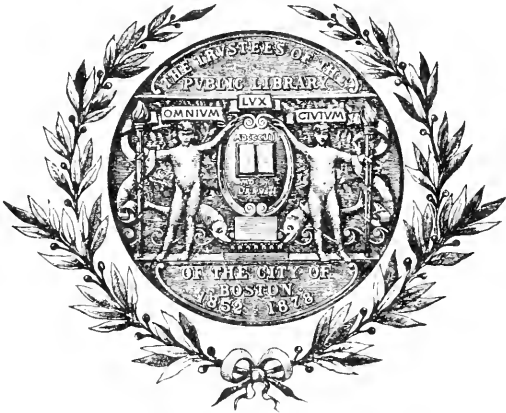


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RECORDS  
OF  
PLYMOUTH COLONY.  
LAWS.  
1623—1682.



New Plymouth Colony  
" RECORDS

OF THE

C O L O N Y

OF

NEW PLYMOUTH

IN

NEW ENGLAND.

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

EDITED BY

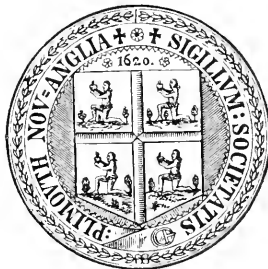
DAVID PULSIFER,

CLERK IN THE OFFICE OF THE SECRETARY OF THE COMMONWEALTH.

MEMBER OF THE NEW ENGLAND HISTORIC-GENEALOGICAL SOCIETY, FELLOW OF THE AMERICAN STATISTICAL ASSOCIATION,  
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CONNECTICUT, WISCONSIN AND IOWA HISTORICAL SOCIETIES.

LAWS.

1623—1682.



BOSTON:

FROM THE PRESS OF WILLIAM WHITE,  
PRINTER TO THE COMMONWEALTH.

1861.

AMS Press • 1968 • New York

AMS Press, Inc.  
New York, N.Y. 10003  
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## INTRODUCTION.

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IN this volume is contained a copy of the manuscript lettered "PLYMOUTH COLONY RECORDS, LAWS, 1623-1681," consisting of three Parts, I, II, and III, having been so arranged and numbered by the late Benjamin R. Nichols, Esq., who states, in an accompanying note, that "the reason of its being divided into three Parts is, that it was before contained in several volumes."

The manuscript volume is principally in the handwriting of Secretary Morton. Pages 5 to 44, of Part I, inclusive, are almost entirely in the handwriting of Edward Winslow, Governor. Pages 45 to 73 appear to be in the handwriting of Nathaniel Sowther. Pages 2, 3, and 4, and the Orders of the General Court commencing 20th October, 1646, page 73, and ending on page 76, were written by an unknown hand. The remainder of the volume, commencing with page 77, Part I, is in the handwriting of Secretary Morton.

Portions of the Orders on the second and third pages, which by time and accident have become illegible, are restored from a copy of these Orders in the first volume of Deeds; and a manuscript volume of the Laws belonging to the town of Scituate has been of great service in supplying some deficiencies and illegible portions; all of which additions and corrections, whether in the text or margin, are printed in brackets [ ], and in some cases with the letter S. appended.

The Laws were revised in 1636, 1658, and 1671. In 1673 the Court "ordered that nothing shall stand in force in our written booke of lawes; but what the printed lawes Refer vnto."

In several instances, as they were repealed or amended, the changes were made in the manuscript by erasures or interlineations. These alterations are generally preserved in the printed volume.

The first settlers of Plymouth, who came over in the *May-Flower*, intending to settle near Hudson's River, being fraudulently dealt with and

“brought so far to the northward, the season being sharp, and no hopes of their obtaining their intended port; and thereby their patent being made void and useless, as to another place: being at Cape Cod upon the eleventh day of November, 1620, it was thought meet for the more orderly carrying on of their affairs and accordingly by mutual consent they entered into a solemn combination, as a body politic, to submit to such government and governors, laws and ordinances, as should by a general consent, from time to time be made choice of, and assented unto. The contents whereof followeth.

In the name of God, amen. We whose names are underwritten, the loyal subjects of our dread sovereign Lord King James, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the faith, etc. Having undertaken for the glory of God, and advancement of the Christian faith, and the honor of our King and country, a voyage to plant the first colony in the northern parts of Virginia; do by these presents solemnly and mutually, in the presence of God and one another, covenant and combine ourselves together into a civil body politic, for our better ordering and preservation, and furtherance of the ends aforesaid; and by virtue hereof, do enact, constitute, and frame such just and equal laws, ordinances, acts, constitutions, and officers, from time to time, as shall be thought most meet and convenient for the general good of the colony; unto which we promise all due submission and obedience. In witness wherof, we have hereunto subscribed our names, at Cape Cod, the eleventh of November, in the reign of our sovereign Lord King James of England, France, and Ireland, the eighteenth, and of Scotland the fifty-fourth, Anno Dom. 1620.”

In the edition of Morton's *New England's Memorial* published by the Congregational Board of Publication in Boston, 1855, from which the above is taken, the names of the signers will be found.

Afterwards they had sundry Commissions made and confirmed by the Council established at Plymouth, in the County of Devon, for the planting, ruling, ordering, and governing of New England in America, to John Peirce and his Associates, (whose name they only made use of, and whose associates they were,) and on the thirteenth of January, 1629, they procured letters patent, signed by the Earl of Warwick, in the behalf of the rest of the Council, which were granted to William Bradford, and

his heirs and associates, and by him surrendered in 1640, in public court, to Nathaniel Sowther, in the name and for the use of the whole body of freemen.

By a Resolve of the Legislature, passed on the fifth day of April, 1836, it was ordered, that fifteen hundred copies of the Laws of the Old Colony should be published for the use of the Commonwealth, which was done under the supervision of Hon. William Brigham, to which he added the Book of General Laws of New Plymouth, printed in the year 1672, and the Charter of the Council established at Plymouth, in the County of Devon, the Compact made on board of the May-Flower, with other valuable documents, compiled and arranged with critical care and discrimination by the learned Editor.

The Committee appointed by the General Court in 1818, consisting of Rev. James Freeman, D. D., and Benjamin R. Nichols and Samuel Davis, Esqs., to examine the Plymouth Colony Records, &c., in their report say that they "have not been able to discover whether any arrangement was made respecting these records before the union of Plymouth with Massachusetts, or by the Province afterwards." The following memorial and order thereon, in vol. 88, page 391, of the Massachusetts Archives, furnish the desired information on that subject.

"Boston Novem<sup>r</sup> y<sup>e</sup> 9<sup>th</sup> 1710

To His Excelency Joseph Dudley Esq<sup>r</sup> Gover<sup>r</sup> of Her Majesties Prouince of y<sup>e</sup> Massachussets Bay in New-England, y<sup>e</sup> Honourable y<sup>e</sup> Council, and Representatiues in General Court now Assembled and setting in Boston afore<sup>sd</sup>

The memorial of us y<sup>e</sup> Subscribers Justices of y<sup>e</sup> Peace in y<sup>e</sup> seuerall Countys of Plymouth Barnstable and Bristoll Humbly sheweth

That y<sup>e</sup> Antient Records of y<sup>e</sup> late Colony of New-Plymouth, upon y<sup>e</sup> change of Gouverment, and Uniting y<sup>e</sup> late Colonys of Massachussets and Plimouth, were left in y<sup>e</sup> hands of M<sup>r</sup> Samuel Sprague of Marshfield, who was y<sup>e</sup> last Secretary of y<sup>e</sup> s<sup>d</sup> Colony of Plimouth, and so Remain'd in his hands until his death, which happened some time in September last.

That upon y<sup>e</sup> death of y<sup>e</sup> s<sup>d</sup> Sprague, y<sup>e</sup> General Quarter Sessions of y<sup>e</sup> Peace within y<sup>e</sup> County of Plymouth, Considering y<sup>t</sup> y<sup>e</sup> s<sup>d</sup> Records lay much Exposed, not being in any sworne officers hands, did at their Sessions in September afore<sup>sd</sup>, Order y<sup>t</sup> Colonel Nathanael Thomas, should take y<sup>e</sup> s<sup>d</sup> Records into his Care and Custody until further Order should be taken concerning them, and thereupon y<sup>e</sup> s<sup>d</sup> Colonel

Thomas took y<sup>e</sup> s<sup>d</sup> Records into his Custody, and keeps them for y<sup>e</sup> p<sup>r</sup>sent, expecting some further and speedy care and order to be taken concerning them.

That we are Humbly of Opinion y<sup>t</sup> it will be most agreeable and *and* satisfactory to y<sup>e</sup> Generalyty of y<sup>e</sup> Inhabitants of y<sup>e</sup> Late Colony of Plymouth, y<sup>t</sup> y<sup>e</sup> s<sup>d</sup> Records may be kept and lodg'd in y<sup>e</sup> Town of Plymouth, which was y<sup>e</sup> Head Town of y<sup>e</sup> s<sup>d</sup> Colony of Plymouth, and where y<sup>e</sup> s<sup>d</sup> Records were wont to be kept.

We Therefore Pray y<sup>e</sup> s<sup>d</sup> Great and General Court, to take y<sup>e</sup> Premises into their Consideration, and Order y<sup>t</sup> some sutable person may be appointed and Sworne for y<sup>e</sup> safe keeping y<sup>e</sup> s<sup>d</sup> Records accordingly, and Granting Coppys as there may be Occation, or otherwise Order concerning y<sup>e</sup> same as y<sup>e</sup> s<sup>d</sup> Court in their wisdome shall think fit. And we shall Euer pray as in duty Bound/

NATH<sup>LL</sup> PAINE  
JOHN CUSHING  
JN<sup>O</sup> OTIS

9<sup>o</sup> Nov<sup>r</sup> 1710./ In Council/.

Read, and Ordered That the Bookes, Records and files of the General Court of the late Colony of New-Plymouth, be committed to the Custody of the Clerk of the Inferiour Court of the County of Plymouth for the time being he dwelling in Plymouth a perfect Schedule thereof being made, with an Indent to be passed for the same to the Justices of the said Court. And that the Clerk be Impowred to Transcribe and Attest Copys of the said Records, for any that shall desire the same upon paying the Establish'd Fees.

Sent down for concurrence,

IS<sup>A</sup> ADDINGTON Sec<sup>r</sup>y

In the House of Representatives

Nov<sup>r</sup> 10 : 1710. Read & Concurr'd.

JOHN CLARK Speaker."

The undersigned, having in preparing the copy for the press, and in the examination of the proof-sheets carefully compared the whole three times with the original manuscript, is confident that this volume is accurate in every particular.

DAVID PULSIFER.

MARCH 7, 1861.

## MARKS AND CONTRACTIONS.

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

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

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

A Caret ^ indicates an omission in the original record.

A Cross × indicates a lost or unintelligible word.

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

Some redundancies in the original record are printed in Italics.

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

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

Several characters have special significations, namely:—

@, — annum, anno.	p, — per, par, pur, pear, — psuite, pursue; appd, appeared; pson, person; pte, parte.
ā, — an, am, — curiā, curiam.	p, — pro, — pporcōn, proportion.
ā, — mātrate, magistrate.	Ɔ, — pre, — Ɔsent, present.
ḃ, — ber, — numb, number; Robt, Robert.	q, — qstion, question.
ċ, — ei, ti, — acċōn, action.	Ɔ̄, — esƆ̄, esquire.
ċō, — tio, — jurisdicċōn, jurisdiction.	ř, — Aprř, April.
ċ, — ere, cer, — acs, acres; cleriċ, clericus.	š, — š, session; šd, said.
đ, — đđ, delivered.	š, — ser, — švants, servants.
ē, — Trēr, Treasurer.	ř, — ter, — neuf, neuter; secreř, secretary.
ē, — committē, committee.	ř, — capř, captain.
ġ, — ġñal, general; Georġ, George.	ũ, — uer, — seũal, seueral; goũ, gounernor.
ĥ, — chr, charter.	ũ, — aboũ, aboue, above.
ĩ, — begĩg, beginĩg, beginning.	ŵ, — ver, — seŵal, several.
ł, — łre, letter.	ŵ, — ver, verse, verses.
m̄, — mm, mn, — cōmĩttee, committee.	ŵ, — ŵn, when.
m̄, — recōmĩdaċōn, recommendation.	y <sup>e</sup> , the; y <sup>m</sup> , them; y <sup>n</sup> , then; y <sup>r</sup> , their; y <sup>s</sup> , this; y <sup>t</sup> , that.
m̄, — mer, — formly, formerly.	z, — us, — vilibz, vilibus.
m̄, — month.	℄, — es, et, — statut℄, statutes.
n̄, — nn, — Peñ, Penn; año, anno.	℄, &ċ, &c <sup>a</sup> , — et cætera.
n̄, — Dñi, Domini.	viz℄, — videlicet, namely.
n̄, — ner, — man̄n̄, manner.	/ — full point.
ō, — on, — mentiō, mention.	
õ, — mõ, month.	
p̄, — par, por; p̄t, part; p̄tion, portion.	



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PLYMOUTH RECORDS.

Laws.

PART I.



# PLYMOUTH RECORDS.

---

[The present volume is divided into three parts. Of these, Part I., being the more ancient, contains the original Laws, Orders, &c., of the Colony, from 1623 to 1657. On the first page is written "Plymouths ancient [book] of Lawes. 1623." Parts II. and III. contain the Laws as revised, reënacted, and published in the year 1658. Part III. also contains enactments down to the year 1682.

The following pages were not written upon, namely: Part I. 1, 23 (with the exception of two lines), 28, 29, 30, 41 (with the exception of three words), 42, 84, 85, 94. Part II. 56; by mistake the next page is numbered 60. Part III. 21 (excepting six words), 94, 114, 116, 122, 124, 126, 128, 130, 132, 137, 140, 142, 144, 146, 148, 158.

The laws passed from 1683 to 1686, and from 1689 to June 1691, are printed in Volume VI., none being passed by the General Court during their "unjust interruption and suspension therefrom by the illegal arbitrary power of St. Edmond Andros;" that is, from 1686 until June 1689, when they reassumed their former way of government, and continued in the exercise and enjoyment of it until the Colony was annexed to Massachusetts, in the year 1691.—D. P.]

---

\* Orders agreed on at severall times for the Generall good of the Colony and the Better goverment and preservation of the same.

[PART I.]

\*2

**I**T was ordained 17 day of Decemb<sup>r</sup> An<sup>o</sup> 1623 by t[he Court] then held that all Criminall facts, and also all [matters] of trespasses and debts betweene man & man should [be tried] by the verdict of twelve Honest men to be Impanelled by Authority in forme of a Jury upon their oaths.

It was decreed by the Court held the 29 of March An<sup>o</sup>: 1626: That for the preventing of such inconveniences as do & may befall the plantation by the want of Timber. That no man of what condition soever sell or transport any mañer of works as frames for houses planks boards shipping shallops boats cannoos or whatsoever may tend to the distruction of timber afores<sup>d</sup> how little soever the quantity be without the Consent approbation

[PART I.]

and liking of Governour and Council. And if any be found faulty herein and shall Imbarque or any way convey to that end to make sale of any the goods aforesaid Expressed or Intended by this Decree the same to be forfeited and a fine of twice the vallue for all so sold to be duly taken by the Governour for the use and benefitt of the Company.

It was further decreed the day 9 year above written for the preventing of such abuses as do and may arise amongst us that no handy-craftsman of what profession soever as Taylors Shoemakers Carpenters Joyners Smiths Sawyers or whatsoever w<sup>ch</sup> do or may reside or belong to this plantation of Plimouth shall use their science or trades at home or abroad for any strangers or foreigners till such time as the necessity of the Colony be served. Without the consent of the Governour and Council: the brach thereof to be punished at their discretion:

It was ordained the s<sup>d</sup> 29 of March 1626: for the preventing scarsity as alsoe for the farthering of our trade that no corne beans or pease be transported Imbarqued or sold to that end to be Conveyed out of the Colony without the leave and licence of the governour 9 counsell. The breach whereof to be punished with los of the goods so taken or p[roued] to be sold: and the seller farther fined or punished or bot[h] at the discession of the Gov<sup>r</sup> and Council.

It was agreed upon by the whole Court held the sixth [of Januar 1627 that from hence] forward no dwelling house [was to be couered with any kind of thatche, as straw, reed 9c. but with either bord, or pale 9 the like; to wit: of all that were to be new built in the towne.]

Plimouth: \*The 3<sup>d</sup> of January, 1627: it was agreed in a full Cour[t about division] of lands as followeth.

\*3

Imp<sup>r</sup>.

That the first division of the acres should stand and continue f[irme according] to the former division made unto the possessors thereof and to their heires for ever: ffree Liberty being Reserved for all to gett fire wood [thereon] but the Timber trees were excepted for the owners of the ground.

2<sup>ly</sup>

That the 2 division should consist of 20 acres to every person and to Contain five in breadth 9 four in length and so accordingly to be di[vided] by lott to every one which was to have share therein.

3<sup>ly</sup>

The Ground to be judged sufficient before the Lots were drawne and the rest to be left to co[m]mon use.

4<sup>ly</sup>

This being done, that for our better subsistance and convenience those grounds which are nearest the Town, in whose lott soever they fall shall be

[PART I.]

used by the whole for the space of 4 years from the date hereof: viz<sup>t</sup> first that the Right owner make choice of twice that quantity he shall or may [use] within the s<sup>d</sup> terme and then to take to him such neighbours as shall have need & he think fitt: but if they cannot agree then the Govern<sup>r</sup> and Council may appoint as they think meet: provided that the woods [be] ordered for felling & lopping according as the owner shall appo[int:] for neither fire wood nor other timber either for building or fen[cing] or any other use is to be felled or caryed off of any of these ^ without the owners leave & license, but he is to preserve [them] to his best advantage.

That what soever the surveighers judge sufficient shall stand wi[thout] contradiction or opposition and every man shall Rest Contented [with] his lott.

That after the purchasers are served as afores<sup>d</sup>; that then such p[lan]ters as are heirs to such as dyed before the Right of the land was [yield]ed to the Adventurers have also 20 acres a person p[ro]portionable to their Right Layed out in part of their Inheritance.

That first they shall begin where the acres of the first division end and Lay out that to the Eele River so far as shall be thought fitt by the Surveighers, and Returne to the north side of the Tow[n] and so p[ro]ceed accordingly, and that they leave all great Tim[ber] swamps for common use.

That fflowing fishing and Hunting be free:

That the old path ways be still allowed and that eve[ry] man be allowed a conveyment way to the water where[soever] the lott fall:

\*Lastly that Every man of the Surveighers have a peck of Corne for Every share of land layed out by them to be paid by the owner thereof when the same is layd out.

The names of the layers out were these

WILLIAM BRADFORD	FRANCIS COOKE
EDWARD WINSLOW	JOSHUA PRATT
JOHN HOWLAND	EDWARD BANGS

5<sup>ly</sup>6<sup>ly</sup>7<sup>ly</sup>8<sup>ly</sup>9<sup>ly</sup>

\*4

[PART I.]

\* New Plymouth Noṽbr 15. 1636

\*5

WHEREAS at his Ma<sup>ties</sup> Court held the [4<sup>th</sup> & 5<sup>th</sup>] of Octobr in the 12<sup>th</sup> yeare of the raigne of our [Sov.] Lord Charles by the grace of God King of Engl. Scotl. ffr. & Irel. Defendor of the ffaith <sup>e</sup> I[t was] ordered that M<sup>r</sup> William Brewster M<sup>r</sup> Ral[ph] Smith M<sup>r</sup> John Done & John Jenny for the [Town of Plymouth, Jonathan Brewster & Chris[topher] Wadsworth for Duxburrrough, & James C[udworth] & Anthony Annable for Scituate should be [added] to the Goṽr & Assistants as Coṽmittees for the whole body of this Coṽmon weale should meete together the 15<sup>th</sup> of Noṽbr at Plymouth aboue mençoned & there to puse all the lawes orders & constituçions of the Plantaçions w<sup>th</sup>in this Governm<sup>t</sup> that so those that are still fitting [might] be established, those that time hath made [un]necessary might be rejected & others that were wanting might be preped that so the nex[t] Court they might be established.

Now being assembled according to the said [order] and having read the Combinaçõn made at [Cape] Cod the 11<sup>th</sup> of Novbr 1620 in the yeare of [the] raigne of our late Sov. L. King James of Engl. ffr. [ & ] Irel. the eighteenth, & of Scotland the fifty [fourth] as also our letters Patents confirmed by [the] honorable Councell his s<sup>d</sup> Ma<sup>ties</sup> established & [granted] the 13<sup>th</sup> of January 1629 in the fife yeare of the raigne of our sov. Lord King Charles. And finding that as freeborne subjects of the State of Engl. we hither came indewed w<sup>th</sup> all & singular the priviledges belong̃ to such, in the first place we thinke good that it be establish[ed] for an act That according to the <sup>Imp<sup>r</sup></sup> & due priviledge of the subject aforesaid no imposicon law or ordnance be made or imposed vpon vs by ourselves [or others at] present or to come but such as shall be made [or] imposed by consent according to the free liberties [of the] State & Kingdome of Engl. & no otherwise.

\*6

Act I. That whereas before expressed we finde a solemne & binding Combinacon as also 1<sup>st</sup> Patents derivatory from his M<sup>atie</sup> of Eng. our dread Sov. for the ordering of a body politiek w<sup>th</sup>in the severall limits of this Patent viz<sup>t</sup> from Cowahasset to the utmost [bounds] of Puckanokiek [westw]ard & all that [tract] of land southward to the [souther]ne ocean w<sup>th</sup> all & singular lands rivers havens waters creeks ports fishings fowlings &c. By vertue whereof we ordaine institute and appoint the first Tuesday in March every yeare for the elecçõn of such officers as shall be thought meet for the guiding & governm<sup>t</sup> of this Corporaçõn.

This is altered afterwards to the first Teusday in June yearly by a gen<sup>l</sup>all Court.

That at the day & time appointed a Goŵr & seaven Assistants be chosen to rule & governe the said plantacōns w<sup>th</sup>in the said limits for one whole yeare & no more. And this elecōn to be made onely by the freemen according to the former custome. And that then also Constables for each pt & other inferior officers be also chosen.

[PART 1.]

Act 2.

That in every elecōn some one of the Assistants or some other sufficient pson be chosen Treasurer for the yeare present whose place it shall be to receiue in whatsoever sum or sums shall apperteyne to the Royalty of the place either comīng in by way of fine amerceam<sup>t</sup> or otherwise And shall improue the same for the publick benefitt of this Corporacōn by order of the Governm<sup>t</sup>. As also to giue a just account thereof to the ensuing Treasurer & to the Goŵr when ever he shall demand it. or the Court when they appoint.

3

Clarke of the Court.

That a ~~Secretary~~ also be chosen for the yeare.

That also one be chosen to the office of Coroner to be executed as neere as may be to the laws & practise of the kingdome of Engl. & to continue one yea[re.]

\*The Office of the Goŵr

\*7

The office of the Goŵr for the time being consi[sts in] the execuōn of such laws & ordnanc<sup>es</sup> as are or shall be [made] & established for the good of this Corporacōn according [to the] severall bownds & limits thereof. viz: In calling togeth[er] or advising w<sup>th</sup> the Assistants or Councell of the said Corporacōn upon such materiall occasions (or so seeming to h[im,] as time shall bring forth. In w<sup>ch</sup> assembly & all other the Goŵr to propound the occasion of the Assembly & ha[ve] a dowble voice therein. If the Assistants iudge the case too great to be discided by them, & refer it to the Generall Court, then the Governor to summon a Court by warning all the ffreemen aforesaid that are then extant, and there also to propownd causes, and goe before the Assistants in the examinaōn of p<sup>t</sup>iculars, and to propound such sentence as shall be determincd. further it shall be lawfull for him to arrest & comīt to ward any offenders provided that w<sup>t</sup> all convent spede he shall bring the cawse to hearing either of the Assistance or Generall Court according to the nature of the offence. Also it shall be lawfull for him to examine any suspicious psons for evill against the Colony, as also to intercept or op[pose] such as he conceiveth may tend to the overthrow of the same. And that this Office continue one whole yeare & no more w<sup>th</sup>out renewing by elecōn.

[PART I.]

\*8

## \*The Oath of the Govr.

You shall swear to be truly loyall to our ~~Soveraigne Lord King Charles~~  
~~the State & Govern<sup>t</sup> of England as it now stands.~~  
 his heires & successors. Also according to that measure of wisdome vnder-  
 standing & discerning given unto you faithfully equally & indifferently w<sup>th</sup>out  
 respect of psons to administer justice in all cases com<sup>ing</sup> before you as the  
 Governour of New Plymouth. You shall in like maner faithfully duly &  
 truly execute the lawes & ordnanc<sup>e</sup> of the same, And shall labor to ad-  
 vance & further the good of the Colonies & Planta<sup>ti</sup>o<sup>n</sup>s w<sup>th</sup>in the limits  
 thereof to the utmost of yo<sup>r</sup> power and oppose any thing that shall seeme  
 to hinder the same. So helpe you God who is the God of truth & punisher  
 of falsehood.

## The oath of a freeman.

You shall be truly loyall to our ~~Sov. Lord king Charles~~ his heires &  
~~the State & Govern<sup>t</sup> of England as it now stands.~~  
 successors. You shall not speake or doe, devise or advise any thing or  
 things act or acts directly or indirectly by land or water, that doth shall  
 or may tend to the destruc<sup>ti</sup>o<sup>n</sup> or overthrow of this p<sup>r</sup>int planta<sup>ti</sup>o<sup>n</sup>s Colonies  
 or Corpora<sup>ti</sup>o<sup>n</sup> of New Plymouth, Neither shall you suffer the same to be  
 spoken or done but shall hinder oppose & discover the same to the Go<sup>v</sup>r  
 & Assistants of the said Colony for the time being or some one of them.  
 You shall faithfully submit unto such good & wholesome laws & ordnanc<sup>e</sup> as  
 as either are or shall be made for the ordering & governm<sup>t</sup> of the same, and  
 shall endeavor to advance the growth & good of the severall <sup>plantations</sup> Colonies, w<sup>th</sup>in  
 the limit<sup>e</sup> of this Corpora<sup>ti</sup>o<sup>n</sup> by all due meanes & courses. All w<sup>ch</sup> you  
 promise & swear by the name of the great God of heaven & earth simply  
 truly & faithfully to p<sup>r</sup>forme as you hope for help fr<sup>o</sup> God who is the God of  
 truth & punisher of falschood.

\*9

## \*The office of an Assistant.

The Office of an Assistant for the time being consisteth in appearing at  
 the Governors su<sup>ti</sup>o<sup>n</sup>s, and in giving his best advice both in publick Court &  
 private Councell [with] the Go<sup>v</sup>r for the good of the Colonies w<sup>th</sup>in the lim-  
 it[s] of this Governm<sup>t</sup>. Not to disclose but keepe secret such things as con-  
 cerne the publick good, and shall be thought meet to be concealed by the  
 Govern<sup>r</sup> & Councell of Assistants: In having a speciall hand in the examina-  
 ti<sup>o</sup>n of publick offenders, and in contriving the affaires of the Colony. To  
 have a voice in the censuring of such offenders as shall not be brought to



publick Court. That if the Governour haue occasion to be absent from the Colony for a short time, by the Goſr w<sup>th</sup> consent of the rest of the Assistants he may be deputed to governe in the absence of the Governour. Also it shall be lawfull for him to examine & comit to ward where any occasion ariseth where the Gov[er] is absent, provided the pson be brought to further hearing w<sup>th</sup> all convenient speede before the Governour or the rest of the Assistants. Also it shall be lawfull for him in his Ma<sup>ties</sup> name to direct his warrants to any Cōstable w<sup>th</sup>in the Government who ought faithfully to execute the same according to the nature & tenure thereof. And may binde over psons for matters of crime to answere at the next ensuing Court of his M<sup>tie</sup> after the fact comitted or the pson apprehended.

\*The Oath of the Assistants.

\*10

Yee shall all swears to be truly loyall to our Sovr. Lord King Charles his heires & Successors Also ye shall faithfully truly & justly according to that measure of discerning & discretion God hath given you be assistant to the Goſr for this p<sup>nt</sup> yeare for the execu<sup>ō</sup>n of justice in all cases & towards all psons com<sup>ing</sup> before you w<sup>th</sup>out p<sup>ti</sup>ality according to the nature of the Office of an Assistant read unto you. Moreover yee shall diligently duly & truly see that the Lawes & Ordnanc<sup>ē</sup> of this Corpora<sup>ō</sup>n be faithfully executed; and shall labor to advance the good of the severall Planta<sup>ō</sup>ns w<sup>th</sup>in the lim-  
by all due meanes and courses  
 its thereof, and oppose any thing that shall hinder the same ~~to the utmost of your power~~ So helpe you God who is the God of truth & punisher of falsehood.

The Oath of any residing w<sup>th</sup>in the Governm<sup>t</sup>.

You shall be truly loyall to our Sover. Lord the King his heires & Successors. And whereas you make choice at p<sup>nt</sup> to reside w<sup>th</sup>in the Governm<sup>t</sup> of new Plymouth, You shall not doe or cause to be done any Act or Acts directly or indirectly by land or water that shall or may tend to the destruc<sup>ō</sup>n or overthrow of the whole, or any the severall Colonies w<sup>th</sup>in the said governm<sup>t</sup> that are or shall be orderly erected & established but shall contrariwise hinder oppose & discover such intents & purposes as tend thereunto to the Governour for the time being or some one of the Assistants w<sup>th</sup> all convenient speede. You shall also submit unto & obey such good & wholesome lawes Ordnanc<sup>ē</sup> & Officers as are or shall be established w<sup>th</sup>in the severall limits thereof. So helpe you God who is the God of truth & punisher of falsehood.

[PART I.]

## \*The Oath of a Constable.

\*11

You shall swear to be truly loyall to ~~our~~ Sovereigne Lord King Charles  
~~the state and Government of England as it now stands.~~

his heires & Successors, wh~~x~~ (you shall faithfully serue in the office of a Constable  
 in the ward of for this p̄nt yeare according to that measure of wisdome un-  
 derstanding & discretion God hath given you. In w<sup>ch</sup> time you shall diligently

The

see that (his Ma<sup>ties</sup>) peace com̄anded be not broken, but shall carrie the pson  
 or psons offending before the Governōr of this Corporacōn or some of[ne] of his  
 Assistants, and there attend the heari[ng] of the Case and such order as  
 shall be given [you]. You shall apprehend all suspitious psons, and bring  
 them before the said Goṽr or some one of his Assistants as aforesaid. You  
 shall duly & truly serue such warrants & giue such suñto[ns] as shall be  
 directed unto you frō the Goṽr or Assistants before mençōned, and shall  
 labo[ur] to advance the peace & happines of this Corporacōn & oppose any  
 thing that shall seeme to annoy the same by all due meanes & course[s.] So  
 helpe you God who is the God of truth & punisher of falsehood.

Election of of-  
 ficers at the  
 genall Courts.

\*12

\*That the annuall elecçōn of Officers before expressed be at a Generall  
 Court held in his Māties name of Engl. And that the Goṽr in due season  
 by warrant directed to the severall Const<sup>s</sup> in his Māties name aforesaid giue  
 warning to the ffreemen to make their apparence : And that all other our Courts  
 warrants, summons or com̄ands by way of justice be all done directed & made  
 in the name of his Majesty of England aforesaid our dread Sovereigne.

fyne of non  
 appance.

And for default in case of apparence at the Elecçōn before mençōned  
 w<sup>th</sup>out due excuse each delinquent to be amerced in 3 ff. ster<sup>t</sup>.

Q<sup>r</sup>

Repealed June  
 25, 1645.

That if at ~~any~~ time ~~any~~ shall be ~~elected~~ to the office of Governor  
 & will not hold according to the elecçōn that then he be amerced in 20<sup>th</sup>  
 starling ffine.

Repealed June  
 1645.

That if any ~~elected~~ to the office of ~~Assistant~~ refuse to hold according to  
 elecçōn that then ~~he~~ be amerced in ten pow<sup>er</sup>de starling ffine.

Repealed  
 x 1639.

That in case ~~one~~ & the same pson should be elected Goṽr a second  
 yeare having held the place the foregoing yeare it should be lawfull for  
 him to refuse w<sup>th</sup>out any amercem<sup>t</sup> unless ~~they~~ can prevaile w<sup>th</sup> him by  
 entreaty.

\*That the Governm<sup>t</sup> vizt the geñall Courts & Courts of Assistants be held at Plymouth, ~~and that the Gov<sup>r</sup> hold his dwelling there for the first yeare~~ except such Inferio<sup>r</sup> Courts as for some matters shalbe allowed by this Court in other places of this Goũment.

Courts where kept/  
This clause repealed at March Court, 1642.  
\*13

That a great Quest be pannelled by the Goũr and Assistants or the major pt of them & warned to serue the king by enquiring into the abuses & breaches of such wholsome lawes & ordinañç as tend to the preservaçõn of the peace & good of the subject. And that they present such to the Court as they either finde guilty or probably suspect that so th[ey] may be p̄secuted by the Goũr by all due meanes.

Grand Jury how pannelled.

It is enacted That no p<sup>r</sup>esentment hereafter shalbe exhibited to the Grand Enquest to be brought to the Bench except it be donn vpon oath and that it shalbe lawfull for any of the Assistants to administer an oath in such case.

March 2<sup>d</sup> 1640.

and a whipping post

That in every Constablerick there be a paire of stocks erected. ~~Also a cage w<sup>ch</sup> shall be of competent strength to detain a prisoner.~~ & these to be erected in such place as shall be thought meet by the severall neighborhoods where they concerne vpon the penalty of x<sup>s</sup> for any towneship w<sup>ch</sup> shalbe defectiue herein.

Stocks & whipping posts.

That the Constable see~~ke~~ the high waies for man & beast be made & kept in convenient repaire & therefore be also appointed surveighor for the liberty he is chosen. ~~That Two Surveighors in every Constablerick be chosen each yeare to see that the high waies be mended competently.~~ And if it fall out that a way be wanting upon due complaint That then the Governour panell a Jewry & upon Oath charge them to lay out such way as in conscience they finde most beneficiall for the Coñon weale & as little prejudice as may be to the p<sup>t</sup>icular /

This p<sup>t</sup> is repealed.

\*That it be lawfull for the Governour as well to pannell such the king's subjects of good report that are ffreeholders & no ffreeman upon Jewry to doe service to his Ma<sup>tie</sup> as well as such as haue taken up their ffreedome if thought convenient.

Who to be pannell'd in Jewries.

\*14

That the lawes & ordnañç of the Colony & for the Governm<sup>t</sup> of the same be made onely by the ffreemen of the Corporacon & no other. provided that in such rates & taxaçõns as are or shall be laid upon the whole they be w<sup>th</sup>out p<sup>t</sup>iallity so as the ffreeman be not spared for his freedome, but the levy be equall. And in case any man finde himselfe aggrieved that his complaint may be heard & redressed if there be due cause.

Lawes made by y<sup>e</sup> ffreemen.

[PART I.]  
oath of fidelity  
to all.

That an oath of Allegiance to the King & fidelity to the Governm<sup>t</sup> & the sev. Colonies therein be taken of every pson that shall live w<sup>th</sup>in or under the same.

Tryalls by Ju-  
ry.  
\*15

\*That All trialls whether Capitall or between man & man be tryed by Jewryes according to the presidentℓ of the law of Engl. as neer as may be.

Goſnoure & 2  
assistants de-  
termine cases  
sub. 40<sup>a</sup>.

That the Goſr & two Assistantℓ at the lest shall as occasion shall be offered in time convenient determine in such triviall cases vi<sup>t</sup> under forty shillingℓ between man & man as shall come before them as also in offenceℓ of smale nature shall determine doe & execute as in wisdom God shall direct them.

Offenceℓ Cap-  
itall.

Capitall offenceℓ lyable to death.

Treason or rebellion against the pson of the King State or Coṃion wealth either of England or these Colonies.

Willfull Murder.

Solemn Compaction or conversing w<sup>th</sup> the divell by way of witchcraft conjuracōn or the like.

Willfull & purposed burning of ships howses.

Sodomy, rapes, buggery.

Adultery to be punished.

offenceℓ crim-  
inall.  
Altered.

\*16

\*~~Adultery~~ ffornicaōn & other uncleane carriages to be punished at the discretion of the Majestrates according to the nature thereof.  
ffornicaōn before contract or marriage.

The stealing or attempting to steale ships boatℓ municōn or other things of that nature to be punished according to the determinacōn of the Majestrates.

sale of lands  
acknowledged  
before one of  
Assistants.

That all sales exchanges giftℓ morgages leases or other Conveyanceℓ of howses & landℓ the sale to be acknowledged before the Goſr or any one of the Assistants & comitted to publick Record and the fees to be payd.

m̄ke of Cattle.

That euery mans marke of his Cattle be brought to the towne booke where he liues & that no man giue the same, but shall alter any other bought by him & put his owne upon them.

land after  
Greenew<sup>ch</sup>  
hold.

That Inheritance do descend according to the comēdable custome of Engl. & hold of Est Greenew<sup>ch</sup>.

That If the husband die the wife <sup>shal</sup> ~~to~~ have a third pt of his land℄ [PART I.]  
<sup>her</sup> during <sup>and</sup> ~~life, And if he die w<sup>th</sup>out will to have also~~ a 3<sup>d</sup> of his good℄ a wiues pt of  
 to be at her owne disposeng lands ℄ goods.  
~~but by will may wholly be disposed of by the husband, as he please.~~

That One Common standard to be used by all for weight ℄ measure W<sup>t</sup> ℄ meas-  
ures.  
 And that according to Winchester w<sup>ch</sup> is the standard of Engl.

\*That No Warre nor league of peace be made by a[ny] pticular pson or of warre &  
leagues.  
 psons but such as shall be agreed ℄ determined in and by a Generall Court, Confirmed.  
 except in such case of eminent danger as a Court cannot be called or \*17  
 summoned.

That in case necessity require to send forc℄ abroad℄ ℄ there be not vol- Souldiers  
pressed.  
Confirmed.  
 unteers suffiç offered for the service then it be lawfull for the goũno<sup>r</sup> ℄ As-  
 sistants to presse in his Ma<sup>ties</sup> name by their warrant directed to the Con-  
 stables. Provided if any that shall goe returne maymed ℄ hurt he shalbe  
 mayntayned competently by the Colony duringe his life. And also that if  
 there shalbe neede of horses for the Countreys service it shalbe lawfull for  
 the Goũn<sup>r</sup> ℄ Assistant℄ likewise to presse horses for such service by the x x  
 paying them for them or taking order for their payment.

That concerning misdemeanors as any shall be convicted in Court of  
 any pticular to be Censured by the bench according to the nature of the  
 offence as God shall direct them.

That none be allowed to marry that are under the covert of parent℄ but Marriage.  
 by their consent ℄ approbaçõn. but in case consent cannot be had then it shall  
 be w<sup>th</sup> the consent of the Gove<sup>r</sup>, or some assistant to whom the psons are  
 knowne whose care it shall be to see the marriag be fitt before it be allowed  
 by him. And after approbaçõn be three severall times published before the  
 solemnising of it. or els in places where there is no such meetings that con-  
 tract℄ or agreement℄ of marriage may be so published, that then it shalbe  
 lawfull to publish them by a writing thereof made and set vpon the usuall  
 publike place for the space of fiftene days. pvided that the writing be vnder  
 some majestrat℄ hand or by his order.

That all such as dept any his Ma<sup>ties</sup> Court℄ before they be dismissed Dep<sup>t</sup>ing  
Courte.  
 w<sup>th</sup>out due leaue be amerced in three shillings ster<sup>t</sup>.

[PART I.]

Timber of  
swamps.

That no man make sale or sell out of the Colonys any kind of board℥  
planck℥ or Timber that hath been growing in any the swamps that are reserved  
for publick use w<sup>th</sup>out leaue, but shall onely so doe of such as arise out of  
his owne prop grownd℥

Particular  
armes.  
\*18

\*That each pson for himselfe ℥ accord to Jan. 2<sup>d</sup> 1632 haue peece  
powder ℥ shott viz<sup>t</sup> a suffiç musket or other serviceable peece for war w<sup>th</sup>  
bandeleroes sword ℥ other appurtenanc℥ for himselfe ℥ each man serv<sup>t</sup> he  
keepeth able to beare Armes. And that for himselfe ℥ each such pson under  
him he be at all times furnished w<sup>th</sup> two pownd℥ of powder and ten pownd℥  
of bullet℥ ℥ for each default to forfeit ten shillings.

Since this tyme it is agreed upon by the Comissioners that it shalbe but  
one pound of powder ℥ foure pound℥ of bullets w<sup>th</sup> match foure fathome for  
eich matchcock peece.

q<sup>r</sup>

That no sheepe be sould out of the Colonys if com~~petent~~ price will be  
heere given for them.

Plymouth.

It is further enacted that whereas formerly a smale moyety of land was  
allotted to each ffamily for their convenient subsistance in the towne of  
Plymouth vizt to each pson an acre, ℥ that now the said Acres lie void the  
ancient inhabitant℥ being for the most pt removed from thence: Insomuch  
that as formerly they were the meanes of subsisting in towne now the  
ppriety of psons in them elsewhere seated hinder others from com̄ing into  
the towne: by w<sup>ch</sup> meanes the said towne is like to be dispeopled It was  
therefore agreed uppon by the mutuall consent of the whole (two psons onely  
excepted) That all ℥ every such pson ℥ psons should ℥ did surrender ℥ cast  
up their right in the said Acres that they may be disposed of to such as doe  
or shall inhabite the said towne of New Plymouth as also other the wast  
grownd℥ about the said Towne by such an orderly ℥ equall course as shall be  
thought meet by the Go<sup>v</sup>r ℥ Cowncell, And that the said Go<sup>v</sup>r ℥ his Assist-  
ant℥ thinke of some equall course to satisfie such as haue purchased any ℥  
the psons not able to make satisfac<sup>õ</sup>n.

1633 Oct 28  
Act 3.  
Plymouth  
weare.

\*19

\*That whereas God by his pvidence hath cast the ffish [called] alewiues  
or herring℥ in the middest of the towne of new Plymouth. And that the  
grownd thereabout hath been wor[ue] out by the whole to the dañage of  
those that now inhabite the same. It is therefore enacted That the said her-  
rings Alewiue℥ or shadd℥ com̄only used in the setting of Corne be appropri-  
ated to such as doe or shall inhabite the Towne of Plymouth aforesaid. And

that no other haue any right or propriety in the same saue onely for bait for fishing, and that by such an orderly course as shall be thought meet by the Goŕr & Assistant℄ [PART I.]

That the wills & Testam<sup>t</sup>℄ of such as die be pved orderly before the Goŕr & Assistant℄ w<sup>th</sup>in one moneth after the decease of the Testator And that a full Inventory duly valued be presented w<sup>th</sup> the same before t<sup>r</sup>s of Administraçõn be granted to any of all the good℄ & chattels of the said psons. Also if in case any man die w<sup>th</sup>out will his good℄ be by his wife or others neerest to him inventoried & duly valued & presented to the Goŕr & Assistant℄ w<sup>th</sup>in one moneth after the decease of the said pson so dying. And if it be a single pson w<sup>th</sup>out kindred heer resident That then the Goŕr appoint some to take a just Inventory of the same & to present the same upon Oath to be true & just as in other the cases before mençõned. Testam<sup>t</sup>℄.  
Act 1.

\*That in case it fall out that any die more indebted then their estates of good℄ & Chattels amount unto If the pson so deceased haue bought any land℄ in his life time to the impaying of his estate otherwise, That the land℄ so bought be sold to make satisfacçõn to the Creditors: But whereas a porçõn is disposed of to each for the subsistance of him or herselfe & ffamily, That such land℄ remaine to the survivors his or her heires &c no seisure being allowed the creditors in that case. 1633 Jun. 2.  
Act 4.  
Lands of de  
seasad to pay  
debt℄.  
\*20

That whatsoever dāmage coms to any by Cows goat℄ mares sheepe or any of those kindes by comīng into their corne or gardens be made good by the owners of the said Cattle as it shall be valued by two of the neighbours. And that it shall be lawfull upon each such trespasse to impownd the Cattle trespassing till due satisfaccon be made.

\*That no man keepe more swine then he can ordinarily keepe about his owne place, and that they be dowbly rung or at lest sufficiently wrong that they roote not up & destroy the medows &c And if in case any shall finde himselfe aggrieved & require the yoaking of any unruly swine, by reason of damage he is like to sustaine then to forfeit for every such default p weeke besides the dāmage fiue shilling℄ Swine.  
more pag. 48.  
51.  
\*21

Also if in case any be fownd unrung (or unyoaked after notice as before) q<sup>r</sup> then to forfeit upon discovery of it for each swine 2<sup>s</sup>℄ & for every weeke after any shall so continue fiue shilling℄ the one half to come to the pson so finding & discovering them, the other half to the Towneship to w<sup>ch</sup> the owner belong℄. Also that all pigg℄ at or before ten week℄ old shall be rung. And o

[PART I.]

upon suffiç notice to the next justice of the peace he to grant warrant to the Constable to straine any of these fines. The time of yoking to continue from mid June to Sept. ult. if required. But if any lose their ring℄ or yoakes the first notice to be w<sup>th</sup>out fine.

Purchasers  
lands.  
more follow-  
eth.

\*22

\*That whereas as well the land℄ w<sup>th</sup>in this patent as the muniçõn ℄c was bought by way of purchase by diverse the Inhabitant℄ of new Plymouth and that the said purchasers are possessed but of smale pporçõns of land ℄ many of them meane. It is therefore thought meet that the said purchasers shall hold ℄ haue reserved for themselues ℄ their heires so much land in such place ℄ plac℄ as they shall judge meete ℄ convenient for themselues ℄ their heires aforesaid.

land to chil-  
dren.

q'

That such children as are heer borne ℄ next unto them such as are heer brought up under their parent℄ ℄ are come to age of discretion allowed, ℄ want land℄ for their accomõdacõn be provided for in place convenient before any that either come from England or elsewhere. then to seeke as they are.

purchasers  
land.  
q'

That place ℄ plac℄ convenient reserved for the said purchasers ℄ their heires. They surrender the remainder of the land℄ to be disposed of w<sup>th</sup>in the limit℄ of the ðrs patent dated

to W. B. ℄ his associat℄

to the Governm<sup>t</sup> consisting of the Majestrates ℄ ðreemen of this Corporacõn.

\*23

\*That a convenient forme for Register of mens ptiç holds be heer incerted.

ffishing fowl-  
ing℄ ℄ hunt-  
inge.

\*24

\*That fishing fowling hawking hunting be freely allowed provided if any dāmage come to any ptiçular by the prosecuçõn of such game restitucõn be made or the case actionable. But if any man desire to improue a place ℄ stock it w<sup>th</sup> fish of any kinde for his private use it shall be lawfull for the Court to make such a grant ℄ forbid all others to make use of it.

Pownde.

That every Constablerick haue a suffiç pownd to <sup>impound</sup> ~~imprison~~ Cattle that shall transgresse any such orders [as] are or shall be made.

A law added for a pound breach.

Heardinge.

That no man doe heard either his owne Cattle or other mens to the prejudice of any at or neere his or their howse upon their land but upon due notice ℄ warning shall reforme it or the case be actionable.



That whoever shall kill a Wolfe & make it suffiç knowne to the Goÿr or [PART I.]  
 some assistant shall haue four bushell of Corne to be rayسد of the Constable-  
 rick or liberties. Killing wolffs.

That w<sup>e</sup>ver daĩage come to any by Cowes, goat & mares sheepe or hog Trespases.  
 by breaking into mens suffiç. inclosures. It shall be lawfull for the psons se  
 damnified to impownd them, and two indifferent men to view the daĩage w<sup>ch</sup>  
 accordingly shall be given & payd.

\*That no guns or Iron traps be sett unles in ptiç inclosures & that not Iron traps.  
 neere any high way. \*25

That no serv<sup>t</sup> coĩng out of his time or other single pson be suffered March 2<sup>d</sup> 1636.  
 to keepe howse or be for him or themselues till such time as hee or they be Servants &  
 competently provided of Armes & muniçõn according to the order of the single psons.  
 Colonyes. And that if any such be yet wanting they be provided as afore-  
 said or else provide themselues such masters as may provide for them. And  
 that to be done forthw<sup>th</sup> upon due warning.

That none be suffered to retale wine strongwater or beere either w<sup>th</sup>in Retaylors of  
 doores or w<sup>th</sup>out except in Inns or Victualling howses allowed. And that no wine & beere.  
 beere be sold in any such place to exceed in price two pence the Winches-  
 ter quart.

That such as either drinke drunke in their psons or suffer any to drinke q<sup>r</sup>  
 druncke in their howses by enquired into amongst other misdemeanors & Drunckes.  
 accordingly punished or fined or both by the discreçõn of the bench.

That the children & serv<sup>t</sup> of such as dwell neer any victualling howse q<sup>r</sup>  
 be not entertayned or suffered by the m<sup>r</sup> of the s<sup>d</sup> howse there to drinke &  
 spend their time but if any such thing can be proved it be esteemed a mis-  
 demeanor punishable in the s<sup>d</sup> Victualler & to be enquired into.

\*That such serv<sup>t</sup> as come out of their times and arc by their Coÿt & Lands to serv<sup>t</sup>  
 haue land & haue onely fiue acres apeece at p<sup>r</sup>nt And that, if they be fownd \*26  
 fit to occupie it for themselues in some convenient place.

That none be allowed to be howsekeeps or build any Cottages or housekeep<sup>r</sup>  
 dwelling howses till such time as they be allowed by the Goÿr or some one who.  
 or more Cowncell of Assistç.

[PART I.]  
lands to serv<sup>ts</sup>.

That from this time forward whoever shall cov<sup>t</sup> to giue landℓ by Indenture to their serv<sup>ts</sup>ℓ at the expiraçõn of their service shall make good the same out of their pp landℓ, the Govern<sup>t</sup> being free frõ any such Cov<sup>ts</sup>ℓ ℓ therefore not to be expected.

Purchasers & freeme of Plymouth.

That the towne of Plymouth viz<sup>t</sup> the purchasers ℓ ffreemen. haue lib<sup>doe</sup>erty of themselues to dispose of the lands that are or shall belong unto them to such they thinke meet to receiue in unto them, And also to make such orders for their convenient ℓ more cõfortable subsistance as shall by them be thought most meet ℓ convenient provided they be not contrary to the publick ordnancℓ of the Govern<sup>t</sup>

Scituates liberty.

