes aforesaid, which the public treasury (exhausted by the large expences occasioned in several late campaigns) is wholly unable at present to supply: Therefore,

*Be it further enacted,* That there be forthwith imprinted the sum of sixty-five thousand pounds in bills of credit on this government equal to lawful money, of suitable denominations from nine pence to forty shillings as the committee herein appointed shall direct, and of the same tenor of the emissons of bills of credit of this Colony, with interest at five *per cent. per annum*, payable at or before the 4th day of March 1767, dated the day of the sessions of this Assembly. And the Hon<sup>ble</sup> William Pitkin, Esqr, John Chester, Daniel Edwards, and George Wyllys, Esq<sup>rs</sup>, or any three of them, are appointed a committee for the purpose aforesaid, and to take care

that said bills be printed with all convenient speed, and to sign and deliver over the same to the Treasurer, taking his receipt therefor. And the said committee shall be sworn to the faithful discharge of their said trust. And the Treasurer is hereby directed to pay out all the aforesaid bills with the interest computed thereon according to the orders of this Assembly.

[439] And for providing and establishing an ample and sufficient fund to call in, sink and discharge the aforesaid sum of sixty-five thousand pounds, according to an act of Parliament made in the 24th year of his late Majesties reign, intituled An act to regulate and restrain paper bills of credit in his Majesty's Colonies of Rhode Island and Providence Plantations, Connecticut, the Massachusetts Bay and New Hampshire in America, and to prevent the same being legal tenders in payments of money,

*Be it enacted*, That a tax of six pence on the pound be and is hereby granted and ordered to be levied on all the polls and rateable estate in this Colony, according to the list thereof to be brought into this Assembly in October 1763, with the additions, which shall be collected and paid into the treasury of this Colony by the last day of December 1764; and that one other tax of eight pence on the pound be and the same is hereby granted and ordered to be levied on all the polls and rateable estate in this Colony, according to the list thereof to be brought in to this Assembly in October 1765, with the additions, which shall be collected and paid into the treasury of this Colony by the last day of December 1766; which taxes may be discharged by paying the bills emitted by this act, or lawful money, and no otherwise. And the Treasurer of this Colony is hereby ordered and directed to send forth his warrants for collecting the aforesaid taxes accordingly.

And whereas this Assembly humbly rely on a reimbursement of the charges arising from this present intended expedition, in consequence of his Majesties royal encouragement to recommend the same to Parliament, and the money therefor may be expected before the time appointed for collecting the afore-mentioned tax of eight pence on the pound: Therefore,

*Be it enacted by the authority aforesaid*, That in case a sum sufficient for sinking and discharging such part of the bills emitted by this act as are to be sunk and discharged by said tax of eight pence be reimbursed and shall arrive from Great Britain and be lodged in the treasury of this Colony, or shall be otherwise paid before the Treasurer shall have been obliged according to the directions of this act to send out his

warrant to collect the aforesaid tax of eight pence, then and in such case the same shall be and is hereby appropriated for sinking and discharging the bills aforesaid, and the Treasurer is hereby directed to govern himself and pay out the same accordingly; and the said tax of eight pence, which otherwise by this act before ordered to be collected, is hereby made null and void.

And whereas this Colony is very drained of money, and an emission of a larger sum of bills of credit may tend to lessen their value, and a further supply of the treasury is necessary on the present occasion: Therefore this Assembly grants and orders a rate or tax of two pence three farthings on the pound on all the polls and rateable estate in this Colony, according to the list thereof brought in to this Assembly in October last with the additions, to be collected and paid by the last day of December next in lawful money or bills of credit of this Colony. And the Treasurer is hereby directed to send out his warrant accordingly.

*And it is further resolved and ordered,* That whenever any pay-master of the money due on settlement of any pay-roll of any of the companies employed in the service of the current year shall have obtained orders on the Treasurer therefor and the same exhibited for payment, the Treasurer may on sight make out orders on the constables collectors of the public tax in such town or towns whence the soldiers named in such rolls were collected or that may be most convenient to facilitate the payment to be made to such pay-master or his order on such town or towns, to the amount of such pay-roll or such part thereof as shall be needful, which orders such collectors are directed to answer in such manner as may be most practicable and satisfactory. And the Treasurer is also directed to keep clear accounts of all such orders, and see that each constable either by money or return of such orders duly discharged seasonably settle and make up his accounts with him according to law.

And whereas there is moneys in Great Britain belonging to this Colony, partly of the sum already distributed for the services of the year 1759, and partly what is or may be distributed for the services of the year 1760, not yet appropriated, and which may probably be received in season and used for lessening the taxes laid on the list brought into this Assembly in October last for sinking and discharging the bills of credit emitted in February and May 1759: Therefore,

*Be it enacted by the authority aforesaid,* That whatever money granted by Parliament for the services of this Colony

in the year 1759 and 1760, that is not already appropriated for sinking and discharging bills of credit emitted in March 1758, March 1759, and March 1760, shall be and is hereby [440] appropriated for sinking and || discharging the bills of credit emitted in May 1759, and so far as it will go towards the bills emitted in February 1759. And in case a sum of the money thereby appropriated sufficient for sinking and discharging the bills of credit emitted in May 1759 shall arrive from Great Britain and be lodged in the treasury of this Colony, or shall be otherwise paid, before the Treasurer shall be obliged according to the direction of the act of Assembly in May 1759, to send out his warrant to collect the tax of two pence one farthing on the pound granted for the sinking the bills of credit emitted by said act of Assembly, then and in such case the same shall be and is hereby appropriated for sinking and discharging the bills aforesaid, and the Treasurer is hereby directed to govern himself and pay out the same accordingly; and the said tax of two pence one farthing, which otherwise by the said act of Assembly is ordered to be collected, is hereby made null and void. And the direction of whatsoever money may then remain towards sinking the bills emitted in February 1759 is referred to the after consideration of this Assembly.

This Assembly do appoint Phineas Lyman, Esqr, to be Major-General of the forces ordered to be raised in this Colony for the ensuing campaign, and desire he may be commissioned accordingly.

This Assembly do appoint Phineas Lyman, Esqr, to be Colonel of the first regiment in the forces to be raised in this Colony for the service of the current year.\*

This Assembly do appoint Israel Putnam, Esqr, to be Lieutenant-Colonel of the first regiment to be raised in this Colony for the service of the current year.

This Assembly do appoint John Durgee, Esqr, to be Major of the first regiment to be raised in this Colony for the service of the current year.

This Assembly do appoint Nathan Whiting, Esqr, to be Colonel of the second regiment to be raised in this Colony for the service of the current year.

This Assembly do appoint James Smedly, Esqr, to be Lieutenant-Colonel of the second regiment to be raised in this Colony for the service of the current year.

This Assembly do appoint David Baldwin, Esqr, to be Major

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\* Eleven companies of this regiment joined the fatal expedition against the Havana.

of the second regiment to be raised in this Colony for the service of the current year.

This Assembly do appoint Phineas Lyman, Esq<sup>r</sup>, Captain, Roger Enno 1st Lieutenant, Elihu Humphry 2d Lieutenant, Ozias Bissell Ensign, of the first company.<sup>a</sup>

Israel Putnam, Esq<sup>r</sup>, Captain, Solomon Wills 1st Lieutenant, Alexander Chalker 2d Lieutenant, James Pitkin Ensign, of the second company.<sup>b</sup>

John Durkee, Esq<sup>r</sup>, Captain, John Wheatly 1st Lieutenant, Jehiel Peck 2d Lieutenant, Elihu Hide Ensign, of the third company.<sup>c</sup>

John Patterson Captain, David Andruss 1st Lieutenant, Francis Hollister 2d Lieutenant, Samuel Wright Ensign, of the fourth company.<sup>d</sup>

John Stanton Captain, William Roe Minor 1st Lieutenant, James Brown 2d Lieutenant, William Dennison jun<sup>r</sup> Ensign, of the fifth company.<sup>e</sup>

[441] Timothy Hierlehy Captain, William Starr 1st Lieutenant, Stephen Seovel 2d Lieutenant, Joseph Booth Ensign, of the sixth company.<sup>f</sup>

Noah Humphry Captain, Daniel Griswold 1st Lieutenant, Moses Hall 2d Lieutenant, Stephen Downer jun<sup>r</sup> Ensign, of the seventh company.<sup>g</sup>

Zebulon Butler Captain, James Chapman jun<sup>r</sup> 1st Lieutenant, Isaac Thomson 2d Lieutenant, Samuel Bishop jun<sup>r</sup> Ensign, of the eighth company.<sup>h</sup>

Giles Wolcott Captain, James Wells 1st Lieutenant, William Thompson 2d Lieutenant, Jacob Ward Ensign, of the ninth company.<sup>i</sup>

<sup>a</sup> Roger Enos was Adjutant to Aug. 13, when he was succeeded by Elihu Humphrey. William Roe Minor was Captain-Lieutenant from Sept. 14. Nathaniel Humphrey was Ensign from Sept. 15. In this company were 134 privates, of whom 43 died in the service.

<sup>b</sup> Isaac Dana was Ensign. He died Dec. 27. In this company were 106 men, of whom 75 died.

<sup>c</sup> Moses Park was 1st Lt. from Sept. 13. He was also regimental quartermaster. Jedidiah Hide served as Ensign to Sept. 6, and was succeeded by Joseph Anderson.—93 men, 29 deaths.

<sup>d</sup> Capt. Patterson died Sept. 5, and was succeeded by Roger Enos. Lt. Andruss died Nov. 30. Samuel Wright was promoted Lieutenant Sept. 15, in place of Hollister, transferred, and Jesse Belknap appointed Ensign.—91 men, 37 deaths.

<sup>e</sup> Capt. Stanton died Sept. 13, and was succeeded by Capt. John Wheatley. Lt. Minor was succeeded Sept. 14 by Francis Hollister. Lt. Brown died Aug. 31 and was succeeded Sept. 7 by Jedidiah Hide. John Chamberlain was Ensign from Sept. 14.—90 men, 40 deaths.

<sup>f</sup> David Johnson was Ensign of this company.—80 men, 24 deaths.

<sup>g</sup> James Pitkin was 2d Lieutenant. He died Nov. 25. Ensign Downer died Aug. 26.—59 men, 31 deaths

<sup>h</sup> Lt. Thompson died Nov. 7.—91 men, 26 deaths.

<sup>i</sup> Robert Durkee served as Captain of this company. Lt. Thompson died Nov. 3.—92 men, 37 deaths.

Hugh Ledlie Captain, Josiah Smith 1st Lieutenant, Thomas Knolton 2d Lieutenant, Stephen Richardson Ensign of the tenth company.<sup>a</sup>

John Spalding Captain, Samuel Mott 1st Lieutenant, John Smith jun<sup>r</sup> 2d Lieutenant, Penuel Levins Ensign, of the eleventh company.<sup>b</sup>

Seth King Captain, Hezekiah Smith 1st Lieutenant, Moses Park 2d Lieutenant, Orlando Mack jun<sup>r</sup> Ensign, of the twelfth company in the first regiment.<sup>c</sup>

And,

Nathan Whiting, Esq<sup>r</sup>, Captain, Abraham Foot Captain-Lieutenant, Daniel Chatfield Lieutenant, Timothy Ruggles Ensign, of the first company.

James Smedley, Esq<sup>r</sup>, Captain, Noble Benedict 1st Lieutenant, Benjamin Summers 2d Lieutenant, David Rumsey Ensign, of the second company.

David Baldwin, Esq<sup>r</sup>, Captain, James Arnold 1st Lieutenant, John Perrit 2d Lieutenant, Samuel Adams Ensign, of the third company.<sup>d</sup>

Samuel Whiting Captain, Nathan Tibbalds 1st Lieutenant, Anthony Carpenter 2d Lieutenant, Joel Bonny Ensign, of the fourth company.<sup>e</sup>

Thomas Hobby Captain, Jabez Hall 1st Lieutenant, Moses Smith 2d Lieutenant, Matthew Mead Ensign, of the fifth company.