That Scituate be allowed the like liberties ℓ to dispose of the growndℓ between the North River ℓ Cowehasset provided they have recourse to Plymouth in case of Justice.

lands given to psons who line not vpon the same.

q<sup>r</sup> \*27

\*That whereas landℓ are given ℓ g[ranted] to psons upon supposall of their living upon them for the maintenance ℓ strength of society. If it fall out that psons shall not occupie any such landℓ but dept from the same place, such former grant or grantℓ to be of none effect but shall returne ℓ be otherwise disposed of by the Govern<sup>t</sup> in generall or Towneship in pticular as it shall fall out.

Holy dayes. q<sup>r</sup>

That it be in the power of the Governor ℓ Assist<sup>ts</sup> to cõmand solemn daies of humiliaçõn by fasting ℓc and also for thanksgiving as occasion shall be offered.

Misdemeanors p<sup>s</sup>entable.

That all such misdemeanõrs of any pson or psons as tend to the hurt ℓ detriment of society Civility peace ℓ neighbourhood be enquired into by the grand Enquest ℓ the psons presented to the Court that so the disturbers thereof may be punished ℓ the peace ℓ welfare of the subject comfortably preserved.

Office ℓ fees of the Messenger. \*31

\*The Office of the Messenger

To be ready at the Governours or any the Assistants warning to doe such service as shall be appointed for the good of the severall Colonies w<sup>th</sup>in this Govern<sup>t</sup> ℓ to be esteemed as a publick officer to doe ℓ execute according to the nature of such warrantℓ as shall be directed to him in any pt thereof. [As Constable for the speciall ward belonging to Plymouth, viz<sup>t</sup> from Jones river sowthward so far as any inhabite at p<sup>r</sup>nt. As Jaylor to keepe such as shall be cõmitted. And either to execute such punish<sup>t</sup> as shall be inflicted by publick censure, or cause it to be done.] To giue warning of such mar-

riages as shall be approved by authority. To scale those measures & weight℄ that be allowed. & to measure out such lands as shall be ordered by the Govern<sup>or</sup> or Govern<sup>t</sup>. [PART I.]

The fees allowed.

ffor comittment ij<sup>s</sup> vj<sup>d</sup> for releasement ij<sup>s</sup> vi<sup>d</sup>

ffor ordinary warning w<sup>th</sup>in his speç. Constablerick 6<sup>d</sup>

ffor imprisonm<sup>t</sup> 2sh<sup>s</sup> 6<sup>d</sup> p day

The halfe of all fines not exceeding 6sh<sup>s</sup>

ffor giving notice of wedding℄ xij<sup>d</sup>

ffor serving any execu<sup>cion</sup> 2sh<sup>s</sup> 6<sup>d</sup> his ordinary fee ℄ 6<sup>d</sup> in the £ extraord<sup>y</sup>, but if the place be far to goe then 2<sup>d</sup> a mile.

ffor sealing of measures 4<sup>d</sup> a peece.

ffor weight℄ 2<sup>d</sup>

ffor measuring of land according to the distance & trouble of the same ℄ his paines therein not to be valued w<sup>th</sup> com<sup>on</sup> labor but as a publick officer that attend℄ the duties of his place.

\*The Oath of the Messenger.

\*32

You shall be truly loyall to our Sovereigne Lord the King his heires & successors. You shall duly truly and faithfully waite uppon pforme & execute the Office of you are called unto, seeking by all due means the welfare of the severall Colonies w<sup>th</sup>in this Govern<sup>t</sup> of New Plymouth: Attending such order, obeying such warrant℄, & doing such service as the Governour for the time being or any his Assistant℄ shall require, either in the behalfe of our Sov. Lord the King or between man & man as the case requireth for the peate & tranquillity of the place. You shall to the utmost of yo<sup>r</sup> power safely keepe such prisoners as are com<sup>itted</sup> to yo<sup>r</sup> custody and inflict or execute such sentence as shall be awarded Also such weight℄ & measures as shall be brought unto you shall as neere as may be make agreeable w<sup>th</sup> the standard com<sup>itted</sup> to yo<sup>r</sup> trust, and shall onely take such fees as are allowed w<sup>th</sup>out fraud or oppression. You shall also faithfully duly & truly serue our Sover. Lord the K. in the Office of a Constable in the ward of New Plymouth, wherein you shall see that his Ma<sup>ties</sup> peace com<sup>anded</sup> be not broken: but shall apprehend any that shall disturbe the same, and bring him or them before the Go<sup>v</sup>r or some one of the Assistant℄ for the time being, and there attend such order as shall be given. All w<sup>ch</sup> or cause it to be done.  
☞  
 you shall faithfully obserue & doe. So helpe you God who is the God of truth & punisher of falsehood.

[PART I.]

[\*33]

\*A fforme to be placed before the Record℄ of the fεverall inheritanc℄ granted to all ℄ every the King℄ subject℄ inhabiting w<sup>thin</sup> the Governm<sup>t</sup> of new Plymouth.

**W**HEREAS John Carver Will. Bradford Edw. Wynslow William Brewster Isaack Allerton and divers others the subject℄ of our late Sov. Lord James by the grace of God King of Engl. Scotl. ffrance ℄ Irel. Defender of the ffaith ℄c. did in the eighteenth yeare of his raigne of Engl. ffrance ℄ Ireland, and of Scotl. the fifty fowr w<sup>ch</sup> was in the yeare of our Lord God 1620 undertake a voyage into that pt of America called Virginia or New Engl. thereunto adjoyning, there to erect a plantacōn ℄ Colony of English, intending the glory of God, the enlargem<sup>t</sup> of his Māties dominions and the speciall good of the English Nacōn.

And whereas by the good providence of our gracious God the said John Carver Will<sup>t</sup> Bradford Edward Wynslow William Brewster Isaack Allerton ℄ their Associat℄ arived in new England aforesaid in the harbour of Cape Cod or Paomet scituate ℄ being in new Engl. afore<sup>s</sup>d where all the said psous entred into a Civill combinaōn being the eleaventh of No<sup>v</sup>̄ in the yeare afore menōned as the subject℄ of our said Sov. Lord the King to become a Body-politick binding ourselues to obserue such lawes ℄ ordinanc℄ and obey such Officers as from time to time should be made ℄ chosen for our welordering ℄ guidance. And thereupon by the favor of the Almighty began the

\*34 first Colony in New Engl. (\*there being then no other w<sup>thin</sup> the said Continent) at a place called by the natiues Apaum a<sup>t</sup>s Patuxet, but by the English New-Plymouth. All w<sup>ch</sup> land℄ being void of Inhabitant℄, we the said John Carver Will<sup>t</sup> Bradford Edward Wynslow William Brewster Isaack Allerton ℄ the rest our Associat℄ entring into a league of peace w<sup>th</sup> Massassowat since called Woosamequin Prince or Sachim of those pt℄, He the said Massassowat freely gauc them all the land℄ adjacent to them ℄ their heires for ever, acknowledging himselfe content to become the subject of our Sovereigne Lord the King aforesaid his heires ℄ Successors, And taking pteccōn of us the said John Carver William Bradford Edw Wynslow Will<sup>t</sup> Brewster Isaack Allerton and their Associat℄ the naturall subject℄ of our Sov. Lord the King afore<sup>s</sup>d. But having no speciall t<sup>r</sup>s Patent℄ for the said pt℄ of New Engl. but onely the generall leaue ℄ liking of his Ma<sup>tie</sup> aforesaid for the free exercise of the leaue ℄ liberty of our Conscienc℄ in the publick worship ℄ service of God whereever we should settle: Being therefore now settled ℄ requiring speciall licence ℄ Comission from his Mātie for the ordering

our affaires under his gracious p̄tec̄ōn had sundry Cōmissions made & confirmed by his s̄d M̄ties Cowncell for New Engl. to John Peirce & his Associat℄ (whose name we onely made use of & whose Associat℄ we were) in the late happy & memorable raigne of our said Sovereigne Lord King James. But \*finding our selues still streightned and a wil[lingnes] in the Honorable Cowncell aforesaid to enlarge us, p̄tly in regard of the many difficulties we had undergone, and p̄tly in regard of the good service we had done as well in relieving his M̄ties subject℄ as otherwaies we procured a further enlargem̄t under the name of Will Bradford aforesaid, & his Associat℄ (whose name we likewise used & whose Associat℄ as formerly we still are.) By vertue of w<sup>ch</sup> h̄rs Pattent℄ liberty is given unto us derivatory from our Sov. Lord King Charles bearing date the thirteenth of January 1629 being the fift yeare of his raigne of Engl. Scotl. France & Irel. &c and signed by the right Hoñble Robt Earle of Warwick in the behalfe of the rest of his M̄ties s̄d Cowncell for New Engl. & sealed w<sup>th</sup> their Cōmōn Seale allowed To frame & make Orders Ordnanc℄ & Constitucōns for the ordering disposing & governing of our p̄sons, and distributing the lands w<sup>th</sup>in the said limit℄ to be holden of his M̄tie his heires & Successors as of his Mannor of East Greenw<sup>ch</sup> in the Cownty of Kent in free & cōmōn soccage & not in Capite nor by knight℄ service, v̄iz<sup>t</sup>. All that pt of New Engl. in America & tract & tract℄ of land℄ that lie w<sup>th</sup>in or between a certaine Rivolett or Rundlett there cōmōnly called Coahasset ās Conahasset towards the North & the river cōmōnly called Naragunset river toward℄ the Sowth, and the great Westerne Ocean towards the East, & between & w<sup>th</sup>in a streight line directly extending up into the maine land towards \*the West from the mouth of the said River called Naragunset River to the utmost limit℄ & bownd℄ of a Cowntrey or place in New Engl. cōmōnly called Pokenacutt ās Puckenakick ās Sawaamset Westward, and another like strait line extending it selfe directly from the mouth of the said River called Coahasset ās Conahasset toward℄ the west so far up into the maine land westwards as the utmost limit℄ of the said place or Cowntrey cōmōnly called Pokenacutt ās Puckenakick ās Sawaamset doe extend together w<sup>th</sup> one halfe of the said River called Naragunset℄ & the said Rivolet or rundlet called Coahasset ās Conahasset And all land℄ Rivers waters havens creek℄ port℄ fishing℄ fowling℄ & all hereditam<sup>l</sup>℄ p̄fitt℄ Cōmodities & emolum<sup>l</sup>℄ whatsoever scituate lying & being or arising w<sup>th</sup>in or between the said limit℄ & bownd℄ or any of them. ffurthermore all that tract of land or pt of New Engl. or pt of America aforesaid w<sup>ch</sup> lieth w<sup>th</sup>in or between & extendeth itselfe from the utmost limit℄ of Cobbisecontee ās Comaseconte w<sup>ch</sup> adjoyneth to the river of Kenebeke ās Kenebekike towaers the westerne Ocean, & a

\*35

\*36

[PART I.]

\*37

place called the falls at Nequamkike in America aforesaid & the space of fifteen English miles on each side the said River commonly called Kenebeck River & all the said river called Kenebeck that lieth w<sup>th</sup> in the said limit & bownd Eastward Westward Northward or Sowthward last aboue mençoned, & all land grownd soyles Rivers waters fishing hereditam<sup>l</sup> & pfit<sup>l</sup> \*whatsoever scituate lying & being, arising happening or accrewing or w<sup>ch</sup> shall arise happen or accrew in or w<sup>th</sup> in the said limit & bownd or either of them, together w<sup>th</sup> free ingresse egress & regresse w<sup>th</sup> ships boat shallops & other vessels frō the Sea commonly called the western Ocean to the said River called Kenebeck & frō the said River to the said Western Ocean Together w<sup>th</sup> all prerogatives right Royalties Jurisdicçōns priviledges franchises liberties & Immunities & also marine liberty w<sup>th</sup> the Escheat & Casualties thereof (the Admiralty Jurisdicçōn excepted) w<sup>th</sup> all the interest right title claime & demand whatsoever w<sup>ch</sup> the said Cowncell & their Successors now haue or ought to haue or may haue & require heerafter in or to any the said porçōn or tract of land heereby mençoned to be granted or any the premises in as free large ample & beneficiall manner to all intent & construcçōns and purposes whatsoever as the said Cowncell by vertue of his Ma<sup>ties</sup> said lrs pattent may or can grant. To haue & to hold the said tract & tract of land & all & singular the premises aboue mençoned to be granted w<sup>th</sup> their & every of their appurtenance to the said William Bradford his heires associat & assignes for ever to the onely prop & absolute use & behoofe of the said Wil<sup>m</sup> Bradford his heires Associat & Assignes for ever. Yielding & paying unto our said Sov. Lord the King his heires & Successors for ever one fift pt of the Oare of the Mines of Gold & silver & one other fift pt thereof to the President & Cowncell w<sup>ch</sup> shall be had possessed \*and obtayned w<sup>th</sup> in the precinct aforesaid for all service & demands whatsoever, allowing the s<sup>d</sup> W. Bradford his Associat & assignes & every of them his & their ffactor agent tenant & serv<sup>ts</sup> And all such as he or they shall send & employ about his s<sup>d</sup> pticular plantaçōn shall & may frō time to time freely & lawfully goe & returne trade & traffick as well w<sup>th</sup> the English as any the natiues w<sup>th</sup> in the p<sup>cs</sup>ints aforesaid w<sup>th</sup> liberty of fishing upon any pt of the Sea Coast & Sea shores of any the Seas or Iland adjacent & not being inhabited or otherwaies disposed of by order of the said president & Cowncell. fforbidding all others to traffick w<sup>th</sup> the natiues or inhabite any the said limit w<sup>th</sup>out the speciall leaue of the s<sup>d</sup> W. Bradford his heires or Associat & allowing the said W. Bradford his heires & Associat to take apprehend seise & make prize of all such psons their ships & good & as shall attempt to inhabite or trade w<sup>th</sup> the salvage people as afores<sup>d</sup> &c.

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Moreover whereas in the first beginning of this Colony divers merch<sup>ts</sup>

& others of the City of London & elsewhere adventured divers sums of money w<sup>th</sup> the said John Carver Wil<sup>l</sup> Bradford Edw Wynslow William Brewster Isaack Allerton & the rest their Associat<sup>l</sup> on certaine termes of ptnership to continue for the terme of seaven years. The s<sup>d</sup> terme being exspired, The Plantaçõn by reason of the manifold losses & crosses by Sea & land in the beginning of so great a worke being largely indebted, & no meanes to pay the said debt<sup>l</sup> but by the sale of the whole: And the same being put to sale, We the said \*Wil<sup>l</sup> Bradford Edw. Wynslow, Wil<sup>l</sup> B[rewster] Isaack Allerton & other our Associat<sup>l</sup> the Inhabitants of New Plymouth & elsewhere being loath to be deprived of our labors bought the same for & in consideraçõn of eighteen hundred pownd<sup>l</sup> starling v<sup>iz</sup>t all & singular the priviledges land<sup>l</sup> good<sup>l</sup> building<sup>l</sup> Chattels Ordnance muniçõn or whatsoever apptayned to the said plantaçõn or the adventurers w<sup>th</sup> all & singular the priviledg<sup>l</sup> thereunto belonging as appeareth by a deed between the said Isaack Allerton then agent for the said Wil<sup>l</sup> Bradford & his Associat<sup>l</sup> on the one pt, and John Pooock Robt Keyne Edward Basse James Sherley & Joh. Beauchamp on the other pt being thereunto deputed by the said merchant<sup>l</sup> & the rest adventuring as aforesaid as appeareth by a deed bearing date the sixt of November in the third year of the raigne of our Sov. Lord Charles by the grace of God King of Engl. Scotl. ffrance & Irel. &c. Anno Dom. 1627. Be it knowne therefore unto all men by these p<sup>ri</sup>nts That according to our first intent<sup>l</sup> for the better effecting the glory of God, the enlargem<sup>t</sup> of the dominions of our said Sov. Lord the King, and the speciall good of his Subject<sup>l</sup>, by vertue as well of our Combinaçõn aforesaid as also the severall grant<sup>l</sup> by us procured in the names of Joh. Peirce and Wil<sup>l</sup> Bradford their heires & Associat<sup>l</sup>, together w<sup>th</sup> our lawfull right in respect of vacancy donaçõn or purchase of the natiues, and our full purchase of the Adventurers before expressed, haue given unto allotted assigned & granted to all & every pson & psons whose name or names shall follow upon this publick Record such proporçõn or proporçõns of grownd<sup>l</sup> w<sup>th</sup> all & singular the priviledges ther[eunto] \*belonging as aforesaid to him or them his or their heires & Assignes successively for ever to be holden of his Ma<sup>tie</sup> of Engl. his heires & successors as of his Mannor of East Greenw<sup>th</sup> in the Cownty of Kent in free & cõmon Soccage & not in Capite nor by Knight<sup>l</sup> service. Yielding & paying to our said Sov. Lord the King his heires & Successors for ever one fift pt of the Oare of the Mines of Gold & silver & one other fift pt to the President & Councell w<sup>ch</sup> shall be had possessed and obtayned as aforesaid. And whatsoever land<sup>l</sup> are granted to any by the said Wil<sup>l</sup> Bradford, Edw Wynslow Wil<sup>l</sup> Brewster Isaack Allerton & their heires & associat<sup>l</sup> as aforesaid being acknowledged in publick Court

\*39

\* 10





\*At the genall Court held at New Plymouth the 3<sup>d</sup> of January 1636 in the xij<sup>th</sup> yeare of the Raigne of o<sup>r</sup> Souaigne Lord Charles by the grace of God of England ℄. Kinge defendor of the fayth ℄. before Edward Winslowe gen<sup>l</sup> Gou<sup>n</sup>our W<sup>m</sup> Bradford Thomas Prynce John Alden Steeven Hopkins W<sup>m</sup> Collyer Tymothy Hatherley and John Browne Gentl<sup>e</sup> Assistants ℄.

[PART I.]

\*45

**W**HERAS M<sup>r</sup> Hatherley in the behalf of the Church of Scituate informed this Court That the place (for ought they can yet discerne) is too streate for them to reside comfortably vpon and that the lands adjacent are very Stony and not convenient to plant vpon whereby they are disabled to receiue any moore neighbours for their more comfortable societie. It is therefore consented vnto and agreed vpon by the Court That the said Inhabitant℄ of Scituate shall haue libertie to seeke out a convenient place for their residing w<sup>th</sup>in the Colony, and to giue notice thereof to the Gou<sup>n</sup>our and Assistant℄ that they may cause the same to be veiwed, and if the same shalbe thought conuenient then to be graunted vnto them, vnlesse there shalbe some other lands found fit to be layd to them for their moore comfortable subsistance at Scituate.

Scituate, a plantation.

It is also ordered by tne Court that the Cutt at Greenes Harb<sup>o</sup>r for a boate passage shalbe made eighteene foote wide and sixe foote deepe. And for the manner how the same shalbe donn for the better ordering thereof it is referred to the Gouern<sup>r</sup> and Assistant℄ w<sup>th</sup> the help of John Winslowe Jonathan Brewster John Barnes ℄ Christopher Waddesworth aswell to pportion euery man equally to the charge thereof as also to order men that shall worke thereat, that tenn men may worke together there at once, and that the Gou<sup>n</sup>our or whom he shall appoynt shall ouersee the same that it may be well pformed.

The Cutt at Marshfield to be enlarged.

It is also ordered ℄ enacted by the Court that the Inhabitant℄ of New Plymouth shall haue liberty to meete together to make orders for the herdinge of their Cattle ℄ such other things as shalbe needfull for their moore neighbourly liueing together.

Plymouth to make orders.

\*It is ordered by the Court That the Corne of John Jenney Thomas Willet ℄ Georg Watson seized by the Gou<sup>n</sup>our to the vse of the Collony by vertue of a for<sup>m</sup> lawe: shalbe referred to the Bench to deale therein as they shall see cause.

\*46

It is ordered by the Court That M<sup>r</sup> Collyer M<sup>r</sup> Hopkins M<sup>r</sup> Browne M<sup>r</sup>

Treaty about the trade.

[PART I.]

Done John Jenney Jonathan Brewster John Winslowe & Thomas Willett shall treat w<sup>th</sup> those that haue the trade in theire hand & to p<sup>r</sup>pare such conclusions con<sup>c</sup>erning the same That the Court being made acquainted therew<sup>th</sup> and approuing thereof may conclude the same w<sup>th</sup> them.

At the Genall Court held the vij<sup>th</sup> March 1636

M<sup>r</sup> Bradford Go<sup>v</sup>nor.

Shooting in  
night.

IT is concluded vpon by the Court that if any shall shoote of a peece at any fowle or otherwise in the night tyme betwixt day light and day light shall forfeite twenty shillings for euery shott to be payd to the Treasurer to the use of the Collony, except he shoote at a Wolfe, or for the fynding of some man lost.

Approved.

Allarum.

It is also concluded vpon by the Court That three peece shott of distinctly one after another shalbe for an allarum. And two peece to giue warning of some howse on fier.

Approved.

Mill at  
Plymouth.  
\*47

\*It is concluded vpon by the Court That M<sup>r</sup> John Jenney shall haue liberty to erect a Milne for grinding and beating of Corne vpon the brooke of Plymouth to be to him & his heires for euer. And shall haue a pottle of Corne toule vpon euery bushell for grinding the same for the space of the two first yeares next after the said Milne is erected, and afterward & but a quart at a bushell for all that is brought to the milne by others, but if he fetch it & grind it himself or by his servant & then to haue a pottle toule for euery bushell as before.

Ladders.

fforasmuch as great Losses haue heretofore happened by fyer whereby men haue had their houses and goods w<sup>th</sup>in the same vtterly consumed, w<sup>ch</sup> might haue bene p<sup>r</sup>vented in some good measure if Ladders could haue bene had neere hand. It is therefore enacted by the Court That euery housholder w<sup>th</sup>in this Colony & go<sup>v</sup>ment shall haue one sufficient ladder or ladders at least about his house w<sup>ch</sup> will reach y<sup>e</sup> top vpon penalty of euery such default to forfeite ten shillings to be leavyed to the use of the Governm<sup>t</sup>.

Approved.

Inhabitants of  
Plymouth.

It is enacted by the Court That noe pson or psons hereafter shalbe admitted to liue and inhabite w<sup>th</sup>in the Go<sup>v</sup>ment of New Plymouth w<sup>th</sup>out the leaue and liking of the Go<sup>v</sup>nor or two of the Assistant & at least.

Approved.

It is enacted by the Court That there shalbe a watch of foure men hyred to keepe watch at New Plymouth at the Publick charge for the safety of the person of the Goũn<sup>r</sup> And the Towne of New Plymouth to add more men vnto them to strenghen them as need shall require.

[PART I.]

Watch for y<sup>e</sup> safety of Govern<sup>r</sup>.

\*At the geñall Court the second of Octobr: 1637.

\*48

**I**T is enacted by the Court that sixscore and twelue fishes shalbe accounted to the hundred of all sortℓ of fishes.

C of fish.

Approved.

It is enacted by the Court That all Swine w<sup>th</sup>in these Colonies shalbe sufficiently ringed after they shalbe tenn weeks old, and if that any shalbe complayned of to be vnruely, that then they be yeoked vpon the penalty of six pence for euery swine that shalbe found vnringed and not presently ringed vpon warneing giuen thereof, and this to be donn by the first of Nouember next.

Taunton began here to be added to this booke. June 5<sup>th</sup> 1638.

It is enacted by the Court That no housholder w<sup>th</sup>in this Goũn<sup>t</sup> shall take any servant comeing out of his tyme or other servant (that is not of manuell trade) into partnership w<sup>th</sup> him vpon penalty to forfeite five poundℓ sterℓ for euery such default, except he shalbe allowed by the Goũn<sup>r</sup> ℓ Assistantℓ so to doe, And that all contractℓ for seruantℓ for any tyme shalbe recorded before the Goũn<sup>r</sup> or some one of the Assistants, ℓ the Clarke to haue foure pence for his paynee. And that none shall hire a servant vnder half a yeare.

The act about firing woodℓ was altered this Court.

Whereas there is a great abuse in takeing of Tobaccœ in very vnciuill manner openly in the Towne streets and as men passe vpon the heigh wayes as also in the feildℓ and as men are at worke in the woods ℓ feilds to the neglect of their labours and to the great reproach of this Goũment It is therefore enacted by the Court That if any shalbe found or seene takeing Tobaccœ in the streets of any Towne w<sup>th</sup>in the Colonys of this Goũment or in any barne or outhouse or by the heigh wayes ℓ not aboute a mile from a dwelling house or at his worke in the feilds where hee doth not dyne or eate his meate That euery such pson or psons so offending shall forthw<sup>th</sup> pay xij<sup>d</sup> for euery such offence as oif as he or they shall so offend, and ℓ shalbe lawfull vpon informaçõn for the Constable of the Towneship or next to the place where such offence shalbe committed to distrayne his goods for yt if he refuse to pay it vpon demand, And for Boyes and seruantℓ that shall offend

September 4<sup>th</sup> 1638.

[PART I.]

herein (℥ haue nothing ~~to~~ pay) to be set in the ~~stocks~~ for the first default and for the second to be whipt.

Approved.  
firing of  
woods.

Whereas many haue sustayned great damage by the indiscreet firing of the woods, It is by this p<sup>r</sup>nt<sup>e</sup> order forbidden to any to set fyre on them except betweene the first day of the month of february and the middest of the month of Aprill And that whatsoeu<sup>l</sup> damage cometh to any by the breach of this order in firing the woods otherwise to be made good by the delinquent and whensoeu<sup>l</sup> any are justly occasioned to fyre the same they shall giue warneing to the neighbours aboute them and If any p<sup>r</sup>son fire y<sup>e</sup> woods y<sup>t</sup> hath noe iust cause so to doe he shall forfeite x<sup>s</sup> to y<sup>e</sup> countries vse or be whipt.

Septembr 4<sup>th</sup>  
1638.  
North fferry.  
\*49

\*Whereas there is greate need of a fferry boat to be erected to transport men and cattell ouer the North Riuer many complaineing of the want thereof and such as passed that way were at great charge ℥ put to many inconvenyences for want thereof ffor the redressing whereof It is enacted by the Court That there shalbe xij<sup>d</sup> for euery famyly leyed throughout the Gou<sup>r</sup>ment toward℥ the charges of the building of two vessells or boat℥ for the transporta<sup>co</sup>n of men and cattell ouer the said Riuer at the now passage place And that M<sup>r</sup> Jonathan Brewster shall haue the keepinge and the p<sup>r</sup>fitt℥ of the said fferry to haue and to hold to him and his heires foreuer, and shall build and from tyme to tyme mayntaine two sufficient boat℥ or vessells one for the carrying of men and another for carrying of cattell ou<sup>l</sup> the said North Riuer w<sup>th</sup> a sufficient man or two to attend them And shall haue these rates for the first yeare viz<sup>t</sup> for a man ij<sup>d</sup> for a horse and his rider vj<sup>d</sup> for a beast vj<sup>d</sup> for swiue and goates ij<sup>d</sup> a peece. And after the first yeare for a man ij<sup>d</sup> for a horse ℥ his rider vj<sup>d</sup> for a beast iijj<sup>d</sup> and for a goate or swiue j<sup>d</sup> of all men of w<sup>t</sup> planta<sup>co</sup>n soeu<sup>l</sup>.

Septembr 1638.  
Bridges.

Whereas there is great necessity of a bridg ouer the South Riuer another ouer Joanes Riuer and another ouer the Ele Riuer It is enacted by the Court That the Inhabitants of Scituate shall build a bridg ouer the South Riuer and that the Inhabitant℥ of Sandweech and Mattacheese or Yarmouth shall build a bridg ouer the Ele Riuer and the Inhab<sup>ant</sup>℥ of the Townships of Plymouth and Duxborrow shall build a bridg ouer Joanes Riuer All w<sup>ch</sup> said bridges to be made passable for horsemen and footemen. and that there be a ferry boate kept in the interim to carry men ouer Joanes Riuer especially at the Court tymes or other speciall occasions.

~~\*Whereas there is greate abuse complained of by buying and regratinge goods and commodities w<sup>ch</sup> come in boates & vessels to be sould in diuers places w<sup>th</sup>in this Gouerment and selling the same againe in the same townes & markt℄ to the disapoynting of the necessytyes of many and oppressing them in the price when their necessytyes do constrain them to buy them at any price. It is enacted by the Court That none shall so buy any goods or commodities coming to be sould at any Towne w<sup>th</sup>in this Goument by land or water to engrosse them into their hands to thend the price may be enhanced by selling them againe in the same towne or markt℄, (except he buy by whole sale to retayle the same againe at reasonable gaine) the abuse to be enquired of by the Grand enqueste, & ypon their p<sup>r</sup>esentm<sup>nt</sup> to be censured by the discretion of the Bench.~~

[PART I.]  
Sept<sup>r</sup> 4: 1638.  
\*50

Whereas diuers psons are come to dwell in sc̄all plantaçõs w<sup>th</sup>in this goument w<sup>th</sup>out leaue of the Goner<sup>nt</sup> or takeing the Oath of fidelitie contrary to the act℄ of this Court and because there are not majestrat℄ dwelling in such plac℄ to exhibite the said Oath vnto them It is therefore enacted by the Court That such of the Assistant℄ as the Go<sup>u</sup><sup>nt</sup> shall think fit shalbe especially assigned to repaire to such plac℄ and to require the said Oath of them and for such as shall refuse to take yt That they be appoynted to repaire to the Court at Plymouth: And that such as shalbe appoynted to be employed herein or in any other publike businesse haue their charges borne by the Publike.

Decemb<sup>r</sup> 4<sup>th</sup>  
1638.

Oath of fidelity  
administered  
by some mag-  
istrate.

Whereas diuers psons vinfitt for marriage both in regard of their yeong yeares as also in regard of their weake estate, some practisinge the enveagling of mens daughters & maids vnder gardians (contrary to their pent℄ & gardians likeing) and of mayde servants w<sup>th</sup>out leaue and likeing of their masters It is therefore enacted by the Court That if any shall make any motion of marriage to any mans daughter or mayde servant not haueing first obtayned leaue and consent of the pent℄ or master so to doe shalbe punished either by fine or corporall punishment or both, at the discretion of the bench & according to the nature of the offence.

Marriage.  
confirmed.

It is also enacted that if a motion of marriage be duly made to the master and through any sinister end or couetous desire hee will not consent therevnto Then the cause to be made knowne vnto the Majestrat℄ and they to set downe such order therein as vpon examinaçõn of the case shall appeare to be most equell on both pts.

confirmd.

[PART I.]

Millners &  
tolle.

confirmd.

\*51

\*It is enacted by the Court That the Milner of Scituate shall not take about the sixteenth part of a bushell for grinding such Corne as is brought vnto the Milne. And whereas there are diuers other Milnes w<sup>thin</sup> this Colony who are allowed competent toule for grinding and do not grind Corne as they ought to doe It is enacted by the Court that such millners shall either grind their Corne sufficiently or els that vpon complaint to the Court thereof and the thing prooued the miller shall pay for euery such defalt vj<sup>d</sup> for euery bushell to the pty greued and vj<sup>d</sup> to the Treasurer for the collonies use.

Repealed the  
Septemb<sup>r</sup>  
Court 1639.

It is enacted by ~~the Court according to the form act<sup>e</sup> of this Court concerning labourers wages~~ That a labourer shall haue xij<sup>d</sup> a day & his dyett or xvij<sup>d</sup> a day w<sup>h</sup>out dyett & that about throughout the gouernment.

q<sup>r</sup>  
Swine.

It is enacted by the Court That Swyne may be vnringed from the first Tewsdays in December to the first Tewsdays in March following notwithstanding the form<sup>e</sup> ordinance to the contrary.

Transportinge  
psons into  
Patent.

confirmd.

It is enacted by the Court That if any master of a Boate shall bring any passengers or suffer any to be brought in his Boate into any plantacon w<sup>thin</sup> the Gouernment, (and not haue leaue so to doe either from the Gouernment or Committees of the place) shall keepe them whilst they stay and recarry them and their goods to the place from whence they came.

Dyettinge in  
Ordinaries.

confirmd.

fforasmuch as greate inconvenienc<sup>e</sup> haue been occasioned by yeong men and other labourers that haue dyeted in Inns and Alehouses especially who haue had other houses to reaire vnto in the same Towne It is therefore enacted by the Court That none shall dyett in Inns or Alehouses nor haunt them w<sup>ch</sup> are in the Townes they liue in nor make them the ordinary place of their aboade.

March 5<sup>th</sup>  
1638.

\*52

confirmd.

\*Concerning the fferryman at the North riuer It is ordered & concluded vpon by the Court That if hee shall carry onely one man both ou<sup>e</sup> the North and South Riuer hee shall haue foure pence, but if there be moore then one to set ouer then hee shall haue but two pence a peece for as many as he can carry at once, and likewise that he shall haue ij a pson for e<sup>u</sup>er for carrying them ouer the north riuer.

Who to exer-  
cise Armes.

Concerning such as are allowed to exercise men in Armes in the sefall Townes w<sup>thin</sup> this gouernment the Court doth order as follow<sup>th</sup>.

That Mr William Vassell & W<sup>m</sup> Hatch shall exercise the Inhabitant℄ of Scituate in their Armes. [PART I.]

That Captaine Poole shall exercise the Inhabitants of Cohannett in their Armes.

That Captaine Standish shalbe for Plymouth.

ffor Duxborrow	-	-	Leiftennant Holmes
ffor Sandwich	-	-	John Blakemore
ffor Yarmouth	-	-	Wilt <sup>m</sup> Palmer
ffor Barnestable	-	-	Mr Tho <sup>m</sup> Dimmack
ffor Marshfeld	-	-	Mr Nathaniell Thomas.

It is enacted by the Court that ~~there shalbe~~ as many of the Inhabitant℄ of Scituate in number w<sup>ch</sup> are not ffreemen added to the ffreemen there ffor ordering and concluding the Townes affaires ~~for fenceing of ground℄~~ hearing of Cattle and such like oocations, ~~of els~~ the whole Towne to meete together to doe it.

\*Whereas complaint was made that the ffreemen were put to many inconveniencies and great expences by their continuall attendance at the Court℄ March 5<sup>th</sup> 1638.  
 It is therefore enacted by the Court for the ease of the se<sup>all</sup> Colonies and Townes w<sup>th</sup>in the Go<sup>vm</sup>ent That every Towne shall make choyce of two of \*53  
 their ffreemen and the Towne of Plymouth of foure to be Committees or Towne Deputies.  
 Deputies to joyne w<sup>th</sup> the Bench to enact and make all such lawes and ordinances as shalbe judged to be good and wholesome for the whole Provided that the lawes they doe enact shalbe p<sup>o</sup>ounded one Court to be considered vpon vntill the next Court, and then to be confirmed if they shalbe approued of (except the case require p<sup>r</sup>sent confirma<sup>o</sup>n) And ℄ if any act shalbe confirmed by the Bench and Committees w<sup>ch</sup> vpon further delibera<sup>o</sup>n shall proue p<sup>r</sup>judiciall to the whole That the ffreemen at the next elec<sup>o</sup>n Court after meeting together may repeale the same and enact any other vsefull for the whole And that every Township shall beare their Committees charges and that such as are not ffreemen but haue taken the Oath of fidelitic and are masters of famylies and Inhabitant℄ of the said Townes as they are to beare their p<sup>t</sup> in the charges of their Committees so to haue a vote in the choyce of them. p<sup>r</sup>vided they choose them onely of the ffreemen of the said Towne whereof they are: but if any such Co<sup>m</sup>mittees shalbe insufficient or troublesome that then the Bench and thother Comittees may dismisse them and the Towne to choose other ffreem<sup>n</sup> in their place.

[PART I.]

\*M<sup>r</sup> B[r]adford Gour<sup>t</sup>

\*54

At the geñall Court held the 4<sup>th</sup> June 1639.

**I**T is enacted by the Court That if any man shall sell or lend any kynd of guns peeces or pistolls or any shott leade or powder to any Indian hee shalbe punished for yt at the discretion of the Bench.

It is enacted by the Court That euery housholder w<sup>th</sup>in the Gofiment shall sowe one Rodd of ground square at least w<sup>th</sup> hemp or flax yearely and some one in euery Towne to be appoynted to see the same donn and p<sup>r</sup>sent it to the Court in June yearely.

Markett℥ ℥ fayres.

It is enacted by the Court that there shalbe a markett kept at Plymouth euery Thursday and a faire yearely the last Wensday in May ℥ to continue two dayes and a faire at Duxborrow the first Wensday in October yearely ℥ to continue two dayes for all cattell ℥ comodities.

ffor the p<sup>r</sup>venting of Idlenesse and other euells occasioned thereby It is enacted by the Court That the Grand Jury men of euery Towne shall haue power w<sup>th</sup>in their señall Towneshippes to take a speciall view and notice of all manner of p<sup>r</sup>sons marryed or single dwelling w<sup>th</sup>in their señall Townes that haue smale meanes to mayntaine them and are suspected to liue idly ℥ loosely ℥ to require an account of them how they liue, And such as they fynd delinquent and cannot giue a good account thereof vnto them that they cause the Constable to bring them before the Gofin<sup>r</sup> and Assistant℥ at Plymouth the first Court of Assistant℥ after such delinquent℥ shalbe found out. That such course may be taken w<sup>th</sup> them as in the wisdom of the Gofiment shalbe adjudged just and equall.

\*It is also enacted and concluded by the Court That all the Towneshippes w<sup>th</sup>in this Governm<sup>t</sup> allowed or to be allowed shall haue liberty to meeete together and to make such Towne orders as shalbe needfull and requisite for the hearing of cattell and doing such other things as shalbe needfull for the mayntenance of good neighbourhood, and to set penalties vpon delinquent℥ Prouided that their orders be not repugnant nor infringing any publike act℥ And that the fines and penalties shalbe disposed of afterwards to their p<sup>r</sup>ticuler Townes p<sup>r</sup>ouided also that the fyne℥ exceed not the sum of tenn shillings for any one fyne.

confirmed  
3<sup>d</sup> Septemb<sup>r</sup>  
1639.  
Approved.

Sept. 3 1639.  
Idlness.

Approved.

Townes to  
make orders.  
\*55

Allowed.



It is also enacted that the Trade shalbe continued in m<sup>r</sup> Bradford & his ptners hand℄ during the terme w<sup>ch</sup> is till Novemb<sup>r</sup> come twelue months and that m<sup>r</sup> Bradford shall haue y<sup>e</sup> 80<sup>li</sup> waight of beauer giuen the Colony for the first yeares pfit for xxxv<sup>li</sup> ster℄.

[PART I.]

## Act℄ considered vpon this Court

That there be fourty pound℄ yearely equally leyed by the Townes w<sup>th</sup>in the Govern<sup>t</sup> to be allowed the Govern<sup>r</sup> for the tyme beinge toward℄ the defraying of the charge of the place and to be increased hereafter as need shall require.

referred to the next Court.

That the Committees shall conferr w<sup>th</sup> the ffreemen & giue in the next Court how the land℄ shalbe disposed of whether as before or by any other way.

\*Act℄ made and confirmed at the gen<sup>l</sup>all Court the 3<sup>d</sup> March 1639.

\*56

**T**HAT no servant coming out of England or elsewhere and is to serue a master for some tyme be admitted his freedome or to be for himself vntill he haue serued forth his tyme either w<sup>th</sup> his master or some other although hee shall buy out his tyme, except he haue becne a house keeper or master of a famyly or meete ℄ fit to bee so.

Serv<sup>ts</sup> coming out of Engl.

Approved.

That no man shall giue, trade, truck or exchange directly or indirectly w<sup>th</sup> the Natives or Indians (other then English mens servent℄) to giue or pay him any money gould or siluer for the same vpon the penalty to forfeite twenty for one by him or her that shall so doe.

Trading Guns & powder ℄ w<sup>th</sup> natives.

confirmed.

The like penalty also vpon any that shall giue trade truck or exchange w<sup>th</sup> the Natives for any kynd of millitary Armes as Guns of any leng<sup>h</sup> or sort whatsoe℄ or any shott lead bullets or powder or sword℄ daggers or rapiers or mend or repaire any kynd of peece for them or armes to forfeite twenty for one.

confirmed.

That the constables That liue remote hence in the further planta<sup>co</sup>ns shalbe freed from attendance at the gen<sup>l</sup>all Court℄ after they are sworne except there be speciall cause and that if the Constable of any Towne doe goe from hoame he shall depute some other man in his roome vntill his returne provided it bee such pson as hath borne the same place & for default to forfeit ten shillings.

Constabl s ℄ y<sup>e</sup> deputies.

Confirmed.

That whosoe℄ shall pphanely sweare or curse by the name of God or any of his titles Attributes word or workes vpon prooffe thereof made by suf-

P<sup>r</sup>face's swear- ing ℄ cursing.

Confirmed.

[PART I.]

ficient testimony or confession of the party he shall pay for euery such default xij<sup>d</sup> or be set in the stocks so it exceed not the space of three howers or putt in prison according to the nature & quality of the pson.

Thus far the Majestr. & deputies accorded.

20<sup>th</sup> to the Goũ-  
nore.

Whereas in regard that the Goũment hath often fallne vpon one & the same pson w<sup>ch</sup> hath bene very burdensome vnto him and an impouerishing of his estate The Court doth therefore enacte & conclude that the twenty pound℥ for this yeares benefitt of the trade shalbe payd to the Goũr toward℥ his charg℥ in sustayning the place and that the Townes w<sup>th</sup>in the Goũment shall add therevnto what euery man shall think meete & conveyent & pay it to the Tresurer for his vse.

Comission to  
Mr Bradford &  
Mr Winslowe.

That the Commission directed to Mr Bradford & Mr Winslow for the setting of the bound℥ betwixt the Two patent℥ of Plymouth & Mattachusett℥ Bay be renewed for six months.

That Cohannett shalbe called Taunton.

Repealed.

\*57

\*That two sufficient men one of Yarmouth & another of Barnestable be yearely chosen & nominated against the next Court to be joynd w<sup>th</sup> Mr ffreeman of Sandwich to heare and determine suit℥ and controũsies betwixt pty & pty w<sup>th</sup>in the townships not exceeding three pounds.

Herringe  
weares.

It is enacted by the Court That A hering ware to take fish shalbe erected at Joanes Riuer and that such as will put in their stock or mony at the first for the erecting of the same shall haue an answerable pporcõn of gaine & if it proue p̄judiciall to the generall, that then vpon payment of the charges to be pulled downe.

The like liberty vpon the like condiçõns are graunted to erect wares to take fish At Mortons hole Blewfish Riuer Eagles Nest Greens harbour & the Eele Riuer or any other Creeke.

300<sup>l</sup> to y<sup>e</sup>  
Purchasers.

Whereas vpon a p̄posiçõn made by the Grand Inquest at the gen̄all Court held the fift day of March 1638 by what vertue & power the Goũnr and Assistant℥ do giue & dispose of lands either to p̄ticular psons or Townships and Plantaçõns wherevpon eũ since there hath bene a Cessaçõn of the graunt of lands to any psons by the Goũnr: And now vpon heareing and debating the controũsies matters and differenc℥ about & conẽning the same in the Publike Court And whereas there was a larg sume of money disbursed

by those that held the trade viz<sup>y</sup> M<sup>r</sup> Bradford M<sup>r</sup> Prence Captaine Standish & the rest of their ptners for the enlargement of the Patent of New Plymouth in New England, In considera<sup>o</sup>n that all contro<sup>u</sup>sies & differenc<sup>e</sup> about the same may hereafter cease and determine, whether betwixt the Purchasers, old Commers, ffreemen, or others about the same. The Court hath by mutuall assent & consent of all as well purchasers Old Co<sup>m</sup>ers as ffreemen enacted & concluded that there shalbe three hundred pounds ster<sup>t</sup> (or so much as shalbe required not exceeding the said sume of three hundred pound<sup>e</sup>) payd to those that held the trade viz<sup>y</sup> M<sup>r</sup> Bradford M<sup>r</sup> Prence Cap<sup>t</sup> Standish and the rest of the ptners towards the charges of the enlargement of the said Patent if the same shalbe required out of the psonall estat<sup>e</sup> of the said M<sup>r</sup> Bradford M<sup>r</sup> Prence Cap<sup>t</sup> Standish & the rest of the ptners w<sup>ch</sup> said three hundred pounds or lesser su<sup>m</sup>e shalbe levyed vpon the planta<sup>o</sup>ns by such equall way as shalbe thought meete. And that they Purchasers or old Co<sup>m</sup>ers shall make choyce of two or three places for themselues & their heires before the next December Court & that after such choyce made and established All the residue of the land<sup>e</sup> not formly graunted forth either to planta<sup>o</sup>ns or p<sup>t</sup>icular p<sup>o</sup>ns shalbe assigned & surrendred into the hands of the whole Body of the ffreemen to be disposed of either by the whole Body or by such p<sup>o</sup>ns as shalbe by the whole Body of ffreemen assigned & authorised And that all lands already graunted either to planta<sup>o</sup>ns or p<sup>t</sup>icular p<sup>o</sup>ns shall stand & remayne firme to them their heires & assignes for euer to whom they are so giuen & graunted Provided that all lands shalbe now free to graunt to such p<sup>o</sup>ns as stand in neede in the Planta<sup>o</sup>ns now made saue that there shalbe no more Planta<sup>o</sup>ns erected vntill the Purchasers haue made their choyce as afores<sup>d</sup>. And \*whatsoever shalbe further materiall & requisite in law for the confirmeing & establishing this act and order It shalbe donn by Counsell to the intents & purposes herein contained & expressed if neede require.

\*58

It is also enacted by the whole Body of the Court That the Go<sup>u</sup>r and Assistant<sup>e</sup> shall graunt lands to p<sup>t</sup>icular p<sup>o</sup>ns w<sup>th</sup>in the Townes of Plymouth & Duxborrow as they haue donn formly vntill December next.

It is enacted by the Court That the Prison shalbe erected at Plymouth. Prisone.

It is enacted by the Court That the Messenger shall haue thirty bushells of Corne for the yeare past and thirty bushells for the yeares comeing & to be levyed vpon the whole Go<sup>u</sup>ment.

It is also enacted & concluded by the Court That Nathaniell Sowther shalbe Clarke of the Court and shall haue thirty pounds p<sup>a</sup> an<sup>o</sup>, besides his

[PART I.]

other fees from this tyme forward to be payd him quarterly by the Tresurer levying it vpon the whole Collonies.

Townships  
power con-  
firmd.

55

Whereas the Townships w<sup>thin</sup> this Gou<sup>ern</sup>ment haue formly had liberty to meete together and make some Towne Orders w<sup>ch</sup> are thought to bee defectiue for that they conceiued they had not power to make Assesment℥ rates ℥ taxes for raising such necessary expenc℥ as shalbe disbursed about the ge<sup>ner</sup>all occasions of the Townes con<sup>cern</sup>ing the Co<sup>mmo</sup>n wealth It is enacted by the Court That euery Township shall haue liberty to meete together and make leyves rates ℥ taxes for their townes charges ℥ to distraine such as shall refuse to pay the same vpon warrant from the Court or Gouvernor.

to be con-  
firmd.

#### Bounds of Townships by Mr<sup>ts</sup>

stand.

It is also enacted by the Court That the Gou<sup>ern</sup>r and Assistants shall appoynt and set forth the bounds of Townships as formly they haue donn.

Acts made ℥ confirmed  $\wedge$  the Ge<sup>ner</sup>all Court the 1<sup>st</sup> Septemb<sup>r</sup> 1640.

Constables to  
warne meet-  
ings.

**T**HAT the Constables of euery Towne w<sup>thin</sup> the Gou<sup>ern</sup>mt shall warne the townes men whereof they are to come together as they doe for other townes businesse when the Committees shall think it fitt, aswell to acquaint them with what is p<sup>ro</sup>ppounded or enacted at the Court, as to receiue instrucc<sup>o</sup>ns for any other busines they would haue donne.

stand.

vnseasonable  
taking of To-  
bacco.

Stand.

That if any p<sup>er</sup>son or p<sup>er</sup>sons take tobaccoe whilst they are empanelled vpon a Jurie to forfait f<sup>ive</sup> shillings for euery default except they haue giuen vp their verdict, or are not to giue yt vntill the next day or dept the Court by consent.

Trayned who  
stand.

\*59

\*That the Inhabi<sup>ts</sup> of euery Towne w<sup>thin</sup> the Gouverment fitt ℥ able to beare armes be trayned (at least) six tymes in the yeare.

repealed.

That all such p<sup>er</sup>son and p<sup>er</sup>sons as haue sowed any hemepe or flaxe accord<sup>ing</sup> to the form<sup>al</sup> act of the Court, shall not waste the same but shall dresse the said hemp or flax or p<sup>er</sup>cure it to be dressed fitt for some good use and p<sup>er</sup>serue the seed: And the Co<sup>mmo</sup>ittees of the se<sup>ma</sup>ll Townes shall see the same so donn the weck before the elec<sup>ti</sup>o<sup>n</sup> Court and to make report thereof to the Court. Vpon penalty of f<sup>ive</sup> shillings to be forfeited to the Colonys use for euery Delinquent therein.

At the geñall Court held the 2<sup>d</sup> March 1640. xvj<sup>to</sup> Cařt Rĸ.

[PART I.]

**I**T is enacted by the Court That Greens Harbour shalbe a Towneship and haue all the priueledges of a Towneship that other Townes haue and that it shalbe called by the name of Rexhame. but now Marshfeild.

Greens harbor  
plantation.

It is enacted by the Court That no p<sup>r</sup>sentment hereafter shalbe exhibited to the Grand Inquest to be brought to the Bench except it be donn vpon oath, and that it shalbe lawfull for any of the Assistants to minister an Oath in such a case.

This act is  
transferred to  
the other act  
w<sup>ch</sup> concerns  
this.

Stand.

At the geñall Court held the 7<sup>th</sup> Septb<sup>r</sup> 1641.

**I**T is enacted that the Clarke shall haue xx<sup>t</sup> p añ. besidĸ his other fees and that M<sup>r</sup> Willm Paddy shalbe the Treasurer this yeare and shall pay the Clarke his xx<sup>t</sup> and giue an account of his receiptĸ and payments at the election Court.

Clr. 20<sup>t</sup> p An<sup>o</sup>.