Amos Hitchcock Captain, Levi Wells 1st Lieutenant, James Sparrow 2d Lieutenant, Benjamin Hecock Ensign, of the sixth company.

[442] Joel Clark Captain, Josiah Stow 1st Lieutenant, John Collins 2d Lieutenant, Oliver Welton Ensign, of the seventh company.<sup>f</sup>

Samuel Elmor Captain, Nathaniel Buel 1st Lieutenant,

<sup>a</sup>This company did not go to Havana, but served with the 2d regiment at Crown Point. Josiah Smith did not act as Lt. but John Avery filled that place for a time.

<sup>b</sup>Capt. Spalding died, and the pay-roll of the company is not found. Lt. John Avery was assigned to this company but on account of sickness did not arrive in New York in time to sail with the regiment. He was appointed a recruiting officer to raise men to fill up the regular regiments. He joined Col. Whiting's regiment in September. There were 89 men in this company.

<sup>c</sup>Capt. King died Dec. 23. William Barker was 1st Lt. of this company, and William Denison succeeded Moses Park as 2d Lt. Sept. 16.—76 men, 41 deaths.

The number of men in each company is taken from the accounts of the captains, and the deaths from the pay-rolls preserved in *War*, vol. X. There were a few deserters, and some, who for various causes did not join the regiment, were assigned to Col. Whiting's regiment.

<sup>d</sup>Moses Holt served as Ensign of this company, *War*, X, 35.

<sup>e</sup>Ebenezer Dibble was Ensign of this company.

<sup>f</sup>Eldad Lewis was Captain and Samuel Judd 1st Lt. of this company.

James Stewart 2d Lieutenant, Samuel Hide Ensign, of the eighth company.

Archibald McNiell Captain, Isaac Moss 1st Lieutenant, Increase Mosely junr 2d Lieutenant, Elisha Blinn Ensign, of the ninth company.

Azel Fitch Captain, Daniel Molten 1st Lieutenant,\* Asa Richardson 2d Lieutenant, Hezekiah Holdridge Ensign, of the tenth company.

Thomas Pierce Captain, Nehemiah Dickerson 1st Lieutenant, Isaac Sherman Kimberly 2d Lieutenant, Josiah Baldwin junr Ensign, of the eleventh company.

Joseph Hoit Captain, Josiah Stebbins 1st Lieutenant, Stephen Merwin 2d Lieutenant, Stephen Hanford Ensign, of the twelfth company in the second regiment in the forces now ordered to be raised for the service of the ensuing campaign, and desire they may be commissioned accordingly. And in case any of the above-named persons shall refuse to engage therein, his Honour the Governor is hereby desired to fill such vacancy and give commissions accordingly.

*Resolved by this Assembly,* That his Honour the Governor be desired and he is hereby desired, to appoint and by proper warrants to empower two chaplains, two surgeons and two surgeon's mates to attend the regiments to be raised in this Colony by order of this Assembly for the service of the current year.†

This Assembly do appoint Hezekiah Huntington, Jabez Hamlin, John Hubbard and Theophilus Nichols, Esqrs, Commissaries to provide blankets, knapsacks, hospital stores, and other things usual for them to provide for the forces ordered by this Assembly to be raised for his Majesties service the current year. And the Committee of the Pay-Table are hereby ordered to draw on the Treasurer of this Colony for such sums of money as shall be necessary for the purposes above-said.

An Act for securing Soldiers listed and taken into his Majesties Service from Arrests.

Whereas a number of troops may be raised in this Colony for his Majesties service who may be liable to be taken out of such service by unjust or fraudulent arrests, whereby his Majesty and the public may be deprived of their service: Which to prevent,

*Be it enacted by the Governor, Council and Representatives,*

\* Daniel Moulton was Quarter-Master of the regiment.

† Rev. John Graham was Chaplain, Elisha Lord Surgeon, Nathaniel Hubbard (died Oct. 1,) and Eliakim Fish Surgeon's Mates of the 1st regiment; Rev. Nathaniel Taylor chaplain, and Timothy Collins Surgeon, of the 2d regiment.

*in General Court assembled, and by the authority of the same,* That no person whatsoever, who is duly enlisted or shall so list and enter himself a volunteer into his Majesties service [443] during the continuance of this act, shall be liable || to be taken out of his Majesty's service by any process or execution other than for some criminal matter, unless for a real debt or other just cause of action arisen before their entry into such service, and unless before the taking out of such process or execution, not being for a criminal matter, the plaintiff or plaintiffs therein, or some other person or persons on his or their behalf, shall make oath before the authority or officer granting such process or execution, who are empowered to administer the same, or before some other proper authority, that to his or their knowledge the original sum justly due or owing to the plaintiff or plaintiffs from the defendant or defendants in such action or cause of action on which such process or execution shall issue, amounts to the value of ten pounds sterling at least, a memorandum of which affidavit shall be entered on the back of such process or execution. And if any person shall be arrested contrary to the intent of this act, it shall and may be lawful for any one Assistant and one justice, or two justices (*quorum unus,*) upon complaint made thereof by the party himself or by any of his superior officers, to examine into the same by the oath of the parties or otherwise, and by warrant under their hands to discharge such soldier so arrested contrary to the intent of this act upon due proof made before them that such soldier so arrested was legally inlisted as a soldier into his Majesty's service and arrested contrary to the intent of this act, and to award reasonable costs to the party complaining, and grant execution therefor accordingly.

*Provided nevertheless,* That nothing in this act shall be construed to extend to prohibit or hinder any process or execution going out against the estate of such soldier or soldiers in due form of law. *Provided also,* that this act continue in force until the end of the session of this Assembly in October next, and no longer.

Whereas his Honour the Governor hath laid before this Assembly a letter received from the Earl of Egremont, one of his Majesties principal Secretaries of State, bearing date December 12th 1761,\* therein signifying the King's pleasure that he exert his utmost influence to induce this Colony to use proper measures to encourage the raising recruits to fill the regular regiments sent to America and serving in this

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\* *New York Colonial Documents*, VII, 482.



country for the defence and protection of his Majesties subjects here to their full complement of effectives, in compliance with the requisition which Sir Jeffery Amherst in consequence of his Majesties orders should make relative thereto for furnishing, on certain conditions which he would explain, such a number of recruits from this Colony as he should require towards compleating the regular corps; as also a letter from Sir Jeffery Amherst, bearing date February 21st 1762, proposing as an encouragement to induce the men to enter into the said service, that he will allow five pounds New York currency bounty money to each man not under eighteen nor above forty years of age, who shall enlist to serve during the war or until the regiments return to Europe, that they shall be cloathed and enter into immediate pay, and at the expiration of their time shall be sent back to their respective homes, and moving this government to grant further encouragement to a number of men in this Colony to go into such service by paying an additional bounty to induce them to inlist themselves therein; and this Assembly taking into consideration the high importance of the service which makes the subject of said letters, his Majesty's tender and paternal care for the welfare and security of his subjects in these parts of his dominions, and the circumstances of this Colony greatly impoverished by the necessary exertions zealously made in his service for sundry years past, and their duty to exert themselves to the utmost of their abilities in a measure which it has pleased the King to signifie he has so much at heart for our security and advantage:

*It is thereupon resolved by this Assembly,* That encouragement be and is hereby ordered to be given to the number of five hundred and seventy-five effective men in this Colony, not under eighteen nor above forty years of age, to inlist themselves for said service that the sum of five pounds be allowed and paid as an additional bounty to each man voluntarily inlisting himself to serve therein who shall be [44] approved and allowed to receive the bounty and reward promised by the King's Commander-in-Chief, as is before mentioned; that the Governor be and he is hereby desired to give all necessary orders concerning the same; that the Committee of the Pay-Table draw orders on the Treasurer of this Colony to pay to such officer or officers as the Governor shall appoint such sum or sums of money as he shall order and direct, taking proper security from such officer or officers for his or their using the same to the purpose and according to the intention of this act and render his or their account for whatsoever money may remain in his or their hands not used

for such purpose and settle the same with said committee by the 15th day of June next and pay to the Treasurer the sum or sums as shall be found due to the Colony, taking his receipt therefor.

Whereas John Hubbard, Thomas Darling, John Whiting, William Greenough and Enos Alling, a committee appointed by the county court in the county of New Haven to build a new Court House, have represented that by the advice of some of the principal inhabitants of this Colony and by the direction of said county court they had laid a foundation for an elegant and convenient building with a view to the better accommodation of the General Assembly to meet in, as well as for the superior and county court, and that they had already expended to the amount of about twelve hundred pounds, and that they are not able to finish the same without the assistance of this Assembly: Resolved by this Assembly, that one third part of the charge of building and compleating said house shall be paid out of the Treasury of this Colony, on account of the improvement of said house for the General Assembly to meet in; and the Treasurer of this Colony is hereby ordered to pay out of the treasury unto said committee or their order the sum of one thousand pounds bills of credit of this Colony, taking their receipt therefor to account for the same. And a copy of this act shall be the Treasurer's sufficient warrant for the payment thereof.

Whereas the inhabitants of the town of Windsor by their memorial have represented to this Assembly that the General Assembly of this Colony at their session in May A.D. 1760, did order and decree that the inhabitants of said Windsor should repair and support the bridge across Windsor River,\* so called, and when the present bridge should fail build another &c.; that the present bridge is gone to decay and it is become necessary forthwith to build another bridge &c., and that the circumstances of said town is such as render it extremely difficult to raise money to defray the expence of building the same; praying for liberty to set up a lottery for that purpose &c.: Resolved by this Assembly, that liberty be and is hereby granted for a lottery for the raising the sum of two hundred and fifty pounds, to be used for the purpose of building a bridge on said river, and also the sum of thirty pounds for defraying the charge thereof: provided said town of Windsor by their vote or otherwise make effectual security to take upon themselves the sole risque of all the tickets that may remain unsold upon the first day of October next, and that the drawing said lottery begin on the said first day

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\* Travel, II, 369 b. 371.

of October next, and that the deduction on the fortunate tickets be fifteen pounds *per cent*; and that William Wolcott and Erastus Wolcott, Esq<sup>rs</sup>, and Capt. Josiah Bissel and Mr. Alexander Wolcott be and hereby are appointed managers of said lottery, and that they shall be sworn to a faithful discharge of said trust and shall be allowed said sum of thirty pounds for their trouble and expence in conducting the same; and that said sum raised for the building said bridge as aforesaid be by said managers delivered to such person or persons as said town of Windsor shall appoint to receive the same, to be used and improved to the purpose aforesaid.

Upon the memorial of Elijah Cady of Plainfield, shewing to this Assembly that he was a soldier in the company under the command of Capt. John Spaulding of said Plainfield in the regiment under the command of General Lyman in the last summer's campaign, and that while he was by order on actual duty with a number of other men making shingles [445] about || seven miles from Crown Point on the thirteenth day of July last, the house or cottage in which he with the other men that were with him did lodge by some accident took fire and was wholly consumed thereby, and that he had five twenty-shilling bills and one thirty-shilling bill, all of the last emission of this Colony, with sundry other things, wholly burnt and consumed in the flames thereof; and praying this Assembly to grant unto him the same sum that he has so lost, and order the Treasurer to pay the same to him: Resolved by this Assembly, that the said Elijah Cady be allowed out of the public treasury of this Colony the sum of six pounds and ten shillings in bills of the said emission with the interest thereof; and the Treasurer of this Colony is hereby ordered to pay the same to him accordingly.

On the memorial of David Jacobs, administrator on the estate of Amos Jacobs late of New Haven, deceased, shewing to this Assembly that a further account of debts due from said estate (other than those formerly allowed for the payment whereof land has been sold according to act of Assembly,) amounting to £4 5s. 6d. lawful money, hath been exhibited, and praying that he might be impowered to sell so much of the real estate of the deceased as may be necessary for the payment of said sum with the incident charges arising thereon, as by said memorial: Resolved by this Assembly, that the memorialist be impowered, and liberty and authority is hereby granted to the memorialist, to sell so much of the real estate of the said deceased as to raise said sum with the

incident charges arising thereon; taking the direction of the court of probate for the district of New Haven therein.