The Rates of the Townes for publicke chargĸ of y<sup>e</sup> officers

Plymouth	-	-	-	-	05. 00. 00	}
Duxborrow	-	-	-	-	03. 00. 00	
Scituate	-	-	-	-	04. 00. 00	
Sandwich	-	-	-	-	03. 00. 00	
Taunton	-	-	-	-	02. 10. 00	
Barnestable	-	-	-	-	02. 10. 00	
Yarmouth	-	-	-	-	02. 10. 00	
<del>Rexhame</del>	-	-	-	-	02. 10. 00	
Marshfeild						

25. 00. 00.

\*It is enacted That if any man shall fynd a Mine of gould siluer leade tinn bras copper or coale that shall proue to be of value or worth, shall haue five pounds for his paynes to be payd in this manner, viz<sup>t</sup>. If it be found in a mans pticuler ground then he to pay it, if in the landĸ of a Towneship then the towne to pay it, and if it be on the generall Com<sup>o</sup>ns then to be payd by the whole gouernment And ĸ if it happen that he that fynds yt or the towne where it is found shall neglect to worke it by the space of a whole yeare next after it is found. Then it shalbe lawfull for the gouernment to appoynt any other man to work it for his owne benefit.

Mynes.  
\*60

That the Courts of Assistantĸ are to be kept hereafter eury first Tewsdays in the month except at the geñall Courtĸ and then to be kept the day before.

This is altered.

vij<sup>th</sup> Decemb<sup>r</sup>  
1641.

poore children.  
Stand.

It is enacted That those that haue releefe from the Townes & haue children and doe not employ them That then it shalbe lawfull for the Towneship to take order that those children shalbe put to worke in fitting employment according to their strength and abillities. or placed out by the Townes.

Townes pro-  
uision of pow-  
der.  
stand.

That euery Towneship in the gouernment shall p<sup>r</sup>uide a barrell of powder and leade or bulletts answerable, to be kept by some trusty man or men in euery towne that it may be ready for defence in tyme of neede & danger.

we thinke  
meet to be re-  
pealed.

That all waights and measures in euery towne w<sup>th</sup>in the go<sup>u</sup>ment be made equall by one therevnto especially appoynted And that a bushell a half bushell a peck and a half peck be p<sup>r</sup>ecured to be made by the Bay standard and that the Grand Jurymen of euery Towne do assist Josuah Pratt in makinge all measures euen accordingly and these to be donn by thend of March next.

\*61

\*The first March 1641.

stand.

It is enacted That Scituate shall haue two Constables yearely.

~~It is enacted That no forraigne Tobaccocoe be bought and sould to be taken in the Go<sup>u</sup>ment but such as is p<sup>r</sup>inted in the Go<sup>u</sup>ment after the first of January next (except what is bought & sold to and from forraigne place.~~

This act was repealed March 1642.

this act stands  
confirmed.

It is enacted That euery Towneship w<sup>th</sup>in this Go<sup>u</sup>ment do carry a competent number of peece fixd & compleate w<sup>th</sup> powder shott & sword & euery Lords day to the meetings and one of a house from the first of September to the middle of November except there be some just & lawfull impedymt.

The vij<sup>th</sup> of Septemb<sup>r</sup> 1642.

Wolf traps.  
meet to be re-  
pealed or bet-  
ter ordred.

It is enacted by the Court that all the Townes w<sup>th</sup>in the Go<sup>u</sup>ment shall make wolfe trapps and bayte them and looke vnto them dayly vpon the penalty of x<sup>s</sup> a trap that shalbe neglected. the number that eich Towne is to make is as followeth.

Plymouth fve Duxborrow fve Scituate foure Sandwich three Taunton two Barnestable three Yarmouth three & Marshfield two.

That M<sup>r</sup> Nathaniell Thomas shalbe allowed to exercise men in armes for the Towne of Marshfield.

Military offi-  
cers Power.

q<sup>r</sup>

It is enacted &c That those that are appoynted in euery Towne to exercise men in armes shall haue power to set a fyne on such as shall absent themselues vpon the dayes appoynted for exercise if there be not sufficient reason giuen for their absence p<sup>r</sup>uided the fyne be w<sup>th</sup> the consent of the com-

pany so exercised or the major part of them and such fyne to be gathered by the Constable of the place and to be for the benefitt of that company where such fyne shall happen. [PART I.]

That the quarter Court be hereafter held the first Tewsday in June the first Tewsday in September and the first Tewsday in March yearly w<sup>ch</sup> shalbe the Elecōn Court and none to be kept in December as forūly and that every Court shall begin at nine of the clock in the morneing and end at foure in the afternoone And that the monthly Court hereafter be kept every first Teusday in every second month. This is altered.

\*Acts made by a geſſall Court held the xxvij<sup>th</sup> Septemb<sup>r</sup> 1642. \*62

**T**HAT the Court doth give power to the Townes to p<sup>p</sup>ound two or three persons to the Court to be in any cheefe place aboute the degree of Serjeant<sup>℥</sup> (to exercise their men in armes) <sup>I</sup> ℥ to p<sup>r</sup>esent them to the Court and such as are approved by the Court to be established ℥ such officers to choose their vnder officers w<sup>th</sup> consent of the Body. Military officer.  
altered.

That the cheefe military Comānders of every Towne haue power to call forth men ℥ to exercise men in their armes and to appoynt dayes, and the Serjeant<sup>℥</sup> to give warneing thereof and to be donn as often as the Court hath appoynted. 2  
Trayninge.  
stand.

That in tyme of feare ℥ danger or suddaine assault of an enemie the military Comānder in every Towne shall haue power to call the souldiers of that Towne together and put them into a posture of warr whose comāunds every souldier shall obey for the defence of the Towneship and that they follow the direccōns of the millitary comānder of that towne in keepinge watch and ward. p<sup>r</sup>uided that the ordinary watch be set and appoynted w<sup>th</sup> the Ma<sup>trats</sup> approbaōn of that towne if there be any. 3  
in times of  
danger.  
Stand.

That the Millitary company haue power together w<sup>th</sup> their cheife comānders to make orders for fining all such as shall not haue their armes compleat and shalbe defectiue in their apparance ℥ exercise of armes, and to make such orders for furnishing the company w<sup>th</sup> such necessaries as shalbe needfull for the exercise. 4  
To make orders for fining.  
stand.

That all such millitary fines and forfeitures be levyed ℥ gathered by the Clark of the company ℥ constable or one of them and to bee employed to the benefitt of that company. 5  
How such  
fynes to be  
levyed.  
stand.

6 That all Smyths w<sup>th</sup>in the Gou<sup>nt</sup>ment be compelled to amend and repaire all defectiue armes (brought vnto them) speedly and to take Corne for their pay at reasonable rates: and the smyth refusing to answere it at his pill.

smiths to amend defectiue armes.

March 7<sup>th</sup> 1642.  
Receiving psons into a Towne who are like to be chargeable.  
stand.

If hereafter any Inhabitant or Inhabitant<sup>ℓ</sup> of any Towne w<sup>th</sup>in this Gou<sup>nt</sup> shall receiue or bring in any pson or psons as is apparently likely to be chargeable to the Towneship (against whom just exception is made at the tyme of his coming or w<sup>th</sup>in a month after) w<sup>th</sup>out the consent and assent of the Townesmen in a lawfull gen<sup>all</sup> publike towne meeting the ptie or pties that so receiued or brought them shall discharge the Towne of them.

This is to the same effect.  
stand.

If any pson or psons coming out of England or els where bring any pson or psons who by reason of impotency disease or otherwise is apparently likely to be chargeable to the place where hee shall come to inhabite the pson or psons so bringing in any such pson or psons shall discharge the Towneship of them during the tyme of the diseased<sup>ℓ</sup> abode there. But in case any Inh<sup>ite</sup> w<sup>th</sup>in this Colony shall bring ouer from England or elsewhere or p<sup>ure</sup> to be sent vnto them any servant or servant<sup>ℓ</sup> w<sup>ch</sup> by Gods p<sup>uidence</sup> shall fall diseased lame or impotent by the way or after they come here, they shalbe mayntayned and p<sup>uided</sup> for by their said masters ℓ during the terme of their service ℓ couenant<sup>ℓ</sup>, although their said masters release them out of their said service, ℓ afterwards to be releued by the Towneship where hee is.

psons for nurture or phisicke.  
stand.

\*63

\*If any children or elder psons shalbe sent or come from one Towne to another to be nursed schooled or otherwise educated or to a Phisition or Chirurgeon to be cured of any disease or wound ℓc yf they come to stand in need of releefe they shalbe releued and mayntained by the Towneships whence they came or were sent from and not by that Towneship where they are so nursed educated or at cure, And in case they come or be sent from any Towne or place out of this Colony then if the nurse Educator phisic<sup>on</sup> ℓ Chirurgeon take not sufficient securty of the psons to be nursed educated or cured to discharge the Towneship of and from all cost and charge w<sup>ch</sup> shall or may come ℓ befall the said Towneship in w<sup>ch</sup> hee or they is so to be nursed educated or cured Then they the said nurse educator phisic<sup>on</sup> ℓ Chirurgeon as neglect<sup>ℓ</sup> the same shall discharge the said Towneship of them themselues.

Inhabitant who.  
stand.  
Vid. pag. 66.

That euery pson that liueth ℓ is quietly settled in any Towneship and not excepted against w<sup>th</sup>in the compasse of three months after his coming, in this case shalbe reputed an Inhab<sup>it</sup> of that place.



That every Towneship shall make competent provision for the maintenance of their poore according as they shall fynd most conveyent & sutable for themselves by an order & generall agreement in a publike Towne meeting. And notwithstanding the p<sup>r</sup>miss<sup>s</sup> That all such pson & psons as are now resident & Inhabitant w<sup>th</sup>in the said Townes shalbe maintaned & puided for by them.

[PART I.]  
provision for  
poore.  
stand.

Memorand That Jonathan Willis is excepted out of this order that is at Duxborrow for cure & shall not be maintayned by Duxborrow but by Sandwich whence he came.

Electiōn Corte in June.

It is enacted also That the Electiōn Court of choosing officers as Go<sup>v</sup>nt and Assistant shall be hereafter every first Tewsday in June because that many are hindred from coming in March by reason of the vnseasonableness of the weather ordinaryly.

It is enacted by the Court That all the Mill<sup>l</sup> w<sup>th</sup>in this Go<sup>v</sup>nt shall puid and keepe weights and Scales in their Millnes to weigh mens Corne w<sup>th</sup>all.

Repealed the  
30<sup>th</sup> august  
1643.

\*June vj<sup>th</sup> 1643.

\*64

Whereas it is holden very vnlawfull and of dangerous consequence and it hath beene the constant custome from our first begining That no pson or psons haue or euer did purchase Rent or hire any lands herbage wood or tymber of the Natiues but by the Majestrates consent. It is therefore enacted by the Court that if any pson or psons do hereafter purchase rent or hyre any lands herbage wood or tymber of any of the Natiues in any place w<sup>th</sup>in this Go<sup>v</sup>ment w<sup>th</sup>out the consent & assent of the Court Every such pson or psons shall forfeit five pounds for every acre w<sup>th</sup> shalbe so purchased hyred rented and taken And for wood & tymber to pay five tymes the value thereof to be levyed to the Colonies use.

Lands hired  
or purchas<sup>d</sup>  
of the Indians.

It is also ordered by the Court That the Court of Assistants shall not try any matters of waight w<sup>th</sup>out the major part of the Assistant be p<sup>r</sup>sent And also that if there be not foure Assistant w<sup>th</sup> the Governour not to try or q<sup>r</sup> end any cause w<sup>th</sup>out the consent of the pties.

Tryalls by the  
Court of As-  
sistants.

March 5<sup>th</sup> 1643. Acts & orders.

The Guns and peeces allowed for service are these viz<sup>z</sup>. Muskett fire locks and matchcock (so that they haue foure fathome of match at all tymes for every matchcock) Calivers, Carbines and fouleing peeces so that they be not aboue foure foote & a half long and not vnder bastard muskett or calliuer bore.

Guns allowed  
for servic.

stand.

[PART 1.]

Raters &amp; rules thereof.

That in euery Towne there be three or foure men or more chosen by writing their names in papers (as the Ma<sup>trats</sup> are chosen) to rate all the Inhabitant℄ of their Towne according to their estates or faculties that is according to goods lands improoued faculties and psonall abillities, whether the rate be for any of the townes in p<sup>t</sup>icular or for ge<sup>n</sup>all charges. And by ymprooued land℄ are vnderstood meddow land plowed land & howed lands.

The orders herein to be obserued are these —

ffirst That the Constable shall su<sup>m</sup>on the Townesmen to meette together, & if he neglect when he is thereunto lawfully warned to forfaite xx<sup>s</sup>.

confirmed.

2<sup>ly</sup> That if the Townesmen do not meette vpon the Constables warning & choose raters the Towne to forfaite fiue pound℄.

3<sup>ly</sup> That if the Rators so elected do not make the Rate and transcribe and & deliuer or cause to be deliued a cobby thereof to the Constable w<sup>th</sup>in tenn dayes next after their elec<sup>co</sup>n or sooner if the occasion shall require to forfaite tenn shillings a peece for euery such default.

4<sup>ly</sup> That if the Constable do neglect to gather the said Rate or not cause them to be brought in w<sup>th</sup>in forty dayes next after he hath the said rate or sooner vpon speciall occasion, he shall pay it <sup>^</sup> self, & to be recofied by suite &c.

confirmed in the genall Court.

\*65

5<sup>ly</sup> \*That the Constable shall haue power to distraine vpon any that shall neglect to pay his rate (being demaunded) & bring it to y<sup>e</sup> place appoynted by him and shall haue xij<sup>d</sup> for his <sup>distres</sup> paynes of euery one as shall by such his neglect put him to distrayne.

Lastly That all fynes and forfeitures w<sup>ch</sup> shall happen for breach of any of these acts & orders shalbe leyved for the ge<sup>n</sup>all use of the Go<sup>v</sup>ment.

{ The Court found it of necessyty that these act℄ should  
be of force from this day forward & so are confirmed }

Confirmed. Lands of P<sup>n</sup>ers.

That where lands or tennement℄ fall in joynt ptnership either by gift graunt or purchase or otherwise That if any of the ptners do dye before the diuision thereof shalbe made, That the heires & assignes of such as shall so decease shall not be deprived of the right title & interest into such said lands and tennement℄ but shall haue his or their ppor<sup>co</sup>n as duly & equally as any of the Suruiors or their heires or Assignes any act ordinance custome or p<sup>u</sup>ision made to the contrary in any wise notw<sup>th</sup>standing as fully and amply as if diuision thereof had beene for<sup>m</sup>ly made.

Marshfield. 2 Counstables.

Liberty is graunted that the Towne of Marshfield shall haue two constables one to be on thother side the South Riuer.

June 5<sup>th</sup> 1644.

[PART I.]

It is enacted by the Court That if any Constable w<sup>th</sup>in the goūment haue occasion to goe out of the Towneship whereof he is Constable for some tyme he shall haue power to p̄cure and depute another in his stead as his deputie to execute his place vntill his returne as effectually as he himself might doe.

Depute Coun-  
stable.  
done before.

That it shalbe lawfull for the Goūnor and Majestratē or any of them to direct a summons to any p̄son w<sup>th</sup>in the Goūment to answeere to any suite comēcced against them. and it shalbe as authentical as if it were donn by warrant to attach or arrest them.

Magistrates  
summons.  
stand.

That if any man be warned to serue on the Grand Inquest & shall fayle to come and do the service and take the Oath of fidelty (if he haue not taken it already) shall forfeite xx<sup>s</sup>. to the Colonies use.

Who refuse to  
serue in the  
grand jury.  
stand.

That if any man shall repaire or amend any guñs or Armes for the Indians he shall forfeite xx for one. It is added to thother act for trading of guñs.

Guns of In-  
dians repaired.  
stand.

To consider what course shalbe taken for distracted p̄sons and for some to oūsee them.

\*The xx<sup>th</sup> August 1644.

\*66

It is enacted That as the watches are set vp by order so they shalbe continued vntill there be order likewise to lay them downe. And that euery watch shalbe set half an hower before the Sunn be set and to continue vntill half an hower after the Sunn is risen except they ward also on the day tyme, and then to continue vntill the same tyme they begann that a fresh watch come to releue them And that for euery man that shall neither come himself nor p̄uide a sufficient watchman in his stead, or lay downe the watch w<sup>th</sup>out due order shall pay ij<sup>s</sup> vj<sup>d</sup> for euery night to the Colonies use & iiij<sup>d</sup> an hower for euery hower he comes after the watch is sett.

Watches.  
stand.

That all those p̄sons in euery Towneship w<sup>th</sup>in this Goūment y<sup>t</sup> haue not taken the Oath of fidelty &c. and do refuse to take it dept the Goūment.

stand.  
Who refuse y<sup>e</sup>  
oath of fidelity.

That if a Jury be empanelled for tryall of causes and the p̄ties agree after, yet they shall pay the Jurie.

q<sup>r</sup>

The fynes of such as are defectiue in their Armes.

[PART I.]	ffor such as are wholly defectiue	- - - - - x <sup>s</sup>
}	that want a peece	- - - - - vj <sup>s</sup>
}	that want a sword	- - - - - ij <sup>s</sup> vi <sup>d</sup>
stand.	that want powder	- - - - - v <sup>s</sup>
	that want bullets	- - - - - ij <sup>r</sup>
	that want match	- - - - - xij <sup>d</sup>

Entering of actions. stand. That all actions be entred vpon the warrants or sūmons sending forth as-soone as may be.

Presse horses. stand. That it shalbe lawfull for the Goũn<sup>r</sup> & Assistant<sup>l</sup> to presse horses for the Countreys service, paying the owners for them or takeing order for their payment. But if he miscarry in the service the price of such horse made good to the owner by the Countrey and the horse to be prized at his going forth.

former order in pag 63 explaind. Whereas it was enacted March 7<sup>th</sup> 1642 That a p̄son quietly settled in any towne w<sup>th</sup>in this Goũment &c. the space of three months should be reputed an Inhabitant there. It is p̄uided that that act shalbe expounded & construed onely to haue relācõn to poore p̄sons &c. And it is also p̄uided that that act shall not any wayes enable any p̄son to be reputed an Inhabitant in any Township w<sup>th</sup>in this Goũment that shall or doth refuse to take the Oath of fidellyty &c although he hath beene there resident for some tyme.

\*67 \*Acts made att the genall Court the 3<sup>d</sup> March 1644. 20<sup>o</sup> Carol<sup>l</sup> Re

Treasurer giue his acc<sup>s</sup>. stand. It is enacted That the Treasurer shall at the Eleccõn Court giue in his account<sup>l</sup> of his receipts and payment<sup>l</sup> for his yeare to any that the Court shall appoynt and to be entred vpon record and therevpon he to be discharged.

Genall Court in 7<sup>th</sup> altered. q<sup>r</sup>. It is enacted That the genall Court formly holden in Septemb<sup>r</sup> shall hereafter be holden the last Tewsdays in October.

A guard of 2 halberts. q<sup>r</sup>. It is enacted That there shalbe allowed at the genall charges a guard of two halbert<sup>l</sup> for the safety of the Goũnors p̄son at the genall Court<sup>l</sup>.

Surveyors of high waies. q<sup>r</sup>. That the Surveyors of the heigh wayes shall giue three dayes warning to the Teames and other p̄ticuler p̄sons when they are to amend the heigh wayes as often as need shall require p̄uided that the warne not one teame nor one p̄son twice before they haue gone ouer all the teames and p̄sons in their township And he that shall refuse to come being so warned shalbe brought

to the Court to answer his contempt. And that every Surveyor that shall neglect his duty in repairing the high ways shall forfeite x<sup>s</sup>. to the Colonies use. [PART I.]

~~It is enacted That if any goods or cattell bee taken upon execu<sup>o</sup>n the Officer shall deliuer them to the plaintiffe and if they be aboute the value of the debt the plaintiff shall render the ouerplus to the defendent w<sup>th</sup>in six dayes next after they are so taken in Countrey pay, but if the defendent can either himself or procure any other to pay the debt otherwise or will giue more for such goods so taken in execu<sup>o</sup>n then they are valued at It shalbe lawfull for the defend<sup>t</sup> to make his best of them so it be w<sup>th</sup>in the said six dayes next after they are so taken.~~ This act is altered as follow<sup>th</sup>.  
repealed.

Acts made the fourth of June 1645.

It is enacted That an execu<sup>o</sup>n shalbe made forth at thend of one month after the verdict and judgment is graunted and not before (except the pty be deptyng the Go<sup>v</sup>ment) and that the Marshall when hee goeth to serue the execu<sup>o</sup>n shall take one w<sup>th</sup> him chosen by the plaintiff to appraise the goods or cattell taken in execu<sup>o</sup>n and the deffent shall haue liberty to choose another And the Marshall and those two shall apprise the goods or cattells so taken, but if either the Plaintiff or Defendant do neglect or refuse to make such a choyce, then the marshall shall choose two himself and as they or any two of them shall prise them, they shalbe forthwith deliuered to the plaintiff, and if they come to more then the debt and charges shall amount vnto then the plaintiff shall pay the ouerplus to the defendant in Countrey pay w<sup>th</sup>in three dayes next after hee receiueth the said goods at the plaintiffs owne house so that his house be not out of the Go<sup>v</sup>ment, but if his house or dwelling bee out of the gouerment then at the Marshalls house or where w<sup>th</sup> most conuenyency the Marshall shall appoynt. Execution graunted wh<sup>e</sup>

\*That all execucons yssuing out of the genall Court or from y<sup>e</sup> Court of Assistant shall be executed by the Marshall onely. Execution serued p Marshall.

\*68

That the Messenger henceforth be styled or called by the Name of Marshall.

It is enacted That in case of appeale from one Court to another that vpon the second verdict order or decree execu<sup>o</sup>n shalbe p<sup>r</sup>sently made forth and the Marshall shall forthw<sup>th</sup> be sent to execute it And if the Marshall Executions vp<sup>o</sup> appeale.

[PART I.]

desire it and the Court or Goſnor judge it meete a warrant ſhalbe directed from the Goſnor to two or three or more for the aydeing and aſſiſting of the Marshall in the execuõn thereof and ſuch pſons ſo ſent w<sup>th</sup> him to be payd by the Deffent w<sup>th</sup> the reſt of the charges of the ſaid ſuite.

That Seacunck be called Rehoboath.

Carnall copu-  
latiõ

It is enacted ¶ That euery pſon or pſons w<sup>ch</sup> ſhall comitt Carnall Copulaõn before or w<sup>thout</sup> lawfull contract ſhalbe puniſhed either w<sup>th</sup> corporall puniſhment by whipping or els pay tenn pound℥ a peece fine and be ymprisoned during the pleaſure of the Court ſo it be not aboute three dayes, but if they be or wilbe marryed one to another, then but tenn pounds both and ymprisonment as aforeſaid. And by A lawfull contract the Court vnderſtands the mutuall conſent of two parties w<sup>th</sup> the conſent of pent℥ or guardians (if there be any to be had) and a ſolemme pmiſe of marriage in due tyme to eich other before two competent wiſſeſſes. And if any pſon or pſons ſhall comitt carnall copulaõn after contract and before marriage ſhall both pay five pound℥ and be both ymprisoned during the pleaſure of the Court ſo it be not aboute three dayes, or els in caſe they cannot or will not pay the fyne then to ſuffer corporall puniſhment by whipping.

Nuneupatiue  
teſtam<sup>l</sup>.

It is enacted that if any man being ſick and weake or otherwiſe (but of diſpoſeing memory) do declare his mynd and will concerning the diſpoſeing or bequeathing his lands before two or more of the freeholders of the place where hee liues, it ſhalbe vpon their Oathes recorded and remayne firme according to ſuch deviſe and bequeſt.

That all for<sup>m</sup> bargaines made for Corne due before this day ſhalbe payd by the old meaſure, except they haue otherwiſe contracted.

Repealed the  
× of July  
1646.

~~Whereas the laſt ſeſſion of this Court it was fully agreed That that buſhell agreed vpon by the vnitd Colonys ſhould be here allowed and no other Whoſoe<sup>u</sup> therefore after the twentieth day of November next enſuing ſhall buy or ſell receiue pay or deliuer by any other then the ſaid meaſure of the vnitd Colonies both buyer and ſeller ſhall pay xij<sup>d</sup> a peece for euery ſuch buſhell ſo bought and ſold receiued and deliued to the Colonies uſe aſſoone as he or they ſhalbe thereof convicted. And the Smyth to make A ſeale of two Roman letters namely N E to ſeale the meaſures be ſides the P.~~

\*That all ordinary Dealers that sell by vnsealed waights and measures w<sup>ch</sup> are not weight and measure by the standard shall loose such waight℥ and measures and make restitu<sup>ō</sup>n to the pties wronged by such want of weight ℥ measure and shall pay to the Colonies vs<sup>e</sup> for euery such default of false weight ℥ measure for the first tyme vj<sup>s</sup> viij<sup>d</sup> and for the second tyme xiiij<sup>s</sup> iiij<sup>d</sup> and for the third tyme xx<sup>s</sup> and such waights and measures to be burnt And that all other waights ℥ measures of other men shalbe answerable to the standard and a pyle of weight℥ of M<sup>ris</sup> Atwoods and her scales shalbe the standard. And for scaleing j<sup>l</sup> for euery weight vnder a quarter of a pound and for all about a quarter to vj<sup>li</sup> ij<sup>d</sup> a peece and for all about vj<sup>d</sup> to a hundred waight iiij<sup>d</sup>.

[PART I.]  
 Vnjust w<sup>ch</sup> ℥  
 measures.  
 '69

That euery Miller haue two toul dishes viz<sup>o</sup> a quart and a pottle, but to be so made that vphaped they will hold no more then a quart ℥ a pottle by the new measure allowed and those be scaled by the twentyeth day of the next month or els to pay x<sup>s</sup> p month so long as hee or they keepe them vnsealed after.

Millars toll  
 dishes.

That misdemeanors and offences following and the pson or psons thereof duly convict shalbe punished as followeth.

That euery pson or psons that shall wilfully pluck up remooue or deface any land mark or bound betwixt pty and pty that haue bene or shalbe orderly and sufficiently set vp by psons therevnto designed shalbe fyned from xx<sup>s</sup> to five pounds according to the nature of the offence.

Remouing or  
 defacing land  
 marks.

That euery pson or psons that shall wilfully and of set purpose ~~or carelesly~~ breake downe another mans fence or yate or any co<sup>m</sup>on yate or bridge to the annoyance either of a p<sup>t</sup>icular pson or the ge<sup>n</sup>all shall make up such said fence yate or bridg at his owne charg and pay the damage thereby sustayned and be fyned for the first default fifty shillings and for the second default be fyned v<sup>l</sup> and bound to his good behaio<sup>r</sup>.

carelesly  
 Breaking  
 fence or yate.

That euery pson or psons that shall wilfully and of set purpose burne any mans fence or fences shall make good the damage and bee bound to his good behavior.

Burning  
 fences.

That whatsoever servant or apprentice or labourer that shall purloine or steale or ymbessell his Masters goods shall make double restitu<sup>ō</sup>n either by

Purloining  
 M<sup>r</sup>℥ goods.

[PART I.] payment or servitude as the Court shall judg meeete for the first default, and for the second default of the labourer to make double restituçõn, and either fynd sureties for his good behauior or be whipt.

Wearinge  
Visors.

Whereas some abuses haue fornlly broken out amongst us by disguising wearing visors and strang apparell to laciuious ends & purposes It is therefore enacted That if any pson or psons shall hereafter use any such disguise-ment & visors strang apparell or the like to such lacivious and euell ends and intent, and be thereof convict by due course of law shall pay fifty shillings for the first offence or els be publicly whipt and for the second tyme five pounds or be publicly whipt and be bound to the behauior if the Bench shall see cause.

Forging deeds.

\*70

\*It is enacted by the Court That whosoeuer shall forge any deede or writing whereby any estate of lands either of Inheritance or for terme of yeares shalbe passed and the right heires disinhereted and shall pduce or publish the same to such deceitfull end and purpose and be thereof convict by due course of law shall pay the ptie greued double damage and be fyned half so much as the pty greued recouers of him, and in case he be not able to pay it then to be publicly whipt and burned in the face w<sup>th</sup> a Romane F.

stealing or de-  
facinge publick  
Records

That if any Officer or keep of publicke Records or writings shall willfully steale imbezell deface or make away any such publik record or writing so committed to publicke Record and keepinge or alter any of them or any pt of them by racking out or adding thereto or otherwise shalbe disfranchised loose his Office and burnt in the face except in triuiall cases.

Corruptinge  
publick officers  
of Records.

That if any pson or psons shall endeavour or goe about directly or indirectly to corrupt any officer keepinge any publicke Records or writings to pcure him to deface corrupt alter race or ymbezell any such publicke record or writing shalbe fyned according to the nature of the Offence so it bee not aboute fourty pound, or be whipt.

Debts due by  
booke how to  
be demanded.

Whereas many inconveniencies losses and great controùsies haue and do dayly happen by reason of p<sup>r</sup>tended debts some tymes just & somtymes satisfied the charge remayning still vncancelled some tymes vpon bookes some- times by papers whereas in truth there is little or nothing really due or remayning, but through long neglect of demaund, and somtymes slow payment made, much contention doth arise betwixt pty and pty It is there-



fore enacted by the Court That if any man w<sup>ch</sup> either for<sup>mly</sup> hath dwelt or now doth dwell w<sup>thin</sup> this Go<sup>u</sup>ment haue any debts now oweing vpon booke or by papers or such like scroules and are not demaunded w<sup>thin</sup> the space of six months next after the first day of November next such bookes papers or scrooles shalbe no euendence vpon tryall or recouery of them. And for tyme to come a booke paper or scroole shalbe euendence for the space of one yeare after the making of the debt therein specified or writen and no longer, except the same be otherwise prooued, but for such as go long voyages to Sea to be allowed two yeares.

[PART I.]

Whereas notw<sup>th</sup>standing the free liberty graunted for fishing and fowling It manfestly appeareing that the Towne of Sandwich hath recciued p<sup>j</sup>udice by stopping of the passage of the heareing or alwiues to their ware by setting of netts to take Basse by priuate p<sup>o</sup>ns to the gen<sup>l</sup>all p<sup>j</sup>udice of the whole Towne It is therefore enacted by the Court That if any p<sup>o</sup>son or p<sup>o</sup>ns shall p<sup>r</sup>sume to sett any netts in the said Riuer to stopp the passage of the said heareings or Alewiues or hinder their comeing vp to the said ware during their season w<sup>ch</sup> is from the middle of Aprill to the last of May shall forfeite tenn pounds as often as hee or they shall so doe. to the Colonies use.

stopping by netts Sandwich River.

\*March 3<sup>d</sup> 1645.

\*71

It is enacted That the Millitary Officers in euery Towne shall see that the Armes of that Towne be fix  $\ell$  compleat and such as are allowed for length  $\ell$  bore, and to p<sup>r</sup>sent such are defectiue.

Military officer to see the Armes.

July the vj<sup>th</sup> of July 1646.

It is enacted by the Court That the Ma<sup>trates</sup> and Committees do constantly meete in Court (during the Court tyme) at the hower of seaven of the clock in the morneing in the summer tyme, and at eight in the winter vpon the penalty of vj<sup>d</sup> for euery default made by any  $\ell$  so continue vntill eleauen and then to rise to dinner and after dinner to retorne againe and to continue vntill a conuenyent hower in the euening as the Go<sup>u</sup>nor shall think meete, and for euery hower any of them shalbe absent after they are called to pay vj<sup>d</sup> p<sup>r</sup> hower except there be such sufficient reason shewed for their absence that the Court doth allow of. p<sup>r</sup>uided that the first day of the Court Nine of the Clock shalbe the hower to meete at in the morneing.

When M<sup>tr</sup>  $\ell$  Committees to meete at Courte.

It is enacted by the Court that the ~~the~~ Bay new bushell shall not be used to buy or sell by nor any measures made thereby and that the old Iron bound

Bushell.

{PART I.} bushell is established to be the measure and standard for all the Townes w<sup>th</sup>in this Goūment and that all meassures used w<sup>th</sup>in the Goūment shalbe made thereby and if any pson or psons do use any other either to buy or sell by they shall pay xij<sup>d</sup> a peece to the Colonies use.

Ordinary  
keep<sup>rs</sup> and Re-  
taylers of wine  
who. & their  
rules.

It is enacted by the Court, That none do keepe victualling or an ordinary or draw wyne by Retayle w<sup>th</sup>in this Goūment but such as are allowed by the geñall Court And that if any victualler or Ordinary keeper do either drink drunck himself or suffer any pson to be druncken in his house they shall pay fiue shillings a peece And if the victualler or ordinary keeper do suffer any Townesmen to stay drinking in his house aboue an hower at one tyme The victualler or ordinary keep shall pay for euery such default xij<sup>d</sup> and the pson so staying aboue the said hower iij<sup>s</sup> iiij<sup>d</sup> And by druncknesse is vnderstood a pson that either lisps or faulters in his speech by reason of oūmuch drink, or that staggers in his going or that vomitts by reason of excessiue drinking, or cannot follow his calling The pson or psons that shalbe found guilty in these or any of them shall for the first default pay fiue shillings and for the second default tenn shillings to the Colonies use and for the third tyme he shalbe found faulty to be bound to the good behauior. And if hee or they cannot or will not pay the fine or fines then to be sett in the stocks ꝑc.

Military Offi-  
cers how  
chosen.

\*72

\*It is enacted by the Court That in Case any Cheefe Military Officer as Captaine Leefteñnant or Ensigne be wanting in any Towne w<sup>th</sup>in this Goūment Such Towneship shall present two or three psons of the fittest they haue for that place to the Court and such pson or psons as shalbe approued of by the Court shalbe established in such place and office And such Cheefe Officers to choose their vnder officers w<sup>th</sup> consent of the Body.

not to lay  
down their  
plac<sup>e</sup> w<sup>th</sup>out  
Court<sup>e</sup> appba-  
tio.

It is enacted by the Court that as the Captaine Leifteñnant & Ensigne of a Company are established into their places by the authority and approbaçōn of the Court so such Captaine Leifteñnant and Ensigne shall not lay downe their places but by the consent and approbaçōn of the Court vpon the penalty of fiue pounds for euery Captaine. fifty shillings for euery Leifteñnant & fifty shillings for euery Ensigne so laying downe his place w<sup>th</sup>out the leaue and likeing of the Court. And if any Captaine Leifteñ<sup>t</sup> or Ensigne shall neglect to trayne their men on the dayes appoynted or shalbe necligent in his or their places vpon prooffe thereof made shalbe fyned x<sup>s</sup> for euery such default.

It is enacted by the Court That every Township within this Government before the next October Court eich Township shall provide two sufficient snap-haunces or firelock peeces two swords and two pouches for every thirty men they have in their township and so proportionably for their number they are to set forth be the[y] greater or lesser w<sup>ch</sup> shalbe ready at all tymes for service vpon any occasion vpon such penalty for every delinquent as the Court shall judge meete according to the nature of the offence.

[PART I.]  
Publick  
Armes.

Forasmuch as there are certaine common Charges to be disbursed constantly yeare by yeare And forasmuch also as the Countrey is unwilling to defray the same by way of Rate but rather by way of Excise vpon wines Tobacco &c It is enacted by the Authority of the Generall Court That these Excises shalbe imposed to be paid by all that are lycensed to retayle wines strong water and y<sup>t</sup> sell Tobaccoe <sup>and salt to make fish</sup> as followeth viz<sup>d</sup> vpon every gallon of spanish wine eight pence every gallon of french wyne foure pence every gallon of strong water eightene pence & every pound of Tobaccoe one penny ~~and for every charge of fish by strangers having liberty to fish at the Cape five shillings.~~ And that in every Township within the Government the Receiuer of the Excise nominated & authorised by the Court shall receive the same. And that every Retayler of excised goods do repaire to the Receiuer before hee or they shall retayle any such excised goods and make knowne the quantity of them and make payment of the said excise vpon them vnto the said Receiuer foure dayes in the yeare yearely viz<sup>d</sup> the first day of August the first day of Novemb<sup>r</sup> the first day of februa<sup>r</sup> and the first day of May and for strangers p<sup>r</sup>sently out of w<sup>ch</sup> the Receiuer shall have twelue pence in the pound for gathering and receiving the same besydes charges of transportacion defrayed And if any pson retayleing any such excised goods shall neglect or refuse to acquaint the Receiuer of the said Excise therew<sup>th</sup> and not pay the same at the dayes appoynted \*shall pay treble excise for them. And it shalbe lawfull for every Receiuer of the said Excise in every Township to goe into any Retaylers seller boate or elsewhere into any house to take notice of such goods and the quantity of them as are to be excised And the said Receiuer of the Excise shall make payment thereof yearely to the Treasurer for the tyme being at two dayes in the yeare that is to say the first day of Nouember and the first day of May and in default of the Receiuer either in not receiving or not paying it to the Treasurer at the dayes appoynted to pay three for one And in default or neglect of payment either in the Receiuer or Retayler such sume or sumes as are growne due w<sup>th</sup> their sefall penalties to be levied and taken by warrant from the Governour or some one of the Assistant.

\*73

Excise.

[PART I.]  
 this follows af-  
 ter.

It is enacted by the Court That there shalbe in euery Towne w<sup>th</sup>in this Gouernment A Clark or some one appoynted and ordained to keepe A Register of the day and yeare of the marriage byrth and buriall of euery man weo- man and child w<sup>th</sup>in their Township.

The wifes con-  
 sent to the sale  
 of house or  
 lands.

It is enacted ℥c. That they Assistant℥ or any of them shall haue full power to take the acknowledgment of a bargaine and sale of houses ℥ land℥ so that they keepe a book thereof and cause them to be recorded w<sup>th</sup> all con- venient speed And that the wyfe hereafter come in and consent ℥ acknow- ledg the sale also ; but that all bargaines and sales of houses and lands made before this day to remayne firme to the buyer notwithstanding the wife did not acknowledg the same.

Prison's allow-  
 ance.

It is enacted ℥c. That the Colonies w<sup>th</sup>in this Gouernment shall allow ij<sup>d</sup> p day to mayntaine a prisoner comitted for fellony or misdemeanor℥ (if they be not able to mayntaine themselues) and to be payd by the Treasurer, ℥ allowed vpon his account℥.

Marshalls fee.

It is enacted ℥c. That the Marshall shall haue two shillings in the pound for gathering of fynes ℥c. if they be not brought in by the pties themselues.

At a generall Corte, by, the last session of the Elec<sup>o</sup>n Corte holden 20<sup>th</sup> October, 1646.

Retaylor of  
 wine vnl-  
 censed who.

**I**T is enacted ℥ by the Corte ordered that whosoever shall draw out ℥ sell a lesser quantity or Caske of wine then 10 gallons to any, shalbe ac- counted a retaylor.

Memorand. to  
 amend this.  
 Retaylers not  
 licensed fyned.

That whosocuer retailles beere, or wine or strong water ℥ not licensed by order of Courte shalbe fined ℥ pay for the first default, double the value of what is so sould ℥ retayled.

Register of  
 births burialls  
 ℥ marriage℥.

It is enacted by the Courte That there shalbe in every Towne within this govern<sup>t</sup> a Cleark or some one appointed ℥ ordayned to keepe a register of the day ℥ yeare of the marriage, birth, ℥ buriall of every man woeman ℥ child within their towneshippe ℥ to haue 3<sup>d</sup> a peece for each particular person soe registred, ℥ further it is enacted, that euery father, or mother, or next in relation shall certify to the Towne cleark or register keeper, the name ℥ day of the birth of euery child so borne in his house within one moneth after it

is borne, or be fined for \*euery such default three shillings, the one halfe moity thereof to the Governoure, the other halfe moity thereof vnto the s<sup>d</sup> clearke, or register keeper vpon his compt And that euery person married shall signify his & her name with the day vpon w<sup>ch</sup> they were married vnto the said cl<sup>r</sup> or register keeper within one moneth next after the day of his said marriage vpon the like penaltie of 3<sup>s</sup>., the one moity thereof vnto the Governoures vse, & the other vnto the said cl<sup>r</sup> or register keeper vpon his complainte. And alsoe that euery master or m<sup>ris</sup> of the family in w<sup>ch</sup> any person dies or pson next in relation to any person soe dead shall giue notice vnto the said clearke or register keep, the name of the person & day of the s<sup>d</sup> buriall, sub pena, 3<sup>s</sup> the one halfe or moity to the Gofnour's vse, the other to the clearke or register keeper vpon his complaint And the clearke, or register keeper of each Towneshippe shall exhibite a true & pfect Copy fairely written annually at March Courte vnto the s<sup>d</sup> Courte of all the birthes, mariages & burialls of the yeare past, And lastly that the Clearke or register keeper in e<sup>uy</sup> Towneshipp shall publish all contracts of mariages, & shall haue xij<sup>d</sup> as his fee for euery marriage as he publisheth orderly.

[PART I.]

\*74

Whereas there is greate abuse in takinge of Tobacco in very vnciuill manner in the streetes & dangerously in out houses, as barnes, stalls aboute hay stackes, Corne stacke & other such places, it is therefore enacted by this Courte, that if any person or persons shalbe founde or seene hereafter takinge tobacco publickly in the open streets of any Towne, (vnles it be souldiers in the time of their trayninge) or in & aboutes barnes, staules, haystacks, corne stacks hay yeards or other such places or out houses, that euery such pson or psons so offendinge shall forfeit & pay to the Townes vse, for the first default xij<sup>d</sup>, for the second ij<sup>s</sup>, & soe for euery such default afterwards ij<sup>s</sup>, & it shalbe lawfull & by this act warrantable for the Counstable of e<sup>uy</sup> towneshipp w<sup>th</sup>out further warrant, vpon sight or information thereof to dis-traine his or their goods for it as doe refuse to pay it vpon his demand & to be accomptable to the treasurer of what he receiues yearly at the elec<sup>con</sup> Corte.

Abusie takinge Tobacco.

It is enacted that the Marshall shall haue hencefoorth annually threescore bushells of Indian Corne or the full value of it in other Corne (besides his ordinary fees allowed) p<sup>d</sup> vnto him for his wages pportionably to be p<sup>d</sup> out of the se<sup>u</sup>all towneshippes by way of rate.

Marshalls yearly wages.

It is enacted that if any pson shall hencefoorth cast contempt & reproch on the Marshall or any of his by reason off and concerning his office shalbe fined for e<sup>uy</sup> such default to the Governmt<sup>l</sup> vse x<sup>s</sup>.

Reprochers of Marshall.

[PART I.]

Receiv<sup>rs</sup> of ex-  
cise rep<sup>ch</sup>ed.

\*75

ffreemen to  
app<sup>r</sup> at the  
genall Courte  
in June & 2  
deputies.

\*And if any person or persons shall henceforth cast contempt or reproch on any receiuer of the excise by reason of ℥ concerninge his said office shalbe fined for euery such default to the govern<sup>t</sup>℥ vse x<sup>s</sup>.

Whereas the Townes formerly were to send their deputies (w<sup>ch</sup> must arise out of their free men) to attend the 3 generall Court℥ of the yeare for our Sovereaign Lord the Kinge, now vpon the speciall complainte of the deputies of the Townes soe sent professinge them to be oppressed thereby, It is ordered ℥ enacted that the whole body of free men appeare at the Election Courte w<sup>ch</sup> is the first tuesday in June successiuey, ℥ there to make or repeale such lawes orders ℥ ordinanc℥ as shalbe fownde meete ℥ wholesome for the orderinge of the Goũment ℥ that then alsoe they present such deputies as haue bene chosen by their townes accordinge to order formerly established, who are to attend the same, ℥ its seuerall adjourn<sup>t</sup>℥ as the occasions of the Country shall require, ℥ that whatsoever lawes orders ℥ ordinances shalbe made or repealed be at that Courte ℥ the seuerall adjourn<sup>t</sup>℥ thereof onely done ℥ the other Court℥ to attend onely matters of Judicature ℥ the magistrates onely to attend the same.

Townes neg-  
lect<sup>r</sup> to chuse  
Committees.

It is enacted that if any township beinge orderly thereto required shall neglect or refuse to elect ℥ chuse Committees according to the two former orders, the towne so neglectinge or refusinge to be fined to the govern<sup>ts</sup> vse 40<sup>s</sup> ℥ euery Committee soe chosen ℥ makes not his psonall appearance in the Courte at the day appointed there to doe his service, be fyned 20<sup>s</sup>. vules he can shew a reason appued by the Courte.

Grandjurmē  
to view w<sup>h</sup> ℥  
measures.

It is ordered that the grandjury men in euery Towneshipp once in the yeare annually doe view all the measures, weight℥ ℥ tolle dishes in their seuerall towneshipp, ℥ see that they be lawfull according to order, ℥ that every houshoulder haue ladders sufficient according to order ℥ p<sup>s</sup>ent the defect℥.

Needlesse  
firing woods.

Also that if any person at any time shall fire any the woods, ℥ hath no just occasion so to doe he shalbe fined to the goũm<sup>ts</sup> vse x<sup>s</sup>. or be whipt.

Selling wine or  
strong water to  
Indians.

It is enacted that noe pson whatsoever shall hencefoorth sell wine or stronge water to any Indian, vules in case of sicknesse or faintnes ℥ then onely with the foreknowledge ℥ consent of a magestrate if there be any in the Towneshipp, or in defect of him with the foreknowledge ℥ consent of the Committees or grandjurmē of the s<sup>d</sup> towneshipp, ℥ but for a smale quantity, ℥ for euery defaulte to pay x<sup>s</sup>. to the Collonies vse.

It is enacted that the towne of Rehoboth shall haue liberty yearely to make choice of 2 freemen of their inhabitants to be assistant & to the magistrate then in beinge for the examininge & tryinge of all matters in difference betweene party & party by a jury of 12 men not exceeding the value & some of 10<sup>l</sup> reservinge liberty to any pty after tryall to \*appeale to the generall Courte at Plimouth, puided that the appeale be made the same day the verdict is brought in, & he that shall appeale doe giue security that if he be cast in the Courte at Plimouth then he shall pay double damages.

[PART I.]  
Rehoboths  
liberty.

\*76

And further for the avoydinge of travaile & chardge the freemen of Rehoboth shall for the election of magistrates send their votes by proxies provided their votes be orderly taken in the Towne meetinge & then ymediatly sealed vp & deliuered to the Comittees or grandjurymen who shalbe sent to attend the affaires of the generall Courte & deliuered in Courte by them, vnlesse vpon other weighty occasions, their presence be required by speciall warrant.

Rehoboths  
liberty in Elec.  
con.

\*At the 2<sup>com</sup> session of the generall Court begun at New Plymouth the sixt of June 1649 holden at Plymouth aforesaid the twenty fift of October in the yeare aforesaid before M<sup>r</sup> Wilham Bradford gent. Gouver<sup>r</sup> Wilham Colyare Capitaine Miles Standish Timothy Hatherley John Browne & Wilham Thomas gent. assistants.

\*77

**I**T is Ordered y<sup>t</sup> no Lands bee graunted to any Strangers vntel the bounds bee knowne betwixt Kanetaquet & vs according to order of Parlelament.

That whereas Complaint is made by the Comittees of Scittuaat for y<sup>t</sup> Enacted. their Charges are not borne according to order of Court; The Court haue therefore ordered y<sup>t</sup> a warrant bee directed to the Cunstables of Scittuaat aforesaid to Summon the said Towne together to make a Rate for publick Charges wherin is to bee mensioned the Charges of the said deputies to bee Required by Rate according to the aforesaid order and y<sup>t</sup> seuerall warrants bee directed in like manor to eich Towne within this Gouverment Respectiucly.

Concerning the ppositions made by the deputies assembled about the maior pt of the Court to order the aiorments & desolution of the generall Courts & the making & repealing of lawes; The Gouver<sup>r</sup> thinks it not meet thay be put to vote vntell the next General Court of election.

of this see  
more on the  
other side this  
this leafe.

That Plymouth haue but two deputies as other Townes.

Repealed.

[PART I.]  
Enacted.

That any such as are p<sup>r</sup>sented by any Towne vnto any Maiestrait within this Gouerment to bee Surveyors or Measurers of Land & such as are appointed to try & scale measures & all Towne Clarks shall haue an oath adminestred vnto them by the said Maiestraite.

Enact.

That at Courts of Election next after the Choise & swearing of Maiestraits and other officers the generall ocations of the Cuntry wherin Comitties are Requisite bee attended except extreordinary ocation Com in the way.

Enact.

That if any bee orderly warned to work at the hiewayes & shall neglect shall bee fined for his said neglect 3<sup>s</sup> per day & for euery teame so warned y<sup>t</sup> shall neglect eight shillings per day & y<sup>t</sup> the Surveyors of Such Townes wherin such neglect is shall Returne their names to the next Maiestraite y<sup>t</sup> by warrant the said fines may bee required by the Cunstable of the said Towne for the Townes vse; and if it so fale out y<sup>t</sup> in the yeare all the teames & p<sup>r</sup>sons in the same Towne haue not been warned vnto the work aforsaid y<sup>t</sup> they bee all warned ouer before they begin againe.

\*78

\*Att the Generall Court of freemen holden the fiftē of June 1650.

**W**HERAS complaint is Justly made y<sup>t</sup> due Course is not puided or att least performed and executed for the defraying of such nessesary Charges as are expended by the Magestraits of the Gouerment in attending att Courts and vppon other publick ocations for the administration of Justice

It is therefore Ordered by the Generall Court assembled That forthwith due Care bee had y<sup>t</sup> the order extant Concerning the excise bee duely executed; and That fit p<sup>r</sup>sons bee appointed to receaue it and in Case of neglect of none payment That then forthwith vppon such neglect warrants bee Required and graunted out to destraine vppon the goods if such p<sup>r</sup>sons as doe neglect to pay it; and y<sup>t</sup> it bee payed in good and marchantable pay such as may Conduce to the ends aforsaid.

Wheras a Comittie was Chosen by the Court viz M<sup>r</sup> Tho: Prence M<sup>r</sup> Willam Collyare M<sup>r</sup> Tho: Dimacke M<sup>r</sup> James Cudworth M<sup>r</sup> Josiah Winslow John Dunham seni. Gorg Soule and Constant Southworth to Consider of the p<sup>r</sup>position propounded by the Comitties at the last october Court Concerning the Maior pt of the Court to order the aionments and desolutions of the generall Courts and the making and Repealling of lawes they the said Comittie declared their minds to bee That things in respect of the aforsaid perticular doe Rest vnalltered as they are:



And y<sup>t</sup> for the futuer as formerly in the making and Repealling of lawes and aiornment of Courts wherin Comitties are Requestet; The Magestraits and Comitties or Deputies bee Considered together as one body. [PART I.]