Upon the memorial of Reuben Taylor and Samuel Taylor, both of Norwalk in the county of Fairfield, administrators of the estate of Thaddeus Taylor late of said Norwalk, deceased, shewing to this Assembly that the debts due from the estate of the said deceast that have been allowed surmount the moveable part of the estate of the said deceast the sum of £49 6 6 $\frac{3}{4}$  lawful money, and therein praying for liberty to sell so much of the real estate of the said deceased Thaddeus Taylor as will be sufficient to pay and discharge the said sum of £49 6 6 $\frac{3}{4}$ , together with the incident charges arising thereon, taking the directions of the court of probate in Fairfield district therein: Resolved by this Assembly, that the said Reuben Taylor and Samuel Taylor have liberty and are hereby fully authorized and impowered, to sell so much of the real estate of the said Thaddeus Taylor as will be sufficient to pay and discharge the said sum of £49 6 6 $\frac{3}{4}$ , together with the incident charges arising thereon; taking the directions of the court of probate in Fairfield district therein.

On the memorial of Samuel Fuller jun<sup>r</sup>, of East Haddam, administrator on the estate of Samuel Andrus of East Haddam, deceased, shewing to this Assembly that the debts and charges due from the estate of said deceased allowed by the court of probate for the district of East Haddam (over and above what of the real estate of said deceased by order of the General Assembly hath been already sold) surmount the personal estate of said deceased the sum of £208 3s. 0d. lawful money; praying this Assembly to appoint and impower some meet person to make sale of so much of the real estate of said deceased as will raise the sum of £208 3s. 0d. lawful money, with the incident charges arising thereon: Resolved by this Assembly, that Capt. Samuel Olmsted of East Haddam be appointed and impowered, and he is hereby appointed and impowered, to make sale of so much of the real estate of said deceased as will raise said sum of £208 3s. 0d. lawful money, with the incident charges arising on said sale; taking the direction of the court of probate for the district of East Haddam therein.

Upon the memorial of Jonathan Walden, administrator on the estate of Ebenezer Rood jun<sup>r</sup>, late of Norwich, deceased, shewing to this Assembly that the debts and charges allowed by the court of probate for the district of Norwich surmount the personal estate of the said deceased the sum of £92 13s. [446] 9d., and || praying for power to sell so much of the real

estate of the said deceased as to raise said sum and to pay the charges arising on such sale: Resolved by this Assembly, that the said administrator be and he is hereby authorized and empowered to sell so much of the real estate of the said deceased as to enable him to pay the said sum of £92 13s. 9d. and also the necessary charges arising on such sale; taking the direction of the court of probate for the district of Norwich therein.

*Teste,* GEORGE WYLLYS, Secret'ry.

## APPENDIX.

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Answers to the Heads of Inquiry sent to the Governor and Company by the Lords Commissioners for Trade and Plantations, April 28, 1761.

[Public Record Office, London, Board of Trade Papers, Proprieties, Vol. 21.]

CONNECTICUT, 7th September, 1762.

My Lords: Herewith are inclosed the Answers of the Governor and Company of the Colony of Connecticut to the Heads of Enquiry sent last year; which answers I am desired by the General Assembly to transmit to your Lordships. More time than was expected has been necessarily taken up in collecting the Number of Inhabitants, which is the reason these answers were not returned sooner. The numbers have been taken in general with very great exactness, and I hope the answers in the whole, which are formed with as much care and certainty as may be, will be found to your Lordships' satisfaction and acceptance.

I have the honour, My Lords, to be, with the highest esteem and regard,

Your Lordships' most obedient and most humble servant.

Tuo<sup>s</sup> FITCH.

The Right Hon<sup>ble</sup> the Lords Commiss<sup>rs</sup> for Trade and Plantations.

(*Endorsed*)

"Connecticut. . .

Letter from Thomas Fitch, Esq<sup>r</sup>, Gov<sup>r</sup>  
of the Colony of Connecticut, dated  
Sept. 7, 1762. inclosing

"Rec<sup>ed</sup>

Read Dec<sup>r</sup> 20 } 1762.

X. 32. "

Answers returned to the Queries sent the Governor and Company of His Majesty's Colony of Connecticut from the Right Honourable the Lords Commissioners for Trade and Plantations, viz:

1st. The situation of this Colony is mostly within the forty-first and forty-second degrees of north latitude. The soil generally fertile, interspersed with some mountainous and broken land and some small parts something of a thin and more barren soil. The climate generally healthful, but subject to the extremes of heat and cold in their season and to very sudden changes. The principal rivers are Connecticut, New London, and Stratford, which last as to its northern parts is usually called Ousatonuck River. The principal harbours are New London and New Haven. The latitude of the first is 41° North. Longitude west from London 71°, by common computation.

2d. The Colony is bounded on the south by the sea or sound

dividing between this Colony and Long Island now in the government of New York: on the east by the Colony of Rhode Island: on the west by the Province of New York; which lines have been settled by agreements between the respective governments and royal confirmation; and on the north by the south line of the Massachusetts Plantation. There was some years past a dispute between the Massachusetts and Connecticut touching the line dividing between the two governments, but there hath nothing of late been in agitation relative thereto.

3d. The trade of the Colony consists chiefly in beef, pork, flour, bread, horses, some cattle, sheep, swine and lumber, exported to the British islands in the West Indies, and in exchange for them are received rum, sugar, melasses, salt, and some bills of exchange which are generally remitted to England; and in beef, pork, wheat, rye, indian corn, flax, flax-seed and oats, exported to the neighbouring governments, principally to Boston and New York, thence receiving (of and thro' the hands of merchants there) British manufactures in exchange, which are consumed among us. This is far the greatest branch of trade carried on by the inhabitants of the Colony, tho' more lately some measures have been gone into to encourage a more immediate importation from Great Britain, and as many goods have been so imported as the means of remittances will allow. The number of shipping, as certified by the officers of the customs, is 114. Their tonnage 3527, and the number of seamen belonging to the vessels is 651. These vessels are generally of the smaller sort, as appears by the amount of their tonnage and number of seamen. The trades, works or manufactures in the Colony are inconsiderable, the inhabitants, being chiefly employed in subduing, fencing and improving the land, do nothing more in the woolen and linen manufactures than to supply the deficiencies of what our produce enables us to purchase from abroad. And what is wrought among us is mostly of the coarser sort for labourers and servants: no works of any kind being carried on hurtful to Great Britain.

4ly. The British manufactures imported into the Colony, either at first or second hand, are almost all sorts used or useful in common life, viz: woolens, linens for apparel and other uses; also household furniture, as brass, pewter &c., with various other sorts of manufactures; all which do probably amount to the value of £100,000 sterling, or more.

5ly. This Colony hath little or no trade with foreign plantations or any part of Europe, saving some few vessels to Lisbon and the Mediterranean with fish &c., the product of which is principally remitted by bills to England; and also some few vessels to the coast of Guinea.

6ly. The methods used to prevent illegal trade consist in a careful conformity to the Acts of Parliament relative thereto.

7ly. The natural produce of this Colony is ship-timber of all kinds, boards and ship-plank, wheat, rye, indian corn, barley, oats,

flax, neat cattle, hogs and horses, exported as before mentioned ; and our staple may be said to consist in pork and beef. The value of our exported produce we suppose amounts to £150,000 sterling, In prevention of frauds and abuses in the sale and exportation of our produce sundry laws and acts of government have been made, some formerly and some more lately, as the increase and growing importance or the apparent or suspected abuse of such trade or any branch thereof seemed to make necessary.

8ly. Some copper mines have been in divers parts of the Colony opened, but after considerable expence and labour proving unprofitable became wholly neglected. There is in sundry places in the Colony plenty of iron oar, which hath been manufactured to some advantage, but not hitherto near a supply for our inhabitants.

9ly. The number of our inhabitants transmitted to your Lordships A. Dom. 1756 was 128,212 whites and 3,587 blacks, and now on careful enquiry are found to amount to 141,000 whites and 4,590 blacks, or thereabouts.

10ly. By the foregoing answer it appears that the inhabitants from 1756 to 1762 have increased about 10,788 whites, which increase (under the divine benediction) we attribute to industrious temperate life and early marriage ; and it would probably have been greater, had it not been for losses sustained during the war and frequent and numerous emigrations from hence to his Majesty's newly conquered or evacuated countries in America.

11ly. The number of our militia, according to the muster-rolls, is 20,264. It is established by the authority of the laws of this Colony, and is under the regulations of the same. The militia spend their own time, supply themselves with arms &c., and are of no expence to the Colony.

12ly. We have a small battery at New London, (the principal sea-port and best harbour in the Colony,) consisting of nine guns, supported at the Colony's expence, which is but small.

13ly. The Indians among us are about 930, considerable part whereof dwell in English families, and the rest in small tribes in various parts of the Colony, and are generally peaceable and orderly ; and there are no Indians bordering on the Colony.

14ly. The Spanish settlements in America are of no effect on this Colony ; and as to Louisiana, still French, the same may be said of them ; and as to Canada and the other quondam French settlements, a series of glorious events during the present war render it needless to say anything about them.

15ly. The revenue arising within this Colony is by a tax on lands, polls and personal estate : the revenue by duties being inconsiderable. Our annual taxes become increased or diminished in proportion to the expence of government, our ordinary tax amounting to about £4000 sterling, of which about one eighth part is appropriated to the support of schools for education of children and youth, and the residue for the support of government : but for the extraordinary expence annually arisen during the course of



the present war, we beg leave to refer your Lordships to the authenticated accounts thereof annually transmitted. The accounts of these revenues are generally audited once a year with the Colony Treasurer by a committee appointed by the General Assembly and sworn to a faithful discharge of their trust.

16ly and 17ly. The constitution of the government by royal charter is a legislative power vested in the General Assembly, which consists of the Governor, or in his absence the Deputy Governor, and twelve Assistants, (called the Upper House,) and Representatives, not exceeding two from each town, chosen by the freemen of the respective towns they represent, (called the Lower House.) No act is valid without the joint concurrence of both houses. They make laws, institute judicatories, appoint judges and other necessary officers, who are all sworn to a faithful discharge of their trust. A General Assembly is holden (agreeable to royal charter) in May and October annually, and at other times when called by the Governor, or in his absence the Deputy Governor, on any emergency. Within the Colony are erected and established by law one superior court, consisting of one chief judge and four other judges, which court is held in each county twice in each year, in which are tried all pleas of the crown and also all civil actions that come to them by appeal, writ of error, *scire facias* &c., and an inferior or county court in each county, consisting of one judge and two or more justices of the quorum, who hold their sessions twice in a year and oftener when occasion requires for the tryal of delinquents for the breach of penal laws and civil actions. In all these courts matters of fact are tried by the jury and matters of law are determined by the court; and in each town are one or more justices of the peace. The militia is divided into thirteen regiments. The field officers in each regiment are one colonel, one lieutenant-colonel and one major; and in each regiment is a troop of horse. All officers, both civil and military, are appointed by the Governor, Council and Representatives, in General Court assembled, and commissioned by the Governor. The civil officers are appointed annually in May, and military officers are appointed from time to time as vacancies happen. By law our regiments are to be mustered once in four years: the militia in each town four times in a year, and are instructed in military discipline.

The names of the principal officers, civil and military, are as follows, *viz*:

*Civil Officers.*

*Governor*, Thomas Fitch.

*Deputy Governor*, William Pitkin.

*Assistants.*

Ebenezer Silliman,	John Chester,	Matthew Griswold,
Jonathan Trumble,	Benjamin Hall,	Shubael Conant,
Hezekiah Huntington,	Daniel Edwards,	Elisha Sheldon,
Andrew Burr,	Jabez Hamlin,	Eliphalet Dyer.
<i>Secretary</i> , George Wyllys,	<i>Treasurer</i> , Joseph Talcott.	

*Judges of the Superiour Court,*  
*Chief Judge,* William Pitkin,  
*Other Judges,* { Ebenezer Silliman,  
 Daniel Edwards,  
 Benjamin Hall,  
 Robert Walker.