\*Att the 2<sup>cond</sup> session of the generall Court holden at New Plym: \*79  
the 10<sup>th</sup> of June 1650.

It was ordered

That forasmuch as there are Risen vp amongst vs many scandalvs practises which are likly to proue destructiue to our churches and Common peace; That whosoeuer shall heerafter set vp any churches or publicke meetings diverse from those allreddy set vp and approued without the concent and approbacon of the Gouverment or shall continew any otherwise set vp without concent as aforesaid shalbe suspended from haucing any voyce in towne meetings and p<sup>s</sup>ented to the next generall court to Recceue such punishment as the court shall think meet to Inflict. Repealed

further bee it enacted by the authoritie aforesaid

That Whosoeuer shall villifie by approbrivs tearmes or speaches any church or ministry or ordinance being heerof lawfully convicted shall forfeite and pay to the vse of the collonic ten shillings for eury default. villifying ministry.

further bee it enacted that Whosoeuer shall prophane the Lords day by doeing any servill worke or any such like abusses shall forfeite for eury such default ten shillings or bee whipte. prophanacon the Lords day.

It is ordered

That at June courts all warrants bee directed to warn p<sup>s</sup>ons on the fift day of the weeke to appeer for triall of actions. warrants at June Court.

The court haue by Joynt concent Repealled the Court order formerly made enioyning wampampage to goe at six a peney.

Att the Generall court holden at New Plym: for  
the Jurisdiction of New Plym: the sixt of  
June 1651.

IT is ordered

That Whatsoeuer p<sup>s</sup>on or p<sup>s</sup>ons shall neglect the frequenting the publick worshipp of God that is according to God in the places wher they liue or doe assemble themselues vpon any p<sup>t</sup>ence whatsoeuer in any way contrary to God and the allowance of the gouerment tending to the subversion of Reli- not frequent- ing publick worship and erecting other meetings.

[PART I.]

gion and churches or palpable prophanacon of Gods holy ordinances being duly convicted; viderleect euery one that is a master or dame of a family or any other pson at their owne desposing to pay ten shillings for euery such default.

Not frequent-  
ing publick  
worship.

It is ordered That if any in any lazey slothfull or prophane way doth neglect to com to the publick worshipp of God shall forfeit for euery such default ten shillings or bee publickly whipte.

\*80

\*June the 7<sup>th</sup> 1651.

It is ordered

That twenty pounds p annum bee Raised by the Collonie for the defraying the charges of the Maiestrates Table and other such like expences to bee payed two ptes of three in wheat and the other third in barley to bee paid some time in the Month of Nouember annually.

The two last  
lines of this  
order was  
aded the 10<sup>th</sup>  
of June 1654.

That euery Townshipp haue libertie to make choise of a pson whom they Judge meet (prouided hee bee a freeman and propose him to the next generall court of election; that out of them the Cuntrey by free election may make choise of such out of them and the old assistants as will make vp the number of 7 assistants to supply the place of maiestracy or any other of the freemen as they shall think meet;

For the Regulateing of the excise it is ordered

That the deputies of euery Township to set and let it to the best advantage for sum Reasonable consideracon, and to Return within a month what they haue done in that Respect; and for whatsoeuer is behind that it bee Required and paid.

Ordered

That all such wolues as are killed by the Indians at Namassaket or elsewhere from the 15<sup>th</sup> of March annually to the last of aprell; the charge of the killing of them shalbe bourn by the whole collonie; and that they shall haue for euery wolfe soe killed a coat of trading cloth; and at all other times of the yeare any either English or Indians that shall kill any wolues each Towne shall beare the charge of the killing of them wher they are killed.

Wheras complaint is made that many vnder p<sup>t</sup>ence of hiering Indians for to bee their servants for a month or longer time, doe furnish them with guns poulder and shott to kill fowle ꝛ deare ꝛ.

It is ordered

That whosoever henceforth shall hier or employ any Indian or Indians and furnish them with guns powlder and shott or any one of them shall forfeit for every such default 40 shillings except they bee Indians that haue been servants for diuers years and are in a good measure ciuilised and approved of by the Gouvernor and asistants.

[PART I.]

It is ordered

That all Coopers shall make full sized Cask barrells and hoggsheads for meat and fish ; and that Cask for Tarr bee either barrells or Kilderkins.

Memorandum  
to consider  
this order fur-  
ther.

It is ordered

That the Towne of Nawsett be henceforth called and knowne by the name of Eastham ;

\*Att the 2<sup>cond</sup> session of the generall Court held att New Plymouth the 29<sup>th</sup> of June 1652.

\*81

**O**RDERED by the court

That wheras in regard of age disabilitie of body vrgent occations and other enconueniencies that doe accrew sundrey of the freemen are hindered that they cannot appeer att courts of election in consideraçon wherof, It is ordered and enacted by the court that any freeman of this corporaçõ shall haue libertie to send his vote by proxy for the choise of Gouvernor asistants Comissioners and Treasurer ;

It is alsoe further enacted by the court that the Deputies of the seuerall Townes chosen to attend the court of election and the seuerall adiournments therof ; shall in that Townmeeting in which they are chosen they or either of them giue notice vnto the freemen that those that entend not to make their psonall appeerance att the [courte of] election are now to giue in their votes scalled vpp for the [choise] of Gouvernor asistants Comissioners and Treasurer ; and the said Deputies to obserue by a list of their names who hath voted [and] who hath not ; the which votes soe brought in to bee yemediately sealed vpp and brought vnto and deliuered in open court by the said Deputies.

ordered That whosocuer shall sawe any boards in any place w[ithin] this Gouverment that is not in the bounds of any pticulare T[owne] shall pay to the vse of the Gouverment twenty pence for [cuery] Thousand to bee payed to the Treasurer for the Countreys [vse] and of Timber and planke according to the pportion answer[ble].

[PART I.]

That all such Caske as are made by any Cooper within this Gouverment shall haue the two first letters of his name sett vpon such Caske hee makes by a burnt marke; vpon penaltie of lose of his Caske the one halfe to the Countrey the other to the enformer and this order to bee in force forthwith.

That noe pson within this Gouverment shall furnish any Indian with any Caske vpon the penaltie of the lose of the prise of the Caske the one halfe to the Countrey the other halfe to the enformer.

That all Coopers within this Gouverment are to make all their Caske according to London Gage vpon the like penaltie.

That euery Towne p<sup>r</sup>sent a fitt pson for serching of Caske and packing of fish and meate and to p<sup>r</sup>sent them to a maiestrate to bee sworne.

\*82      \*That all corn that is payed in defraying the publicke Charges of the Countrey be payed att one prise.

It is ordered by this court

That wheras the Purchasers and oldcomers were graunted formerly two or three Tractes of Land for them and their heires as by former actes of court doe appeer, Which they neuer yet for diuers causes enjoyed, and som pte of which said Tractes haue ben granted to other plantations

This court now graunts and giues libertie vnto the said Purchasers and oldcomers that all or whosoeuer amongst them will shall haue libertie to looke out and make choise of such place or places as they can find within this Gouverment or Jurisdiction not graunted alreddy to any; prouided they exceed not their former pporcons) to accomodate them and their heires withall; and they haue liberty graunted them to Purchase the said Lands of the natiues by the approbaçõn of the court; and soe many as shalbee thusse accomodated to relinckuish all their Rights enterest and title in the former specified places made choise of by them, and the rest of the oldcomers and Purchasers to take vp their p<sup>t</sup>iculare pportions of Land within the precinctes of the three former specified places; All which to bee pformed by all the Purchasers and oldcomers within fourteen monthes next ensueing this p<sup>r</sup>sent court.

And alsoe it is further graunted by this p<sup>r</sup>sent court that all those as were att the courts graunt of the abouemencioned two or three places Inhabitants allowed and now are freemen shall haue the like libertie to looke out and make choise of some place or places for themselues and their heires as may afford them a sufficient accomodaçõn for their comfortable Subsistance within fourteen monthes after that if they can find it;

It is enacted by the Court that henceforth the Indians within this Jurisdiction bee not pmitted to doe anv seruill worke on the Lords day as by fish-

ing fowling planting hilling and carriing of burthens (℥ and if any doe after notice giuen them heerof, they shalbee warned to the next generall court by the Cunstable of the place where they soe Transgresse. [PART I.]

That a common Standard for measure of corn bee made att Plym: videlecet a bushell an halfe bushell a pecke and *and* halfe pecke by a measure belonging to John Barnes which hath ben formerly allowed to bee the Standard by the court; and that euery Towne within this Gouverment haue a Standard made by them to try and seale theire measures by which are to vniforme amongst them and to bee made round and these to bee prouided by the last of Nouember next; and to bee kept by the seallers of euery Towne for the Townes vse.

\*That in euery Towne within this Jurisdiction there bee one appointed to try and seale measures and to haue for euery measure tryed and sealed by him iij<sup>d</sup> and onely round measures to bee allowed to buy and sell by; and the seuerall townes to coose a fitt pson for each towne for sealer and p'sent him to a maiestrate to bee sworne. \*83

That the courts of Maiestrates and Deputies haue power as to receiue accounts soe to giue allowance to any pson in publicke place Employed in any publick service for any losse or dammage (℥ lxx sustaines as they thinke fitt.

That such ffences as are Judged sufficient against oxen and cowes are by this court allowed sufficient against horses and mares; and if any horse beast breake into any corn or grasse ouer such sufficient ffence the owners of such horses shall pay the dammages proued as if they were Impounded.

That Whereas the publicke charges of the collonie are encreased and whereas by Gods providence many whales and other fishes are cast on shore in many ptes of this Jurisdiction out of which the court sees reason to require som pte of the Oyle made of them

This court now ordereth that of euery whale either cast on shore or bought of any Indian or Indians or taken on drift att Sea and brought to shore in any pte of this Jurisdiction there bee one barrell of marchantable Oyle payed to the publicke Treasury to the collonies vse to bee raised and payed as followeth Of this see more the sixt page forward in this booke.

Videlecet euery towne shall pay one barrell of marchantable oyle for euery drifte whale cast or brought on shore and seized on within the Liber-

[PART I.]

ties and precincts of their severall townships or Traded or bought of the Indians within their townships; and the person or persons as first seize or cutt any whale or shall purchase or trade any such whales of the Indians that shall be soe cast on shore in any place within this Jurisdiction; out of the bounds of any particulare Townshipp shall pay one barrell of oyle for every such whale; And hee or they are hereby authorised to cause all such persons as cutt with him or them to pay there equall proportions to him according to what they cutt towards the said barrell of oyle and alsoe that there bee one appointed in every townshipp by the Treasurer to demaund and receive all such oyle as shall be due and payable to the Treasury And alsoe that It shall not be lawfull for any person or persons of any townshipp to cutt themselves or trade with the Indians for any blubber or oyle cast vp or cutt within the precinctes of another Townshipp provided that If any man take a drift whale of att the sea and bring or tow It to the shore, It be accounted his owne goods; if within an harbour or mile of the shore they be taken they be reputed the townships where they are brought on shore;

\*85

\*Actes and orders made and concluded  
att the court holden att Plymouthe  
the 9<sup>th</sup> of June 1653

**I**T is ordered by the court

That betwixt this present day and the first Tuesday in october next; The townsmen of every towne within this goverment shall make and fully finish a place or places for defence of their said towne (one or more as reason shall require) videlectt a brest worke with flankers vnto every such worke as shall be made; and incase any person or persons shall refuse to worke att the said worke when the maior parte of the townsmen of such townes where they liue haue agreed for the time and mannor and haue giuen notice therof; their names shall be then returned to the court or counsell of warr; And if any towne shall neglect to performe the worke according to this order they shall forfeite the summe of ten pounds to the vse of the country.

That incase two comissioners be chosen and that through age enabillitie for Trauell sicknes or the like they can not appeer at the time and place appointed for that end; That then the next in nomination shall serue vpon order from the Goue<sup>r</sup>.

That the publicke officers wages be paid in such pay as is marchantable and currant country pay and not in wampampeag or any such pay as is not

currant with the marchants; And alsoe that all fines and countrey charges {PART I.}  
bee paied in such pay as abouesaid.

That att the time of the entrey of euery action the charges of that action bee defrayed before the action bee entered.

That all such woules as are killed by any Indian or Indians within the gouernment; the charge thereof bee borne by the whole countrey.

Added sence att the court June 13<sup>th</sup> 1654 they are to haue ten shillings p woofe.

That euery pson of the age of descretion which is accounted sixteen yeares whoe shall witingly and willingly make or publish any Lye which may bee puitius to the publicke weale or tending to the dammage or hurt of any pticulare pson or with entent to deceiue and abuse the people with falce newes or reports and the same duely proued before any one Maiestrate whoe hath heerby power graunted to heare and determine all offences against this Law; shalbee fined for cuery such default ten shillings; And if the ptie bee vnable to pay then to bee sett in the stockes soe longe as the said Maiestrate shall appoint in som open place not exceeding the space of two houres;

\*June the 10<sup>th</sup> 1654.

\*87

Ordered That euery Towne doe provide a booke for the recording such lands as are possessed by any for which they haue not euidence and all such shall bringe Testimony of Witnessse vnto such as the towne shall appoint to take notice of the said euidence which shalbee fiue in number of the same towne, and what the said fiue or any three of them, being mett together shall conclude of they shall cause the towne clarke of the same towne to enter the same into the towne booke abouesaid and to bee published that if any within the tearme of two yeare can make better claime shall come in and in case none doe by the time prefixed then it may be brought to the court Record and entered and soe shalbee reputed sufficient euidence for the future;

The court haue ordered that the Treasurer by vertue of his said office shall take order that all debts due to the countrey whether by fine or otherwise bee seasonably brought in vnto such place or places as hee shall appoint that soe all dues and debts due vnto any pson or psons from the countrey may bee seasonably and satisfactoryly defrayed except the public officers wages which is otherwise prouided for;

[PART I.]

Repealed.

~~That noe Inhabitant within this Jurisdiction shall conuence any suite in any other Jurisdiction in this countrey against any pson or psons haueing his or theire residence and estate settled within this Gouernment vnder the forfeite of twise soe much as the debt or dammage is layed in by or vnder the said Inhabitant the defendant to haue the one halfe ; and the countrey to haue the other halfe of the said forfeite ;~~

That incase of weaknes or sicknes of any pson or psons in any towne within this gouernment ; And that such as are deputed to drawe and sell wine or strong waters haue none, It shalbee lawfull for any one that hath any such That they may sell it for such entents and Purposes as to relecue the weak and sicke, notwithstanding any former order to the contrary provided it bee with the liking and approbation of the majestrate if there bee any in that towne and incase there bee none that then it bee with the consent of the Cunstable of the towne.

In regard that diuers that were chosen to the office of Cunstable, doe not appeer to take oath ; It is enacted by the court that any that haue been this yeare chosen by any towne to serue in the office or for the future shalbee and shall refuse to take the oath of the Cunstable being therunto required by any one Majestrate shall pay for a fine fifty shillings.

\*88

\*Att the generall Court holden Att  
Plymouth the fift of June i655

**I**T was Enacted That such as shall deny the Scriptures to bee a rule of life shall receiue Corporall punishment according to the descretion of the Majestrate soe as it shall not extend to life or Limb:

Wheras there hath been many Complaints of want of due maintainance of the minnisters as some haue reported ; It is therefore Enacted That noe Pastor or Teacher of any Congregation shall remoue before his Complaint hath been Tendered to the Majestrates and they haue heard both sides ;

That vpon such Complaints if there appeers to bee a recall defect in the hearers of the minnisters soe complaining ; the Majestrates shall vse all gentle meanes to pswade them to doe theire duty heerin ; But if any of them shall not heerby bee reclaimed but shall psist through plaine Obstinaeye against an Ordinance of God that then It shalbee in the power of the Majestrate to vse such other meanes as may put them vpon theire duty ;



\*Att the 2<sup>cond</sup> session of the generall Court begun att Plymouth the fift of June i655 and holden att Plym. aforsaid the 2<sup>cond</sup> of July i655 ;

[PART I.]

\*89

**I**T was Ordered by the Court

That incase any horses Cattle or hoggs shall Treaspas vpon any and bee by them ympounded If after they are ympounded they remayne four daies after notice giuen to the owners and bee neither repleued nor agreed for ; It shalbee lawfull for such as Impound them to make publicke sale of them after publicke notice giuen of their Intention soe to doe and after dammages satisfied ; the remainder to bee returned to the owners ;

That all such Scotcs and Irish as are in any Township in this Gou'ment shall beare Armes and Traine as others excepting such as are servants from month to month.

Att the generall court holden att New Plymouth the sixt of June i656

**I**T is Enacted that an execution shalbee graunted forth att the end of one month after the verdict and Judgment is graunted and not before except the pty bee departing the gou'ment and that when the Marshall goeth to serue the execution the plaintife or his deputie shall goe with him to praise the goods there destressed And if occasion shall require the defendant shall haue liberty to Coose another man ; And the Marshall and those two shall appraise the goods or Chattles soe taken, but if the defendant doe Neglect or refuse to make such a choise the Marshall shall Choose a man on his behalfe : and as they or any of them shall prise the goods soe they shalbee by the Marshall then and there deliuered vnto the plaintife or his deputies and the Marshall discharged ; And if the said goods come to more then the debt and charges shall amount vnto then the plaintife shall returne the ouerplusse vnto the defendant in countrey pay within six dayes next after hee receiue the said goods ; But if the plaintife lue out of the Gou'ment then hee shall forth with returne the ouerplusse or giue Occurritie to the defendant to doe it within the said six daies.

The Court haue ordered that henceforth such as are Admitted to bee ffreemen of this Corporation ; the deputies of such Townes wher such psons lue shall propound them to the court being such as haue beene alsoe appoued by the ffreemen in that towne wher such psons lue.

\*It is ordered by the Court that henceforth noe one shall make sale of any mannon of Barques or boates sayles or other rigging to any Indian or Indians on paine of forfeiting that which is soe sould and ten times the value therof ;

\*90

[PART I.]

It is ordered by the court that ~~none~~ shall sell ~~any~~ horse kind to any Indian or Indians on paine of forfeiting such horses or horse kind that shalbee soe sold and ten times the vulture therof;

It is ordered by the court that all Indians liueing neare any towne of this Jurisdiction shalbee forthwith strictly charged not to make any Alarum in the night by shooting or otherwise vnlesse nessesitated therunto as they will answare it att their prill;

And Likewise that noe Indian shall discharge any gun on the Lords day att any thinge to the breach of the Sabbath and disturbance of the English; as they will answare it att their prill;

It is ordered by the court that none shall sell any horse or mare Coult or foale to any Indian or Indians on paine of forfeiting euery such horse or Mare Coult or foale that shalbee so sold and ten times the vulture therof.

July the 4<sup>th</sup> 1656.

of this see  
more the sixt  
page backward  
in this booke.

It was ordered by the court that wheras the countrey hath receiued great damage by a defect in the order about the barrell of oyle due for euery whale taken on drift or cast on shore as is expressed in the said order by leakquage of Caske or otherwise; The court haue ordered that for the future all such oyle as shalbee due and payable as aforesaid shalbee deliuered att Boston viz a full barrell of marchantable oyle for euery whale and the freight therof discharged by those that deliuer it; The said oyle to bee deliuered att Boston to such as the Treasurer shall appoint from yeare to yeare and a receipt taken from such as to whome it is deliuered shalbee a discharge to those that deliuer It.

Wheras complaint is made that some haue brought Cards into some of the townes of this Jurisdiction wherby sundry young psous mens both children and servants haue ben drawne together to spend their time in playing at such vnlawfull games to the corrupting of youth with sundry other sadd consequences that may follow by the pmission of such practiees The court haue ordered that whosoener shall bring into this Jurisdiction or keep in his house any Cards for such purposes as abouesaid or shall suffer any to play at Cards or dice att any time in his house or where hee hath to doe or any that shalbee acters in playing att such vnlawfull games shalbee fined the sume of forty shillings; and for such as are servants or Children that shall play att Cards or dice for the first offence to bee corrected att the descretion of their parents or masters and for the second offence to bee publickly whipt;

It was ordered by the court that it shalbee in the liberty of the Treasurer when a month is past after Judgment ; by warrant to require in any fine as he shall see reason ;

[PART I.]

\*Att the Generall Court of Election holden Att Plymouth  
the third of June Anno i657

1657.

\*91

**W**HERAS this Generall Court taking into their serious Consideration the great defect that either is or like to bee in y<sup>e</sup> severall Townshippes in this Jurisdiction for want of an able Godly Teaching Minnistry and the great prejudice to the soules of many like to Ensue ; And being desirous according to our duties that such defects should not bee for want of due Incouragement to such as either are or shalbee Employed in soe good a worke of the Lord for his honner and the good of soules And in consideration that in asmuch as the severall Townshippes graunted by the Gou<sup>r</sup>ment ; was that such a Companie might bee receiued as should maintaine the Publicke worshipe and seruice of God there doe therefore judge that the whole both Church and towne are mutually Ingaged to Support the same ; And therefore Order and agree That in whatsoeuer Township there is or shalbee an able Godly Teaching Minnister which is approued by this Gou<sup>r</sup>ment that then four men bee Chosen by the Inhabitants or Incase of their Neglect Chosen by any three or more of the Majestrates to make an equall and just proportion vpon the estates of the Inhabitants according to their abilities to make vp such a Convenient maintainance for his Comfortable attendance on his worke as shalbee agreed vpon by the Church in each township where any is with the Concurrance of the Rest of the Inhabitants if it may be had or by the Majestrates aforesaid incase of their apparent Neglect and that de-  
stresse according as in other Just Cases provided bee made vpon such as refuse to pay such their proportions which is in Justice due But Incase there bee any other way wherby any township doe or shall Agree that may effect the end aforesaid this law not to bee binding to them.

Ordered by this Court .

That all fines vnder forty shillings that shall fall in any of the remote Townes of this Gou<sup>r</sup>ment shalbee leuiued by the Cunstable of that Towne by Warrant from the Tresurer without sending the Marshall ;

\*It is ordered by the court

That the Milletary companie of euery Township in this gouerment shall bring their armes by course euery Lords day to the meeting viz. that the fourth pte of euery such companie shall bring their armes as aforesaid with

\*92

[PART I.]

powder and bullet to Improve if occasion shall require and whoesoever shall neglect to cary his Armes as aforsaid shall bee fined twelue pence for every default to be leuied by the Cun. of the towne for the companies vse ; and the time of caring of armes to beginne on the first of Aprill vntill the last of Nouember Anually ;

1657.

\*June 3<sup>d</sup> 1657.

\*93

The Court haue ordered

That all such as reside within this Gou<sup>r</sup>ment that are att their owne dispose and haue not taken the oath of fidelitie shall haue notice giuen them by the deputies of the seuerall Townes that they are to reparaire vnto some one of the Maje<sup>s</sup>trates of this Jurisdiction betwixt the date heerof and the Court to bee holden att Plymouth the first Tusday in October next and incase after the time prefixed any shall refuse to take the said oath for the space of six monthes after shall either depart the Gou<sup>r</sup>ment or pay a fine of five pounds.

It is ordered by the Court ;

That Incase any shall bring in any quaker rantor or other Notorious heritiques either by land or water into any pte of this Gou<sup>r</sup>ment shall forthwith vpon order from any one Maje<sup>s</sup>trate returne them to the place from whence they came or clear the Gou<sup>r</sup>ment of them on the penalltie of paying a fine of twenty shillings for every weeke that they shall stay in the Gou<sup>r</sup>ment After warninge ;

The Court doe recomend vnto the seuerall townes in this Jurisdiction by their Committees as that which is worthy of their Consideration ; that it is Nessesary to trayne vp some horses ffor milletary service ; viz That in each Towne every one that keepeth three Mares for every three mares that hee keepeth hee should keep a horse for the vse aforsaid with furniture suitable ; wh<sup>h</sup> incase they should soe doe they should bee freed from all milletary service as training and watching and such like ;

Repealed.

This order was made June 3<sup>d</sup> 1656 but the last clause therof was aded June 3<sup>d</sup> 1657.

The Court haue ordered That henceforth such as are admitted to bee ffreemen The deputies of such Townes as where such p<sup>r</sup>sons liue shall propound them to the Court being such as shalbee alsoe approoued of by the ffreemen in such Townes where they liue and vpon Satisfying Testimony giuen from the ffreemen of their towne by their deputies such to bee forthwith receiued without any further delay att the same Court when such Testimony is giuen vlesse the

x x x x x x x x

PLYMOUTH RECORDS.

Laws.

PART II.



\* **T**HE Booke of the Generall Lawes and  
Liberties of the Inhabitants of the Ju-  
risdiction of New Plymouth Collected  
out of the Records of the generall Court; and  
lately Reuifed and established and desposd into  
an Alphabetical order and published by the  
Authoritie of the generall Court held att New  
Plymouth the 29<sup>th</sup> day of September :

Ann<sup>o</sup> i658

**B**ee Subject to euery  
ordinance of Man for  
the Lords sake

1 peter 2<sup>cond</sup> 13<sup>th</sup>

[PART II.]  
\*2

\* **T**O our beloued Bretheren and Neighbours the Inhabitants of the Jurisdiction of New Plymouth the Gou<sup>r</sup>: Assitants and Deputies Asssembled att the generall Court of that Jurisdiction held att the towne of Plymouth the 29<sup>th</sup> of September 1658, wifheth Grace and peace in our Lord Jefus Christ.

1658

**I**T was the great priuillidge of Israell of old and soe was acknowledged by them Nehemiah the 9<sup>th</sup> and 13. that God gaue them right Judgments and true Lawes ; for God being the God of order and not of confusion hath Comaunded in his word and put man into a Capasitic in some measure to obserue and bee guided by good and wholsome lawes ; which are soc fare good and wholsome as by how much they are deriued from and agreeable to the Ancient platforme of Gods lawe ; for although sundry pticulares in the Juditiall lawe which was of old Injoynd to the Jewes did more espetially (att least in some cercomstances) befitte their pedagogye ; yett are they for the mayne soe exemplary being grounded on principles of morall equitie as that all men Christians espetially ought alwaies to haue an eye thervnto in the framing of their politique Constitutions ; and although seuerall of the heathen Nations whoe were Ignorant of the true God and of his lawe haue bine famous in their times for the enacting and execution of such lawes as haue proued profitable for the Gou<sup>r</sup>ment of their Comonwealthes in the times wherin they liued Notwithstanding their exelency appeered soe fare as they were founded vpon grounds of morall equitie which hath its originall from the Law of God ; And accordingly wee whoe haue bine actors in the framing of this Smale body of lawes together with other vsefull Instruments whoe are gone to their rest ; can safely say both for our selues and them that wee haue had an eye principally and primarily vnto the aforsaid platforme ; and 2condaryly vnto the Right Improuement of the liberties graunted vnto vs by our Superiors the State of England att the first begining of this infant plantation which was to enact such lawes as should most befitte a State in the nonage therof ; not rejecting or omitting to obserue such of the lawes of our Natiue Countrey as would conduce vnto the good and growth of soe weake a begining as ours in this Wildernes ; as any Impartiall eye Not forstaled with prejudice may ezely deserue in the pusall of this smale booke of the lawes



of our Collonic; The p'mises duely considered might worke every consciencious spirit to faithfull obeidience, And although wee hold and doe afeirme that both Courts of Justice and majestrates whoe are the minnisters of the lawe are esentially Civill; Notwithstanding wee conceiue that as the majestrate hath his power from God soe vndoubtedly hee is to Improue it for the honer of God and that in the vphoulding of his Worship and seruice and against the contrary with due respect alsoe to bee had vnto those that are really consciencious though differing and decenting in som smaller matters; but if any really or in pretence of conscience shall professe that which eminently tendeth to the Invndation of Ciuell State and violation of Naturall bonds or the ouerthrow of the churches of God or his worship that heer prudence is to bee Improued in the enacting and execution of lawes; It hath bine our Indeaour in the framing of our lawes that nothing should bee found amongst them but what will fall vnder the same pticulares wee haue likewise reduced them to such order as they may most conduce to our vtillitie and profit; possibly it may bee that weaknes may appeer in the composure of sundry of them for want of such plenty of able Instruments as others are furnished withall; howeuer lett this suffice the gentle Reader that our ends are; to the vtmost of our power in these our Indeaours to promote the comon good both of Church and State both att p'sent and for future; and therefore soe fare as wee haue aimed att the glory of God and comon good and acted according to God, bee not found a Resister but obeidient lest therby thow resist the ordinance of God and soe Incurr the displeasure of God vnto damnation; Romans 13; 2.

By order of the Generall Court

NATHANEELL MORTON Clarke;

[PART II.]

\*3

\*A Declaration demonstrating the warrantable grounds and proceedings of the first Associates of the Government of New Plymouth in their laying the first foundation of the Government in this Jurisdiction for the making of Lawes and disposing of lands and of all such things as shall or may Conduce to the welbeing of this Corporation of New Plymouth:

**W**HERAS John Carver Wilham Bradford Edward Winslow Wilham Brewster Isaake Allerton and diuers others of the Subjects of our late Sou: Lord Kinge James by the grace of God King of England Scotland France and Ireland Defender of the faith &c did in the eighteenth yeare of his Reigne of England France and Ireland, and of Scotland the fifty fourth which was in the yeare of our Lord God one thousand six hundred and twenty *did* vndertake a voyage into that pte of America called Virginia or New England thervnto adjoyning there to erect a plantation and collonie of English Intending the glory of God the Inlargment of his Ma<sup>ties</sup> dominions and the speciall good of the English Nation;

And whereas by the good providence of God the said John Carver Wilham Bradford Edward Winslow Wilham Brewster Isaacke Allerton; and their Associates ariued in New England aforesaid in the harbour of Cape Cod or Paomett Scittuate and being in New England aforesaid where all the said psons entered into a Ciuill Combination being the eleventh of Nouember in the yeare aformencioned as the Subjects of our said Sou: Lord the Kinge to become a body politique binding ourselues to obserue such lawes and ordinances and obey such officers as from time to time should bee made and Chosen for our wellordering and guidance; and thervpon by the fauor of the Almighty began the first Collonie in New England there being then noe other within the said Conteinant att a place Called by the Natiues Apavm alli<sup>s</sup> Patuxet and by the English New Plymouth; all which lands being void of Inhabitants; Wee the said John Carver Wilham Bradford Edward Winslow Wilham Brewster Isaake Allerton and the rest of our associats entering into a league of peace with Massasoiett since called Woosamequin \*Prince or Sachem of these ptes; hee the said Massasoiett freely gaue them all the lands adjacent to them and their heires for euer; acknowledging himselfe content to become the Subject of our Sou: Lord the Kinge aforesaid his heires and Successors; And takeing protection of vs the said John Carver Wilham Bradford Edw: Winslow Wilham Brewster Isaacke Allerton and their associates the naturall Subjects of our Sou: Lord the King aforesaid but haueing

\*4

noe speciall letters Pattents for the said ptes of New England but onely the generall leaue and libertie of our Consiences in the Publicke Worship and service of God where euer wee should settle being therefore now settled and requiring speciall lycence and Comission from his Ma<sup>tie</sup> for the ordering our affaires vnder his gratiouse protection ; had sundry Comissiones made and confirmed by his said Ma<sup>ties</sup> Councell for New England to John Peirse and his associates whose names wee onely made vse of and whose associates wee were in the late happy & memorable Raigne of our said Sou: Lord King James ; but finding our selues still Straightened ; and a willingnes in the hono<sup>ble</sup> Councell aforesaid to Inlarge vs ptely in regard of the many difficulties wee had vndergone, and ptely in regard of the good seruice wee had done as well in relieuieing his Ma<sup>ties</sup> Subjects as otherwise ; wee procured a further Inlargement vnder the Name of Wilham Bradford aforesaid and his Associates whose names wee likewise vsed and whose associates as formerly wee still are ; by vertue of which said letters patents libertie is giuen to vs deriuatory from our Sou: Lord King Charles bearing date the thirteenth of January 1629 being the fift yeare of his raigne of England Scotland France and Ireland &c and signed by the Right hono<sup>ble</sup> Robert Earle of Warwicke in the behalfe of his Ma<sup>ties</sup> said Councell for New England and Sealed with their Comon Scale allowed ; To frame and make orders ordinances and Constitutions for the ordering disposing and Goūning of our psons and distributing the lands within the said Lymitts ; To bee holden of his Ma<sup>ties</sup> his heires and Successors as of his manor of East greenwich in the County of Kent in free and Comon Soccage and not in Capite nor by Knightes service, viz: all that pte of New England in America and tract and tracts of Lands that lye within or between a certaine Rivolett or Rundlett there and comonly called Coahassett alīs Conahassett towards the North and the River comonly called Narragansett River towards the south and the great Western Ocean towards the East and between and within a straight line directly extending into the maine towards the west from the mouth of the said Riuer called Narraganssett Riuer to the vtmost bounds and Lymetts of a Countrey or place in New England called Pohanacutt alīs Puckanacicke \*alīs Sowamsett westward and another like

[PART II.]

ties and emoluments whatsoever Scituate lying and being or arising within or between the said Lymetts or bounds or any of them ; furthermore all that tract or pte of land in New England or pte of America aforesaid which lyeth within or between and extendeth it selfe from the vtmost lymetts of Cobbi-secontee atis Comasecontee which adjoyneth to the Riuer of Kennebecke atis Kennebekicke towars the western Ocean and a place called the falls at Nequamkicke in America aforesaid and the space of fifteen English miles on each side the said Riuer comonly called Kennebeck Riuer and all the said Riuer called Kennebecke that lyeth within the said Lymetts and bounds Eastwards Westwards Northwards and Southwards last aboue mencioned ; and all lands grounds soyles Riuers waters fishings hereditiments and proffitts whatsoever Scituate lying and being arising happening or acrewing or which shall arise happen or acrew in or within the said Lymetts or bounds or either of them together with free Ingresse Egresse and Regresse with shippes boats Shallops and other vessells from the Sea comonly called the Western Ocean to the Riuer called Kennebecke and from the said Riuer to the said Western Ocean ; Together with all prerogatiues Rights Royalties Jurisdictions priuiledges franchises liberties and emunities and also marine liberties with the escheates and casualties therof ; the Admiraltie Jurisdiction excepted with all the Interest right title claime and demaund whatsoever which the said Councill and their Successors now haue or ought to haue or may haue or require heerafter in or to any of the said portion or tract of lands heerby mencioned to bee graunted or any the p̄mises in as free large ample and beneficiall manor to all Intents constructions and purposes whatsoever as the said Councill by vertue of his Ma<sup>ties</sup> said tres may or can graunt ; To haue and to hold the said Tract and Tracts of land and all and singulare the p̄mises aboue mencioned to bee graunted with their and euery of their appurtenances ; To the said Wilłam Bradford his heires Associates and assignes for euer to the onely proper and absolute vse and behoofe of the said Wilłam Bradford his heires associates and assignes for euer yeilding and paying vnto our said Sou: Lord the Kinge his heires and Successors for euer one fift pte of the Oare of the mines of Gold and siluer and one other fift pte therof to the Presdent and Councill which shalbee had possessed and obtained \*within the precincts aforesaid for all seruices and demaunds whatsoever allowing the said Wilłam Bradford his associates and assignes and euery of them his and their agents tenants and servants and all such as hee or they shall send or Imploy about his said p̄ticular plantation shall and may from time to time freely and lawfully goe and returne trad or traffick as well with the English as any the Natiues within the precincts aforesaid ; with libertie of

fishing vpon any pte of the sea coast and sea shores of any the seas or Ilands adjacent and not being Inhabited or otherwaies desposed of by order of the said Presedent and Councell forbiding all others to Traffick with the Natiues or Inhabite in any the said Lymetts without the special leauc of the said Wiltam Bradford his heires and associates; and allowing the said Wiltam Bradford his heires and Associates to take apprehend seize and make prise of all such psons their Shippes and goods as shall attempt to Inhabite or trad with the Salvage people as aforesaid;

Morouer Whereas in the first begining of this Collonic diuers marchants and others of the City of London and else where aduentered diuers summes of money with the said John Caruer Wiltam Bradford Edward Winslow Wiltam Brewster Isaake Allerton and the rest of their associates on certaine tearmes of ptenership to continew for the tearme of seauen yeares; the said tearme Being expired the said plantation by reason of the manyfould losses and crosses by sea and land in the begining of soe great a worke being largely InDebted and noe meanes to pay the said debts but by the sale of the whole and the same being put to sale; Wee the said Wiltam Bradford Edward Winslow Wiltam Brewster Isaack Allerton and other our associates the Inhabitants of New Plymouth and elsewhere being loth to bee depriued of our labours bought the same for and in consideration of eighteen hundred pounds sterling viz: all and singulare the priuillidges lands goods Chattles ordinance amunition or whatsoever appertained to the said plantation or the aduenterors with all and singulare the priuillidges therunto belonging as appeereth by a deed between the said Isaake Allerton then agent for the said Wiltam Bradford and his Associates on the one pte; and John Pococke Robert Keine Edward Basse James Sherley and John Beachamp on the other pte being therunto deputed by the said marchants and the rest aduentering as aforesaid as appeereth by A Deed bearing date the sixt of Nouember in the third yeare of the Raigne of our Sou: Lord Charles by the Grace of God Kinge of England Scotland France and Ireland 4<sup>th</sup> Ann<sup>o</sup> Dom<sup>i</sup>. 1627 one thousand six hundred twenty and seauen; Bee it Knowne therefore vnto all men by these p<sup>s</sup>ents that according to our first Intents for the better efecting the glory of God, The Inlargement of the dominions of our said Sou: Lord the Kinge, and the speciall good of his Subjects by vertue as well of our Combination aforesaid as also the seuerall graunts by us procured \*in the Names of John Peirse and Wiltam Bradford their heires and associates together with our lawfull right in respect of vacancye donation or Purchase of the Natiues and our full purchase of the aduenterors before expressed; haue giuen vnto and alloted assigned and graunted to all 4<sup>th</sup> euery pson and psons whose Name or Names shall follow

[PART II.]

vpon this publicke Record such proportion or proportions of Grounds with all and singulare the priuillidges thervnto belonging as aforesaid to him or them his or their heires and Assignes Successiuely for euer to bee holden of his Ma<sup>ties</sup> of England his heires and Successors as of his manor of East greenwich in the Countey of Kent in free & comon Soekage and not in Capitie nor by Knights Service yeilding and paying to our said Sou: Lord the Kinge his heires and Successors for euer one fift pte of the Oare of the mines of Gould and siluer and one other fift pte to the p̄sident and Councell which shalbee had possessed and obtained as aforesaid and whatsoever lands are graunted vnto any by the said Wilłam Bradford Edward Winslow Wilłam Brewster Isaack Allerton or their heires or Associates as aforesaid being acknowledged in publicke Court and brought to this booke of Records of the seuerall Inheritances of the Subjects of our Soueraigne Lord the King within this Goūment; It shalbee lawfull for the Gou<sup>r</sup> of New Plymouth aforesaid from time to time Successiuely to giue vnder his hand and the Comon Seale of the Goūment a Coppy of the said Graunt soe Recorded Confeirming the said lands to him or them his or their heires and assignes for euer with the seuerall bounds and Lymetts of the same which shalbee Sufficient Euidence in law from time to time and att all times for all Intents and purposes; the said pte or pties his or their heires or assignes for euer; To haue and to hold the said portion of lands soe graunted bounded and recorded as aforesaid with all and singulare the Apurtenances thervnto belonging to the onely proper & Absolute vse and behoofe of the said pte or pties his or their heires and Assignes for euer;

November 15,  
1636.

\*8

\*Wee the Associates of New Plymouth coming hether as freeborne Subjects of the State of England Indowed with all and singulare the priuillidges belonging to such being Assembled Doe ordeine constitute and enacte that noe acte Imposition law or ordinance bee made or Imposed vpon vs att p<sup>r</sup>sent or to come but such as shalbee made and Imposed by consent of the body of the Associates or their Representatives legally assembled, which is according to the free liberties of the State of England;

1636.

It is further enacted

That all our Courts bee kept att the Towne of Plymouth except the Gou<sup>r</sup> and Assistants shall see Reason to keep som Courts of Assistants elsewhere within this Gou<sup>r</sup>ment.

1642.

1658.

Wheras by the first Associates of this Gou<sup>r</sup>ment the Courts of Election were held in the month of January Anually and afterwards in the month of

March Anually; By reason of the vnseasonableness of those times of the yeare; It is enacted by the Court and the Authoritic therof That the election Courts bee holden the first Tusday in June Anually; And the other Generall Courts bee holden the first Tusday in October and the first Tusday in March Anually; and that the Courts of Assistants bee holden the first Tusday in August the first Tusday in December the first Tusday in february and the first Tusday in May Anually.

[PART II.]

It is enacted by the Court and the Authoritic therof that all such as shalbee admitted freemen of this Corporation shall stand one whole yeare propounded to the Court viz: to bee propounded att one June Court and to stand soe propounded vntill the June Court following and then to bee admitted if the Court shall not see cause to the Contrary.

i658

Wheras A Comittee was chosen viz: M<sup>r</sup> Tho: Prence M<sup>r</sup> Wiltam Coll-yare M<sup>r</sup> Tho: Dimmacke M<sup>r</sup> James Cudworth M<sup>r</sup> Josias Winslow John Dunham seni<sup>r</sup>. Gorge Soule and Constant Southworth to consider of the proposition propounded by the deputies att the Court held in October i650 concerning the major pte of the Courts to order the adjournments and desolutions of the generall Courts and the makeing and repealing of lawes they the said Comittee declared their minds to bee that matters in the aforesaid respects to rest vnaltered as they were and that for the future as formerly in the makeing and repealing of lawes and adjournment of Courts wherin Comittees are requisite the majestrates and deputies bee considered as one body.

June i650.

\*Wheras diuers actes and orders touching the making and repealing of lawes att June Courts and the adjournments therof is rendered with a dubiouse Interpretation; and this Court haucing by propositions to the freemen of the seuerall Townships desired their answares in order to the regulatcing therof but not receiuing any answare from sundry of them haue seen cause to declare their owne sence therof and therfor doe enact That fitt and able psons bee anually chosen out of the freemen to attend June courts and the seuerall adjornments therof by the approued Inhabitants quallified as in such case is provided of this Jurisdiction in their respectiue townshippes for deputies vnto whom with the majestrates as the body Representatiue is comitted full power for the makeing and repealing of all lawes as vpon their seriouse considerations they shall find meet for the publicke weale of this Jurisdiction and that then onely such lawes bee enacted or repealed except the Gou<sup>r</sup> for the time being shall see waightey and nessesary cause by the complaint of the

Sept: 29, i658.

\*9

[PART II.]

freemen or otherwise to call a speciall Court either of the whole body of the freemen or their deputies; the freemen of this Jurisdiction being left to their liberties to send their votes by proxy for the choice of Governour Assistants Commissioners and Treasurer in such way as by order of Court is already provided and this order to stand in full force till the whole body of freemen shall take further order therein; It is alsoe further provided that upon notice given in an orderly way to the Governour by the major pte of the freemen of this Jurisdiction of their apprehensions of a necessity of the body of freemen to come together; then the Governour for the time being shall take the first opportunity to Summon in the body of freemen to advise and act there as the matter shall require;

\*10

\*The Oath of a freeman.

Nouem. 1636.

You shall be truly Loyall to ~~the present State and Governement of Eng~~  
our Souer Lord the King his heires and Successors  
~~land.~~ You shall not speake or doe devise or advise Any thinge or thinges  
Acte or Actes directly or Indirectly by Land or Water that doth shall or may  
tend to the destruction or overthrow of these present plantations or Townshippes  
of the Corporation of New Plymouth neither shall you suffer the same to be  
spoken or done but shall hinder oppose and descouer the same to the Governour  
And assistants of the said Colonie for the time being; or some one of  
them; you shall faithfully Submitt vnto such good and wholesome Lawes and  
ordinances as either are or shall be made for the ordering and Government of  
the same; and shall Indeuor to aduance the growth and good of the seuerall  
townshippes and plantations within the Lymetts of this Corporation by all due  
meanes and courses; All which you promise and Swear by the Name of the great  
God of heauen and earth simply truly and faithfully to performe as you hope  
for help from God who is the God of truth and the punisher of falchood.

Nouem. 1636.

It is enacted by the Court and the Authoritie therof; That on the first  
Tusday in June anually there shall be a Governour and seauen Assistants chosen to  
Rule and Gouverne the said plantations and Townshippes within the Lymetts  
of this Corporation and this election to be made onely by the freemen therof;

Nouem. 1636.

And that the Governour in due season by warrant directed to the seuerall  
Cunstablers in the Name of his <sup>Ma<sup>tie</sup></sup> ~~highnes aforesaid~~ giue warning to the freemen  
either to make their psonall appearance att the Courts of election or to send  
their votes by proxy for the choice of officers according to the following  
order; and that all our Courts warrants Summons and comaunds be all done  
directed and made in the Name of <sup>our Souer Lord the King &c</sup> ~~his highnes the Lord Protector of~~  
~~England &c.~~



\*Whereas in regard of age disabilletic of body vrgent occations and other Inconveniencies that doe acrew sundry of the ffreemen are hindered that they can not appeer att Courts of election, In consideration wherof it is enacted by the Court and the Authoritie therof that any freeman of this Corporation shall haue libertie to send his voate by proxeby for the choise of Gou<sup>r</sup> Assistants Comissioners and Treasurer; And that the deputies of the seuerall townes chosen to attend the Courts of election and the seuerall adjourments therof shall in the towne meeting in which they are chosen they or either of them giue notice vnto the freemen that those that Intend not to make their psonall appeerance att the Court of election are now to giue in their voates Sealed vp for the chosing of Gou<sup>r</sup> Assistants Comissioners and Treasurer; and the said deputies to obserue by a list of their Names whoe hath voated and whoe hath not; The which voates soc brought in to bee ymediately Sealed vp and brought vnto and deliuered in open Court by the said deputies.

[PART II.]

1641.

\*11

It is enacted by the Court that att Courts of election the voates of all the ffreemen p<sup>r</sup>sent bee first read and Next after them the deputies of the seuerall townes shall orderly p<sup>r</sup>sent the proxeby of their owne towne.

1658.

It is enacted by the Court and the Authoritie therof that other public offecers besides Gou<sup>r</sup> and Assistants bee chosen and established att the Court in June Annually viz: Comissioners and Treasurer; and that other Inferior officers; as Cunstables grandjurymen and Survayors for the highwaies bee then alsoe confeirmed if approued by the Court.

1658.

It is enacted by the Court and the Authoritie therof that incase there shalbee occasion for a Corroner that the Next majestrate where such accedent falls shall sitt as Corrowner and execute that office according to the Custome of England as near as may bee.

1660.

It is enacted by the Court and the Authoritie therof that all our Courts summons and comaunds bee all done directed and made in the Name of his Ma<sup>tie</sup> of England our dread Sou<sup>r</sup> and alsoe that all Ciuill officers and ministers of Justice in this Jurisdiction to be sworne in his said Ma<sup>ties</sup> name and alsoe that the oath of fidelitie and all other oathes shall goe in that tenure.

1660.

\*The office of the Gou<sup>r</sup>:

\*12

The office of the Gou<sup>r</sup> for the time being consisteth in the execution of such lawes and ordinances as are or shalbee made and established for the good of this Corporation according to the bounds and Lymitts therof viz: in calling

1636.

[PART II.]

together or advising with the Assistants or Councell of the said Corporation upon such materiall occasions (or soe seeming to him) as time shall bring forth, In w<sup>h</sup> Assembly and all other the Gou<sup>r</sup> to propound the Occation of the Assembly and haue a double voyce therin ; if the Assistants Judge the case to great to bee desided by them and refer it to the Generall Court then the Gou<sup>r</sup> to Summon a Court by warning all the ffreemen that are then extant ; as alsoe incase the major pte of the ffreemen seeing waighty cause for the whole body to meet together and in an orderly way acquaint him with their desires therof ; Then hee shall Summon the whole body of ffreemen together with all convenient Speed ; and there alsoe to propound causes and goe before the Assistants in the examination of pticulars and to propound such Centance as shalbee determined ; further It shalbee lawfull for him to Arrest and comitt to Ward any offenders ; provided that with all Convenient Speed hee shall bring the cause to hearing either of the Assistants or generall Court according to the nature of the offence ; Alsoe it shalbee lawfull for him to examine any suspicious psons for euill against the Collonie as alsoe to Interrupt or oppose such letters as hee conceiueth may tend to the ouerthrow of the same ; and that this office continew one whole yeare and noe more without renewing by election ;

\*13

\*The Oath of the Gou<sup>r</sup>:

1636.

You Shalbee truely Loyall to <sup>our Sou<sup>r</sup> Lord King Charles his heires and Successors</sup> ~~the present State and Government of England~~ . Alsoe according to that measure of Wisdome vnderstanding and deseruing giuen vnto you shall *shall* faithfully Equally and Indifferently without respect of psons Adminnester Justice in all Cases coming before you as the Gou<sup>r</sup> of New Plymouth ; You shall in like manor faithfully duely and truely exequite the Lawes and ordinances of the Same ; And shall laboure to Advance and further the good of The Townshipes and plantations within the Lymitts therof to the vttermost of yourer power and oppose any thing that shall seeme to hinder the same Soe healp you God whoe is the God of truth and the punisher of falshood.

\*14

## \*The Office of Ann Assistant.

1636.

The office of an Assistant for the time being consisteth in appeering at the Gou<sup>r</sup>nors Summons and in giuing his best advise both in publicke court and private Councell with the Gou<sup>r</sup> for the good of the seuerall Townshipes and plantations within the lymetts of this Gou<sup>r</sup>ment ; not to disclose but to keep secrett such thinges as concerne the publique good and shalbee thought meet to bee concealed by the Gou<sup>r</sup> and Councell of Assistants in haueing a

special hand in the examination of publicke offenders and in contriuing the affaires of the Collonie to haue a voyce in the censuring of such offenders as shalbee brought to publicke Court; That if the Gou<sup>r</sup> haue occation to bee absent from the Collonie for a short time by the Gou<sup>r</sup> with concent of the rest of the Assistants hee may bee deputed to Gouverne in the absence of the Gou<sup>r</sup> alsoe it shalbee lawfull for him to examine and comitt to ward where any occation ariseth where the Gou<sup>r</sup> is absent prouided the p<sup>er</sup>son bee brought to hearing with all convenient Speed before the Gou<sup>r</sup> and the rest of the Assistants; alsoe it shalbee lawfull for him in his <sup>Ma<sup>tie</sup></sup> ~~highnes~~ Name to direct his warrants to any Cunstable within the Gou<sup>r</sup>ment whoe ought faithfully to execute the same according to the Nature and tenure therof and may bind ouer p<sup>er</sup>sons for matters of crime to answare att the next ensueing Court of his said <sup>Ma<sup>tie</sup></sup> ~~highnes~~ after the fact comitted or the p<sup>er</sup>son apprehended;

\*The Oath of an Assistant.