*Judges and Justices of the Inferiour or County Courts, viz :*

<i>Hartford County.</i> <i>Judge,</i> Jabez Hamlin.	<i>New Haven County.</i> <i>Judge,</i> Roger Newton.
<i>Justices of the Quorum,</i> { Joseph Pitkin, William Wolcott, Seth Wetmore, Zebulon West.	<i>Justices of the Quorum,</i> { John Hubbard, Elihu Chauncey, Timothy Stone, Thomas Darling.
<i>New London County.</i> <i>Judge,</i> Hezekiah Huntington.	<i>Fairfield County.</i> <i>Judge,</i> Andrew Burr.
<i>Justices of the Quorum,</i> { John Griswold, Richard Lord, Christopher Avery, Isaac Huntington, Pygan Adams.	<i>Justices of the Quorum,</i> { Jonathan Hoit, David Rowland, Samuel Fitch, John Read.
<i>Windham County.</i> <i>Judge,</i> Jonathan Trumble,	<i>Litchfield County.</i> <i>Judge,</i> John Williams.
<i>Justices of the Quorum,</i> { Shubael Conant, John Dyer, Joshua West, Jabez Fitch.	<i>Justices of the Quorum,</i> { Ebenezer Marsh, Increase Mosely, Daniel Sherman, Bushnel Bostwick.
<i>Hartford County.</i> <i>Sheriff,</i> William Pitkin jun <sup>r</sup> .	<i>New Haven County.</i> <i>Sheriff,</i> Jonathan Fitch.
<i>New London County.</i> <i>Sheriff,</i> Christopher Christophers.	<i>Fairfield County.</i> <i>Sheriff,</i> Thomas Hill.
<i>Windham County.</i> <i>Sheriff,</i> Eleazer Fitch.	<i>Litchfield County.</i> <i>Sheriff,</i> Oliver Wolcott.

*Military Officers, viz :*

<i>First Regiment.</i> <i>Col.</i> Joseph Pitkin, <i>Lt. Col.</i> George Wyllys, <i>Major,</i> William Pitkin Jun <sup>r</sup> .	<i>5th Regiment.</i> <i>Col.</i> Shubael Conant, <i>Lt. Col.</i> Eliphalet Dyer, <i>Major,</i> Jedidiah Elderkin.
<i>2d Regiment.</i> <i>Col.</i> Roger Newton, <i>Lt. Col.</i> John Hubbard, <i>Major,</i> Edward Allen.	<i>6th Regiment.</i> <i>Col.</i> John Chester, <i>Lt. Col.</i> Jabez Hamlin, <i>Major,</i> Elizur Talcott.
<i>3d Regiment.</i> <i>Col.</i> Gurdon Saltonstall, <i>Lt. Col.</i> Hezekiah Huntington, <i>Major,</i> Daniel Ely.	<i>7th Regiment.</i> <i>Col.</i> Timothy Stone, <i>Lt. Col.</i> Aaron Eliot, <i>Major,</i> Jedidiah Chapman.
<i>4th Regiment.</i> <i>Col.</i> John Read, <i>Lt. Col.</i> Robert Walker, <i>Major,</i> James Smedly.	<i>8th Regiment.</i> <i>Col.</i> Christopher Avery, <i>Lt. Col.</i> Samuel Coit, <i>Major,</i> Nathan Cheeseborough.

*9th Regiment.*

*Col.* Jonathan Hoit,  
*Lt. Col.* James Lockwood,  
*Major,* Jonathan Maltbie.

*10th Regiment.*

*Col.* Benjamin Hall,  
*Lt. Col.* Elihu Chauncey,  
*Major,* Elihu Hall.

*11th Regiment.*

*Col.* John Dyer,  
*Lt. Col.* Ebenezer Williams,  
*Major,* Ezekiel Pierce.

*12th Regiment.*

*Col.* Jonathan Trumble,  
*Lt. Col.* Joseph Fowler,  
*Major,* Joseph Spencer.

*13th Regiment.*

*Col.* Ebenezer Marsh,  
*Lt. Col.* David Whitney,  
*Major,* Benjamin Hinman.

The Governor's salary is three hundred pounds in lawful money *per annum*. The Deputy Governor's salary is one hundred pounds in lawful money *per annum*. Other civil officers are rewarded for their services according to the time they attend the same.

(*Endorsed.*)

## Connecticut

Answers to the B<sup>d</sup>'s Gen<sup>l</sup> Heads  
of Enquiry respecting the state of  
the Colony of Connecticut.