\*15

You shall all sweare to bee truely Loyall to <sup>our Sou<sup>r</sup> Lord King Charles his heires and Successors</sup> ~~the present State and Gou<sup>r</sup>ment of England alsoe you~~ you shall faithfully truely and Justly according to the measure of deseruing and deseretion God hath giuen you bee Assistant to the Gou<sup>r</sup> for this p<sup>er</sup>sent yeare for the execution of Justice in all cases and towards all p<sup>er</sup>sons coming before you without p<sup>er</sup>ciallitie according to the Nature of the office of an Assistant read vnto you; Morouer you shall dilligently duely and truely see that the Lawes and ordinances of this Corporation bee duely executed and shall labour to Advance the good of the seuerall plantations within the lymetts therof and oppose any thinge that shall hinder the same by all due meancs and courses Soe heelp you God whoe is the God of truth and punisher of falshood;

1636.

\*It is enacted by the Court and the Authorite therof that the Gou<sup>r</sup> and two of the Assistants att the least shall as occation shalbee offered in time convenient determine in such triviall cases viz. vnder forty shillinges between man and man as shall come before them as alsoe in offences of smale Nature shall determine doe and execute as in wisdom God shall direct them;

\*16

1636.

It is enacted by the Court and the authoritie therof

That att euery election Court some one of the Assistants or some other sufficient man bee chosen Treasurer for the yeare following whose place it shalbee to demandaund and receiue in whatsoeuer sume or sumes shall appertaine to the Royaltie of the place either coming in by way of fine Amercement or

1636.

[PART II.] otherwise and shall Improve the same for the publicke benefitt of this Corporation by order of the Gou<sup>r</sup>ment.

1644. It is further enacted by the Court that the Treasurer shall att the election Courts Anually giue in his accounts of his receipts and paiments for his yeare to any that the Court shall appoint and to bee entered vpon Record and thervpon to bee discharged.

1654. It is likewise enacted by the Court that the Treasurer by vertue of his said office shall take order that all debts due to the Countrey bee seasonably brought in vnto such place or places as hee shall appoint that soe all dues and debts due vnto any pson or psons from the Countrey may bee seasonably and Satisfactorily defrayed except the publice officers wages which is otherwise provided for.

1658. It is enacted by the Court that it shalbee in the libertie of the Treasurer after a month is past after Judgment by his warrant to require in any fine as hee shall see reason ;

Wheras the Court haue taken notice that diuers of the ffreemen of this Corporation doe neither appeer att Courts of election nor send their voates by proxy for the choise of majestrates ¶ It is enacted by the Court and the authoritie therof That whosoeuer of the ffreemen of this Corporation that shall not appeer att the Court of election att Plymouth in June anually nor send their voate by proxy according to order of Court for the Choise of Gou<sup>r</sup> Assistants Comissioners and Treasurer shall be fined to the Collonies vse the sume of ten shillings for euery such default ; vnlesse some vnavoidable Impediment hinder such in their appeerance.

Memorand that an oath bee formed for the Treasurer and next entered.

\*17

\*The oath of the Treasurer.

1659.

You shall faithfully serue in the office of the Treasurer in the Jurisdiction of New Plymouth for this p<sup>r</sup>sent yeare during which time you shall diligently enquire after demaund and receiue whatsocuer sum or sumes shall appertaine to this Gou<sup>r</sup>ment ; arising by way of fine amersment Royaltie or otherwise and shall faithfully Improve the same for the vse of the Gou<sup>r</sup>ment and according to order dispose therof as occasion shall require you shalbee reddy to giue in a true account vnto the Court of your actings in your said office yearly att June Courts ; Soe healp you God ¶

The oath of a Grandjuryman.

[PART II.]

You shall true p<sup>r</sup>esentment make of all things giuen you in charge you shall p<sup>r</sup>esent Nothing of Mallice or illwill your owne Councell and your fellowes in reference to this oath you shall well and truly keep soe healep you God.

\*The oath of the Clarke of the Court.

\*18

You shall faithfully serue in the office of the Clarke of the Court for the Jurisdiction of New Plymouth You shall attend the Generall Courts held for this Gou<sup>r</sup>ment att Plymouth Aforsaid and the seuerall Adjournments therof; and the Courts of Assistants and there Employ yourselfe in such occations as are behoofull to your said place and office you shall likewise Attend such other meetings of the majestrates of like Nature as aboue expressed that shall or may fall out in the Interims of time betwixt the said Courts you shall not disclose but keep secrett such things as concerne the Publicke good and shalbee thought meet to bee Concealled by the Gou<sup>r</sup> and Councell of Assistants You shall faithfully Record all such things as you shall haue order from Authoritie to Committe to publicke Record and shall faithfully keep the publicke Records of this Jurisdiction Soe healep you God who is the God of truth and the punisher of falshood;

1658.

It is enacted by the Court and the Authoritie therof that the Clarke of the Court shall haue twenty pounds p<sup>a</sup> annum besides his ordinarie fees Allowed by the Court;

1641.

\*The fees of the Clarke of the Court

1641.

allowed and agreed vpon by the Court.

\*19

Imp <sup>r</sup> . for euery Recognizance of the peace ij <sup>s</sup> the taking	}	-	00.	04.	00	To the Cryer four pence.
and ij <sup>s</sup> . the releasing - - - - -						
For a Recognizance for the good behaiour 4 <sup>s</sup> taking	}	-	00.	08.	00	To the Cryer 8d.
and 4 <sup>s</sup> the releasing - - - - -						
For a warrant of the peace or any oth <sup>r</sup> unted by the Court			00.	02.	00	
for a warrant of the good behaiour			00.	04.	00	
for a Coppy of an order - - - - -			00.	02.	00	
for an Inditement - - - - -			00.	02.	00	
for a Repleuin - - - - -			00.	02.	06	
for entering of an action - - - - -			00.	00.	06	
for a declaration - - - - -						
for a warrant to Summon a Jury - - - - -			00.	00.	06	

[PART II.]	for an Answere	-	-	-	-	-	-	-	-	
	for recording the verdict	-	-	-	-	-	-	-	-	00. 01. 06
	for an ordinary warrant from the Gou <sup>r</sup>	-	-	-	-	-	-	-	-	00. 00. 06
	for recording a bargaine or giuft of house or lands	-	-	-	-	-	-	-	-	00. 02. 06
	for entering a bargaine of beasts or Cattle	-	-	-	-	-	-	-	-	00. 00. 06
	for entering and drawing a cobby of an euidence of land									} 00. 05. 00
	graunted by the Court	-	-	-	-	-	-	-	-	
	for regestring a will	-	-	-	-	-	-	-	-	00. 02. 06
	for regestring the Inventory	-	-	-	-	-	-	-	-	00. 02. 06
	for a Suppena for Witnesses	-	-	-	-	-	-	-	-	00. 00. 06
	for entering a graunt of lands by the Court of Assistants	-	-	-	-	-	-	-	-	00. 01. 00
	for a serch of an order Will ꝑc	-	-	-	-	-	-	-	-	00. 00. 04
	for a cobby of a will	-	-	-	-	-	-	-	-	00. 01. 00
	for a cobby of an Inventory	-	-	-	-	-	-	-	-	00. 01. 00
	for entering a freeman	-	-	-	-	-	-	-	-	00. 00. 06
	for recording of a marriage	-	-	-	-	-	-	-	-	00. 00. 06
	for recording of Contracts for servants	-	-	-	-	-	-	-	-	00. 00. 04
	for making an execution	-	-	-	-	-	-	-	-	00. 01. 06

\*20

\*The office and oath of the Cheife Marshall.

1652.

You shalbee reddy to attend the Generall Courts and their seuerall adjourments and the Courts of Assistants and alsoe the Court of Comissioners when they meet in this Gou<sup>r</sup>ment and the Gou<sup>r</sup>s pson especially att those Courts You shall faithfully with what speed you may collect and gather all such fines and sumes of money you shall haue warrant soe to doe by the Gou<sup>r</sup> or any of his Assistants; and shall with like dilligence leuy the goods of any pson for which you shall haue Warrant soe to doe by any execution graunted by the Court and that the same soe collected or leuied you shall with all Convenient speed deliuer in to the Treasurer or the psons to whom the same shall belonge and shall serue all attachments directed to you which shall come to your hands and shall pforme doe and execute all such lawfull Comaunds directions and warrants as by lawfull Authoritie heer established shalbee comitted to your care and charge without fauor or pciallitie to any pson and shall take onely your ordinary fees allowed without exaction vpon any pson; and shall safely keep as head Marshall all such psons as shalbee comitted to your Custitie by the Gou<sup>r</sup>ment Gou<sup>r</sup> or any of his Assistants soe healp you God ꝑc.

1658.

Moreouer it is enacted by the Court that the cheife marshall haue full

power incase hee see occasion to require Aid and Assistance of any to Assist him in the execution of his office ; and the administration of his s<sup>d</sup> office shall extend to all places within the Lymetts of this Gou<sup>r</sup>ment £<sup>s</sup>. [PART II.]

The cheife marshall is allowed twenty marke p annum for his wages besides his ordinary fees allowed by the Court. i652.

\*The fees of the Cheife Marshall  
allowed by the Court. \*21

		ii	s	d	
It. for serueing of an execution - - - - -	00.	05.	00		i652.
It. for his journey about it 2 <sup>d</sup> p mile - - - - -	00.	00.	00		
It. for serueing an attachment - - - - -	00.	02.	06		
It for a Comitment - - - - -	00.	02.	06		
It. for Imprisonment 2 <sup>s</sup> . 6 <sup>d</sup> p day - - - - -	00.	00.	00		
It. for euery action that is entered - - - - -	00.	00.	06		
It. the one halfe of all fines not exceeding - - - - -	00.	06.	00		

More of the marshall see execution serued.

It is enacted by the Court that the Cheife Marshall shall haue two shillings in the pound for gathering of fines £<sup>s</sup> if they bee not brought in by the pties themselues.

The office and oath of the vnder Marshall.

You shalbee reddy to attend the generall Courts and Courts of Assistants and doe such seruice as shalbee comaunded you by the Gou<sup>r</sup> or any of his Assistants and shall reddily exccute and Inflict all such Cencures and punishments as by Authoritie of this p<sup>r</sup>sent Gou<sup>r</sup>ment shalbee adjudged to bee Inflicted vpon any delinquents and offendors according to the Nature of all such warrants and mandates as shalbee directed to you without fauor or pciallitie to any pson and shall faithfully and safely as vnderkeeper or vnder Marshall keep all such delinquents Malfactors and fellows as shalbe comitted vnto you and shall take onely youer ordinary fees allowed without exaction vpon any soe healp £<sup>s</sup>. i652.

The Vnder Marshall is alowed twenty Nobles p annum besides his fees allowed by the Court. otherwise altered since ann<sup>o</sup> 1660: i652.

It is enacted by the Court that the publicke officers wages shalbee paid in Corn ; i658.

1653. It is enacted by the Court that all Corne that shalbee paied in defraying the publicke charges of the Countrey shalbee paied att one current prise.
1646. It is enacted by the Court that if any pson or psons shall henceforth cast contempt vpon the Marshall or any of his by reason of and concerning his said office shalbee fined for euery such default to the vse of the goument ten shillings.
1658. It is enacted by the Court that henceforth whatsoever Centances or Cen-  
 Repealed June 1659. cures shall fall out to bee Inflicted by the vnder Marshall hee shalbee paied by the Countrey for the same; and hee shall haue but one shilling and six pence a day for euery prisoner hee hath in his Custitie att any time if hee haue more then one att a time; but in case hee haue but one att a time in his Custitie hee is alowed two shillings and six pence a day;
1658. It is enacted by the Court that it shalbee lawfull for the Gou<sup>r</sup> or assistants to presse any either tradsmen or others to bee Employed in the behalfe and for the vse of the Countrey as to prouide or repaire prisons stockes whipping posts [or other Instruments of Justice and all such to be payed with current Countrey pay.]
- \*22 \*The Oath of a Cunstable
1636. You shall sweare to bee truly loyall to <sup>our Sou<sup>r</sup> Lord King Charles his heires and Successors</sup> ~~the present State and Government~~  
 of England you shall faithfully serue in the office of a Cunstable in the ward of \_\_\_\_\_ for this p'sent yeare according to that measure of Wisdome vnderstanding and deserction God hath giuen you in which time you shall dilligently see that <sup>his Ma<sup>ties</sup></sup> ~~the~~ peace comaunded bee not broken but shall carry the pson or psons offending before the Gou<sup>r</sup> of this Corporation or some one of his Assistants and there attend the hearing of the case and such order as shalbee giuen you, you shall apprehend all suspisious psons and bring them before the said Gou<sup>r</sup> or some one of the Assistants as aforsaid You shall duely and truly serue such warrants and giue such Summons as shalbee directed vnto you from the Gou<sup>r</sup> or assistants before mencioned and shall labour to advance the peace and happines of this Corporation and oppose any thinge that shall seem to anoy the same by all due meanes and courses Soe healp you God whoe is the God of truth and the punisher of falshood;
1640. It is enacted by the Court and the authoritie therof that the Cunstabes in euery towne within this Goument shall warne the Townsmen wherof they are; to come together as they doe for other townes busines when the Com-



ittees shall thinke it fitt ; as well to acquaint them with what is propounded and enacted att the Court ; as to receiue Instructions for any other busines they would haue done ;

It is enacted by the Court that the Cunstable that liue remote hence in the further plantations shalbee freed from attendance att the Generall Courts after they are sworne except there shalbee speciall cause ; to retaine them.

1639.

It is enacted by the Court that all fines vnder forty shillings that shall fall in any of the remote townes of this Gouernment shalbee leuid by the Cunstable of the towne by warrant from the Treasurer which remote townes are explained by the court to bee Taunton Rehoboth Eastham and Bridgwater.

1657.

It is enacted by the Court and the authoritie therof that in euery towne of this Jurisdiction there shalbee three or foure men or more chosen by writing their Names in papers as the majestates are chosen to rate all the Inhabitants of their towne according to their estates or faculties ; that is according to goods lands Improued faculties and psonall abillities whether the rate bee for any of the townes in pticulare or for generall charges ; and by Improued lands are vnderstood meddow lands plowed lands and hoed lands the orders therein to be obserued.

1643.

\*first that the Cunstable shall summon the townsmen to meet together ; and if hee neglect when hee is thervnto lawfully warned to forfeit twenty shillings.

\*23

2<sup>dly</sup> That if the Townsmen doe not meet vpon the Cunstable warning and chose Raters the Towne to forfeit five pounds.

3<sup>ly</sup> That if the Raters soe elected doe not make the Rate and Transcrib and deliuer or cause to bee deliuered a cobby therof to the Cunstable within ten daies or sooner if the occasion shall require to forfeit ten shillings apeece for euery such default.

4<sup>ly</sup> That if the Cunstable doe Neglect to gather the said rates or not cause them to bring it in within forty daies next after hee hath the said rate or sooner vpon speciall occasion ; hee shall pay it himselfe and to bee recouered by suite.

5<sup>ly</sup> That the Cunstable <sup>is heerby Impowered</sup> ~~shall haue power~~ to destraine vpon any that shall Neglect to pay his rate being demanded and bring it to the place appointed by him and shall haue twelue pence for his paines about the destresse.

Lastly that all fines and forfeitures which shall happen for breach of any of these actes shalbee leuid for the Gouerment.

[PART II.]

1639.  
by procuring  
is meant due  
Satisfaction.

It is enacted by the Court and the authoritie therof; That if any Cunstable within this Gou<sup>r</sup>ment haue occation to goe out of the townshipp wherein hee is Cunstable for some time; hee shall haue power to procure and depute another in his stead as his deputie to execute his place vntill his returne as effectual[ly] as hee himselfe might doe; provided that the pson whom hee soe deputeth bee not one that has serued in the place within two yeares before except hee bee willing; and incase any Cunstable shall Neglect to provide and depute one in his stead as aforesaid to forfeit ten shillings for euery default;

1654.

Repealed June  
1660

In regard that diuers psons chosen to the office of a Cunstable doe not appeer to take oath; It is enacted by the Court that any that shalbee Chosen by any towne within this Gou<sup>r</sup>ment to serue in the office of a Cunstable and shall refuse to take the oath of a Cunstable being therunto required by any one Majestrate shall pay for a fine fifty shillings.

1636.

It is enacted by the Court and the Authoritie therof That it shalbee Lawfull for the Gou<sup>r</sup> as well to Impannell <sup>his Ma<sup>ties</sup> subjects</sup> such ~~the Subjects of the State and present Government of England~~ as are of good report and free holders; vpon Juries although noe freemen to doe seruice thereon as well as such as haue taken vp their freedome.

1636.

Inacted by the Court and the Authoritie therof that a great Quest bee impannelled by the Gou<sup>r</sup> and Assistants which are to bee chosen out of the seuerall townshippes of this Gou<sup>r</sup>ment according to order of Court and warned to serue his <sup>Majesty</sup> ~~highnes~~ by Inquiring into the abuses and breaches of such wholsome lawes and ordinances as tend to the preservation of the peace and good of the Subjects; and that they p<sup>r</sup>sent such to the Court as are guilty that soe they may bee procequed by the Court by all due meanes.

1639.

\*24

\*ffor the preventing of Idlenes and other euills occasioned therby It is enacted by the Court that the Grandjurymen of euery towne shall haue power within their seuerall townshippes to take a speciall view and Notice of all manor of psons married or single dwelling within their seuerall townshippes that haue smale meanes to maintaine themselues and are suspected to liue Idly and loosly and to require an account of them how they liue and such as they find delinquent and cannot giue a good account therof vnto them that they cause the Cunstable to bring them before the Majestrate in their towne if there bee any if there bee none before the Celect men appointed for such

purpose That such course may bee taken with them as in their wisdomes shalbee Judged Just and equall; [PART II.]

It is enacted by the Court and the Authoritie therof that the Grandjurymen in euery township once in the yeare anually shall view all the measures waights and tole dishes in their seuerall townshippes and see that they bee lawfull according to order and that euery housholder haue ladders sufficient and p<sup>r</sup>sent the defects. 1646.

It is enacted by the Court and the Authoritie therof That all such misdemeanors of any pson or psons as tend to the hurt and detriment of societie Ciuillitie peace and Naighbourhood bee inquired into by the Grand enquest and the psons p<sup>r</sup>sent to the Court that soe the desturbers therof may bee punished and the peace and welfare of the Subject peacably p<sup>r</sup>serued. 1636.

Wheras Complaint hath bine made that the ffreemen were put to many Inconueniencies and great expences by their Continewall attendances att the Courts It is therfore enacted by the Court and the Authoritie therof for the ease of the seuerall townes of this Gou<sup>r</sup>ment; that euery towne shall make Choise of two of their freemen and the towne of Plymouth of foure to bee Comittes or Deputies to joyne with the bench to enact and make all such lawes and ordinances as shalbee Judged to bee good and wholsome; for the whole prouided that the lawes they doe enact shalbee propounded one Court to bee considered of till the next and then to bee confeirmed if they shalbee approued of except the case require p<sup>r</sup>sent confeirmation; and if any acte shalbee confeirmed by the bench and Comittes which vpon further deliberation shall proue prejudicall to the whole; That the ffreemen att the next election Court after; meeting together may repeale the same and enact any other vsefull for the whole; and that euery township shall beare their Comitties charges and that such as are not freemen but haue taken the oath of fidelitie and are masters of families and Inhabitants of the said Townes; as they are to beare their pte in the charges of their Comittes soe to haue a voate in the choise of them; prouided they chose them onely of the ffreemen of the said towne wherof they are; but if such Comittes shalbee Insufficient or troublesome that then the bench and the other Comitties may dismiss them and the towne to chose other freemen in their places; 1638.  
viz 2<sup>e</sup> 6<sup>a</sup> a day.

\*It is enacted by the Court and the authoritie therof 1658.  
That wheras the Number of freemen in many places is but smale and the \*25

[PART II.]

Inhabitants of the townshipes many more whoe haue equall voates with the freemen in choise of Deputies whoe being the body of ffreemen representatiue together with the Majestrates haue equall voates for the enacting of lawes whoe by weaknes prejedicce or otherwise it hath or may come to passe that very vnfit and vnworthy psons may bee chosen that can not answare the Courts trust in such a place ; That all such Courts as Majestrates and Deputies are to acte in making of lawes and being assembled the Court in the first place take notice of their members and if they find any vnfit for such a trust that they and the reason therof bee returned to the towne from whence they were sent that they may make choise of more fit and able psons to send in their stead as the time will pmitt ;

i646. It is enacted by the Court and the Authoritic therof

That if any township in this Gou<sup>r</sup>ment being orderly therto required shall neglect and refuse to elect or choose Comittees according to the aforesaid order the towne soe Neglecting or refusing to bee fined to the Gou<sup>r</sup>ments vse forty shillings and euery Committee soe chosen and makes not his psonall appearence in the Court att the day appointed there to doe his seruice to bee fined twenty shillings vnlesse hee can shew a reason approved by the Court ;

i646.

Wheras the seucrall townes of this Jurisdiction were to send their Deputies which must arise out of their freemen to attend the three generall Courts of the yeare now vpon the speciall complaints of the Deputies of the townes soe sent professing themselues to bee oppressed therby It is enacted by the Court and the Authoritic therof that the whole body of ffreemen shall appeer att the election Court which is the first Tusday in June Successiuelly ; and then to make or repeale such lawes orders and ordinances as shalbee found meet and wholesome for the ordering of the Gou<sup>r</sup>ment and that then alsoe they p<sup>r</sup>sent such deputies as haue bine chosen by their townes according to order formerly established whoe are to attend the same and its seuerall adjournments as the occations of the Countrey shall require ; and that whatsoever lawes orders and ordinances shalbee made or repealed bee att that Court and the seuerall adjournments therof onely done except the Cou<sup>r</sup> and Assistants see cause to call a speciall Court) and other Courts to attend matters of Judicature and the majestrates onely to attend the same.

i649.

It is enacted by the Court that att courts of election next after the choise and Swearing of Majestrates and other officers the generall occations of the Countrey wherin deputies are requisitt bee attended except extreordinary occation comes in the way.

It is enacted by the Court that the Court of majestrates and deputics shall haue power; as to receiue accounts soe to giue allowance to any pson in publicke place Employed in any publicke seruice for losse or damage hee sustaines as they shall thinke meet; [PART II.]  
i652.

\*It is enacted by the Court and the Authoritie therof i640.

That noe p<sup>r</sup>sentment heerafter shalbee exhibited to the Grand enquest to bee brought to the bench except it bee done vpon oath and that it shalbe lawfull for any of the Assistants or such as are deputed to adminnester an oath in such case viz: it is to bee vnderstood on their owne knowlidge or others oath; \*26

It is enacted by the Court that any one that for the future shalbee p<sup>r</sup>esented to the Court for any fact on the Testimony of one witsnesse although vpon oath shall not bee for the same condemned without a 2<sup>cond</sup> witsnesse or concurring cercomstances; i650.

It is enacted by the Court and the authoritie therof i636.

That all trialls whether Capitall or between man and man bee tried by Juryes according to the p<sup>r</sup>sedents of the lawes of England as neare as may bee;

It is enacted by the Court that if a Jury bee impannelled for tryall of causes and the p<sup>r</sup>ties agree after yett they shall pay the Jurye; i644.

It is enacted by the Court that the Jurye shall haue six pence a man and the foreman twelue pence in such cases of Controversy as they shall goe vpon; i635.

It is enacted by the Court and the authoritie therof that att the time of the entery of euery action the charges of that action bee defrayed before the action bee entered. i653.

Wheras the Courts held in June annually are vsually full of much busines soe as the Court can not then convenient attend the tryall of actions It is enacted by the Court that it shalbee lawfull for any to comence a suite for the triall of a cause of any vallue betwixt p<sup>r</sup>tie and p<sup>r</sup>tie att the Court of asistants held in May anually and that noe action shall hensforth bee tryed att June courts. i658.

Repealed June  
the 14. 1660.

It is enacted by the Court that if a stranger or forraigner haue any occation to comence a suite att any time betwixt the Courts for the triall of any cause of a considerable vallue; hee hath libertie to purchase a Court for such a purpose if he shall put in Securitie to defray the charge and that there shall not bee lesse then three of the Majestrates att euery such Court. i658.

[PART II.]

i655.

\*27

It is enacted by the Court and the Authoritie therof that an execution shalbee graunted forth att the end of one month after the verdict and Judgment is graunted and not before except the ptie bee departing the Gou<sup>r</sup>ment and that when the marshall goeth to serue the execution the plaintiffe or his deputie shall goe with him to praise the goods soe distressed and if occation shall require the defendant shall haue libertie to choose another man ; and the marshall and those two shall appraise the goods or chattles soe taken ; but if the defendant doe neglect or refuse to make such a choise ; the marshall shall choose a man on his behalfe and as they or any two of them shall praise the goods soe they shalbee \*then and there deliuered vnto the plaintife or his deputies and the Marshall discharged and if the said goods come to more then the debt and charges shall amount vnto then the plaintife shall returne the ouerpluse vnto the defendant in Countrey pay within six daies Next after hee receiue the said goods but if the plaintife liue out of the Gou<sup>r</sup>ment then hee shall forthwith returne the ouerpluse or giue Securitie to the defendant to doe it within the said six daies.

i644.

Enacted by the Court that all actions bee entered vpon the warrants or Summons going out ; as soone as may bee.

i645.

It is enacted by the Court that all executions Issuing out of the General Court or Court of Assistants shalbee executed by the marshall onely.

i644.

It is enacted by the Court and the Authoritie therof that it shalbee lawfull for the Gou<sup>r</sup> and majestrates or any of them to direct Sommons to any pson within this Gou<sup>r</sup>ment to answere to any suite comenced against them and it shalbee as Authenticall as if it were done by warrant to attach or arrest them.

i639.

It is enacted by the Court that the Prison shalbee erected att Plymouth.

i646.

A peny more was aded to the prisoners allowance by the day in June Court 1660.

It is enacted by the Court that the Gou<sup>r</sup>ment shall allow 3<sup>d</sup> a day to maintaine a prisoner comitted for felonie or misdemenor if they bee not able to maintaine themselues and to bee paid by the Treasurer and allowed vpon his accounts ;

Capitall offences lyable to death

i636.

Treason or Rebellion against the pson of <sup>the King</sup> his highnes the Lord Protector ~~against the~~ State or Comonwealth of England or this Corporation  
Wilfull murder.

Solemne compaction or conversing with the diuell by way of Witchcraft [PART II.]  
 conjuration or the like ;

Wilfull or purposed burning of Shippes or houses.

Sodomy Rapes Buggery.

It is enacted by the court and the authoritie therof that whosoever shall comitt Adultery shalbee seuerly punished by Whiping two seuerall times ; viz: once whiles the Court is in being att which they are convicted of the fact and the 2<sup>cond</sup> time as the Court shall order · and likewise to weare two Capitall letters viz: A D cut out in cloth and sowed on their vpermost Garments on their arme or backe ; and if att any time they shalbee taken without the said letters whiles they are in the Gou<sup>m</sup>ent soe worn to bee forth with taken and publickly whipt ; i658.

It is enacted by the court that in euery township of this Gou<sup>m</sup>ent there shalbee a paire of Stockes and a whiping post erected in such places as shalbee thought meet by the seuerall Naighborhoods where they concerne vpon the penaltie of ten shillings for any township that shalbee defectiue therein. i656.

\*Offences Criminal ;

\*28

It is enacted by the court and the authoritie therof that any pson or psons that shall comitt Carnall copulation before or without lawfull contract shalbee punished by whiping or els pay ten pounds fine a peece and bee Imprisoned during the pleasure of the Court soe it bee not aboute three daies but if they bee or wilbee married the one to the other then but ten pounds both and Imprisoned as aforesaid ; and by a lawfull Contract the Court vnderstands the mutuall conceit of parents or guardians if there bee any to bee had and a sollemne promise of marriage in due time to each other before two competent witnesses ; and if any pson or psons shall comitt Carnall Copulation after contract and before marriage they shall pay each fifty shillings and bee both Imprisoned during the pleasure of the Court soe it bee not aboute three daies ; or els in case they cannot or will not pay the fine then to suffer corporall punishment by whiping ; i645.

It is enacted by the Court and the Authoritie therof that whosoever shall prophantly Sweare or curse by the Name of God or any of his titles Attributes word or workes hee or shee shalbee sett in the Stockes soe it exceed not three houres or bee put in prison according to the nature and quallitie of the pson ; i639.

It is enacted by the Court that euery pson of the age of descretion which is accounted sixteen yeares whoe shall wittingly or willingly make or publish i653.

[PART II.]  
 Repealed the  
 14<sup>th</sup> of June  
 1660.

any lye which may bee p̄nitious to the publicke weale or tending to the damage or hurt of any p̄ticulare p̄son or with intent to deceiue and abuse the people with false newes or reports and the same dewly proued before any one majestrate whoe hath heerby power graunted to heare and determine all offences against this law shalbee fined for euery such default ten shillings and if the p̄ty bee vnable to pay then to bee sett in the Stockes soe long as the said majestrate shall appoint in some open place not exceeding the space of two houres ;

i636. It is enacted by the Court

That any that shall steale or attempt to steale shippes boates munition or other things it bee accounted felony and so to bee punished

i645. It is enacted by the Court that whatsoever seruant or apprentice or laborer that shall ployne or steale or Imbezell his masters goods shall make double satisfaction & restitution either by payment or seruitude as the court shall Judge meet for the first default and for the 2<sup>cond</sup> default of the laborer to make double restitution and either find surties for his good behavior or bee whipt ;

i636. It is enacted by the Court that such as either drinke drunke in their p̄sons or suffer any to drinke drunke in their houses bee Inquired into amongst other misdemeanors and accordingly punished or fined or both att the descretion of the majestrates ;

Of drunkenes see more in the law about ordinary keepers

i655.  
 \*29 \*Wheras Complaint is made that some haue brought cards into some of the townes of this Jurisdiction wherby sundry p̄sons mens both children and seruants haue been drawne together to spend their time in playing att such vnlawfull games to the coruping of youth with sundry other sad consequences that may follow by the p̄mition of such practices It is enacted by the Court and the authoritie therof that whosoener shall bring into this Jurisdiction or keep in his house any Cards for such purposes as aforsaid or shall suffer any to play att Cards or dice att any time in his house or where hee hath to doe ; or any that shalbe acters in playing att such vnlawfull Games shalbee fined for the same forty shillings and for such as are servants or children that shall play att Cards or dice for the first offence to bee corrected att the descretion of their parents or masters and for the 2<sup>cond</sup> offence to bee publickly whipt ;

i645. Wheras some abusses haue formerly broken out amongst vs by disguising wearing Visors and strange apparrell to laciuiouse ends and purposes ; It is



therfore Inacted by the court and the Authoritie therof that if any pson or psons shall heerafter vse any such disguisments visors strange apparrell or the like to such laciuiouse and euill ends and Intents and bee therof convict by due course of law shall pay fifty shillings for the first default or else bee publickly whipt and bee bound to the behaiour if the bench shall see cause

[PART II.]

It is enacted by the Court that if any pson or psons shall wilfully and of sett purpose burne any mans fence or fences shall make good the damage and bee bound to his good behaiour

i645.

It is enacted by the Court that euery pson or psons that shall wilfully pluck vp remoue or deface any land marke or bound betwixt pty and pty that haue bine or shalbee orderly and sufficiently sett vp by psons therunto designed; shalbee fined from twenty shillings to fiue pounds; according to the Nature of the offence

i645.

It is enacted by the Court that euery pson or psons that shall wilfully and of sett purpose breake downe another mans ffence or gate or any common Gate or bridge to the anoyance either of a pticulare pson or the generall shall make vp such said fence gate or bridge att his owne charge and pay the damage therby sustained and bee fined for the first default fifty shillings and for the 2<sup>cond</sup> default fined fiue pounds and bound to his good behaiour;

i645.

Wheras there is great abuse in takeing of Tobacco in very vnciuell manor in the streets and dangerously in out houses as barnes staules about hay stackes and other such places It is therfore enacted by the Court that if any pson or psons shalbee found or seen heerafter takeing of Tobacco publickly in the open streets of any towne in this Jurisdiction or in and about barnes staules hay stackes corn stackes hay yards or other such like places or out-houses that euery such pson or psons soe offending shall forfeit and pay to the townes vse for the first default twelue pence for the 2<sup>cond</sup> 2<sup>s</sup> and it shalbee lawfull and by this act warrantable for the Cunstable of euery towneship without further warrant vpon sight or Information therof to destraine his or their goods for it w<sup>h</sup> doe refuse to pay it vpon his demaund and to bee accountable to the Tresurer of what hee receiues yearly att the election court; souldiers in time of exersis only excepted

i646.

\*It is enacted by the Court that wheras many haue sustained great damage by the Indescreet fiering of the woods though Justly occasioned thervnto that none shall fier the woods att any time but they shall giue warning therof to the naighbours about them and the time of fiering of them to bee from the fifteenth of february to the latter end of aprill; Also that if any pson att

i633.

i646.

\*30

[PART II.] any time shall fier any the woods and hath noe Just occation soe to doe hee shalbee fined ten shilling to the vse of the Gou'ment or bee whipt

1645. It is enacted by the Court and the Authoritie therof that whoesouer shall forge any deed or writing wherby any estate of lands either of Inheritance or for tearme of yeares shalbee passed and the right heires disinherited and shall produce or publish the same to such deceitfull end and purpose and bee therof convict by due course of law shall pay the pty greiued double damage and bee fined halfe soe much as the pty greiued recouereth of him ; and incase hee bee not able to pay it to bee publickly whipt and burned in the fase with a Roman F

1645. It is enacted by the Court and the authoritie therof That if any officer or keeper of publicke Records or writings shall wilfully steale Imbezell or make away any such publicke Records or writings soe comitted to publicke Record and keeping or shall alter any of them or any pte of them by racing out or ading therto or otherwise ; shalbee disfranchised and loose his office and burnt in the face ; except in triuiall cases ;

1645. It is enacted by the Court That if any pson or psons shall indeauor or goe about directly or Indirectly to corrupt any officer keeping any publick records or writings to procure him to deface corrupt alter or Imbezell any such publicke records or writings shalbee fined according to the Nature of the offence soe it bee not aboue forty pounds or bee whipt ;

1655. It is enacted by the Court that all such as shall deny the Scriptures to bee a rule of life shall receiue corporall punishment according to the descretion of the majestrate soe as it shall not extend to life or limb

1655. Whereas there hath bine many complaints for want of due maintenance for minnisters (as some haue reported) It is therefore enacted by the Court that noe Pastor or Teacher of Any Congregation shall remoue before his complaint hath bine tendered to the Majestrates and they haue heard both sides and that vpon such complaints if there appeers to bee a reall defect in the hearers of the minnisters soe complaining the majestrates shall vse all gentle meanes to pswade them to doe their dewty heerin but if any of them shall not heerby bee reclaimed but shall psist through plaine obstinacy against an ordinance of God that then it shalbee in the power of the Majestrate to vse such other meanes as may putt them vpon their duty:

1657. Whereas this Generall Court taking into their seriouse consideration the great defect that either is or like to bee in seuerall townshipes of this Juris-

diction for want of an able godly teaching minnestrey and the great prejudice to the soules of many like to ensue; and being desirouse according to our dewtyes that such defects should not bee for want of dew Incuragement to such as either are or shalbee employed in soe good a worke of the Lord for his honer and the good \*of soules and in consideration that inasmuch as the seuerall townshipes graunted by the Gou'ment was; that such a Companie might bee receiued as should maintaine the publicke worship of God there; doe therefore Judge that the whole both Church and towne are mutually engaged to support the same and doe therefore order and agree that in whatsoever township there is or shalbee an able godly Teaching minnestrey which is approued by this Gou'ment that then foure men bee chosen by the Inhabitants or in case of their neglect chosen by any three or more of the majestrates to make an equall and Just proportion vpon the estates of the Inhabitants according to their abillities to make vp such convenient maintainance for his comfortable attendance on his worke as shalbee agreed vpon by the Church in each Township where any is with the concurrence of the rest of the Inhabitants if it may bee had or by the majestrates aforsaid incase of their aparent neglect and that destresse accordingly as in other Just cases bee made vpon such as refuse to pay such their proportions which is in Justice due but; in case there bee any other way wherby any township doe or shall agree that may effect the end aforsaid this law not to bee binding to them; to bee explained thuse that onely such pson or psons as refuse to beare their pte with the rest of the Church or towne in the due maintainance and support of the minnestrey this law to bee in force onely to them but not vnto others that doe their duty;

\*31

It is enacted by the Court that whosoeuer shall villify by opprobriouse tearmes or speeches any Church or minnestrey or ordinance being therof lawfully convicted shall forfeit and pay to the vse of the Collonie ten shillings for euery default;

i650.

It is enacted by the Court That whatsoever pson or psons shall neglect the frequenting the publicke worship of God that is according to God in the places where they liue or doe assemble themselues vpon any pretence whatsoever in any way contrary to God and the allowance of the Gou'ment tending to the Subversion of Religion and Churches or palpable prophanation of Gods holy ordinances being duly convicted viz: euery one that is a master or dame of a family or any other pson att their owne disposinge to pay ten shillings for euery such default;

i651.

Repealed.

[PART II.]

1651.  
Repealed.

It is enacted by the Court that if any pson or psons in any lazey slothfull or prophane way doth Neglect to come to the publicke worship of God shall forfeit for euery such default ten shillings or bee publickly whipt ;

1650.

It is enacted by the Court That whosoener shall prophane the Lords day by doeing any servill worke or any such like abuses shall forfeit for euery such default ten shillings or bee publickly whipt ;

1658.

Wheras complaint is made of great abuses in sundry places of this Gou<sup>r</sup>ment of prophaning the Lords day by trauellers both horse and foot by bearing of burdens carrying of packes &c vpon the Lords day to the great offence of the Godly welaffecte amongst vs It is therfore enacted by the Court and the authoritie therof that if any pson or psons shalbee found transgressing in any of the precinctes of any towneship within this Gou<sup>r</sup>ment hee or they shalbee forthwith apprehended by the Cunstable of such a towne and fined twenty shillings to the Collonies vse or else sit in the stockes foure houres except they can giue a sufficient reason for their soe doeing and they that Transgresse in any of the abouesaid pticulares shall onely bee apprehended on the Lords day and on the 2<sup>cond</sup> day following shall either pay their fine or sitt in the stockes as aforsaid ;

\*32

1657.

\*It is enacted by the Court and the Authoritie therof that hensforth noe publicke meetings bee sett vp within this Gou<sup>r</sup>ment but such as the Court shall approue of ;

1657.

Wheras there hath seuerall psons come into this Gou<sup>r</sup>ment comonly called Quakers whose doctrine and practises manifestly tends to the Subversion of the fundamentalls of Christian Religion Church order and the Ciuell peace of this Gou<sup>r</sup>ment as appeers by the Testimonies giuen in sundry depositions and otherwise ; It is therfore enacted by the Court and the Authoritie therof that noe Quaker or pson comonly soe called bee entertained by any pson or psons within this Gou<sup>r</sup>ment vnder the penaltie of fve pounds for euery such default or bee whipt ; and in case any one shall entertaine any such pson Ignorantly if hee shall Testify on his oath that hee knew not them to bee such hee shalbee freed of the aforsaid penaltie provided hee vpon his first decerning them to bee such doe descouer them to the Constable or his deputie ;

It is alsoe enacted by this Court and the Authoritie therof that if any Rantor or Quaker or pson comonly soe called shall come into any towne within this Gou<sup>r</sup>ment and by any pson or psons bee knowne or Suspected to

bee such the pson soe knowing or Suspecting him shall forth with acquaint the Cunstable or his deputie of them on paine of Presentment and soe lyable to censure in court whoe forthwith on such notice of them or any other Intelligence hee shall haue of them ; shall dillegently endeauor to apprehend him or them and bring them before some one of the majestrates whoe shall cause him or them to bee comitted to Goale there to be kept Close prisoners with such victualls onely as the Court aloweth vntill hee or they shall defray the charge both of their Imprisonment and their Transportation away ; Together with an Engagement to returne into this Gou'ment noe more or else to be continewed in close durance till further order from the Court ; And forasmuch as the meetings of such psons whether Strangers or others proueth desturbing to the peace of this Gou'ment It is therefore enacted by the Court and the Authoritie therof That henceforth noe such meetings bee assembled or kept by any pson in any place within this Gou'ment vnder the penaltie of forty shillings a time for euery speaker and ten shillings a time for euery hearer that are heads of families and forty shillings a time for the owner of the place that pmits them soe to meet together ; ~~and if they meet together at their silent meetings soe called then euery pson soe meeting together shall pay ten shillings a time and the owner of the place shall pay forty shillings a time~~

This law about the Quakers was repealed the 13 of June 1660.

It is enacted by the Court and the Authoritie therof

i658.

That noe Quaker Rantor or any such corupt pson shalbee admitted to bee a freeman of this Corporation.

It is enacted by the Court and the Authoritie therof that all such as are opposers of the good and whosome lawes of this Collonie or manifest opposers of the true worship of God or such as refuse to doe the Countrey seruice being called thervnto shall not bee admitted freemcn of this Corporation ; being duely convicted of all or any of these.

i658.

It is enacted by the Court and the Authoritie therof that if any pson or psons that are or shalbee freemen of this Corporation that are Quakers or such as are manifest Incurragers of them and soe Judged by the Court or such as shall contemptuously speake of the Court or of the lawes therof and such as are Judged by the Court grosly scandalouse as lyers drunkards Swearers &c shall lose their freedome of this Corporation.

i658.

It is enacted by the Court that all such as refuse to take the oath of fidelitie as quakers or such as are manifest encorragers of them shall haue noe voat in choise of publicke officers in the place wher they dwell or shalbee imployed in any place of trust while they continew such.

i658.

[PART II.]

\*33

i653.

\*The order of Court Concerning  
the Councill of Warr.

In Regard of the many Appearances of danger towards the Country by Enimies and the great nessesitic of Councell and advise in which respect the Court thought meet to make choise of a Councell of warr consisting of eleuen p̄sons whose names are elsewhere extant in the Records of the court which said eleuen or any fiue of them being orderly called together their acte to bee accounted in force and they to bee continewed in their places vntill others bee elected to bee orderly called together is ment being Sumoned by the p̄sident or his deputic or in case of their absence any two majestrates of the Councell of warr.

By orderly  
called together  
is ment by the  
Gou<sup>r</sup> or in his  
absence the  
Major  
this aded June  
7<sup>th</sup> 1659.

That the Councell of warr shall haue power to issue out warrants in his <sup>Ma<sup>ty</sup>s</sup> ~~highnes~~ name to presse such a number of men & horses in euery towne as by proportion the said towne is to sett forth and alsoe to Issue forth warrants to the said townes for armes and prouision and all thinges Nessesary for them and what charges shall arise to bee leuied on each towne proportionably as other publick rates and to giue Comission to any Cheife officer vnder their Charge either in time of peace or warr.

i658.

The proceeding of the Councell of Warr in the  
Constituteing and Comissionating of a major.

The Councell of Warr being assembled doe heerby Constitute Impower and Comissionate you our Trusty and welbeloued ffrind I W to bee as Cheife Officer ouer the milletary Companies of this Jurisdiction bearing the title of A Major and to Act therein as is prouided by order of Court Anexed to your office according to such Instructions as you haue or shall from time to time receiue from the Councell of Warr in psuance wherof all Captaines Inferior officers and souldiers are heerby required to bee in Reddy Subjection to you during your continuance in the said Office which shalbee vntill the Councell of Warr shall see Cause otherwise to order ;

Giuen vnder our hand and Seale

T P President with the

Consent of the Rest of the Councell of Warr.

i658.

## \*Instructions for the Major.

I  
\*34

You shall take into your Comaund the seuerall milletary Companies of this Jurisdiction both horse and foot and take care that they bee orderly trained vp in the vse of Armes.

- You shall take care that Armes be fix and seruicable. 2
- You shall Carfully Appoint such watches and Gaurds as may bee Needfull for the honer and safety of the Gou<sup>r</sup>ment. 3
- You shall yearly Appoint Generall Musters or meetings of such Companies as can with any conveniency meet together and with the aduise of yourer Councell order the same ; 4
- Incase of any Suddaine and v unexpected approach of an enimie or Insurrection with in ourselues you shall Indeanor to put these Companies into such a Posture of defence as yourer selfe and such of yourer Councell of Warr shall giue you Instructions therabouts ; 5
- You shalbee redly att all times to obserue and execute such further Instructions either respecting disipline or reall service as shall from time to time by the Councell of Warr bee directed vnto you. 6
- You shall on all Occations aduise with such as the Councell of Warr shall appoint to bee of yourer Councell ; and they haue for the p<sup>r</sup>sent chosen these heerafter Nominated ꝙc. 7

see booke of orders and passages of the court.

\*It is enacted by the Court and the Authoritie therof that incase any Cheife milletary officer bee wanting in any towne within this Gou<sup>r</sup>ment such Township shall p<sup>r</sup>sent two or three p<sup>r</sup>sons of the fittest they haue for that place to the Court and such p<sup>r</sup>son or p<sup>r</sup>sons as shalbee approued of by y<sup>e</sup> Court shalbee established in such place and office and such cheife officer to chose their vnder officers with the Conccent of the body ;

**I**  
\*35  
i646.

It is enacted by the Court that as the Captaine Leiftenant and Ensigne are established into their places by the Authoritie and approba<sup>o</sup>n of the Court soe such Captaine leiftenant or Ensigne shall not lay downe their places but by the consent and approba<sup>o</sup>n of the Court vpon the penaltie of five pound for euery Captaine fifty shillings for euery Leiftenant and fifty shillings for euery Ensigne soe laying downe his place without the leaue and likeing of the Court and if any Capt: Leift: or Ensigne shall neglect to traine their men on the daies appointed or shalbee negligent in his or their places vpon proffe shalbee fined ten shilling for euey such default.

2  
i646.

It is enacted by the Court that the Cheife milletary Comaunders in euery towne shall haue power to call forth men to exersice them in their armes and to appoint daies of training and the sergeants to giue warning therof and to bee done as often as the Court hath appointed ;

3  
i642.

It is enacted by the Court that in time of feare and danger and sudden assault of an enimie the milletary Comaunder in euery towne shall haue

4  
i642.

[PART II.] power to call the souldiers of that towne together and put them in a posture of warr ; whose Comaunds euery souldier shall obey for the defence of the township and that they follow the directions of the milletary Comaunder of that towne in keeping watch and ward provided that the ordinary watch bee sett and appointed with the majestrates approbation of that towne if there bee any ;

5  
i642. It is enacted by the Court that the Cheife milletary officers in euery towne shall sett a fine vpon such as shall absent themselues on daies of training if there bee not sufficient reason giuen for their absence provided the fine bee with the Consent of the Companie or the major pte therof ; and such fines to bee gathered by the Clarke of that companie and to bee for the benefitt of the same ;

6  
i645. It is enacted by the Court that the milletary officers in euery towne shall see that the Armes of that towne bee fix and compleat for length and boar and p<sup>r</sup>sent such as are defectiue

7  
i640. \*It is enacted by the Court that all the milletary Companies within this Gou<sup>r</sup>ment shalbee trained att least six times in the yeare

\*36

8 i644.	The fines of such as are defectiue in their Armes	s	d
	That are wholly defectiue	-	10. 00
	That want a peece	-	06. 00
	That want a sword	-	02. 06
	That want powder	-	05. 00
	That want bullets	-	02. 00
	That want match	-	01. 00

The Guns or peeeces allowed for seruice are these viz: muskettts fierlockes and matchcockes soe that they haue 4 fathome of match att all times for euery matchcocke ; Calliuers Carbines and fowling peeeces soe that they bee not aboue 4 foot and an halfe long and not vnder bastard muskett or Calliuer bore ;

Enacted that euery towne that shalbee defectiue in the want of a drum att any time for the space of two monthes shall forfeit the sume of forty shillings to the Collonies vse that shalbe defectiue in Coullers the space of six monthes four pounds.

See orders and passages of the court Ann<sup>o</sup> i653.

9  
i633. It is enacted by the Court that all and euery pson within this Gou<sup>r</sup>ment shalbee Subject to such milletary orders for training and exercise of Armes as hath bine agreed on and enacted by the Court.



It is enacted by the Court that every township in this Government each township shall provide two sufficient fierlocke peeces two swords and two powches for every thirty men they have in their towne and soe proportionable for their number they are to sett forth bee they greater or lesser which shalbee reddey att all times for service vpon any occasion vpon such penaltie for every delinquent as the Court shall Judge meet according to the nature of the offence.

**I O**  
i646.

It is enacted by the Court that every township in this Government shall provide a barrell of powder and lead or bulletts answerable to bee kept by some trusty man or men in every towne that it may bee reddey for defence in time of need and danger.

**I I**  
i641.

It is enacted by the Court that every pson both for himselfe and every man servant that hee keepeth able to bear armes have a peece powder and shott viz: a sufficient muskett or other servicable peece for warr with bandaleers sword and other appurtenances and that for himselfe and every such pson vnder him hee bee att all times furnished with one pound of powder and four pound of bulletts with four fathom of match for every match cocke muskett ;

**I 2**  
i636.

That every Towne provide halberts for their serjeants of their milletary Comparie ; see booke of orders and passages of the court i653.

That a considerable Companie of halfe pikes bee provided in every towne att the charge of the township viz: where 80 men are able to beare armes there twenty to bee provided and so proportionable to their number bee they greater or lesser ; see booke of orders and passages of the Court ann<sup>o</sup> 1653.

\* The oath of A Clarke of A milletary Companie.

**\*37**

You shall faithfully serue in the office of a Clarke of the Milletary Companie of £ for this p'sent yeare during which time you shall dillegently attend such sett times of training as your officers shall appoint you shall keep an exact list of the Names of your whole Companie and take notice of all such defects as shall arise by the breach of any wholesome order or orders made by the said Companie and gather in all such fines as belonge therunto and giue a Just account therof to the Companie or such as they shall appoint ; Soe heelp you God £.

i654.

Enacted that such as are chosen Clarke of any milletary Companie shalbee sworne and any that shall refuse to serue as Clarke for one yeare

[PART II.] (being chosen) shalbee fined twenty shillings ; and hee that is next chosen and serues to haue the said sune ; see booke of orders and passages of the Court i653.

- i644. Repealed. It is enacted by the Court that as the watches are sett by order soe they shalbee continewed vntill there bee order to lay them downe and that the watch shalbee sett halfe an houre before the sun bee sett and to continew vntill halfe an houre after the sun is risen except they ward alsoe in the day time and then to continew vntill the same time they began that a fresh watch come to releiue them ; and that for euery man that shall neither come himselfe nor provide a sufficient watchman in his rome or lay downe the watch without due order shall pay two shillings and six pence for euery night to the Collonies vse and foure pence an houre for euery houre hee comes after the watch is sett
- i636. It is enacted by the Court that if any shall shoot off a peece att any fowle or otherwise in the night time betwixt day light and day light shall forfeit twenty shillings for euery shott to bee paied to the Tresurer for the vse of the Collonie except hee shoot att a wolfe or for the finding of some one lost.
- i636. It is enacted by the Court that three peeces shot of distinctly one after another shalbee an Alarum and two peeces to giue warning of an house on fier ;
- i636. i641. It is enacted by the Court that incase there shalbee need of horses vpon speciall occasion for the Countreyes seruice It shalbee lawfull for the Gou<sup>r</sup> or any three Assistants to presse such and soe many as they shall see reason to Employ provided they take order that the owners bee payed for them ; but if any such horse or horses miscarry in the seruice the prise of such horse or mare to bee made good to the owner by the Countrey and the horse to bee prised att his going forth.
- \*38 i636. \*It is enacted by the Court that if any man shalbee sent forth as a souldier and shall returne maimed hee shalbee maintained competently by the Collonie during his life.
- i655. It is enacted by the Court that all such Scotcs and Irishmen as are in any Township of this Gou<sup>r</sup>ment shall bear Armes and traine as others except such as are seruants from month to month ;
- i658. It is enacted by the Court and the Authoritie therof that a forth pte of each milletary Companie in this Jurisdiction shall euery Lords day carry their armes to the publicke meeting in the Township where they dwell viz: some serviceable peece and sword and three charges of powder and bulletts on paine of the forfeiture of 2 shillings and six pence for each daies neglect ;

and this to bee obserued from the first of March to the last of Nouember yearly; these defects to bee gathered by the milletary Clarke and the Cunstable to the vse of the Companie It is further enacted by the Court that the cheife milletary Comaunder in each towne shall take care that a list bee drawne and sett vp in the meeting house by which euery man may know to what Squadron hee belonges and when hee is to carry armes and alsoe to appoint some ouer euery Squadron to take notice and giue an account of the seuerall defects on the penaltie of the forfeiture of fiue pounds to the Countreys vse for such neglect; and that this order take place and begine from the seauenteenth of this Instant October i658 except men bee sicke or abroad and haue none att hom to carry their armes.

This is repealed June the 8, i661.

It is enacted by the Court and the Authoritie therof that a Troop of horse well appointed with furniture viz: a Saddle and a case of petternells for euery horse shalbee raised out of the seuerall Townships to bee redly for seruice when required and maintained for that purpose to bee raised as followeth

i658.

viz: Plymouth - - -	3	Yarmouth - - -	3
Duxburrow - - -	3	Barnstable - - -	3
Scittuate - - -	4	Marshfield - - -	3
Sandwich - - -	3	Rehoboth - - -	4
Taunton - - -	3	Eastham - - -	3
		Bridgwater - - -	1

In all thirty and three and that all such shalbee freed from foot seruice and from watching & warding and their horses rate free; and to bee redly by June next ensueing the date heerof on the penaltie of the forfeiture of ten pounds for euery towne that shall neglect;

It is enacted by the Court and the authoritie therof that all Smithes within this Gou'ment bee compelled to amend and repaire all defectiue Armes brought vnto them speedily and to bee paid in wheat or butter and the Smithes refusing to answere it att their prill;

i642.

\*The oath to bee Adminnestred to a Towne Clarke is as followeth.

\*43

You shall faithfully serue in the office of a towne Clarke in the towne of for this p'sent yeare and soe longe as by mutuall consent the towne and you shall agree; during which time you shall carfully and faithfully keep all such Records as you shalbee Intrusted withall and shall record all towne actes and orders and shall enter all towne graunts and Conveyances You shall record all beirthes marriages and burials that shalbee brought vnto you within your towne and shall publish all Contracts of marriages you shalbee

i654.

[PART II.] required to doe according to order of Court bearing date the twentieth day of October 1646 Soe healp you God who is the God of truth and punisher of falshood ;

1638.

Wheras diuers psons vnfit for marriage both in regard of their younge yeares and alsoe in regard of their weake estate some practicing the Invegleing of mens daughters and maides vnder gaurdians contrary to their parents and gaurdians liking ; and of maide seruants without leaue and likeing of their masters ; It is therefore enacted by the Court that if any shall make any motion of marriage to any mans daughter or maide not haueing first obtained leaue and concent of the parents or masters soe to doe shalbee punished by fine soe it exceed not fve pounds or corporall punishment or both att the discretion of the bench and according to the nature of the offence ;

1638.

It is enacted by the Court that if a motion of marriage bee duely made to the master and through any senestrey end or Couetous desire hee will not concent therunto ; then the cause to bee made knowne vnto the majestrates and they to sett downe such order therein as vpon examination of the case shall appeer to bee most equall on both ptes ;

1636.

It is enacted by the Court that noe seruant coming out of his time or other single pson bee suffered to keep house or bee for him or them selues till such time as hee or they bee competently prouided for of Armes and amunition according to the order of the Collonies and that if any such bee yett wanting they bee prouided as afsaid or else prouide themselves such masters as may prouide for them and that to bee done forthwith on due warning ;

1636.

It is enacted by the Court that none bee allowed to bee housekeepers or build any Cottages or dwelling houses till such time as they bee allowed by the Gou<sup>r</sup> and Councell of assistants or some one or more of them ; and that this order bee strictly obserued ;

1639.

\*44

\*It is enacted by the Court that noe seruant coming out of England or elsewhere and is to serue a master for some time bee admitted his freedome or bee for himselfe vntill he haue serued out his time either with his master or some other although hee shall buy out his time except hee haue bine a house keeper or master of a family or meet or fit to bee soe ;

1638.

It is enacted by the Court that if any master of a boate shall bring any passengers into any plantation within this Gou<sup>r</sup>ment that may bee chargeable or burthensome to the plantation and not haue leaue soe to doe either from the Gou<sup>r</sup>ment or Committees of the place ; shall keep them whiles they stay and recarry them and their goods to the place from whence they came ;

It is enacted by the Court that all such as reside within this Government that are att their owne dispose and haue not taken the oath of fidelitie shall ~~hee notice given them by the Deputies of the councill to wch they are to~~ reparaire vnto some one of the majestrates of this Jurisdiction to take the said oath betwixt the date heerof and the Court to bee holden att Plymouth the first Tusday in October 1657 and in case after the time prefixed any shall refuse to take the said oath for the space of six months after, shall either depart the Government or pay a fine of five pounds;

[PART II.]

June 1657.

fforasmuch as it was ordered att Juke Court last that all such as were housekeepers or att their owne dispose that were not freemen and had not taken the oath of fidelitie to this Government should take the said oath by that time then prefixed or bee fined to the Colonies vse the sume of five pounds and wheras diuers psons notwithstanding all patience and long forbearance refuse to take the said oath and yett make their residence amongst vs It is therefore enacted by the Court and the Authoritie therof that euery such pson or psons shall euery election Court bee Sumoned to make their appearence theratt during the time of their abroad in this Government and if any such pson or psons shall then refuse to take the said oath hee shall bee fined the sume of five pounds to the Colonies vse;

March 1657.

Repealed this  
5<sup>th</sup> of June  
1661.

#### The oath of any residing in this Government.

You shall bee truly loyall to the ~~State and Government of England as it~~ our Sou<sup>r</sup> Lord King Charles his heires and Successors, ~~now at this~~ and Wheras you make choise att p<sup>r</sup>sent to reside within the Government of New Plymouth you shall not doe or cause to bee done any Acte or Actes directly or Indirectly by land or water that shall or may tend to the destruction or ouerthrow of the whole or any the seuerall plantations or Townships within the said Government that are or shall bee orderly erected and established but shall contrarywise hinder oppose and discouer such Intents and purposes as tend therunto to the Gou<sup>r</sup> for the time being or some one of the Assistants with all convenient speed; \*You shall alsoe submitt vnto and obey such good and wholsome lawes ordinances and officers as are or shall bee established within the limitts therof See healp you God whoe is the God of truth and the punisher of falshood;

1636.

\*45

It is enacted by the Court That noe pson or psons heerafter shall bee Admitted to liue and Inhabite within the Government of New Plymouth without the leaue and likeing of the Gou<sup>r</sup> and two of the Assistants att least :

1636.

[PART II.]

1639.

It is enacted by the Court That all the townships within this Gou<sup>r</sup>ment shall haue libertie to meet together and to make such towne orders as shalbee needfull and requisite for the hearing of Cattle and doeing such other thinges as shalbee needfull for the maintainance of good Naighborhood and to sett penalties vpon delinquents prouided that their orders bee not repugniant nor Infring any publick actes and that the fines and penalties shalbee desposed of afterwards to their pticulare townes ;

1639.

Wheras the townships within this Gou<sup>r</sup>ment haue formerly had libertie to meet together and make some towne orders which are thought to bee defectiue for that they conceiued they had not power to make assessments rates and taxes for raising such nessesarie expences as shalbee disbursed about the generall occations of the townes concerning the Comonwealth It is enacted by the Court that euery township shall haue libertie to meet together and make leuies rates and taxes for their townes charges and to destraine such as shall refuse to pay the same vpon warrant from the Court or Gon<sup>r</sup> or any Assistant ;

1642.

It is enacted by the Court that if heerafter any Inhabitant or Inhabitants of any towne within this Gou<sup>r</sup>ment shall receiue or bring in any pson or psons as is apparently likely to bee chargable to the townshipe against whom Just exception is made att the time of his coming or within a month after without the consent and assent of the townesmen in a lawfull generall towne meeting the ptie or pties that soe receiued or brought them shall discharge the towne of them ;

1642.

It is enacted by the Court that if any pson or psons coming out of England or elsewhere bring any pson or psons whoe by reason of Impotency desease or otherwise is apparently likely to bee chargable to the place where hee shall come to Inhabite ; the pson or psons soe bringing in any such pson or psons shall discharge the township of them during the time of the deseaseds abode there ; but incase any Inhabitant within this Collonie shall bring ouer from England or elsewhere or procure to bee sent to them any servant or servants which by Gods prouidence shall fall deseased lame or Impotent by the way or after they come heer they shalbee maintained and prouided for by their said masters during the time of their seruice and couenants although their said masters release them out of their said seruice and afterwards to bee releiued by the township where hee is ;

\*46

1642.

\*It is enacted by the Court that if any Children or elder psons shalbee sent or come from one towne to another to bee Nursed Scooled or otherwise educated or to a Plisition or Chirurgion to bee cured of any disease or wound ꝑ if they come to stand in need of releife they shalbee releiued and

maintained by the townships whence they came or were sent from and not by that township where they are soe Nursed educated or att cure ; and in case they come or bee sent from any place out of this Collonie then if the Nurse educator or Phisition or Chirurgeon take not sufficient Cecuritie of the psons to bee nursed educated or cured to discharge the township of and from all cost or charge which shall or may come and befall the said Township in which hee or they is soe to bee Nursed educated or cured then they the said Nurse educator or Phisition or Chirurgeon as neglecteth the same shall discharge the said Township of them themselues ;

It is enacted by the Court that every pson that liueth and is quietly settled in any township of this Gou<sup>r</sup>ment and not excepted against within the Compase of three monthes after his coming ; in this case shalbee reputed an Inhabitant of this place ;

i642.

Wheras It was enacted as abouesaid that a pson quietly settled in any towne of this Gou<sup>r</sup>ment (e the space of three monthes should bee reputed an Inhabitant there ; It is <sup>^</sup> that that acte shalbee expounded and construed onely to haue relation to poor psons ; and it is alsoe prouided that that acte shall not any waies enable any pson to bee reputed an Inhabitant in any township within this Gouer<sup>ment</sup> that shall or doth refuse to take the oath of fidelitie (e although hee hath bine resident there for some time ;

i644.

It is enacted by the Court that those that haue reliefe from the townes where they liue and haue children and doe not Employ them that then it shalbee lawfull for the Township to take order that those Children bee put to worke in fitting Employment according to their strength and abilletie or placed out by the townes.

i644.

Wheras it is obserued that diuers psons in this Gou<sup>r</sup>ment are not able to prouide Competent and convenient food and raiment for their Children wherby it is that poor children are exposed vnto great want and extremitie ;

i658.

It is enacted by the Court and the Authoritie therof that two or three men shalbee chosen in every township of this Gou<sup>r</sup>ment that all such as are not able to prouide nessesary and convenient food and clothing for their Children and will not dispose of them themselues soe as they may bee better prouided for ; such said children shalbee desposed of by the said men soe appointed as they shall see meet soe as they may bee comfortably prouided for in the p<sup>r</sup>mises and the seuerall townes shall returne the names of such men as shalbee deputed and chosen vnto the Court ;

\*It is enacted by the court that every township within this Gou<sup>r</sup>ment shall make competent prouision for the maintainance of their poor according

\*47

i642

[PART II.]

as they shall find most convenient and suitable for themselves by an order and Generall agreement in a publicke towne meeting ;

i639.

It is enacted by the Court that the Gou<sup>r</sup> and Assistants shall appoint some to sett forth the bounds of townshipes as formerly they haue done ;

It is enacted by the Court that if an highway bee wanting in any township of this Gou<sup>r</sup>ment vpon due complaint that then the Gou<sup>r</sup> or any of the Assistants Impanell a Jury and vpon oath charge them to lay out such waies both for horse and foot as in Consience they shall find most beneficiall for the Comonwealth and as little prejudiciall as may bee to the pticulares and that all old pathes shalbee still allowed except other prouision bee orderly made ; and that where there are allowed foot pathes ouer any mans ground which is fenced vp ; the owners of such fences shall make convenient stiles or Gates ;

i644.  
and  
i649.

It is enacted by the Court That the Surveyors of the highwaies shall giue three daies warning to the teames and other pticulare p<sup>o</sup>ns when they are to amend the highwaies as often as need shall require prouided they doe not warne one teame or one p<sup>o</sup>n twice before they haue gon ouer all y<sup>e</sup> teames and p<sup>o</sup>ns in their township and if any bee orderly warned as aforesaid and shall neglect hee shalbee fined three shillings a day and for euery teame soe warned that shall neglect shalbee fined eight shillings a day and that the Surveyors of such townes where such neglect is shall returne their Names to the next majestrate that by warrant the said fines may bee required by the Cunstable of the towne for the townes vse ; and euery Surveyor that shall neglect his duty in repairing the highwaies shall forfeit fiue pounds to the Collonies vse ; and if it soe fall out that in the yeare all the teames and p<sup>o</sup>ns haue not bine warned to the worke aforesaid that they bee all warned ouer before they beginne againe ; and that the new Surveyors shall begin where the old ends ; and that incase a teame or man bee wanting that the Surveyors shall hier a teame or man and to bee paied out of the fine of him that is absent ;

i653.

It is enacted by the Court that the Wills and Testaments of such as die bee proued orderly before the Gou<sup>r</sup> and assistants the next Court after the ptie is deceased prouided the Court bee not within a month after the death of the Testator ; and that a full Inventory duely vallued bee p<sup>r</sup>sented with the same before letters of Administration bee graunted to any ; of all the goods and Chattles of the said p<sup>o</sup>ns ; alsoe if incase any man die without Will then his goods bee by his wife or others nearest to him Inventoried and duely vallued and p<sup>r</sup>sented to the Gou<sup>r</sup>nor and assistants att the time formentioned ; and if it bee a single p<sup>o</sup>n without kinred heer resident that then the Gou<sup>r</sup> appoint some to take a Just Inventory of the same vpon oath to bee true and Just as in other the cases before mencioned ;



\*It is enacted by the Court that if any man being sicke and weake and otherwise but of disposing memory to declare his mind and will concerning the disposing or bequeathing of his lands or goods before two or more of the freeholders of the place where hee liues ; It shalbee vpon theire oathes recorded and remaine feirm according to such deuise and bequest.

\*48  
1645.

It is enacted by the Court that none doe keep Victualling houses or Ordinarys or draw wine but such as are allowed by the Generall Court and that if any Victualler or ordinary keeper doe either drinke drunke himselfe or suffer any pson to bee drunken in his house they shall pay five shillings apiece ; and if the Victualler or ordinary keeper doe suffer any townsmen to stay drinking in his house aboue an houre att one time the victualler or ordinary keeper shall pay for euery such default twelue pence and the pson soe staying aboue the said houre three shillings and foure pence ; and by drunkenes is vnderstood a pson that lispes or falters in his spech by reason of ouermuch drinke or that stagers in his goeing or that vomitts by reason of excessiue drinking or cannot follow his calling the pson or psons that shalbee found guilty in these or any of them shall for the first default pay five shillings and for the 2<sup>cond</sup> default ten shillings to the Collonies vse and for the third time to bee bound to the good behavior and if hee or they can not or will not pay the fines then to bee sett in the Stockes ; and soe for the fourth time to bee fined five pounds or bee whipt and soe from time to time as often as they shall soe Transgresse ;

1646.

It is enacted by the Court that none shall bee suffered to retaile wine stronge waters or beer either within dores or without except in Inns or Victualling houses allowed and that noe beer bee sould in any such place to exceed in prise two pence the Winchester quart ;

1636.

It is enacted by the Court that the Children and servants of such as dwell neare any Victualling house bee not entertained or suffered by the master of the said house there to drinke and spend theire time but if any such can bee proued it bee esteemed a misdemeanor punishable in the said Victualler and to bee Inquired into ;

1636.

fforasmuch as great Inconueniencies haue bine occasioned by young men and other labourers that haue dicted in Inns and Ale houses especially whoe haue had other houses to repaire vnto in the same towne It is therfore enacted by the Court that none shall dictt in Inns and Alehouses nor haunt them which are in the townes they liue in nor make them the ordinary place of theire abode ;

1638.

\*49           \*It is enacted by the Court

1654.           That incase of weaknes or sicknes of any pson or psons in any towne within this Gou'ment and that such as are deputed to draw and sell wine or strong waters haue none It shalbee lawfull for any one that hath any such that they may sell it for such Intents and purposes as to releiue the weake and sicke notwithstanding any former order to the contrary provided it bee with the likeing and approbation of the majestrate if theire bee any in that towne and incase there bee none that then it bee with the concent of the Cunstable of the Towne ;

1633.           It is enacted by the Court that fishing fowling and hunting bee free provided if any damage comes to any pticulare by the proceecution of such exercise restitutions bee made or the case actionable but if any man desire to Improue a place and stocke it with fish of any kind for his private vse It shalbee lawfull for the court to make any such graunt and forbid all others to make vse of it ;

1657.           It is enacted by the Court that six score fishes shalbee accounted to the hundred of all sorts of fishes ;

1652.           It is enacted by the Court that wheras the publicke charges of the Country are Increased and that by Gods providence many whales and other fishes are cast on shore in many ptes of this Jurisdiction out of which the court sees reason to require some pte of the oyle made of them this court now ordereth that of euery whale either cast on shore or bought of any Indian or Indians or taken on drift att sea and brought to shore in any pte of this Jurisdiction there shalbee one barrell of marchantable oyle paied to the publicke Treasury to the Collonies vse to bee raised and paied as followeth viz: euery towne shall pay one barrell of marchantable oyle for euery drift whale cast or brought on shore and seized on within the liberties and precinets of theire seuerall townshipes or traded or bought of the Indians within theire townships and the pson or psons as first seize or cutt any whale or shall purchase or trade any such whales of the Indians that shalbee soe cast on shore in any place within this Jurisdiction out of the bounds of euery pticulare township shall pay one full barrell of marchantable oyle for euery such whale which shalbee deliuered att Boston to such as the treasurer shall appoint to receiue it from yeare to yeare and the freight therof shalbee fully discharged by those that shall deliuer it and a receipt taken from such as to whom it is deliuered shalbee a discharge to those that shall deliuer it ; and the pson or psons as first seizeth any whale or shall purchase or trade any

This otherwise  
ordered.

such whales of the Indians that shalbee soe cast on shore in any place within this Jurisdiction out of the bounds of any pticulare township hee or they are heerby Authorised to cause all such psons as cutt with him or them to pay theire equall proportion to him according to what they cutt towards the said barrell of oyle and alsoe that it shall not bee lawfull for any pson or psons of any townshipp to cut for themselues or trad with the Indians for any blubber or oyle cast vp or cut within the precinctes of another township provided that if any man take a drift whale of att sea and bring or tow it to the shore it shalbee accounted his owne goods ; if within an harbour or mile of the shore they are to bee reputed the townshipes where they are taken ;

\*It is enacted by the Court

\*50

That one Comon Standard bee vsed by all for waights and measures and that according to Winchester which is the Standard of England

1636.

It is enacted by the Court

1652.

That euery Towne within this Gou<sup>r</sup>ment shall haue a Standard for measures of Corn made by those that are provided att Plymouth by a former order of Court ; for that end to try and Seale their measures by ; which are to bee vniforme amongst them and to bee made round ; and these to bee provided by the last of Nouember 1658 and to bee kept by the Seallers of euery towne for the townes vse ;

It is enacted by the Court

1652.

That in euery towne within this Jurisdiction there bee one appointed to try and seale measures and to haue for euery measure four pence which shalbee tryed and sealed by him ; and onely round measures to bee allowed to buy and sell by ; and that the scuerall townes shall choose a fitt pson for each towne for sealler and p<sup>r</sup>sent him to a majestrate to bee Sworne ;

It is enacted by the Court that none shall sell by vnsealed waightes and measures which are not waight and measure by the Standard and that if any shall soe doe they shall loose such waights and measures and make restitution to the pties soe wronged by such waight and measure and shall pay to the Collonies vse for euery such default of falce waight and measure for the first time six shillings for the 2<sup>cond</sup> time thirteen shillings and foure pence and for the third time twenty shillings and such waights and measures to bee burnt and that a pile of waights according to Winchester bee procured to bee standard and that the sealler shall haue for sealing a peny for euery waight vnder a quarter of a pound ; and for all aboute a quarter of a pound to six pound 2 pence a peece ; and for all aboute six to an hundred waight four pence ;

1645.

[PART II.]

1638.

It is enacted by the Court that noe miller within this Jurisdiction shall take aboue the sixteenth pte of a bushell for grinding such Corn as is brought vnto him to bee ground ; and that all Millers within this Jurisdiction shall either grind theire Corn sufficiently that is brought vnto them for that end or else that vpon complaint to the Court therof and the thinge proued the Miller shall pay for euery such default six pence for euery bushell to the pty Greiued and six pence to the Treasurer to the vse of the Collonie

1645.

It is enacted by Court that euery Miller within this Jurisdiction shall haue two toule dishes viz: a quart and a pottle but to bee soe made that vpheaped they will hould noe more then a quart and a pottle by the measure allowed and those to bee sealed by the last of Nouember 1658 or else to pay ten shillings for euery month soe longe as the said miller keepeth them vnsealed after and that all Millers shall prouide Scales and waights to way mens Corn as occasion shall require

\*51

1652.

\*It is enacted by the Court and the Authorite therof that all such caske as are or shalbee made by any Cooper within this Gou'ment shall haue the two first letters of his Name sett on euery such caske hee makes ; by a burnt marke vpon penaltie of the lose of his Caske the one halfe to the Countrey the other halfe to the enformer ; and this order to bee in force forthwith.

1652.

It is enacted by the Court that all Coopers within this Gou'ment are to make all theire Caske according to London Gage vpon the like penaltie ;

1652.

It is enacted by the Court that euery towne within this Gou'ment shall choose a fitt pson for serching of Caske and packing of fish and meat and to p'sent them to a majestrate to bee Sworne.

1652.

It is enacted by the Court

That such ffences as are Judged sufficient against oxen and Cowes shalbee allowed sufficient against horses and mares ; and if any horse beast breake into any Corn or grasse ouer such sufficient fence ; the owners of such horses shall pay the damages proued as if they were Impounded.

1633.

It is enacted by the Court that euery Cunstablericke haue a sufficient pound to Impound Cattle that shall Transgresse any such orders as are or shalbee made ;

1655.

It is enacted by the Court that incase any cattle horses or hoggs shall treaspas vpon any and bee by them Impounded and after they are Impounded they remaine foure daies after notice giuen to the oweners and bee neither releuiued nor agreed for ; It shalbee lawfull for them as Impound them to

make publicke sale of them after publicke notice giuen to the Inhabitants of the towne of their Intention soe to doe; and after damages Satisfied the remainder to bee returned to the owners.

[PART II.]

It is enacted by the Court

i633.

That whatsoever damage comes to any by Cowes goates mares sheep or hoggs by breaking into mens sufficient Inclosures It shalbee lawfull for the psons soe damnified to Impound them; and two sufficient men to view the damage which shall accordingly bee giuen and paid;

It is enacted by the Court that noe man shall heard his owne Cattle or other mens to the p̄judice of any; att or neare his or their house vpon their land; but vpon due notice and warning shall reforme it or the case bee actionable;

i633.

It is enacted by the Court that if any Indian shall kill a woulfe in any township of this Jurisdiction hee shalbee paid a Coate of Trading Cloth and if any English shall kill a woulfe hee shalbee paid fifteen shillings to bee paid by the Countrey and defrayed by the Treasurer

i658.

This is otherwise ordered  
June 1661

\*It is enacted by the Court and the Authoritie therof

\*52

1. That euery Towne in this Goūment shall haue some publicke brand marke for their horses to destinguish them from other townes and alsoe some fitt pson appointed to take notice of mens publicke markes for horses and register them in a booke with their day and yeare which may bee the towne Clarke and the said pson to haue four pence a peece for euery horse kind hee regeste<sup>th</sup>

i658.

2. That all psons that are resident in any township and haue horses goeing there giue in vnto the said pson from time to time their seuerall markes of their horses with their age that soe they may record them;

3. That if any horse kind being about two yeares old and noe marke wherby the owner of them may bee clearly knowne that the said pson soe deputed taking notice of any such signify the same to the marshall the next generall Court that soe hee may bee three times cryed with his age and couller and that if within six monthes afterwards any vpon due euidence can owne them paying all nessesarie charges hee may haue him; but if in six monthes time none can owne him that then the said horse kind bee looked att as belonging to the Countrey and the Treasurer to take order to despose of him for the Countreys vse as the Countreys stocke defraying all nessesarie charges.

4. That noe pson or psons marke any horse kind younge or old but before sufficient witnessse that none bee wronged;

[PART II.]

5. That noe pson or psons take vp any horse kind soe as to send them out of this Gou<sup>r</sup>ment before hee or they cary the same to the pson deputed and soe euidence it to bee his or theirs for whom taken vp and take a note vnder his hand and that hee shall enter it both day and yeare ;

6. That noe Indians bee p<sup>m</sup>ited to course or take vp any horses except in companie with the English and that with the consent and approba<sup>o</sup>n of a majestrate if there bee any in that towne ; if not the approba<sup>o</sup>n of the Towne clarke ;

7. That if any pson or psons shalbee found carying any horse kind out of this Jurisdiction without a note vnder the hand of the ptie deputed as abouesaid from whence hee came that the horse bee Cecured att the Owners charge vntill a note bee procured and the pson that brought him bee fined five pounds to the Countrey if an Inhabitant ; but if a stranger not knowing the order the like penaltie vpon him that deliuered him if an Indian to bee publickely whipt by the Cunstable where hee shalbee taken with the horse ;

8. That wheras seuerall complaints haue bine made to the Court by diuers of great wronge and damage by straying horses not onely of other townes but alsoe of other Jurisdictions and noe redresse ; This Court ordereth That all such psons whose horses soe Treaspas and yett noe redresse or satisfaction Tendered ; that the Townshipes soe agreiued as they haue oppertunitie ; doe Impound the said horses vntill some due satisfaction bee giuen or Composition made for the treaspas and alsoe all other dues for their Impounding ; and hee that keeps the pound to haue six pence for euery horse that is Impounded ;

\*53  
1658.

\*Wheras it hath bine an ancient and wholsome order bearing date March the seauenth 1636 that noe pson coming from other ptes bee allowed an Inhabitant of this Jurisdiction but by the approba<sup>o</sup>n of the Gou<sup>r</sup> and two of the majestrates att least and that many psons contrary to this order of Court are crept into some townshipes of this Jurisdiction which are and may bee a great disturbance of our more peacable proceedings bee it Inacted by the Court and the Authoritie therof that if any such pson or psons shalbee found that hath not doth not or will not apply and approue themselae soe as to procure the approba<sup>o</sup>n of the Gou<sup>r</sup> and two of the assistants that such bee enquired after and if any such psons shalbee found that either they depart the Gou<sup>r</sup>ment or else that the Court take some such course therin as shalbee thought meet ;

1636.

It is enacted by the Court That none shall make sale of any boards planks or Timber out of the Gou<sup>r</sup>ment that hath bine growing in any

swampes that are reserved for publicke vse without leau but shall onely see doe of such as arise out of their owne proper grounds. [PART II.]

It is enacted by the Court that for the preventing of such Inconveniencies as may befall the Gou<sup>r</sup>ment by the want of Timber that noe man of what condition soeuer shall sell or Transport any manor of workes as frames for houses planks boards shiping Shallopes boates cannoes or whatsoever may tend to the destruction of timber how little soeuer the quantitie bee without the concent approbation and liking of the Gou<sup>r</sup> and Asistants and if any bee found faulty heerin and shall Imbarque or convey to that end to make sale of any of the pticulares aforesaid expressed or Intended by this order the said Timber to bee forfeited and to bee fined twice the vallue thereof soe sould to bee leued for the vse of the Collonie except what ariseth within their owne towneship or pticulare lands ; i626.  
In the beginning of the great old booke.  
This clause added i658.

It is enacted by the Court that whosoever shall saw any boards in any place within this Gou<sup>r</sup>ment that is not in the bounds of any pticulare towneship shall pay to the vse of the Gou<sup>r</sup>ment one shilling and eight pence for euery Thousand to bee paid to the Treasurer for the vse of the Collonie and of timber and planke according to the proportion answerable ; i652.

Wheras Complaint is made that much Timber is feld on the comon and lett lye and not Employed and suffered to rott there by those that feled it and therby the Countrey much damnified It is enacted by the Court that whosoever shall or hath felled any Timber on the Comon and doth not either Square or Riue it within halfe a yeaere after it is felled it shalbee lawfull for any other to make vse thereof as they shall see meet ; i658.

It is enacted by the Court that after December i658 noe raw hides (either slaughtered or otherwise falling or any skins viz: deer skins sheep skins goate skins or calue skins that shall fall shalbee Transported out of the Gou<sup>r</sup>ment on the penaltie of forfeiting them or their vallue to the Collonies vse ; i658.  
Repealed June i659

\*It is enacted by the Court that when the vpper Marshall shall haue occasion to leuy any fine or fines hee hath libertie by this order to choose one to prise the goods or Chattles taken by destresse ; and the delinquent hath libertie to choose another if hee please but if the delinquent shall refuse to choose another then the Marshall and him whoe hee hath chosen shall prise the said goods or Chattles and incase any bee required by the Marshall to prise the said goods or Chattles and shall refuse hee shalbee fined fve shillings for euery such default to the Collonies vse ; and what expence of time \*54  
i658.

[PART II.] and paines any shalbee att in prising such said goods or Chattles hee shalbee reasonably satisfied for the same.

1658. . It is enacted by the Court that if any shalbee chosen to serue on the Grand enquest and shall refuse to serue hee shalbee fined to the Collonies vse the sume of ten shillings for euery Court that hee is absent within the yeare for which hee is chosen to serue and incase hee shall wholly exclude himselfe all the yeare hee shalbee fined the sume of forty shillings to the vse of the Collonie vnlesse hee can giue sufficient reason to the Contrary vnto the Court ;

1658. . Whereas sundry psons both Quakers and others wander vp and downe in this Jurisdiction and follow noe lawfull calling to earne their owne bread and alsoe vse all Indeanours to Subvert Ciuill State and<sup>r</sup> to pull downe all churches and ordinances of God to thrust vs out of the wayes of God notwithstanding all former lawes prouided for the contrary ;

Be it therefore enacted by this Court and the Authoritie therof that with all convenient Speed a worke house or house of Correction bee erected that all such vagarants as wander vp and downe without any lawfull calling and alsoe all Idle psons or rebellious children or servants that are stuborne and will not worke to earn their owne bread and yett haue not wherewith to maintaine themselues may bee put to this house of Correction and there bee Employed in such worke as shalbee there prouided for them and to haue noe other Supply for their sustenance then what they shall earne by their labour all the while that they continew there and alsoe that some faithfull man bee appointed by the Court to bee ouerseer of this house of correction whoe shall carefully obserue such orders as shalbee from time to time directed to him from the Gou<sup>r</sup> or any of his assistants concerning any pson or psons that may bee sent to him ;

1658. . Whereas it is obserued that diuers psons in this Gou<sup>r</sup>ment are not able to prouide competent and convenient food and raiment for their Children wherby it is that poor children are exposed vnto great want and extremitie It is enacted by the Court and the Authoritie therof that two or three men shalbee chosen in euery township of this Gou<sup>r</sup>ment that all such as are not able to prouide nessesary and convenient food and clothing for their children and will not dispose of them themselves soe as they may bee better provided for ; such said children shalbee desposed of by the said men soe appointed as they shall see meet soe as they may bee comfortably prouided for in the p<sup>r</sup>misses ; and the seuerall townes shall returne the names of such men as shalbee soe deputed vnto the Court ;



\*It is enacted by the Court that incase any shall bring in any Quaker or Rantor or other Notorious heritique by land or water into any pte of this Gou<sup>r</sup>ment shall forthwith vpon order from any one majestrate returne them to the place from whence they Came or cleare the Gou<sup>r</sup>ment of them on the penaltie of paying a fine of twenty shillings for euery weeke that they shall stay in the Gou<sup>r</sup>ment after warning ;

\*55

i657.

This was repealed the 13 of June i660:

It is enacted by the Court and the Authoritie therof that incase any towne of this Gou<sup>r</sup>ment shalbee fined that the Court shall appoint three men to make a rate to leuy the fine whoe shall proceed therein according to the rules sett downe in the orders about the rates of the Countrey as neare as may bee and incase such men as shalbee soe appointed to make the said rates shall neglect it ; they shall pay the fine themselues and such said rates as shalbee made ; a cobby therof shalbee deliuered to the Cunstable to bee leuied as rates for other charges ;

i658.

It is enacted by the Court and the Authoritie therof that incase there shalbee occasion to Employ a messenger in the Countreyes busines that it shalbee lawfull for any of the majestrates to presse any pson or psons to goe on the Countreyes occasions and to bee payed out of the Countreyes stocke.

i658.

It is enacted by the Court that euery township in this Gou<sup>r</sup>ment shall haue a booke of the lawes of the Collonie and that they bee read oppenly once euery yeare ;

i658.

\*Acts and orders of Court made and concluded the seauenth of June i659

\*61

fforasmuch as many psons are greatly corrupted with the Quakers doctrines by reading their bookes writings or Epistles which are sent and distributed into sundry places within this Jurisdiction ; It is therefore enacted by the Court and the Authoritie therof that encase the Cunstable or Grandjurymen or Marshall shall find or heare of any Quakers bookes epistles or writings hee shall seize on them and p<sup>r</sup>sent them to a majestrate or the next court ;

Wheras the grand enquest is a place of great trust and concernment in the Comon wealth ; in discharge wherof is required expence of time and Charge ; It is therefore enacted by the Court that the seuerall townes of this Jurisdiction shall pay their grandjurymen towards their expence of time and Charge att three Courts two shillings and sixpence a day and nothinge att election Courts and that onely fit and able psons bee chosen for that seruice ; [and that the new grandjury men need not to appeare to take their Oath till the fifth day in the Court weeke. S.]

Repealed the  
14 of June  
1660.

It is enacted by the Court that the Majestrates shalbee hencforth freed from all publicke rates as respecting the majestrates table Clarke and Marshalls wages.

This is re-  
pealed June  
14: 1660.

It is enacted by the Court that such horses and mares as shall appeer to bee the Countreyes by order of Court the one halfe of them shalbee the townes where they are taken vp the due charge being taken out of the said halfe and the other halfe to bee the Gou<sup>r</sup>nors then in being ;

\*62  
1659.

\*It is enacted by the Court that a proposition bee made to the Quakers that such of them as will promise and engage to remoue their dwellinges out of this Gou<sup>r</sup>ment within six monthes after this p<sup>r</sup>sent Court and p<sup>r</sup>forme it ; that noe fine bee exacted of them as soe engage ; and such as whose estates are soe Impouerished as they are disabled to remoue they shall haue som supply made them out of the Tresury to healp them ;

The two lawes  
respecting this  
pticulare made  
in 1651 were re-  
pealled both  
of them this  
Court; 1659.  
1659.

It is enacted by the Court that whatsoever pson or psous shall frequently absent or neglect vpon the Lords day the publicke worship of God that is ap-  
proued of by this Gou<sup>r</sup>ment shall forfeite for every such default ten shillings

It is enacted by the Court that wher highwaies are wanting in any towneship of this Jurisdiction that there the next Majestrate vnto such Towneshipp shall Impannell a Jury for the laying out of such wayes as shalbee found by them convenient.

1659.

It is enacted by the Court that every Cunstable of this Jurisdiction shall haue a Cunstable staffe wherby to distinguish them in theirre office from others and to bee prouided by the treasurer and to bee deliuered by the forgoing Cunstable to him that Succeeds yearly ;

\*63  
1659.

\*It is enacted by the Court that a proposition bee made vnto the seuerall townshippes of this Jurisdiction whether in respect vnto the repealing of such lawes as were made in March 1657 and June 1658 and Septem: 1658 they shall thinke it meet to sumon the whole body of freemen to come together ; that soe the minds of the major pte of the ffreemen may bee knowne about the p<sup>r</sup>misses and to send theirre minds to the next October Court.

1659.

It is enacted that the law respecting the oath of fidelitie shall stand in full force ouely that it shalbee in the power of the majestrates to metegate the execution therof to such as are or shall appeer to bee low in their estates.

1653.

It is enacted by the Court that all sentances and Censures that shall fall out to bee Inflicted by the vnder Marshall viz: whipping Stocking stickmatising or puting to death hee shalbee payed for the same by the Countrey out of the Tresury:

The law about  
the vnder Mar-  
shall's pay  
made 1658 is  
repealed.

It is enacted by the Court that such as stay drinking or tippling wine or strong drinke abusiuey in any house of any towneship of this Jurisdiction the Cunstable or grandjurymen of the towne are heerby authorised to make enquiry into such abuses and finding any to transgresse to warne them or cause them to bee warned to the Court to answare for there misdemeanors therein ;

[PART II.]  
i659.

\*It is enacted by the Court that three men bee Nominated in the voates for choise of Comissioners that soe incase of the faylcing of either of the first two nominated in the voates by reason of some euident hand of God Impeding then the third nominated to supply his place ;

\*64  
i659.

Wheras Complaint is made that the Indians in seuerall ptes of this Jurisdiction liueing in remote places from any townshipes haue receiued great damage by the horses and hoggs of the English ; It is enacted by the Court that it shalbee lawfull for the Indians soe anoyed by the horses or hoggs of the English whoe liue remote from any towne to bring such horses or hoggs to the pound in the next township and there to bee kept till the owners take a course to satisfy the damage ; and such Indians to haue twelue pence a peece for horses and six pence apeece for hoggs, if they bring them aboue eight miles ; and alsoe that if any neat Cattle shall treaspas the Indians ; It shalbee lawfull for them to Impound them that soe they may haue resonable Satisfaction ;

i659.

It is enacted by the Court that the Vnder Marshall shall haue of any prisoner comited to his charge two shillings and six pence for Comitment and two shillings and six pence for his release and one shilling and six pence a day for the time hee keeps him afterwards.

i659.  
This order was repealed at the Court held at Plymouth the 12 of June i660.

It is enacted by the Court that euery towne of this Jurisdiction shall haue a pound to impound Cattle by the Next october Court on the penalty of fife pounds for euery towne that shall neglect ; and a pounder to keep it ;

i659.

\*It is enacted by the Court that if any towne in this Jurisdiction shall Neglect to procure a brand marke by the last of July next for to marke there horses according to order shalbee fined fife pounds ;

\*65

It is further ordered that euery owner of horses shall take the first oppertunitie to marke and enter there horses according to order and incase any shall neglect soe to doe betwixt this and March court next shall forfeite fife shillings to the towne for such default for euery horse found vnmarked ;

[PART II.]

The marke for horses for destination of the townes  
 ffor Plymouth a **P** on the neer buttucke  
 Duxburrow a **D** on the neer buttucke  
 Scittuate an **S** on the neer buttucke  
 Taunton a **T** on the neer shoulder  
 Sandwich an **S** on the neer shoulder  
 Yarmouth a **Y** on the neer shoulder  
 Barnstable a **B** on the neer Buttock  
 Marshfeild an **M** on the neer Buttocke  
 Rehoboth an **R** on the near Buttocke  
 Eastham an **E** on the far shoulder  
 Bridgwater **B** on the neer shoulder ;

The Court vnderstanding that some in an vnderhand way haue giuen vnto the Indians money or goods for their lands formerly Purchased according to order of Court by the majestrates therby Insinuating as if they had dealt vnjustly with them It is enacted by the Court that some course bee taken with those whom wee vnderstand [haue lately transgressed in that kind. S.]

\*66

\*It is enacted by the Court that the Grandjurymen in each towne of this Gou<sup>r</sup>ment bee warned att election Courts to make their appearence on the fift day of that weeke.

[The law for hides is repealed. the law about the Marshalls wages Anno 1658. is repealed. the Two lawes about neglecting the worshipp of God made 165i are repealed. S.]

Wheras some haue desired and others thinke it meet to pmitt some psons to frequent the Quakers meetings to endeauor to reduce them from the error of their wayes the Court Considering the p<sup>r</sup>misses doe pmitt John Smith of Barnstable Isacke Robinson John Chipman ; and John Cooke of Plymouth or any two of them to attend the said meetings for the ends aforesaid att any time betwixt this Court and the next october Court ;

~~The Court alloweth vnto each Towne in this Gou<sup>r</sup>ment thirty shillings to bee Employed towards the setting forth of the troop of horse viz thirty shillings for euery horse they shall sett forth~~

[The Court Alloweth to Each Towne in this gouernment to bee employed towards the setinge forth A Troop of Horse the sum of thirty shillings for euery horse they set forth and is to bee disposed off by the deputies of the Townes for y<sup>e</sup> ends Aforesayd and this is to bee payd by the Treasurer. Leiuenant Torrey Joyned to goodman Stetson to act in this Busines. S.]

It is enacted by the Court that noe Strong liquors shalbee sould in any place within this Gou<sup>r</sup>ment to exceed in prise three shillings a quart.

\*Acts and orders made and concluded Att the  
 Generall Court held att New Plymouth  
 the 10<sup>th</sup> of June 1660:

[PART II.]  
 \*67

**W**HERAS there hath seuerall psons come into this Gou<sup>r</sup>ment comonly called Quakers whose doctrine and practices manifestly tends to the Subversion of the fundamentals of Christian Religion Church order and the Ciuill peace of this Gou<sup>r</sup>ment as appeers by the Testimonies giuen in sundry depositions and otherwise It is therefore enacted by the Court and the Authoritie therof; that Noe Quaker or pson comonly soe called bee entertained by any pson or psons within this Gou<sup>r</sup>ment vnder the penaltie of five pounds for euery such default or bee whipt; and incase any one shall entertaine any such pson Ignorantly if hee shall Testify on his oath that hee knew not them to bee such hee shalbee freed of the aforsaid penaltie; prouided hee vpon his first deserning them to bee such doe descouer them to the Cunstable or his deputie;

It is alsoe enacted by the Court and the Authoritie therof that if any Rantor or Quaker or pson comonly soe called shall come into any towne within this Gou<sup>r</sup>ment; and bee apprehended by the Cunstable or any other; they shall bring them before some one of the maiestrates of this Jurisdiction whoe shall comitt him or them to the Jayle; and there to bee kept in close durance and to haue onely such prouision as the Countrey aloweth which is thripenca a day and soe to remaine vntill the next Court after their Comitment; and then to bee p<sup>r</sup>sented before the Court and by them Injoynd; directly to depart out of the Gou<sup>r</sup>ment; and incase hee or they shall refuse or neglect soe to doe; then that they shalbee publickly whipt and sent out of the Gou<sup>r</sup>ment paying their fees; and forasmuch as the meetings of such psons whether strangers or others proueth desturbing to the peace of this Gou<sup>r</sup>ment;

It is therefore enacted by the Court and the Authoritie therof that henceforth noe such meetings bee Assembled or kept by any pson in any place within this Gou<sup>r</sup>ment vnder the penaltie of forty shillings a time for euery speaker and ten shillings a time for euery hearer (that are heads of families) and forty shillings a time for the owner of the place that p<sup>r</sup>mits them soe to meet together; and all such as shalbee found att any such meetings; as are vnder the Gou<sup>r</sup>ment of others as wiues children or seruants; &c The Cunstable of such a towne where such meeting is shall forthwith carry them either into the stockes or Cage whoe shall remaine there according to the descretion of the said Cunstable prouided if hee put them into the stockes they shall not

Repealed 8<sup>th</sup> of  
 June 1661.

This is re-  
 pealed the 8<sup>th</sup>  
 of June 1661.

[PART II.] continew there aboue two houres if in the winter nor aboue four houres if in the summer ; and if hee put them Into the Cage they shall not continew there longer then vntill night if in the winter ; and not longer then the next morning in the summer ; and for all young psons whoe are att their owne dispose and shalbee found att any such meetings that the same course bee taken with them either by puting them into the Cage or stockes ;

\*68  
1660.

\*It is enacted by the Court that there shalbee in the seuerall Townshipes of this Jurisdiction a Cage erected especially att Sandwich Duxburrow Marshfeild and Scitteate and that the charge of them shalbee defrayed out of such fines as shall arise out of the said Townshipes soe that the said charge exceed not three pounds ;

Wheras by a former order of Court all psons were required to giue notice to the Cunstabes of their seuerall precincts of all such psons as were knowne to bee foraigne Quakers ; Now this p'sent Court doth enacte that it shalbee lawfull for any Inhabitant within this Jurisdiction vpon their knowlidge ; and haueing oppertunitie to vse all endeauors to Apprehend all such Quakers and to deliuer them to the Cunstable or bring them before the Gou<sup>r</sup> or some one of the majestrates ;

Wheras wee find that of late time the Quakers haue bine furnished with horses and therby they haue not onely the more speedy passage from place to place to the poisoning of the Inhabitants with their cursed Tenetts ; but alsoe therby haue escaped the hands of the officers that might otherwise haue apprehended them It is therefore enacted by the Court and the Authoritie therof That if any pson or psons whatsoever in this Gou<sup>r</sup>ment doth or shall furnish any of them with horse or horse kind the same to bee forfeited and seized on for the vse of this Gou<sup>r</sup>ment ; or any horses that they shall bring into the Gou<sup>r</sup>ment or shalbee brought in for them and they make vse of shalbee forfeited as aforesaid ; and that it shalbee lawfull for any Inhabitant to make seizure of any such horse and to deliuer him to the Cunstable or the Tresurer for the vse of the Countrey.

In reference to the puting in execution the order about the house of Correction ; it is ordered by the Court that an adition shalbee erected of fourteen foot longe of equall hight with the prison att the one end therof with two Chemneyes in it ; one in the lower rome and the other in the vper rome ; with a yard afore it of about eight foot high made of boards ; and the Tresurer is to take some Speedy course for the doeing of it ; and that a fitt pson bee chosen by the Majestrates to bee the ouerseer therof ;

\*It is enacted by the Court that any one that shall bring in any Quaker or Rantor by land or water into this Government viz: by being a guide to them or any otherwise shalbee fined to the vse of the Government the sume of ten pounds for euery such default ;

Wheras some Trouble and Inconuenience hath arisen by reason that some haue bine chosen to the office of Cunstable and haue rather chosen to pay the fine formerly Amerced for such default then to serue in the said office ; and soe the towne Nessesitated to make a new choise therby puting them to further Charge ; It is enacted by the Court and the Authoritie therof that if any man being chosen by any Towne in this Government to serue in the office of a Cunstable and shall refuse to serue therein shalbee fined the sume of four pounds the one halfe therof to the towne in which they are chosen and the other halfe therof to the vse of the Collonic ;

It is enacted by the Court that the Vnder Marshall shall haue twenty Nobles more aded to his former wages To bee payed out of the Tresury ; and that for the future hee shall not expect any fees for the keeping of any prisoner ; sauc onely to haue two shillings and six pence for comittment and two shillings and sixpence for release as formerly ;

Wheras the Court hath taken notice that diuers of the ffreemen of this Corporation doe neither appeer att Courts of election nor send their voates by proxy for the Choise of majestrates &c It is enacted by the Court and the Authoritie therof ; that whosoeuer of the ffreemen of this Corporation ; that shall not appeer att the Court of election att Plymouth in June anually nor send their voate by proxy according to order of Court for the choise of Gou<sup>r</sup> Assistants Comissioners and Treasurer shalbee fined to the Collonies vse the sume of ten shillings for euery such default ; vnlesse some vnavoidable impediment hinder such in their appeerance ;

\*Wheras the milletary Companies of this Jurisdiction are entered into a Regementall Posture and therefore that the vse of Pikes is nessesry and some alreddy prouided for that end ; It is enacted by the Court that the charge of the said pikes shalbee borne by the townes respectiucly and that notwithstanding this order that such as exersiceth with the said pikes shall keep their other Armes viz: Muskett &c fix and fitt for seruice ;

\*70

In reference vnto the order of Court conserning carying of Armes to the meetings on the Lords day it is enacted by the Court and the Authoritie therof that if any ouerseer of any Squadron in any milletary Companie of

Repealed June  
9<sup>th</sup> 1661.