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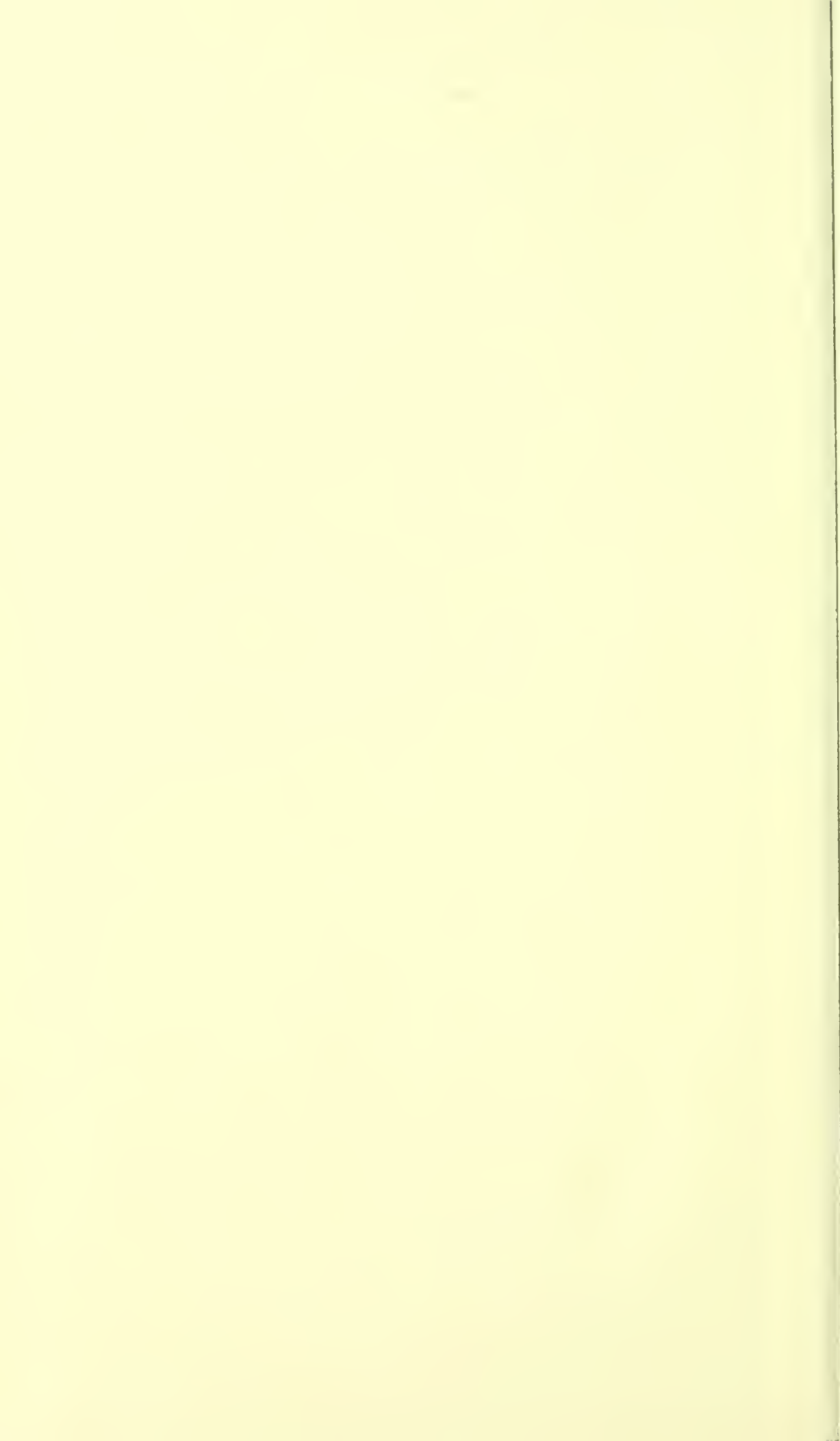
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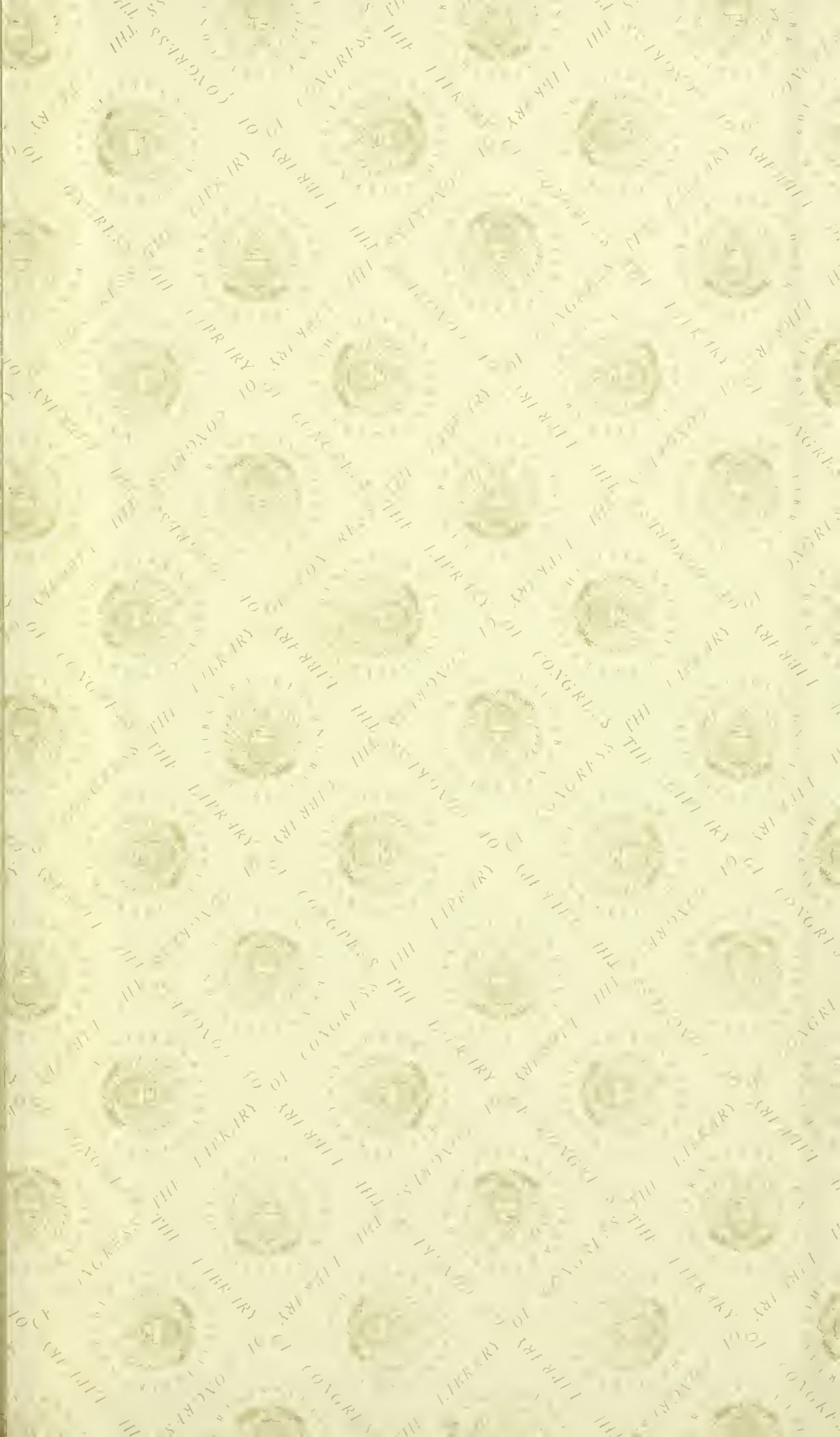












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