[PART II.]

this Jurisdiction that shall neglect to take notice of and p<sup>r</sup>esent a true list of such as are defectiue in bringing theire Armes to the meeting on the Lords day shalbee fined the sume of three pounds to the Collonies vse ;

Repealed the  
9<sup>th</sup> of June  
1661.

It is enacted by the Court that for matter of ordinary delinquency about penall lawes It shalbee lawfull for the Court of Majestrates to Issue the same in point of sensure without Impanneling of a Jury for the tryall of the case encase the fine exceed not the sume of ten pounds ;

It is enacted by the Court that all Controuersyes that shall arise betwixt man and man not exceeding forty shillings shalbee ended by the majestrates att the Court of assistants without Impanneling of a Jury for the tryall of the case ;

1663.

It is enacted by the Court that whosoeuer shall sell by ~~Retail~~ any wine or stronge waters in any towne of this Gou<sup>r</sup>nment being not allowed by the Court shalbee fined five pounds to the vse of the Collonie for euery such default ; except they sell it to such as are allowed to retaile.

It is enacted by the Court that hencesforth noe fines due to the Countrey shalbee payed in Wampampeak.

\*71

\*fforasmuch as Complaint is made that many Indians presse into diuers ptes of this Jurisdiction ; wherby some of the plantations begine to bee oppressed by them ; It is enacted by the Court that noe strange or forraigne Indians shalbee pmitted to come into any pte of this Jurisdiction soe as to make theire residence there ; and for that end that notice bee giuen to the seuerall Sagamores to preuent the same ;

It is enacted by the Court and the Authoritie therof that euery pson of the age of descretion which is accounted sixteen yeares whoe shall wittingly and willingly make or publish any lye which may bee pnisious to the publicke weale or tending to the damage or hurt of any pticulare pson or with Intent to deceiue and abuse the people with falce newes or reports shalbee fined for euery such default ten shillings ; and if the pty bee vnable to pay then to bee sett in the stockes soe longe as the Court shall think meet ;

[The former Order About lyinge is Repealed and likewise the Order about Tryalls at May Courts soe that henceforth all Tryalls by way of Jury are to bee Tryed either at October or March yearly and at no other court. S.]

Memorandum That Duxburrow bee eased in the charg about the troop of horse the next yeare ;



\*Att the Generall Court holden att  
Plymouth the 2<sup>cond</sup> of October 1660.

\*72  
1660.

**T**HE Court haue ordered that the law concerning not coming to our meetings that the fines shall not be leuied vntill the Court shalbee in a capacitie to order otherwise;

It is enacted by the Court and the Authoritie therof That all our Courts warrants Summons and Comaunds bee all done directed and made in the Name of his Ma<sup>tie</sup> of England our dread Sou<sup>r</sup>: and alsoe that all Siuill officers and minnisters of Justice within this Jurisdiction to bee Sworne in his said Ma<sup>ties</sup> Name as alsoe that the oath of fidelitie and all other oathes shall goe in that tenure;

In reference vnto the law prohibiting buying or hiering land of the Indians directly or Indirectly bearing date 1643 the Court Interpretts those words alsoe to comprehend vnder the same penaltie; a prohibition of any mans receiuing any lands vnder pretence of any gift from the Indians without the approbation of the Court; likewise the prohibition of any English to giue any powder shott or Amunition horses or boates is Intended alsoe vnder the same tearme of Indirect selling vnto the Indians vnder the same penaltie;

The fift of June 1661 Charles the second; Kinge of England Scotland france and Ireland &c; was Solemly Proclaimed Att Plymouth in New England;

\*Att the Generall Court held Att Plymouth the  
fourth of June 1661 enacted as followeth

\*73

**I**T is enacted by the Court and the authoritie therof That all p<sup>r</sup>sons within this Gou<sup>r</sup>ment that are att their owne dispose and haue not taken the oath of fidelitie shall repaire vnto some one of the maiestrates of this Jurisdiction to take the said oath; which if they shall neglect or refuse to doe such p<sup>r</sup>son or p<sup>r</sup>sons shalbee Sumoned to euery election Court to make their apperance theratt; during the time of their abode in this Gou<sup>r</sup>ment; and if any such p<sup>r</sup>son or p<sup>r</sup>sons shall then refuse to take the said oath they shalbee fined the sume of fve pounds to the Collonies vse;

~~It is enacted by the Court and the authoritie therof That if any p<sup>r</sup>son or p<sup>r</sup>sons commonly called Quakers or othey such like Vagabonds shall come into any towne of this Gou<sup>r</sup>ment; the Marshall or Constable shall apprehend him~~

[PART II.] or them and vpon examination soe appeering hee shall whip them or cause them to be whipt with rodds ; soe it exceed not fifteen stripes ; and to giue him or them a passe to depart the Goufment ; and if any such pson or psons bee found within the Goufment ; without their passe or not acting according therunto they shalbee punished againe as formerly ; and incase any Constable of this Jurisdiction shalbee vnwilling or cannot procure any to Inflict the punishment aforesaid that then they shall bringe such psons to Plymouth to the vnder Marshall and hee shall enflit it ;

~~And forasmuch as the meetings of such psons whether strangers or others proueth disturbing to the peace of this Goufment It is enacted by the Court and the Authoritie therof That henceforth noe such meetings bee assembled or kept by any psons in any place within this Goufment vnder the penaltie of forty shillings a time for the owner of the place that pmitts them soe to meet together or bee whipt ; and for all such as are speakers in such meetinges to pay the like penaltie of forty shillings or bee whipt ;~~

It is enacted by the Court That the marshall Gorge Barlow shall haue libertie to apprehend any forraigne Quaker or Quakers in any pte of this Jurisdiction and to bee procecuted according to order prouided in that case ;

\*74

\*It is enacted by the Court and the Authoritie therof that henceforth noe pson or psons shall pmitt any meetinges of the Quakers to bee in his house or housing on the penaltie of being sumoned to the generall Court and there being convicted therof shalbee publickly whipt or pay fise pounds to the Collonies vse.

Wheras there is a Constant monthly meeting together of the Quakers from diuers places in great numbers which is very offenciue and may proue greatly prejuditiall to this Goufment ; and inasmuch as the most constant place for such meetinges is att Duxburrow ; This Court haue desired and appointed M<sup>r</sup> Constant Southworth and Wiltam Payboddy to reaire to such their meetings together with the marshall or Constable of the Towne ; and to vse their best endeauors by argument and discourse to conuince or hinder them ; and incase the place of their meeting should bee changed, The Court desires the aboue named or any other meet psons to attend them there alsoe ;

It is enacted by the Court and the Authoritie therof That hensforth noe Summons bee Issued forth before the action bee entered and Charges defrayed.

It is enacted by the Court that henceforth all euidences and Testimonies that shalbee produced for the clearing of any case shalbee giuen into the Court in writing and to bee kept vpon the file ;

[PART II.]

fforasmuch as Jurymen for Tryall of causes betwixt pty and pty haue bine Sumoned out of the Towne of Plymouth and other townes neare ther-vnto and that by the frequency therof it hath proued burthensome to such; It is enacted by the Court and the Authoritie therof that out of other townes of this Jurisdiction; the most remote excepted; as occation shall require there shalbee one man out of each towne required to attend the Courts for such purpose whose name shalbee specified in the warrants that are Issued forth to warne the Court

It is enacted by the Court that all stray horses or horse kind that noe pticulare pson can make any Just proffe that they are his or theires shall appertaine vnto the Countrey.

It is enacted by the Court that all such as take any strays that shalbee found and proued soe to bee They that take them vp and giue enformation conserning them; shall haue one pte of three for their labour therein;

It is enacted by the Court that the rules and wayes to bee obserued for the tryall of strays shalbee by their age markes Couller Ɔ

\*It is enacted by the Court That all woulues that shalbee killed by any English in any pte of this Jurisdiction; They that kill them shalbee payed by the townes in whose precincts they are killed; and such Indians as kill any woulues; they shalbee satisfied by the Treasurer.

\*75

It is enacted by the Court That noe Stranger or forraigner shall Improue our lands or woods att the Cape for the makeing of fish without liberty from the Gou'ment; and that all such as shall haue libertie shall attend such further orders as shalbee giuen them conserning the same; and that they shall pay six pence a kentell for all such ffish as shalbee made as aforesaid; to the Collonies vse;

It is enacted by the Court and the Authoritie therof That all ordinary keepers or other retaillers of strong waters doe pay an excise of foure pence a gallon for all such liquors as is made in the Collonie and drawne forth and retailed by them; and eight pence a gallon for all such as they shall bring in or haue brought in to them from other ptes which they shall draw forth and retaile as aforesaid; and that when they bring home any Liquors they shall enter it with the towne Clarke before it bee broached on the penaltie of the forfeiture of the third pte of the vallue of what is drawne out before it bee excised;

Otherwise  
ordered June  
1662.

[PART II.]

It is enacted by the Court that five shillings shalbee payed to the Countrey vpon euery barrell of Oysters that is carryed out of the Gou'ment and that the Countrey bee not defrauded hee shall enter them with the Towne Clarke before hee carry them away or else to forfeit twenty shillings p barrell on any carryed away not entered.

~~It is enacted by the Court that all Tarr That goes out of the Gou'ment six pence a barrell bee payed for the Countreyes vpon all such Tarr as shalbee made on any lands that are within any Township; and twelue pence p barrell on such as is gathered on the Countreyes Comons and that the same Course bee taken for the entrey thereof before any bee Carryed away on penaltie of forfeiting four shillings p barrell for any soe Carryed away; It is with this prouiso that all such Tarr as is made and knotts that are gathered att the time of the entrey of this order comes not vnder <sup>the same</sup> this order and that this order take place and begin on the first of July next;~~

\*76

\*It is enacted by the Court that for all boards and plankes that shalbee Transported out of the Gou'ment three pence a hundred bee payed to the vse of the Countrey; and sixpence p hundred bee payed vpon barrell Staues and heading and eight pence an hundred on hogshhead staues and hogshhead headings and that both boards planck and cooper stufte bee entered with the towne Clarke before it bee carryed away on the penaltie of the forfeiture of the one third pte of the vallue of what is carryed away not entered.

It is enacted by the Court and the Authoritie therof that whoesoever shall Transport any Iron out of the Gou'ment shall pay vnto the Countreyes vse twelue pence on euery hundred and hee shall enter such Iron as hee caryeth or selleth away with the Towne Clarke on penaltie of forfeiting a third part of the vallue of it to the Countreyes vse;

The Court haueing declared by their voate that in their Judgments and Consiences the benefitt of whales is yett the Countreyes notwithstanding any thinge formerly done; haue ordered conserning them as followeth viz: That the townes where any shall come on shore may rent them for three yeares att the rate of two hogshhead for a fish yearly to bee payed att Boston full and marchantable and that the deputies of those townes doe signify this tender to their townes which incase they doe not accept the Treasurer to haue power att october Court to lett it to the best aduantage to any other that will hier itt and then to allow to such Townes where any ffish comes on shore; two hogshheads out of each ffish to any publicke vse of the towne on Condition

Otherwise  
ordered June  
the 3: 1662.

that they suffer any man that hiereth it; freely to Cart and try it on their lands and with their wood. [PART II.]

It is enacted by the Court that whosoever taketh any Whale on drift att sea without those bounds and limitts already sett; and doe bring them on shore hee shall haue the one halfe and the Countrey the other halfe; the Countrey to allow Cask for their pte of the oyle;

It is enacted by the Court that whosoever shall find any whale on shore on the Cape or elsewhere; That is out of any townes bounds; and is on the Countreyes bounds or limitts shall allowe the Countrey two hogshheads of oyle cleare and payed att Boston;

\*It is enacted by the Court and the Authoritie therof that if any man die without Will his wife shall haue a third part of his Land during her life and a third pte of his estate foreuer; \*77

It is enacted by the Court That a sufficient man in euery towne; bee appointed to take vp what excise shalbee due to the Countrey whether Iron Tarr boards oysters &c and that the said men bee vnder oath and that they shall haue power to make serch and what forfeites they find they shall haue the one halfe therof; and out of the said excise euenced to haue three shillings vpon the pound; and that they giue a Just account To the Treasurer the first of Nouember and the first of May Annually; The Names of such as are appointed are as followeth Repealed June 1662.

For Plymouth	John Morton	For Yarmouth Rich:	Taylor <i>Taylor</i>
For Duxb:	Gorg Partrich	For Barnstable	John finney
For Scittuate	John Turner Juni <sup>r</sup> :	For Marshfeild	John Bourne
For Sandwich	Gorg Barlow	For Rehoboth	Wiltam Carpenter
For Taunton	Wiltam Harvey		
For Eastham	Job Cole or some other the towne shall app.		
For Bridgwate	John Haward Juni <sup>r</sup> .		

The oath to bee giuen to those that receiue the excise;

Inasmuch as the Court haue seen cause to order an excise to bee layed vpon sundry things you shall dilligently attend the execution of all such orders in such case prouided; and both demaund and receiue such sume or sumes as shalbee due to bee payed by vertue of any the said orders; you shall faithfully keep a true account of all such sumes as you shall Therby receiue and faithfully deliuer vp a true account therof vnto the Treasurer as hee shall demaund it; according to order Soe heelp you God;

[PART II.]

The oath of a sealler of measures  
is as followeth

[<sup>1</sup>size.]

Wheras you are chosen to the office of a sealler of measures for the Towne of ƥ You shall during your continuance in the said office Truly and faithfully seize<sup>1</sup> and seale all such measures as are att any time brought in vnto you for that end ; according to the best of your abillities as exact as may bee according to such Standards as are allowed and provided by the Countrey Soe heelp you God ƥ.

\*78  
Repealed

\*It is enacted by the Court that all Tarr that goes out of the Gou<sup>r</sup>ment ; six pence a barrell bee payed to the Countrey ; vpon all such Tarr as shalbee made ; on any lands that are within any Township ; and twelue pence a barrell on such as is gathered on the Countreyes Comons ; and that the same course bee taken for the entery therof before any bee carryed away on penaltie of forfeiting foure shillings a barrell for any soe carryed away ; provided that all such Tarr as is made or shalbee made att any time within this Instant month of June shall not fall vnder this order ;

\*79

\*Actes and orders made and concluded by the Generall Court held att Plymouth for the Jurisdiction of New Plymouth the third of June Ann<sup>o</sup> *June the third* 1662.

Wheras there hath bine much controuersye occasioned for want of a full and cleare settlement of matter relating vnto such whales as by Gods prouidence doe fall into any pte of this Jurisdiction This Court doth therefore order for the preuension of any discontent or controversy for the future and for a finall Issue and settlement soe farr as in the Court lyeth about the same ; that for all such whales as by Gods prouidence shalbee cast on shore on any pte of this Gou<sup>r</sup>ment or shalbee by any cut vp att sea and brought on shore in the Gou<sup>r</sup>ment ; there shalbee for euery such ffish one full hogshead of Marchantable oyle payed vnto the Countrey deliuered att Boston by such townes or psons as are Interested in the lands where they fall or shall soe cutt vp any ffish att sea ; and incase that any ffish bee soe considerably torne or wasted that a full quarter pte bee gone ; then to pay but halfe a hogshead and for such Inconsiderable peeces of ffish as are lesse then halfe they shall pay nothing ; and for the resedew of such ffish or the produce of them as remains the Countreyes pte being discharged It shalbee freely att the dispose of such Townes where it falls or for the Beniffett of such as Cutt them vp ; if taken on drift without such bounds as haue bine formerly sett ; the same being still continewed ;

The Court proposeth it as a thing they Judge would bee very comendable and beneficiall to the Townes where Gods Prouidence shall cast any whales; if they should agree to sett apart some pte of euery such fish or oyle for the Incouragement of an able Godly Minnester amongst them;

<sup>1662</sup>  
~~\*Wheras great Complaint is made of Intollarable abuse in diuers ptes of this Jurisdiction by soe great quantitie of Strong Liquors brought into and drawne forth in the Collonie wherby is great excesse both amongst Indians and English and alsoe to preuent the abuse of trading powder and shott to the Indians It is enacted by the Court and the authoritie therof That whatsoever wine or stronge waters shott or ledd shalbee brought into this Gouernment by any boat Barke or other Vessell; or into any Inland Plantation by any Carryer or wagganer that is knowne to them the said Master Carrier or wagoner shall within three dayes of his ariuall; or sooner if it bee demaunded of him giue in an Invoyce of the same either to the towne clarke; or other man appointed thervnto; on penaltie of forfeiting of the vualue of such wine or liquor the one halfe to the enformer and the other halfe to the vse of the Collonie.~~

\*80  
 1662.  
 June.

And incase any master carrier or waganor shall haue cause to suspect any such goods may bee consealed in any caske or bagg amongst other goods; It shalbee lawfull for them to detaine it vnder his Charge vntill hee haue enformed the pson or psons appointed to take Care therof; in whose power it shalbee to open and serch the same; and incase It shalbee found that hath bine soe concealed; It shalbee forfeited the one halfe to the Collonie; and the other halfe to the master or any other that shall enforme;

And that all such psons as are appointed to take Invoce of such goods shall giue an account into euery of the generall Courts that soe they may enquire after and take due Course for the preuension of such abuse; and this Court doth Impower the Majestrates to take such effectuall Course against any that they shall find to transgresse in this kind; as they may in Case of other misdemeanors;

~~\*Wheras great complaint is made of Intollarable abuse in diuers ptes of this gouernment by the bringing in of such great quantities of wine and stronge waters by which greate excesse is occasioned both amongst Indians and English; and alsoe to preuent the abuse in trading powder shott and ledd to the Indians;~~

\*81<sup>a</sup>  
 1662.

It is enacted by the Court and the Authoritie therof That whatsoever wine or strongwaters powder shott or ledd shalbee brought into this Gouernment by any boate barke or other vessell or into any Plantation by any Carrier

[PART II.]

or waganor that is knowen to them; the said master Carrier or waganor; shall within three dayes of his arrivall or soone if it bee demaunded of him; giue in an inuoe of the same to such pson or psons as the Court shall appoint thervnto on penaltie of his forfeiting the vallue of all such goods the one third to the Informer and one third to the Collonie, and a third to them that is appointed to Inuoe and serch;

Morouer incase any Master Carrier or waganer shall haue cause to suspect any such goods may bee concealled in any Cask or sacke amongst other goods; It shalbee lawfull for him to detaine it vnder his charge vntill hee haue enformed the pson or psons appointed to take care therof <sup>and authorised</sup> ~~in whiche~~ power it shalbee to open and serch the same; and incase any shalbee found that hath bine soe concealed it shalbee forfeited the one third to the Collonie another third to the master or any other that shall enforme; and another third to the searcher and that all such psons as shalbee appointed to take Inuoe of such goods shall giue an accounte into euery of the generall Courts that soe they may enquire after and take due course for the preuension of such abuse

And this Court doth Impower the majestrates to take such effectuall course against any that they shall find to transgresse in this kind as they may incase of other misdemeanors

And further the Court doth require all psons within this Gou'ment that doe or shall still any stronge waters to giue in an account vnto the psons appointed thervnto of their disposall of them both of the quantitie and the psons to whom sold on penaltie of his forfeiting the vallue of such liquors as hee shall not giue in; a third to the Collonie a third to the enformer and a third to such psons as are appointed to take Inuoyce therof;

1662.

\*81<sup>b</sup>  
Repealed.

\*It is enacted by the Court that all ordinary keepers or retaillers of strongwaters doe pay an excise of four pence a gallon for all such liquors as are made in the Collonie and drawne and retailled by them and eight pence a gallon for all such as they shall bring in or haue brought in to them from other ptes which they shall draw forth and retaile as aforesaid; and that all retaillers and ordinary keepers shall twise in the yeare viz: in the month of may and in the month of october; giue in to the Treasurer or his assignes a true account of all such liquors as they shall bringe in or shalbee brought in vnto them and retailled as aforesaid vpon the penaltie of paying a fine of fve pounds for any that shalbee brought in and not accounted for as aforesaid;

Wheras It is giuen forth that diuers are vnsatisfyed about the sale of Kenebecke and that oppertunitie is lately p'sented vnto vs for the haueing of



it againe the deputies haueing considered of the p<sup>r</sup>mises ; and finding noe way p<sup>r</sup>senting it selfe by the taking of it againe for the better aduantage of the Collonie haue with one consent agreed that they desire not to meddle with it againe but doe ratify the sale therof.

[PART II.]

The Treasurer is ordered by the Court to procure a booke of the statutes of England for the vse of the Collonie

\*Wheras Complaint is <sup>i662.</sup> made of some ordinary keepers in this Jurisdiction that they doe allow p<sup>r</sup>sons to stay on the Lords daies drinking in their houses in the Intrimes of times betwixt the exercises especially young p<sup>r</sup>sons and such as stand not in need therof ; It is enacted by the Court and the authority therof that noe ordinary keeper in this Gou<sup>r</sup>ment shall draw any wine or liquor on the Lords day for any except in case of nessesitie for the reliefe of those that are sicke or faint or the like for their refreshing ; on the penalitie of paying a fine of ten shillings for eacery default ;

\*82

It is ordered<sup>1</sup> by the Court that the Generall training shalbee one yeare at Duxburrow and another yeare at Yarmouth ; that is to say euery other yeare for the future att one of those townes ; onely this p<sup>r</sup>sent yeare for speciall cause it is ordered to bee att Plymouth on the third<sup>2</sup> Weddensday in September next ;

[<sup>1</sup>enacted.][<sup>2</sup>last.]

It is enacted by the Court that if any one of the foot souldiers of any milletary Companie of this Jurisdiction shall vnnessearily exempt himselfe from appearence att the generall trainings att the time and place appointed except incase of sickness lamenes Countrey busines or the like shalbee fined five shill. a day for euery day they shall see neglect incase they cannot giue a satisfactory reason therof vnto the milletary Comaunder in cheife of that Companie and that all such fines shalbee to the vse of the Companie to which the delinquents doe belonge ;

and these daies to bee as well for the daies of marching out of the towne as for the daies of exercise in training.

i664.

It is enacted by the Court that the whole troop of horse both they and the vounteers aded to them shall haue the same libertie that was graunted to those that were the first Troopers viz: to bee freed from foot service watching and warding ; and likewise their horses to bee rate free.

\*Wheras Notwithstanding former orders that haue bine made for the preuenting of wrong done to the Indians by the horses and hoggs of the English ; it doth appeer that the Indians liueing in remote p<sup>r</sup>tes from any townshipes doe sustaine much wrong by horses and that the English likewise may sustaine much damage in their pticulares therby ; the Court haueing seriously considered therof and finding some Inconueniency in coming to a

\*83

i662.

June.

[PART II.]

generall order about the same ; haue thought good to propose it to the seuerall townshipes of this Jurisdiction as a thinge much concerning them that such Townshipes where such wronge is done ; doe speedily take some course within themselues about the same ; either by agreeing with the Indians to healep them to ffence their Corne or by compounding with them to secure their Corn themselues where places are vncapable of ffencing for want of stufte or otherwise as shalbee found most suitable to their Condition ; to preuent future Inconveniencies that may come by their neglect of the same ;

Wheras the Court haue formerly provided against the prophanation of the Saboth by vnnesessarie Trauelling on that day ; and haue alsoe provided against the setting vp of any publicke meeting without allowance of the Gouernment This Court doth desire that the Transgression of these orders may be carefully looked vnto and p<sup>r</sup>uented ; if by any due course it may bee ;

\*84

\*It is enacted by the Court and the Authoritie therof that all p<sup>r</sup>sons within this Gouernment that are att their owne dispose and haue not taken the oath of fidelitie shall repaire vnto some one of the maiestrates of this Jurisdiction to take the said oath ; which if they shall neglect or refuse to doe such p<sup>r</sup>son or p<sup>r</sup>sons shalbee summoned to euery election court to make their appeerance theratt during the time of their abode in this Gouernment ; and if any such p<sup>r</sup>son or p<sup>r</sup>sons shall then refuse to take the said oath they shalbee fined the sume of fve pounds to the Collonies vse ;

It is enacted by the Court that euery p<sup>r</sup>son of the age of descretion which is accounted sixteen yeares whoe shall wittingly or willingly make or publish any lye ; which may bee pnisious to the publicke weale or tending to the damage or hurt of any pticulare p<sup>r</sup>son or with Intent to deceiue or abuse the people with falce newes or reports shalbee fined for euery such default ten shillings ; and if the p<sup>r</sup>ty bee vnable to pay then to bee sett in the stockes soe longe as the Court shall thinke meet.

Wheras there hath bine much Controuersy for want of a full and Cleare settlement of matters relating vnto such whales as by Gods prouidence doe fall into any pte of this Jurisdiction

This Court doth therefore order for the preuention of any discontent or Controuersy for the future and for a finall Issue and settlement soe farr as in the Court lyeth about the same ; That for all such Whales as by Gods prouidence shalbee Cast on shore in any pte of this Gouernment or shalbe by any Cutt vp att sea and brought on shore in the Gouernment there shalbee for euery such ffish one full hogshed of marchantable oyle payed vnto the Countrey

deliuered att Boston by such Townes or psons as are enterested in the lands where they fall or shall soe Cutt vp any ffish att sea ; and incase that any ffish shalbe soe Considerably torne or wasted that a full quarter be gon ; then to pay but halfe a hogshed ; and for such Inconsiderable peeces of ffish as are lesse then halfe that they pay nothing ; and for the resedew of such ffish or the produce of them as remains the Countreyes pte being discharged It shalbe freely att the dispose of such Townes where it falls or for the benifitt of such as Cutt them vp if taken on drift without any such bounds as haue bine formerly sett the same being still continued ;

The Court proposeth it as a thinge that they Judge would bee very Comendable and beneficiall to the Townes where Gods Prouidence shall Cast any Whalcs if they should agree to sett apart some pte of euery such ffish or oyle for the Incurragment of an able Godly Minnester amongst them ;

It is enacted by the Court That whosoener shall find any whale on shore on the Cape or elsewhere That is out of any Townse bounds and is on the Countreyes lands or limetts shall allow the Countrey two hogsheds of oyle Cleare and payed to the Countrey.

\*It is enacted by the Court that the Treasurer shall procure a booke of the Statutes of England for the vse of the Collonie.

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It is enacted by the Court that if any one of the foot souldiers of Any milletary Companie of this Jurisdiction shall vnnessesaryly exempt himselfe from appearence att the Generall Training att the times and places appointed ; except incase of sickness lamnes Countrey busines or the like shalbe fined fife shillings a day for euery day they shall neglect incase they Cannot giue a satisfying reason therof vnto the milletary Comaunder in Cheife ;

It is enacted by the Court That the whole Troop of horse both they and the vounteers aded to them shall haue the same libertie that was graunted to those that were the first Troopers viz: to be freed from foot seruice watching and warding ; and likewise their horses to be rate free ;

Notwithstanding all the orders that haue bine made for the preventing of wronge to the Indians by the horses and hoggs of the English It doth appeer that the Indians liueing in remote ptes from any Townshipes doe sustaine much wronge by the horses and that the English doe sustaine much damage in their pticulars therby ; The Court haucing seriously Considered therof and finding some Inconueniency in coming to a Generall order about the same haue thought good to propose it to the seuerall Townshipes

[PART II.]

of this Jurisdiction as a thing much concerning them That such Townshippes as where any such wrong is done speedily take some course within themselves about the same either by agreeing with the Indians to healep them to fence their Corne or by Compounding with them to Cecure their Corn themselves where places are vncapable of ffencing for want of stuffe or otherwise as shalbe found most suitable to their Condition to preuent future Inconveniency that may come by their neglect of the same ;

Wheras the Court haue formerly provided against prophanation of the Saboth Day by vnnesseary Trauelling thereon and alsoe haue provided against the setting vp of any publicke meeting without the allowanee of the Gou'ment ; this Court doth desire that the transgression of these orders may be Carefully looked vnto if it may be ;

It is enacted by the Court, that if any Indian or Indians shalbee found drunke in any Township of this Gou'ment ; That they bee forthwith taken by the Constable of the Towne and sett in the stockes ; and that if any liquors shalbe found with the Indians that it be forfeite to the vse of the Gou'ment ; and that it shalbe lawfull for any man to seize any Indian found drunke or any liquors found with the Indians and bring him or it to the Constable to be ordered and disposed of as aforesaid ; vnlesse any Indian shall make it appeer that hee hath such Liquors according to order of Court ; and the said Indians that shalbe sett in the stockes as abouesaid shall defray the charge thereof which is two shillings and six pence a time for euery of them ;

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1658.

\*It is enacted by the Court That euery towne of this Gou'ment shall haue a booke of the lawes of the Collonie and that they be openly read once euery yeare ;

In reference vnto such woulues as are or shalbe killed by the Indians the Collonie being out of stocke It is ordered by the Court That a psell of Wampam in the Treasurers Custody shalbe deuided and put into the hands of Leiftenant Freeman Leiftenant Hunt and the Treasurer for the paying of the Indians fifteen shillinges p head they bringing their head when the pay is demaunded and these men to giue an account this time twelue month what they shall disburse on this account ; and if any of them shall disburse more then the peage comitted to them ; then they to be repayed againe either by rate or otherwise.

It is enacted by the Court and the authoritie therof concerning the settling of New Plantations in an orderly way that notwithstanding the graunt

of lands to any particular persons in case such lands lye soe remote as the Inhabitants thereof can not ordinarily frequent any place of publicke worship That then noe person be admitted after the date heerof to goe to Inhabite vpon any such lands without such a competent companie or number of Inhabitants as the Court shall Judge meet to beginne a societie as may in a measure carry on things in a satisfactory way both to Ciuill and Religious respects ; and for the more comfortable carrying on thereof ; It is further ordered that such person or persons as shall haue the graunt of such lands about such places and will neither att the present liue on them themselves nor sell nor lett them to others that would ; that then such lands not yett inhabited att the beginning or progresse of such societies shalbe lyable to be rated in some meet proportion towards the defraying of such nessesary charges as shall arise either on Ciuill or Religious respects as abouesaid especially respecting an able godly minister in such place or places ;

Alsoe as for such places already begun with an Inconsiderable Number viz: Saconesett Acushenett &c that it be comended vnto them to apply themselves in some effectually way for the Increase of their number as they may carry on things to better satisfaction both in Ciuill and Religious respects especially that they Endeavor to procure an able Godly man for the dispensing of Gods word amongst them ; and for their quickening and Incurragement therein this Court doth order That all such lands as are within their respectiue places though not inhabited shalbe lyable to be rated in some measure of proportion for the defraying of such charges as shall nessesarily arise concerning the premises ;

And for the quickening and Incurragement of the well affected in the towne of Sandwich or any other plantation within this Government whoe shalbe actiue this way ; this Court takeing into their serious consideration the great need thereof in every plantation as to the propagation of the Gospell and flourishing of Religion the great and knowne end of our Transplanting into these partes of the world as alsoe of the graunt of competent quantities of lands to the respectiue plantations ; and therefore according to their duties incombent on them ; doe heerby declare their redlines to assist such well affected as afforsaid ; by puting forth their power (wher there shalbe need) for the raising of comfortable and competent maintainance for such able faithfull men as shalbe procured in such Townships and make it their worke to attend vpon the minnistry of the Word of God amongst them ; from all such respectiue Inhabitants as shall Inhabite any such lands according to such former order as by the Court is already prouided in such case ;

[PART II.]

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\*It is proposed by the Court vnto the seuerall Townshipes of this Jurisdiction as a thinge they ought to take into their serious consideration That some course may be taken that in euery Towne there may be a Scoolmaster sett vp to traîne vp children to reading and writing;

Wheras the Clarke of each milletary Companie of this Jurisdiction is required to gather in all fines which are or shalbe belong to their Companie It is enacted by the Court and the Authoritie therof That in case any shall refuse to pay any such fines as are or shalbe orderly amerced That the said Clarke is hereby authorised by destresse to leuy all such fines by vertue of his said office without any further order;

Wheras the Towne of Scittuate preferred a petition to this Court requesting that the Treasurers account may be more particularly sent to the seuerall Townshipes of this Jurisdiction; The Court haue ordered That henceforth at euery election Court; any of the Townes aforesaid may if they please to send any meet pson to Joyne with others to take the Treasurers account; and soe to acquaint their respectiue Townes therewith in as particular a manor as may be; which we hope may satisfy;

It is enacted by the Court that the Constable in each Township in this Gouernment shall gather in all fines that shall fall within his liberties not exceeding five pound; and to haue two shillings on the pound for gathering of them;

It is enacted by the Court That all psons lyable to be rated in euery Towne of this Gouernment; be rated according to their visible estates and faculties That is according to their faculties and psonall abillities whether they are in lands; both meddow lands Improved lands or dormond lands appropriated; or in cattle goods or stocke Employed in Trading in boates Barques & mills or other visible estate but for the Incourragment of trafficke That it be ordered That Barques Catches and bigger vessells may not be rated about halfe their vallue dormond lands both vpland and meddow to be rated for euery hundred acres according to forty shillings estate; and if any pson lay downe any pte of his propriety to the Comonage of the Companie there associated together hee shalbee rated but for what quantitie hee keeps his propriety in; and concerning stockes Employed in trading at home in and about the place where hee liues shalbe rated onely for two thirds of such stockes soe Improved; As thus one hundred and twenty pound stocke to be Employed in trading shalbe rated for eighty pounds; and soe proportionable.

Concerning dormond lands that the psons be rated for them in such Townshipes as the psons That ownes them Inhabites.

\*It is enacted by the Court That in euery Towne of this Jurisdiction there be three or fiue Celect men Chosen by the Townsmen out of the freemen such as shalbe approued by the Court ; for the better managng of the afares of the respectiue Townshipes ; and that the Celect men in euery Towne or the major pte of them are heerby Impowered to heare and determine all debtes and differences arising between pson and pson within their respectiue Townshipes not exceeding forty shillings ; as alsoe they are heerby Impowered to heare and determine all Differences arising betwixt any Indians and the English of their respectiue Townshipes about damage done in Corne by the Cowes swine or any other beastes belonging to the Inhabitants of the said respectiue Townshipes ; and that the determination of the abouesaid Differences not being satisfied as was agreed, the pty wronged to repaire to some Majestrate for a warrant to recover such award by distraint ;

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It is further enacted by the Court That the said Celect men in euery Township approued by the Court or any of them shall haue power to giue forth sumons in his Ma<sup>ties</sup> Name to require any psons complained of to Attend the hearing of the Case and to summon witnesses to giue Testimony vpon that account and to determine of the Controuersyes according to legall euidence ; and that the psons Complaining shall serue the summons themselves vpon the psons complained against ; and incase of their non appearance to proceed on Notwithstanding in the hearing and determination of such controuersys as comes before them ; and to haue twelue pence apeece for euery award they agree vpon

It is likewise enacted by the Court that such Indians as plant in any Township of this Jurisdiction ; that they shall ecure their Corne by sufficient ffences from any damage that may come thervnto by any Cattle of the English amongst whom they dwell ; and for such Indians as shall plant on their owne land out of the bounds of any township That the English are either to healp them in ffencing their Corne or to satisfy for such damage as shalbe done vnto them by their cattle or beastes therein ;

It is enacted by the Court That all matters of misdemenior That the majestrates shall take cognizance of without p<sup>r</sup>sentment by the Grandenquest They haue full power and determine them by fine or otherwise as the nature of the offence may require as if p<sup>r</sup>sented.

fforasmuch as noe house of Correction is yett prouided in this Gou<sup>r</sup>ment

[PART II.] to receive and punish such as not onely liue Idley and vnprofitably but are otherwise vicious and wicked in their carryage towards their parents or otherwise ;

It is enacted by the Court That any two Majestrates of this Jurisdiction haucing examined the case shall haue power any offender to be punished by stocking or whipping according to the nature of the offence ;

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<sup>1a</sup> \**Deliberas* Wee are certainly Informed that it hath pleased God ; to Etablith our Sou<sup>r</sup> Lord Kinge Charles the second in the Injoyment of his vndoubted Right to the Crownes of England Scotland ffrence and Ireland ; and is soe declared and owned by his Good subjects of these Kingdomes

Wee therefore his Ma<sup>ties</sup> Loyall subjects the Inhabitants of the Jurisdiction of New Plymouth doe heerby declare our free and Reddy concurrence with such other of his Ma<sup>ties</sup> Subjects and to his said Ma<sup>ties</sup> his heires and Successors wee doe Most humbly and ffaithfully submitt and oblidge our selues for euer ;                      God saue the Kinge ;

June the fift Ann<sup>o</sup> Dom : 1661.

\*The fift day of June 1661.

[PART III.] CHARLES THE SECOND King of England Scotland ffrence and Ireland &c was solemly proclaimed att Plymouth in New England in America ;

\*1



PLYMOUTH RECORDS.

Laws.

PART III.



\* **T**HE Booke of the Generall Lawes and liberties of the Inhabitants of the Jurisdiction of New Plymouth Collected out of the Records of the generall Court; and lately Revised and established and disposed into an Alphabetical order; and published by the Authoritie of the Generall Court held att New Plymouth the 29<sup>th</sup> day of September: Ann<sup>o</sup> Dom̃: 1658

[PART III.]

\*2

**B**ee Subject to every  
ordinance of Man for  
the Lords sake

1 peter 2 : 13 :

[PART III.]


\*3

\* **T**O our beloued bretheren and Naighbours the Inhabitants of the Jurisdiction of New Plymouth; The Gou<sup>r</sup>: Assistants and Deputies assembled att the generall Court of that Jurisdiction held att the Towne of Plymouth the 29<sup>th</sup> day of September Ann<sup>o</sup>: Doñ: 1658, wifheth grace and peace in our Lord Iesus Christ;

**I**T was the great priuilege of Israell of old and soe was acknowledged by them Nehemiah the 9 : 13 That God gaue them right Judgments and true lawes ; for God being the God of order and not of confusion hath Comaunded in his word ; and put man into a capasitie in some measure to obserue and bee guided by good and wholsome lawes which are soe fare good and wholsome ; as by how much they are deriued from and agreeable to ; the Ancient platforme of Gods lawe ; for although sundry pticulares in the Judiciall law which was of old jnioyned to the Jewes : did more especially (att least in some cercomstances) befitt their Pedagogye ; yett are (they for the maine) soe exemplary being grounded on principalls of morall equitie as that all men ; (Christians especially) ought alwaies to haue an eye thervnto ; in the framing of their Politique Constitutions ; and although seuerall of the heathen Nations whoe were Ignorant of the true God and of his lawe haue bine famous in their times for the enacting and execution of such lawes as haue proued profitable for the Gou<sup>r</sup>ment of their Comonwealth in the times wherin they liued ; yett notwithstanding their exelencye appeered so fare ; as they were founded vpon grounds of morall equitie which hath its originall from the lawe of God ; and accordingly wee whoe haue bine actors in the framing of this smale body of lawes together with other vsefull Instruments whoe are gone to their rest ; can safely say ; both for ourselues and them ; that wee haue had an eye principally and primarily vnto the aforsaid platforme ; and 2condaryly vnto the Right Improuement of the liberties graunted vnto vs by our Superiours the state of England att the first begining of this Infant plantation which was to enact such lawes as should most befitt a state in the nonage therof ; not rejecting or omitting to obserue such of the lawes of our Natiue Country as would conduce vnto the good and growth of soe weake a begining as ours in this Wildernes as any Impartiall eye not forestaled with prejudice may eazely descerne in the pusall of this smale booke of the lawes

of our Collonie; The p<sup>r</sup>misses duely considered might worke euery consciencious sperit to faithfull obeidience; and although wee hold and doe affirme that both Courts of Justice and Majestrates; whoe are the minnesters of the lawe are esencially Ciuill; Notwithstanding wee conceiue that as the Majestrates hath his power from God soe vndoubtedly hee is to Improue it for the honor of God; and \*that in the vphoulding of his worship and seruice and against the contrary; with due respect alsoe to bee had vnto those that are really consciencious; though differing and discenting in some smaller matters; but if any really or in pretence of conscience shall professe that which eminently tendeth to the Invndation of Ciuill State and violation of Naturall bonds or the ouerthrow of the Churches of God or of his Worship; that heer prudence is to bee Improued in a speciall manor in the enacting and execution of lawes; It hath bine our endeauors in framing of our lawes that nothinge should bee found amongst them but that which will fall vnder the same pticulares; wee haue likewise reduced them to such order as they may most conduce to our vtillitie and profit; possibly it may bee that weaknes may appeer in the composure of sundry of them for want of such plenty of able Instruments as others are furnished withall; howeuer lett this suffice the gentle Reader; that our ends are to the vtmost of our powers; in these our endeauors to promote both Church and State both att the p<sup>r</sup>sent and for the future; and therefore soe fare as wee haue aimed att the glory of God and comon good; and acted according to God; bee not found a Resister but obedient; least therby thou Resist the ordinance of God and soe Incurr the displeasure of God vnto damnation; Romans 13: 2:

By Order of the Court  
 Nathaniel Norton  
 Clerk:



[PART III.]

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\*A Declaration demonstrating the warrantable grounds and proceedings of the first associates of the Government of New Plymouth in their laying the first foundation of the Government in this Jurisdiction for making of lawes and disposing of lands and all such things as shall or may Conduce to the welbeing of this Corporation of New Plymouth;

**W**HERAS John Carver William Bradford Edward Winslow William Brewster Isacke Allerton and diuers others the subjects of our late Sou<sup>r</sup>: Lord Kinge James by the grace of God Kinge of England Scotland France and Ireland Defendor of the faith &c did in the eighteenth yeare of his Raigne of England France and Ireland; and of Scotland the fifty fourth which was in the yeare of our Lord God one thousand six hundred and twenty; vnder take a voyage into that pte of America called Verginnia or New England thervnto adjoyning; there to erect a plantation and Collonie of English; Intending the glory of God the enlargement of his Ma<sup>ties</sup> dominions and the speciall good of the English Nation

And Wheras by the good Prouidence of God the said John Carver William Bradford Edward Winslow William Brewster Isacke Allerton and their associates ariued in New England aforesaid in the harbour of Cape Cod or Paomett Scittuate and being in New England aforesaid; where all the said psons entered into a Ciuill Combination; being the eleuenth day of Nouember in the yeare aforesaid; as the subjects of our said Sou<sup>r</sup>: Lord the Kinge; to become a body Politique binding our selues to obserue such lawes and ordinances and obey such officers as from time to time should be made and Chosen for their well ordering and guidance; and thervpon by the fauor of the Almighty; began the first Collonie in New England; there being then none other within the said Continent; att a place Called by the Natiues Apaum altis Patuxett; and by the English New Plymouth; all \*which Lands being void of Inhabitants; Wee the said John Carver William Bradford Edward Winslow William Brewster Isacke Allerton and the rest of our Associates; entering into a league of Peace with Massasoiett since called Woosamequen Prince or Sachem of these ptes; hee the said Massasoiett freely gaue them all the lands adjacent to them; and their heires for euer; acknowledgning himselfe content to become the subject of our Sou<sup>r</sup> Lord the Kinge aforesaid his heires and Successors and takeing protection of vs the said John Carver William Bradford Edward Winslow William Brewster Isacke Allerton and their Associates the naturall subjects of our Sou<sup>r</sup>: Lord the Kinge aforesaid But haueing

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noe speciall letters Pattents for the *the* said ptes of New England but onely the generall leaue and libertie of our Consciences in the publicke worship of God where euer wee should settle; \*being therefore now settled and requiring speciall lycence and Comission from his Ma<sup>tie</sup> for the ordering of our affaires vnder his graciouse protection; had sundry Comissions made and Confirmed by his said Ma<sup>ties</sup> Councell for New England to John Peirse and his associates; whose names wee onely made vse of and whose associates wee were in the late happy and memorable Raigne of our said Sou<sup>r</sup>: Lord King James; But finding our selues still straightened; and a willingnes in the hono<sup>ble</sup> Councell aforsaid to enlarge vs; ptely in regard of the many difficulties wee had vndergone; and ptely in regard of the good service wee had done; as well in relieueing his Ma<sup>ties</sup> Subjects as otherwise wee procured a further enlargement vnder the name of Wiltam Bradford aforsaid and his Associates whose names wee likewise vsed; and whose associates as formerly wee still are; By vertue of which said letters Pattents libertie is giuen to vs deriuatory from our Sou<sup>r</sup>: Lord King Charles bearing date the thirteenth of January 1629 being the fift yeare of his raigne of England Scotland ffrence and Ireland 4 and signed by the Right hono<sup>ble</sup> Robert Earle of Warwicke in the behalfe of his Ma<sup>ties</sup> said Councell for New England; and sealed with their Comon seale to frame and make \*orders ordinances and Constitutions for the ordering disposing and Gofning of our psons and distributeing of our Lands within the said Lymetts To bee holden of his Ma<sup>tie</sup> his heires and successors as of his mannor of East greenwich in the County of Kent in free and Comon Soccage and not in Capite nor by Knights seruice, viz: all that pte of America and tract and tracts of land that lyeth within or between a sertaine Rivolett or Rundelett comonly called Coahassett allis Conahassett towards the north; and the Riuer called Narragansett Riuer towards the south and the great Western Ocean towards the East; and within and between a straight line directly extending into the maine towards the west; from the mouth of the said Riuer called Narragansett Riuer to the vtmost bounds and lymetts of a Country or place in New England called Pocanacutt allis Puckanackie allis Sowamsett westwards; and another like straight line extending it selfe directly from the mouth of the said Riuer called Coahassett allis Conahassett towards the west so fare vp into the maine land westwards as the vtmost lymetts of the said place or Country comonly called Pokanacutt allis Puckanackie allis Sowamsett doth extend; together with the one halfe of the said Riuer called Narragansett; and the \*said Riuolett or Rundelett called Coahassett allis Conahassett; and all lands Riuers waters hauens creekes ports ffishings fowlings; and all hereditiments profitts Comodi-

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[PART III.]

ties and emoluments whatsoever; Scituate lying and being arising within or between the said lymetts or bounds or any of them; furthermore all that Tract or pte of land in New England or pte of america aforesaid which lyeth within or between; and extendeth it selfe from the vtmost lymetts of Cobba-secontee altho Comacecontee which adjoyneth to the Riuer of Kennebecke altho Kennebekicke towards the western Ocean; and a place called the falls at Nequamkicke in America aforesaid; and the space of fifteen English miles on each side of the said Riuer comonly called Kenebecke Riuer; that lyeth within the said bounds Eastwards Westwards Northwards and southwards last aboue mentioned; and all lands grounds soyles Riuers waters ffishings heriditiments and proffitts whatsoever scituate lying and being arising happening or accrewing in or within the said lymetts or bounds or either of them; together with free Ingresse egresse and Regresse with shippes boates shallons and other vessels from the sea called the western ocean; to the Riuer called Kennebecke and from the said Riuer to the said Western Ocean; together with \*all prorogatiues Rights Royalties Jurisdictions priuiledges franchises liberties and emunities and alsoe marine liberties with the escheats and casualties therof; the Admiraltie Jurisdiction excepted; with all the Interest right title claime and demaund whatsoever which the said Councill and their successors now haue or ought to haue or may haue or require heerafter in or to any of the said Tract or portion of lands heerby mencioned to be graunted; or any the p̄mises in as free large ample and beneficiall manor to all Intents and constructions whatsoever as the said Councill by vertue of his Ma<sup>ties</sup> said letters may or can graunt; To haue and to hold the said Tract and tracts of land and all and singulare the p̄mises aboue mencioned to be graunted with their and euery of their appurtenances; To the said Wiltam Bradford his heires associates and assignes for euer To the onely proper vse and absolute behoofe of the said Wiltam Bradford his heires associates and assignes for euer; yeilding and paying vnto our said Sou<sup>r</sup>: Lord the Kinge his heires and successors for euer; one fift pte of the Ore of the mines of Gould and siluer; and one other fift pte therof to the Presedent and Councill; which shalbee had possessed and obtained within the precincts aforesd for all seruices and demaunds whatsoever; allowing the said Wiltam Bradford his associates and assignes and euery of them his and their agents tenants and servants; and all such as hee or they shall send \*or Imploy about his said pticulare plantation; shall and may from time to time freely and lawfully goe and returne trad or trafficke as well with the English as any the Natiues within the precincts aforesaid; with libertie of fishing vpon any pte of the sea coast and sea shores of any the seas or Ilands

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adjacent; and not being Inhabited or otherwise disposed of by order of the said President and Councell forbiding all others to traffick with the Natiues or Inhabitants in any of the said Lymetts; without the speciall leauc of the said Wiltam Bradford his heires and associates; and allowing the said Wiltam Bradford his heires and associates to take apprehend seize and make prise of all such psons theire Shipes and goods as shall attempt to Inhabite or trad with the salvage people as aforesaid;

Morouer Whereas in the first begining of this Collonie diuers Marchants and others of the City of London and elsewhere adventured diuers sumes of money with the said John Caruer Wiltam Bradford Edward Winslow Wiltam Brewster Isacke Allerton and the rest of theire asoiates on certaine tearmes of ptenorship to continew for the tearme of seauen yeares the said tearm being expired; the plantation by reason of manifold losses and Crosses by sea and land in the begining of soe great a worke being largely Indebted and noe \*meanes to pay the said debtes but by the sale of the whole and the same being put vpon sale; the said Wiltam Bradford Edward Winsow Wiltam Brewster Isacke Allerton and other our associates the Inhabitants of New Plymouth and elsewhere being loth to bee depriued of our labours bought the same; for and in consideration of eighteen hundred pounds sterling viz: all and singulare the priuilidges lands goods Chattles ordinance amunition or whatsoever appertained to the said plantation or the adventures<sup>er</sup>; with all and singulare the priuilidges therunto belonging; as appeers by a deed between the said Isacke Allerton then agent for the said Wiltam Bradford and his Associates on the one pte; and John Poccocke Robert Keine Edward Basse James Sherley and John Beachamp on the other pte being therunto deputed by the said Marchants and the rest adventuring as aforesaid; as appeers by a Deed bearing date the sixt of Nouember in the third yeare of the Raigne of our Sou<sup>r</sup>: Lord Charles by the grace of God Kinge of England Scotland ffrance and Ireland 6<sup>th</sup> Ann<sup>o</sup> Dom<sup>i</sup>: 1627 one thousand six hundred twenty and seauen; Bee it Knowne vnto all men by these p<sup>r</sup>sents that according to our first Intents for the better effecting the glory of God; the Inlargment of the dominions of our said Sou<sup>r</sup>: Lord the Kinge, and the speciall \*good of his subjects by vertue as well of our Combination aforesaid; as alsoe the seuerall graunts by vs procured; in the Names of John Peirce and Wiltam Bradford theire heires and associates together with our lawfull right in respect of vacancye donation or Purchase of the Natiues and our full purchase of the adventures before expressed; haue giuen vnto and allotted assigned & graunted to all and euery pson and psous whose name or names shall follow

\*12

\*13

[PART III.] vpon this publicke Record such proportion or proportions of grounds with all and singulare the priuiledges thervnto belonging as aforsaid; to him or them his or their heires and assignes successiue for euer to bee holden as of his Ma<sup>tie</sup> his manor of East Greenwich in the Countey of Kent in free and comon Soccage and not in Capite nor by Knights service Yeilding and paying vnto our said Sou<sup>r</sup>: Lord the Kinge his heires and Successors for euer one fift pte of the Oare of the Gould and siluer and one other fift pte to the Presedent and Councell which shalbee possessed and obtained as aforsaid; and whatsoever lands are graunted vnto any by the said Wiltam Bradford Edward Winslow Wiltam Brewster Isacke Allerton or their heires or associates as aforsaid; being acknowledged in publicke Court and brought to this booke of Records of the generall Inheritances of the subjects of our Sou<sup>r</sup> Lord \*the King within this Gou<sup>r</sup>ment It shalbee lawfull for the Gou<sup>r</sup> of New Plymouth from time to time successiue to giue vnder his hand and the Comon seale of the Gou<sup>r</sup>ment a Coppy of the said Graunt soe Recorded Confirming the *the* said lands to him or them his or their heires or assignes for euer with the scuerall bounds and lymetts of the same; which shalbee sufficient euidence in law from time to time and att all times for all Intents and purposes the said pte or pties his or their heires or assignes for euer To haue and to hold the said portion of lands soe graunted bounded and recorded as aforsaid with all and singulare the appurtenances belonging thervnto; To the onely proper and absolute vse and behoefe of the said pty or pties his or their heires and assignes for euer;

1636.

\*15 \*Wee the Associates; of New Plymouth coming hither as freeborne subjects of the State of England; endowed with all and singulare the priuiledges belonging to such being assembled; doe ordeine constitute and inacte That noe acte Imposition law or ordinance bee made or Imposed vpon vs att p<sup>r</sup>sent or to Come but such as shalbee made and Imposed by Consent of the body of the Associates or their Representatiues legally assembled, which is according to the free liberties of the State of England;

1636.  
where the  
courts are to  
bee kept.

It is further enacted That all our Courts bee kept att the Towne of Plymouth; except the Gou<sup>r</sup> and Assistants shall see Reason to keep some Courts of assistants elsewhere within this Gou<sup>r</sup>ment.

1642.  
1658.

Whereas by the first Associates of this Gou<sup>r</sup>ment the Courts of election were held in the month of January anually; and afterwards in the month of

March anually; by reason of the vnseasonableness of those times of the  
 yeare; It is enacted by the Court and the Authoritie therof that the elec-  
 tion Court bee holden the first Tusday in June anually and the other gen-  
 erall Courts to bee holden the first Tusday in october and the first Tusday  
 in March anually; ~~and that the Courts of Assistants bee holden the first~~  
 Tusday in August the first Tusday in December and the first Tusday in  
 february ~~and the first Tusday in May~~ Anually.

The times of  
 the Courts  
 when to be  
 kept.  
 Sence ordered  
 that there is  
 noe Court of  
 Assistants.

\*It is enacted by the Court and the Authoritie therof that all such as  
 shalbee admitted freemen of this Corporation shall stand one whole yeare  
 propounded to the Court viz: to bee propounded att one June Court and to  
 stand soe propounded vntill the next June Court following and then to bee  
 admitted if the Court shall not see cause to the Contrary;

i658.  
 \*16  
 when men are  
 to bee admitted  
 to freedome.

Wheras a Committee was chosen viz: M<sup>r</sup> Thomas Prence M<sup>r</sup> Wiltam Coll-  
 yare M<sup>r</sup> Thomas Dimmacke M<sup>r</sup> James Cudworth M<sup>r</sup> Josias Winslow John  
 Dunham seni<sup>r</sup> Gorge Soule and Constant Southworth to consider of the proposi-  
 tion propounded by the deputies to the Court held att Plymouth in october i650  
 concerning the major pte of the Court to order the adjournments and desolu-  
 tions of the generall Courts and the makeing and repealing of lawes; they the  
 said Committee declared their minds to bee that matters in the aforesaid respects  
 to rest vnaltered as they were; and that for the future as formerly in the  
 makeing and repealing of lawes and adjournment of Courts wherin Comitties  
 are requisite the majestrates and deputies to bee considered as one body.

June i650.  
 Majestrates  
 and Deputies  
 to acte as one  
 body.

Wheras diuers actes and orders touching the makeing and repealing of  
 lawes att June Courts and their adjourments is rendered with a dubiouse  
 Interpretation; and that this Court haueing by propositions to the seuerall  
 townshipes; desired their answare in order to the regulateing therof;  
 but not receiueing any answere from sundry of them; haue seen cause to  
 declare their owne sence therof and therefore doe enact; that fitt and able  
 p<sup>r</sup>sons bee anually chosen out of the ffreemen to attend June Courts and the  
 seuerall adjournments therof by the approued Inhabitants quallified as in such  
 case is provided; of this Jurisdiction in their respectiue Townshipes; for depu-  
 ties vnto whom with the majestrates as the body Representatiue is comited  
 full power for the makeing and repealing of all lawes as vpon their seriouse  
 considerations they shall find \*meet for the publicke weale of this Jurisdiction;  
 and that then onely such lawes bee enacted; or repealed except the Gou<sup>r</sup> for  
 the time being shall see waighty and nessesary cause by the complaint of the

Sept 29 i658.  
 majestrates  
 and deputies  
 power in make-  
 ing and repeal-  
 ing lawes.

\*17

[PART III.] freemen or otherwise to call a speciall Court; either of the whole body of the freemen or their deputies; the freemen of this Jurisdiction being left to their liberties to send their votes by proxy for the choice of Gou<sup>r</sup> Assistants Commissioners and Treasurer in such ways as by order of Court is already provided and this order to stand in full force till the whole body of freemen shall take further order therein; It is also further provided that upon notice given; in an orderly way to the Gou<sup>r</sup> by the major p<sup>te</sup> of the freemen of this Jurisdiction of their apprehensions of a necessity of the whole body of freemen to come together; that then the Gou<sup>r</sup> for the time being shall take the first opportunity to summon in the body of freemen to advise and act therein as the matter shall require;

i636. It is enacted by the Court and the Authority thereof That on the first Tuesday in June annually there shall be a Gou<sup>r</sup> and seven assistants chosen to Rule and Govern the said plantations and Townships within the limits of this Corporation; and this election to be made only by the freemen thereof;

a Gou<sup>r</sup> and seven Assistants to be chosen yearly.

i636. And that the said Gou<sup>r</sup> in due season by warrant directed to the several Constables in the name of his Ma<sup>ty</sup> give warning to the freemen either to make their personal appearance at the Courts of election or to send their votes by proxy for the choice of officers according to order and that all our Courts Warrants Summons and Comands be all done directed and made in the Name of our Sou<sup>r</sup> Lord the Kinge ¶

all warrants &c to goe forth in the Kinges name.

i660. It is enacted by the Court and the authority thereof That all our Courts Summons warrants and comands be all done directed and made in the Name of his Ma<sup>ty</sup> of England our dread Sou<sup>r</sup>: and also that all Ciuill officers and ministers of Justice in this Jurisdiction to be sworne in his said Ma<sup>ty</sup>'s Name; as also that the oath of fidelitie and all other oaths shall goe in that tenur;

\*18 \*The oath of a freeman.

i636. You shall be truly Loyall to our Sou<sup>r</sup> Lord the Kinge his heires and Successors; You shall not doe nor speake deise or aduise any thinge or thinges act or actes directly or Indirectly by Land or water; that shall or may tend to the destruction or ouerthrow of any of these plantations or townships of the Corporation of New Plymouth; neither shall you suffer the same to be spoken or done but shall hinder oppose and discouer the same to the Gou<sup>r</sup> and Assistants of the said Collonie for the time being or some one of them; you shall faithfully submit vnto such good and wholesome lawes and ordinances; as either are or shall be made for the ordering and Government of the same; and shall endeavour to advance the good and growth of the severall

Townshipes and plantations within the Lymetts of this Corporation by all due meanes and courses ; all which you promise and swear by the Name of the great God of heauen and earth simply truly and faithfully to pforme as you hope for healpe from God whoe is the God of truth and the punisher of falchhood.

[PART III.]

\*Wheras in regard of age disabillity of body vrgent occations and other Inconveniencies that doe accrew sundry of the ffreemen are hindered ; that they cannot appeer att Courts of election ; in consideration wherof ; It is enacted by the Court and the Authoritie therof that any freeman of this Corporation shall haue libertie to send his voate by proxy for the choise of Gou<sup>r</sup> Assistants Comissioners and Treasurer and the deputies of the seuerall Townes chosen to attend the Courts of election and the seuerall adjournments therof ; shall in the Towne meeting in which they are chosen ; they or either of them ; giue notice vnto the ffreemen ; that those that Intend not to make their psonall appeerance att the Court of election are now to giue in their voates Sealed vp for the chosing of Gou<sup>r</sup> Assistants Comissioners and Treasurer ; and the said deputies to obserue by a list of their names whoe haue voated and whoe haue not ; the which voates soe brought in to bee ymediately sealed vp and brought vnto and deliuered in open Court by the said deputies ;

i651.

\*19

voates by proxy.

Wheras the Court hath taken notice that diuers of the ffreemen of this Corporation doe neither appeer att Courts of Election nor send their voates by proxy for the Choise of majestrates &c It is enacted by the Court and the authoritie therof that whosoever of the ffreemen of this Corporation ; that shall not appeer att the Court of election ; att Plymouth in June anually nor send their voate by proxy according to order of Court for the choise of Gou<sup>r</sup> Assistants Comissioners and Treasurer shalbee fined to the Collonies vse the sume of ten shillings for euery such default unlesse some vnavoidable Impediment hinder such in their appeerance ;

i660.

fines for not voating.

\*It is enacted by the Court and the Authoritie therof that att Courts of election the voates of all the ffreemen p<sup>r</sup>sent bee first read ; and next after them the deputies of the seuerall Townes shall orderly p<sup>r</sup>sent the proxy of their owne Towne.

i658.

\*20

the time of opening and reading of proxy.

It is enacted by the Court and the Authoritie therof that other publicke officers besides Gou<sup>r</sup> and Assistants bee chosen and established att the Court in June Anually viz: Comissioners and Treasurer and that other Inferior officers as Constables Grandjurymen and Surveyors of the highwaies bee then alsoe confeirmed if approued by the Court ;

i658.

all officers to be chosen and established in June ;

1658. It is enacted by the Court and the Authoritie therof that incase there  
 of the office of shallbee occasion for a Corrowner that the next majestrate where such acce-  
 a Corrowner. dent falls shall sitt as Corrowner and execute that office according to the  
 this aded June Custome of England as neare as may bee ; It is further enacted by the Court  
 1668. as an addition to this order, That the Corrowner shall psonally repaire vnto  
 the place where such accident falls out and view the Corpes himselfe vnless  
 it shall fall out att soe great a distance of place as hee cannot goe or some  
 other Ineuitable Impediment doe hinder ; and in such case the constable of  
 the Township where such accident falls shall supply his place ; and the Cor-  
 rowners enquest to be payed ordinary wages according to the time they are out ;

1636. It is enacted by the Court and the Authoritie therof That the Gou<sup>r</sup> ; and  
 two of the Assistants att least shall as occasion shallbee offered in time con-  
 venient ; determine in such <sup>lesser</sup> ~~triviall~~ Cases viz : vnder forty shillinges between  
 man and man as shall Come before them ; as alsoe in offences of smale nature  
 shall determine doe and execute ; as in wisdome God shall direct them ;

\*21 \*It is enacted by the Court ^ ^ ^

\*22 \*The office of the Gou<sup>r</sup>:

1636. The office of the Gou<sup>r</sup> for the time being consisteth in the execution of  
 such lawes and ordinances as are or shallbee made and established for the good  
 of this Corporation according to the bounds and lymetts therof ; viz: in calling  
 together or advising with the Assistants or Councell of the said Corporation  
 vpon such matteriall occasions (or soe seeming to him) as time shall bringe  
 forth In which assembly and all other the Gou<sup>r</sup> to propound the occasion of the  
 assembly and haue a double voyce therin ; if the assistants Judge the ease to  
 great to bee decided by them and refer it to the Generall Court then the Gou<sup>r</sup>  
 to Summon a Court by warning all the freemen that are then extant ; as alsoe  
 incase the major pte of the ffreemen seing waighty cause for the whole body of  
 ffreemen to meet together and in an orderly way acquaint the Gou<sup>r</sup> with theire  
 desires therof ; then hee shall sumon the whole body of ffreemen together  
 with all convenient speed ; and there alsoe to propound Causes and goe  
 before the Assistants in the examination of pticulares and to propound such  
 sentance as shallbee determined ; further it shallbee lawfull for him to arrest  
 and comitt to ward any offenders ; prouided that with all convenient speed  
 hee bringe the cause to hearing either of the Assistants or generall Court  
 according to the nature of the offence ; alsoe it shallbee lawfull for him to  
 examine any suspicious psons for euill against the Collonie ; as alsoe to Interupt  
 or oppose such letters as hee conceiueth may tend to the ouerthrow of the

same ; and that this office continew one whole yeare and noe more ~~without~~ <sup>viz vntill another bee elected</sup> ~~renewall by election ;~~ [PART III.]

\*The Oath of the Gou<sup>r</sup>:

\*23

You shalbee truely Loyall to our Sou<sup>r</sup> Lord King Charles his heires and Successors ; Alsoe according to that measure of Wisdom vnderstanding and discerning giuen vnto you ; shall faithfully equally and Indifferently without Respect of psons Adminnester Justice<sup>according to Law</sup> in all Cases Coming before you as the Gou<sup>r</sup> of New Plymouth ; You shall in like manor faithfully duely and truely execute the lawes and ordinances of the same ; and shall labour to aduance and further the good of the Townshipes and plantations within the Lymetts therof ; to the vttermost of your power ; and oppose any thing that shall seeme to hinder the same ; soe healp you God whoe is the God of truth and the Punisher of falchhood ;

i636.

Att the Court held att Plymouth the 11<sup>th</sup> of June 1664  
this following Aded and the Gou<sup>r</sup> tooke oath thervnto

You shall alsoe Carefully attend what is Required by his Ma<sup>ties</sup> Priuy Councill ; of the Gou<sup>r</sup>ners of the respectiue Collonies ; In reference vnto an acte of Parliament for the Incurrageing and Increasing of shipping and Nauigation bearing date from the first of December i660 ;

\*The office of an Assistant.

\*24

The office of an Assistant for the time being consisteth in appeering att the Gou<sup>r</sup>s summons and giueing his best advise both in publicke court and private Councill with the Gou<sup>r</sup> for the good of the seuerall Townshipes and plantations within the Lymetts of this Gou<sup>r</sup>ment not to disclose but to keep secrett such thinges as concerne the publicke good and shalbee thought meet to bee concealed by the Gou<sup>r</sup> and Councill of Assistants ; In haucing a speciall hand in examination of Publicke offenders ; and in contriucing the affaires of the Collonie ; To haue a voyce in the sensuring of such offenders as shalbee brought to publicke Court ; And That if the Gou<sup>r</sup> haue occation to bee absent from the Collonie for a short time ; (by the Gou<sup>r</sup> with the consent of the rest of the Assistants) hee may bee deputed to Gou<sup>r</sup>en in the absence of the Gou<sup>r</sup>: alsoe it shalbee lawfull for him to examine and Comitt to ward wher any occation ariseth where the Gou<sup>r</sup> is absent provided the pson bee brought to hearing with all convenient speed before the Gou<sup>r</sup> and the rest of the Assistants alsoe it shalbee lawfull for him in his Ma<sup>ties</sup> Name to direct his warrants to any Constable within this Gou<sup>r</sup>ment whoe ought faithfully to

i636.

[PART III.] execute the same according to the nature and tenure thereof; and may bind  
 ouer psons for matter of crime to answare att the next ensueing Court of  
 his Ma<sup>tie</sup> after the fact comitted or the pson apprehended.

\*25

## \*The Oath of an Assistant.

i636 You shall all swear to bee truly Loyall to our Sou<sup>r</sup> Lord Kinge Charles  
 his heires and Successors; you shall faithfully truly and Justly accord-  
 ing to the measure of descerning and descrcion God hath giuen you; bee  
 Assistant to the Gou<sup>r</sup> for this p<sup>r</sup>sent yeare; for the execution of Justice<sup>according to Law</sup> in all  
 cases; and towards all psons coming before you without psiallitic according to  
 the Nature of the office of an Assistant read vnto you Moreouer you shall  
 dilligently duely and truly see that the lawes and ordinances of this Corpo-  
 ration bee duely executed; and shall laboure to advance the good of the seu-  
 erall plantations within the lymett therof; and oppose any thinge that shall  
 hinder the same by all due means and courses soe healy you God whoe is  
 the God of truth and the Punnisher of ffalchood;

\*26

i636.

\*It is enacted by the Court and the authoritie therof that att euery elec-  
 tion Court some one of the Assistants or some other sufficient man bee chosen  
 Treasurer for the yeare following whose place it shalbee to demaund and  
 receiue in whatsoeuer sume or sumes shall appertaine to the Royaltie of the  
 place either coming in by way of fine amercement or otherwise; and shall  
 Improue the same; for the publicke benefitt of this Corporation.

i644.

It is further enacted by the Court that the Treasurer shall att the  
 election Courts Annually giue in his accounts of his receipts and paiments for  
 his yeare to any that the Court shall appoint and to bee entered vpon Record  
 and therypon to bee discharged;

i654.

It is likewise enacted by the Court that the Treasurer by vertue of his  
 said office shall take order that all debts due to the Countrey bee seasonably  
 brought in vnto such place or places as hee shall appoint that soe all dues and  
 debts due vnto any pson or psons from the Countrey may bee by him sea-  
 sonably and Satisfactorily defrayed except the publicke officers wages which  
 is otherwise prouided for;

i658.

It is enacted by the Court that it shalbee in the libertie of the Treasurer  
 after a month is past after Judgment; by his warrant to require in any fine as  
 hee shall see reason.



\*The oath of the Treasurer.

\*27

You shall faithfully serue in the office of the Treasurer in the Jurisdiction of New Plymouth for this p'sent yeare during which time you shall diligently enquire after demaund and receiue whatsoeuer sume or sumes shall appertaine to this Gou'ment arising by way of fine Amercement Royaltie or otherwise and shall faithfully Improue the same for the vse of the Gou'ment and according to order dispose therof as occasion shall require ; you shalbee redly to giue in a true account vnto the Court of your actings in your said office yearly att June Courts So healp you God ℞ ;

1659.

It is enacted by the Court that three men shalbee Nominated in the voates for Choise of Comissioners that soe in case of failing of either of the first two nominated in the voates, by Reason of some euident hand of God Impeding that then the third nominated to supply his place ;

1659.

\*The Oath of the Clarke of the Court.

\*28

You shall faithfully serue in the office of the Clarke of the Court for the Jurisdiction of New Plymouth You shall Attend the Generall Courts held for this Gou'ment att Plymouth aforesaid and the seuerall Adjournments therof ; and the Courts of Assistants and there Employ your selfe in such occasions as are behoofull to your said place and office ; you shall likewise attend such other meetings of the majestrates of like nature as aboue expressed that shall or may fall out in the Interems of time betwixt the said Courts ; you shall not disclose: but keep secret such things as concerne the Publicke good ; and shalbee thought meet to bee Concealed by the Gou'r And Councell of Assistants ; You shall faithfully Record all such things as you shall haue order from Authoritie to Comitt to Publicke Record and shall faithfully keep the publicke Records of this Jurisdiction Soe healp you God ℞ ;

1658.

It is enacted by the Court and the Authoritie therof that the Clarke of the Court shall haue twenty pounds p annum besides his ordinary fees allowed by the Court ;

1651.

\*The fees of the Clarke of the Court

\*29

allowed and agreed vpon by the Court ;

Imp <sup>r</sup> For every Recognizance for the good behaiour four	}	-	00. 08. 00	To the Cryer 8 <sup>d</sup> .
shillings takeing and four shill the releasing - -				
Item for every Recognizance of the peace 2 shills the	}	-	00. 04. 00	To the Cryer 4 <sup>d</sup> .
takeing and 2 <sup>s</sup> the releasing - - - -				

[PART III.]	Item for a warrant of the peace or any other graunted by the Court	00.	32.	00
	for a warrant of the good behavior - - - - -	00.	04.	00
	for a Copy of an order two shillings - - - - -	00.	02.	00
	for an Inditement - - - - -	00.	02.	00
	for a Repleauine - - - - -	00.	02.	06
	for entering of an action - - - - -	00.	00.	06
	for a warrant to Summon a Jury - - - - -	90.	00.	06
	for recording a verdict - - - - -	00.	01.	06
	for an ordinary warrant from the Gou <sup>r</sup> - - - - -	00.	00.	06
	for recording of a bargaine or gifts of house or lands - - -	00.	02.	06
	for entering of a bargaine of beasts or Cattle - - - - -	00.	00.	06
	for drawing and entering a cobby of an euidence of land } graunted by the Court - - - - -	00.	05.	00
	for registering of a Will - - - - -	00.	02.	06
	for registering an Inventory - - - - -	00.	02.	06
	for a supena for witnesses - - - - -	00.	00.	06
	for entering a graunt of land by the Court - - - - -	00.	01.	00
	for a serch of an order will ② - - - - -	00.	00.	04
	for a cobby of a will - - - - -	00.	01.	00
	for a cobby of an Inventory - - - - -	00.	01.	00
	for entering a freeman - - - - -	00.	00.	06
	for recording of a marriage - - - - -	00.	00.	06
	for recording Contracts for servants - - - - -	00.	00.	04
	for drawing vp or makeing of an execution - - - - -	00.	01.	06

\*30

\*The oath of the Cheife Marshall.

i652.

You shalbee redly to attend the Generall Courts and there seuerall Adjournments and the Courts of Assistants and alsoe the Court of Comissioners when they meet in this Gou<sup>r</sup>ment; and the Gou<sup>r</sup>nors pson especially att these Courts; You shall faithfully with what speed you may collect and gather all such fines and sumes of money you shall haue warrant soe to doe by the Gou<sup>r</sup> or any of his Assistants; and shall with like dilligence leuy the goods of any pson for which you shall haue warrant soe to doe by any execution graunted by the Court and that the same soe collected or leuied you shall with all Convenient speed deliuer into the Treasurer or the psons to whom the same shall belonge and shall serue all Attachments directed to you which shall com to youer hands; and shall pforme doe and execute all such lawfull Comaunds directions and warrants; as by lawfull Authoritie heer established shalbee comitted to youer care and charge without fauor or psiallyty to any pson

and shall take onely your ordinary fees allowed without exaction vpon any pson; and shall safely keep as head marshall all such psons as shalbee comitted to your Custody by the Gou<sup>r</sup>ment Gou<sup>r</sup> or any of his Assistants soe healp ℥.

[PART III.]

Morouer it is enacted by the Court that the Cheife Marshall haue power (incase hee see Ocation to require aide and assistance of any to assist him in the execution of his office; and the adminnistration of his s<sup>d</sup> office to extend to all places within the Lymetts of this Gou<sup>r</sup>ment.

i658.

\*The Cheife Marshall is allowed twenty marke p anum for his wages besides his ordinary fees allowed by the Court;

\*31  
i652.

The fees of the Cheife Marshall;

Item for serueing an execution - - - - -	00. 05. 00
Item for his Journey about it two pence p mile - - -	00. 00
Item for serueing an Attachment - - - - -	00. 02. 06
Item for a Comitment - - - - -	00. 02. 06
Item for Imprisonment 2 <sup>s</sup> 6 <sup>d</sup> p day - - - - -	00. 00. 00
Item for euery action that is entered - - - - -	00. 00. 06
Item the one halfe of all fines not exceeding - - -	00. 06. 00

It is enacted by the Court that the Cheife Marshall shall haue 2<sup>s</sup> in the pound for gathering of fines ℥ if they bee not brought in by the pties themselucs.

More of the Cheife Marshall see execution serued; and fines leuied.

\*The oath of the Vnder Marshall.

\*32

You shalbee redly to Attend the Generall Courts and Courts of Assistants and doe such seruice as shalbee comaunded you by the Gou<sup>r</sup> or any of his Assistants; and shall reddily execute and Inflict all such sensures; and punishments as by Authoritie of this p<sup>r</sup>sent Gou<sup>r</sup>ment shalbee Judged to be Inflicted vpon any dillinquents and offenders, according to the Nature of all such warrants and mandates as shalbee directed to you without fauor or psiallitie to any pson and shall faithfully and safely as vnder keeper or vnder Marshall keep all such dilynquents malefactors and fellows as shalbee comitted vnto you and shall take onely your ordinary fees allowed without exaction vpon any soe healp ℥

i652.

The Vnder Marshall is allowed twenty Nobles p anum besides his fees allowed by the Court;

i652.

[PART III.]  
1660.

It is enacted by the Court that the vnder Marshall shall haue twenty nobles more aded to his former wages to bee payed out of the Treasury and that for the future hee shall not expect any fees for the keeping of any prisoner saue onely to haue 2<sup>s</sup> 6<sup>d</sup> for Comitment and two shillings and six pence for Release as formerly.

1659. It is enacted by the Court that all sentances and sensures that shall fall out to bee Inflicted by the Vnder Marshall viz: whipping stocking & stickmatising hee shall bee payed for the same ; by the order of the Court.

1646. It is enacted by the Court that if any pson or psons shall henceforth cast contempt vpon the Marshall or any of his by reason of and concerning his said office shalbee fined to the vse of the gou<sup>r</sup>ment ten shillings for euery default ;

\*33  
1658. \*It is enacted by the Court that it shalbee lawfull for the Gou<sup>r</sup> or Assistants to presse any either trades men or others to bee Employed in the behalfe and for the vse of the Countrey as to prouide or repaire prisons stockes whipping posts or other Instruments of Justice and all such to be payed with current Countrey pay.

1658. It is enacted by the Court that the Publicke officers wages shalbee payed in Corne ;

1658. It is enacted by the Court that all Corne that shalbee <sup>deliuered</sup> ~~paid~~ in paying the publicke charges of the Countrey shalbee payed att one current prise ;

Att the Court of his Ma<sup>tie</sup> holden att Plymouth the 10<sup>th</sup> day of March 1675 Jonathan Pratt was established in the office of vnder Marshall and tooke his oath to p<sup>r</sup>forme the said office according to the Nature and in the p<sup>t</sup>iculars therof ; excepting puting to death ; of any offendor which the Court did vnanimously engage to him that hee shalbe Clearly ffreed from ; and that they will otherwise provide for such executions when they shall att any time fall out ;

\*34 \*The Oath of A Constable ;

1636. You shall swear to bee truely Loyall to our Sou<sup>r</sup> Lord King Charles his heires and Successors you shall faithfully serue in the office of a Constable in the ward of \_\_\_\_\_ for this p<sup>r</sup>sent yeare according to that measure of Wisdome Vnderstanding and Discretion God hath giuen you in which time you shall dilligently see that his Ma<sup>ties</sup> peace Comaunded bee not broken but shall carry the pson or psons offending before the Gou<sup>r</sup> of this

Corporation or some one of his Assistants and there attend the hearing of the case and such order as shalbee giuen you ; you shall apprehend all suspicious psons and bring them before the said Gou<sup>r</sup> or some one of his Assistants as aforesaid You shall duely and truly serue such warrants and giue such summons as shalbee directed vnto you from the Gou<sup>r</sup> or Assistants before mensioned and shall laboure to advance the peace and happiues of this Corporation and oppose any thing that shall seeme to anoy the same by all due meanes and courses soe healp you God whoe is the God of truth and the punisher of ffalchhood ;

[PART III.]

\*It is enacted by the Court and the Authritie therof that the Constables in euery Towne within this Gou<sup>r</sup>ment shall warne the Townsmen wherof they are to come together as they doe for other townes busines when the Comittees shall thinke it fitt ; as well to acquaint them with what is propounded and enacted att the Court as to receiue Instructions for any other busines they would haue done ;

\*35

i640.

Constables to warne towne meetings.

It is enacted by the Court that the Constable that liue remote hence in the further plantations shalbee freed from attendance att the Generall Courts after they are sworne except there shalbee speciall cause to retaine them ;

i639.

Constables freed from attendance at Courts.

It is enacted by the Court that all fines vnder forty shillings that shall fall in any of the remote townes of this Gou<sup>r</sup>ment shalbee leuiud by the Constable of the Towne by warrant from the Treasurer which remote townes are explained by the court to bee Taunton Rehoboth Eastham and Bridgwater ;

i657.

Constables leuy fines.

It is enacted by the Court and the Authoritie therof that if any Constable within this Gou<sup>r</sup>ment haue occation to goe out of the Townshipp wherin hee is Constable for some time hee shall haue power <sup>l</sup>to procure and depute another in his stead as his deputie to execute his place vntill his returne as effectually as hee himselfe might doe ; provided that the pson whom hee soe deputeth bee not one that hath serued in the place within two yeares before except hee bee willing and incase any Constable shall neglect to prouide and depute one in his stead as aforesaid to forfeit ten shillings for euery default ;

i639.

<sup>l</sup> by procuring is ment due satisfaction.

\*It is enacted by the Court that euery Constable of this Jurisdiction shall haue a Constable staffe wherby to distinguish them in their office from others and to bee provided by the Treasurer and to bee deliuered by the fore-going Constable to him that succeeds them yearly ;

\*36

i659.

Constable to haue a staffe.

Wheras some Trouble and Inconuenience hath arisen that some haue bine chosen to the office of Constable and haue rather chosen to pay the fine for-

i660.

fine for not seruing as a Constable.

[PART III.]

merly Amerced (for such default) then to serue in the said office and soe the townne Nessesitated to make a new choise puting them to further Charge It is enacted by the Court and the Authoritie therof that if any man being chosen by any Townne to the office of a Constable and shall refuse to serue therein shalbee fined the sume of four pounds the one halfe therof to the Townne in which they are chosen ; and the other halfe therof to the vse of the Collonie ;

It is enacted by the Court and the Authoritie therof That in euery Townne of this Jurisdiction there shalbee three or foure men chosen by writing of their Names in papers as the majestrates are chosen ; to rate all the Inhabitants of their Townne according to their estates or faculties that is according to goods lands Improued faculties and psonall abillities whether the rates bee for any of the Townnes in pticullar or for Generall Charges ; and by Improued lands are vnderstood meddow lands plowed lands and hoed lands the orders therein to bee obserued are these ;

first that the Constable shall Summon the Townsmen to come together and if hee neglect when hee is therevnto lawfully warned to forfeit twenty shillings ;

\*37      \*That if the Townsmen doe not come together vpon the Constables warn-  
2      ing and choose Rators the townne to forfeit fiue pounds.

3      That if the Rators soe elected doe not make the Rate and Transcribe  
and deliuer or cause to bee deliuered a Coppy therof to the Constable within  
ten daies or sooner if the occasion shall require to forfeit ten shillings a peece  
for euery such default.

4      That if the Constable doth Neglect to gather the said rates or cause  
them to bring it in within forty daies next after hee hath the said rate or  
sooner vpon speciall occasion ; hee shall pay it himselfe and to bee recouered  
by suite ;

5      That the Constable <sup>is heerby Impowered</sup> ~~shalbe haue power~~ to distraine vpon any that shall  
neglect to pay his rate being demaunded and bring it to the place appointed  
by him and shall haue twelue pence for his paines about the destresse ;

Lastly That all fines and forfeitures which shall fall by the breach of any  
of these actes shalbee leuied for the Gou'ment ;

It is enacted by the Court and the Authoritie therof that incase any  
Townne of this Gou'ment shalbee fined that the Court shall appoint three men  
to make a rate to leuy the fine whoe shall proceed therein according to the  
rules sett downe in the orders about the rates of the Countrey as neare as  
may bee ; and incase such men as shalbee soe appointed to make the

i643.  
Rators &  
their Rules.

i658.  
more of leuy  
of Rates when  
townnes fined.

rates shall neglect it they shall pay the fine themselves ; and such said rates as shalbee made a Coppy therof shalbee deliuered to the Constable to be leuiéd as rates for other Charges. [PART III.]

\*It is enacted by the Court and the Authoritie therof That it shalbee lawfull for the Gou<sup>r</sup> as well to Impannell such his Ma<sup>ties</sup> Subjects as are of good report and freholders vpon Juries although noe freemen to doe ser- uice theron as well as such as haue taken vp their ffreedome. \*38  
1636.  
who may be  
Impaneled on  
Juries.

It is enacted by the Court that all tryalls whether Capitall or between man and man bee tried by Juries according to the presedents of the lawes of England as neare as may bee. 1636.  
all tryalls to  
bee by Juries ;

It is enacted by the Court and the Authoritie therof that if a Jury bee Impanneled for tryall of causes and the pties agree afterwards ; yett they shall pay the Jury ; 1644.  
Jurys to bee  
paied though  
pties agree ;

It is enacted by the Court that the Jury shall haue six pence a man and the foreman twelue pence in such cases of Controversy as they shall goe on. 1635.  
The Jurys  
fees.

It is enacted by the Court that att the entery of euery action the charges of that action bee defrayed before the action bee entered. 1653.  
The Charges  
of an action  
to bee paied  
att the entery.

fforasmuch as the Jury men for tryall of causes betwixt pty and pty haue bine summoned out of the Towne of Plymouth and other townes neare thervnto and by the frequency therof it hath proued burthensome It is enacted by the Court that out of other Townes of this Jurisdiction the remote townes excepted as ocaation shall require there shalbee one man of euery towne required to attend the Courts for such purpose whose names shalbee specified ; in the warrants that are Issued forth for the warning of the Court ; 1661.  
Jurymen to  
bee specified  
in the warrants  
that warne the  
court.

It is enacted by the Court That henceforth noe summons bee Issued out before the action bee entered and the charges defrayed. 1661.

\*It is enacted by the Court and the Authoritie therof That a great Quest bee Impaneled by the Gou<sup>r</sup> and Assistants ; which are to bee chosen out of the seucrall Townshipes of this Gou<sup>r</sup>ment according to order of Court ; and warned to serue his Ma<sup>tie</sup> by enquiring into the abuses and breaches of such wholsome lawes and ordinances as tend to the preseruacion of the peace and good of the Subject and that they p<sup>r</sup>sent such to the Court as are guilty that soe they may bee prosecuted by the Court by all due meanes. \*39  
1636.  
The grand  
enquest how  
to bee chosen.

It is enacted by the Court that all misdemeanors of any pson or psons as tend to the hurt and detriment of societie ciuillity peace and Naighbour- 1636.  
matters p<sup>r</sup>sent-  
able.

[PART III.]

hood bee enquired into by the Grand enquest and the p<sup>r</sup>sons p<sup>r</sup>esented to the Court that soe the disturbers therof may bee punished and the peace and welfare of the Subject peacably preserued ;

1646.  
grandjury to  
view waights  
measures lad-  
ders &c.

It is enacted by the Court ~~and the Authoritie therof~~ that the Grand-jury men in euery Towneship shall once in the yeare ; yearly view all the measures waights and tole dishes in their seuerall Towneshipes and see that they bee lawfull according to order ; and that euery housholder haue ladders sufficient and p<sup>r</sup>esent the defects ;

1659.  
when grand-  
Jury men to  
appeer to take  
oath.

It is enacted by the Court that the Grand jury men in each Towne of this Gou<sup>r</sup>ment ; bee warned att election Courts to make their appearence the fift day of that weeke to take oath.

1639.  
Course to bee  
taken with  
Idle p<sup>r</sup>sons.

\*40

\*ffor the preventing of Idleness and other euills occasioned therby It is enacted by the Court That the grandjurymen in euery Towne shall haue power within their seuerall Townshipes to take a speciall view and Notice of all manor of p<sup>r</sup>sons married and single dwelling within their seuerall Townshipes that haue smale meanes to maintaine themselues and are suspected to liue Idlely and loosly ; and to require an account of them how they liue ; and such as they find delinquents ; and can not gine a good account vnto them That they cause the Constable to bringe them before a Majestrate in their towne if there bee any ; if there bee none before the Celect men appointed for such purpose That such course may bee taken with them as in their wisdomes shalbee Judged Just and equall ;

1640.  
noe p<sup>r</sup>esent-  
ment but on  
oath.

Repealed June  
1670.

It is enacted by the Court that noe p<sup>r</sup>esentment heerafter shalbee exhibited to the Grand enquest to bee brought to the Court ; except it bee done vpon oath and that it shalbee lawfull for any of the Assistants or any such as are deputed ; To adminnester an oath in such case ; viz: it is to bee vnderstood on their owne knowledge or others oathes ;

1656.  
none to bee  
condemned  
without two  
witnesses.

Repealed June  
1670.

It is enacted by the Court that any one that for the future shalbee p<sup>r</sup>esented to the Court for any fact on the Testimony of one witnes although vpon oath shall not bee for the same condemned without a second witnes or concurring cercomstances.

\*41

1659.  
grandjury-  
mens wages.

\*Wheras the Grand enquest is a place of great trust and concernment in the Comonwealth in discharge wherof is required expence of time and Charge It is enacted by the Court that the seuerall Townes of this Jurisdiction shall pay their grandjury men towards their expence of time and Charge att their seuerall Courts two shillings and sixpence a day and



nothing att the election Courts and that onely fitt and able p̄sons bee Chosen for that seruice ; [PART III.]

The oath of a Grandjury man ;

You shall true p̄sentment make of all thinges giuen you in Charge ;  
 You shall p̄sent nothing of mallice or illwill ; youer owne Councell and  
 youer fellowes ; in reference to this oath you shall well and truly keep Soe  
 healp you ƥ̄.

It is enacted by the Court that if any shalbee chosen to serue on the  
 grand enquest and shall refuse to serue ; hee shalbee fined to the Collonies vse  
 the sume of ten shillinges for euery Court that hee is absent in the yeare for  
 which hee is chosen to serue and incase hee shall wholly exclude himselfe  
 all the yeare ; hee shalbee fined the sume of forty shillinges to the Collonies  
 vse ; vnlesse hee can giue sufficient reason to the Contrary vnto the Court ;

\*Wheras Complaint is made that the ffreemen are put to many Incon-  
 ueniencies and great expences by their Continuall attendance att the Courts ;  
 It is therefore enacted by the Court and the authoritie therof for the ease  
 of the seuerall Townes of this Goūment that euery towne shall make Choise  
 of two of their ffreemen and the towne of Plymouth of foure to bee Com-  
 ittees or Deputies ; to Joyne with the bench to enact and make such lawes and  
 ordinances as shalbee Judged to bee good and wholsome for the whole ; pro-  
 uided that the lawes they doe enact shalbee propounded one Court to bee con-  
 sidered of vntill the next and then to bee approued of ; except the case  
 requires p̄sent confeirmation and if any acte shalbee confeirmed by the bench  
 and Comittees which vpon further deliberation shall proue prejudisiall to the  
 whole ; that the ffreemen att the next election Court after meeting together  
 may repeale the same and enact any other vsefull for the whole ; and that  
 euery Townshipe shall beare their Comittees charges ; which is two shillings  
 and six pence a day ; and that such as are not ffreemen but haue taken the  
 oath of fidelitie and are masters of families and Inhabitants of the said  
 Townes as they are to beare a p̄te in the charges of the Comittees soe to haue  
 a voat in the choise of them ; provided they choose them onely of the ffreemen  
 of the same towne wherof they are ; but if such Comittees shalbee Insuf-  
 ficient or troublesome ; that the bench and the other Comittees may dismise  
 them and the towne to Choose other ffreemen in their places ;

\*It is enacted by the Court and the Authoritie therof That wheras the  
 Number of ffreemen in many places is but smale and the Inhabitants of  
 Townshipes many more whoe haue equall voates with the ffreemen in the choise

[PART III.] of Deputies whoe being the body of ffreemen representatiue together with the majestrates haue equall voates for the enacting of lawes whoe by weaknes prejudice or otherwise it hath or may come to pase that very vnfitt and vnworthy p̄sons may bee chosen that can not answare the Courts trust in such a place ; That all such Courts as Majestrates and Deputies are to acte in making of lawes and being assembled the Court in the first place take notice of their members ; and if they find any vnfitt for such a trust that they and the reason therof bee returned to the towne from whence they were sent that they may make Choise of more fitt and able p̄sons to send in their stead as the time will p̄mitte ;

1646.  
more of Depu-  
ties.

It is enacted by the Court that if any Townshipe in this Gou<sup>r</sup>ment being orderly therto required shall neglect and refuse to elect and choose Committees according to the aforesaid order That towne soe Neglecting or refusing to bee fined to the Gou<sup>r</sup>ments vse forty shill and euery Comitty soe chosen and makes not his p̄sonall appeareance ; in the Court att the day appointed there to doe his seruice to bee fined twenty shillings vnlesse hee can shew a reason approved by the Court ;

\*44  
1646.  
more of Depu-  
ties.

\*Whereas the seuerall Townes of this Jurisdiction were to send their Deputies which must arise out of the ffreemen to attend the three generall Courts of the yeare Now vpon the speciall complaints of the Deputies of the townes soe sent professing themselues to bee oppressed therby ; It is enacted by the Court and the Authoritye therof That the whole body of ffreemen shall appeer att the election Court which is the first Tusday in June successiely and then to make or repeale such lawes orders and ordinances as shalbee found meet and wholsome for the ordering of the Gou<sup>r</sup>ment and that then alsoe they p<sup>r</sup>sent such deputies as haue bine chosen by their Townes according to order formerly established whoe are to attend the same and its seuerall adjournments as the occations of the Countrey shall require ; and whatsoever lawes orders and ordinances shalbee made or repealed bee att that Court and the seuerall adjournments therof onely done except the Gou<sup>r</sup> and Assistants see cause to call a speciall Court ; and other Courts to attend matters of Judicature and the majestrates onely to attend the same ;

1649.  
when the Depu-  
ties business  
to be attended.

It is enacted by the Court that att Courts of election next after the choise and swearing of Majestrates and other officers the Generall occations of the Countrey wherin deputiies are requisite bee attended except extreordinary occasion comes in the way.

\*It is enacted by the Court that the Court of majestrates and deputies shall have power as to receiue accounts soe to giue allowance to any pson in publicke place for lose or damage hee sustaines as they shall thinke meet ;

\*45  
i652.  
majestrates & Deputies power.

It is enacted by the Court that if any stranger or forraigner haue any occasion to comence a suite att any time betwixt the Courts for the tryall of a cause of considerable vallue ; hee hath libertie to purchase a Court for such a purpose if hee shall put in Securitie to defray the charge ; and that there shall not bee lesse then three of the Majestrates att euery such Court ;

i658.  
a stranger may purchase a Court.

It is enacted by the Court and the Authoritie therof That an execution shalbee graunted forth att the end of one month after the verdict and Judgment is graunted and not before except the pty bee departed the Gou'ment ; and that when the marshall goeth forth to serue the execution the plaintiffe or his deputie shall goe with him to prise the goods soe distressed and if occasion shall require the defendant shall haue libertie to choose another man ; and the Marshall and those two shall apprise the goods or chattles soe taken ; but if the defendant doe neglect or refuse to make such a choise ; the Marshall shall choose a man on his behalfe ; and as they or any two of them shall prise the goods soe they shalbee then and thaire deliuered vnto the plaintiffe or his deputie and the Marshall discharged ; and if the said goods come to more then the debt and charge amount vnto then the plaintiffe shall returne the ouerplusse vnto the defendant in Countrey pay within six daies next after hee receiue the said goods ; but if the plaintiffe liueth out of the Gou'ment ; then hee shall fourthwith returne the ouerplusse or giue Cecuritie to the defendant to doe it within the said six dayes ;

i655.  
about serueing an execution by the marshall.

\*It is enacted by the Court that all executions Issueing out of the general Court or Court of Assistants shalbee executed by the Marshall onely ;

\*46  
i645.  
more of executions.

It is enacted by the Court and the Authoritie therof that it shalbee lawfull for the Gou' and Majestrates or any of them to direct Summons to Any pson in this Gou'ment to answare to any suite comenced against them ; and it shalbee as Authentickall as if it were done by warrant to Attach or arrest them ;

Summons Authentickall for appeareance to answare a suite.

It is enacted by the Court that the Prison shalbee erected att Plymouth.

It is enacted by the Court that the Gou'ment shall allow fourpence a day to maintaine a prisoner Comitted for felonie or misdemenor if they bee not able to maintaine themselues and to bee payed by the Treasurer and allowed vpon his accounts.

prisoners allowance  
i646 2<sup>d</sup>  
i660 3<sup>d</sup>  
i663 4<sup>d</sup>  
was aded.

[PART III.]

1636.  
stockes &  
whiping post.

It is enacted by the Court That in every Towneship of this Goument there shalbee a paire of Stockes and a whipping post erected in such places as shalbee thought meet by the seuerall Naighborhoods where they Concerne vpon the penaltie of ten shillings for euery Townshipe that shalbee defectiue therin.

\*47

\*Capital offences Lyable to death

1636.

Treason or Rebellion against the pson of our Sou<sup>r</sup> Lord the King ; the State and Comonwealth of England ; or this Corporation

Wilfull murder ;

Sollemne Compaction or Conversing with the diuill by way of witchcraft or the like ;

Wilfull or purposed burning of shippes or houses

Sodomy Rapes buggery ;

1658.

It is enacted by the Court and the Authoritie therof That whosoever shall comitt Adultery shalbee seuerly Punished by whipping two seuerall times viz: once whiles the Court is in being att which they are convicted of the fact and the second time as the Court shall order and likewise to were two Capitall letters viz: **A D** Cut out in Cloth and sewed on their vpermost garments on their arme or backe ; and if att any time they shalbee taken without the said letters whiles they are in the Goument soe worne to bee forthwith taken and publickly whipt ;

\*48

\*Offences Criminall

1645.  
against Carnall  
Coppulation.

It is enacted by the Court and the Authoritie therof That any pson or psons that shall Comit Carnall Copulation before or without lawfull Contract shalbee punished by whipping or els pay ten pounds fine apeece and bee Imprisoned during the pleasure of the Court soe it bee not aboute three daies but if they bee or wilbee married the one to the other ; then but ten pounds both and Imprisoned as aforesaid ; and by a lawfull Contract the Court vnderstands the mutuall consent of parents or gaurdians if there bee any to bee had ; and a sollemne promise of marriage in due time to each other before two competent witnesses ; and if any pson or psons shall Comit carnall Copulation after contract and before Marriage they shall pay each fifty shillings and bee both Imprisoned during the pleasure of the Court soe it bee not aboute three daies ; or else incase they cannot or will not pay the fine then to suffer corporall punishment by whipping ;

1639.  
against swear-  
ing.

It is enacted by the Court and the Authoritie therof that whosoever shall prophanly sweare or curse by the name of God or any of his Atributes

word or workes hee or shee shalbee sett in the Stockes soe it exceed not three hours or bee put in prison according to the Nature and quallitie of the pson ; [PART III.]

It is enacted by the Court that whosoever shall steale or attempt to steale shippes boates munition or ~~other things~~ it bee Accounted felonie and soe to bee Punished ; against steal-  
ing. i639.

It is enacted by the Court that such as either drinke drunke in their psons or suffer any to drinke drunke in their houses ; bee enquired into amongst other misdemeanors and according Punished or fined or both at the descretion of the majestrate ; i639.  
more of drunk-  
enes.  
See the law  
about ordinary  
keepers.

\*It is enacted by the Court that whatsoever seruant or apprentice or labourer shall ployne or steale or Imbezell his masters goods shall make double satisfaction and restitution either by payment or servitude as the Court shall Judge meet for the first default ; and for the second default ~~of the labourer~~ to make double restitution and either find surties for his good behavior or bee whipt ; \*49  
i645.  
against ser-  
vants & ployn-  
ing.

Wheras Complaint is made that some haue brought Cards into some Townes of this Jurisdiction wherby seuerall psons ; mens both servants and Children haue bine drawne together to spend their time in playing at such vnlawfull games to the coruping of youth with other sad consequences that may fall by the pmission of such practices ; It is enacted by the Court and the Authoritie therof That whosoever shall bring into this Jurisdiction or keep in his house any Cards for such purposes as aforesaid or shall suffer any to play att Cards or Dice att any time in his house or where hee hath to doe ; or any that shalbee actors att such vnlawfull Games shalbee fined for the same forty shillings and for such as are servants or children that shall play att Cards or Dice for the first offence to bee corrected att the descretion of their parents or masters ; and for the second offence to bee publickly whipt ; i655.  
against play-  
ing att Cards  
& Dice.

It is enacted by the Court and the Authoritie therof that every pson of the age of descretion (which is accompted sixteen yeares) whoe shall wittingly or willingly make or publish any lye which may bee pnisious to the publicke weale or tending to the damage or hurt of any pticulare pson or with Intent to deceiue or abuse the people with falce newes or reports shalbee fined for every default ten shillings ; and if the pty bee vnable to pay ; then to bee sett in the Stockes soe longe as the court shall thinke meet ; i660.  
against lying.

\*Wheras some abuses haue formerly broken out amongst vs by disguising wearing visors and strange apparrell to laciuiouse ends and purposes ; It is \*50  
i645.

against wear-  
ing visors ℥.

therefore enacted by the court and the Authoritie therof That if any pson or psons shall heerafter vse any such disguisment visors strange apparrell or the like to such laciuous and cuill ends and Intents and bee therof convicted by due course of law shall pay fifty shillinges for the first default or else bee publickly whipt and bee bound to the behaiour if the Court shall see meet ;

1645.  
against wilfull  
burning of  
fences.

It is enacted by the court that if any pson or psons shall wilfully and of sett purpose burne any mans ffence or ffences shall make good the damage or bee bound to his good behaiour.

1645.  
against re-  
moueing land  
markes.

It is enacted by the Court that any pson or psons that shall plucke vp remoue or deface any land markes or bounds betwixt pty and pty that haue bine or shalbee orderly and sufficiently sett vp by psons thervnto designed ; shalbee fined from twenty shillings to fve pounds according to the Nature of the offence.

1645.  
wilfull break-  
ing fences  
gates ℥.

It is enacted by the Court and the Authoritie therof That any pson or psons that shall wilfully and of sett purpose breake downe another mans ffence or gate or bridge to the anoyance of either a pticulare pson or the generall ; shall make vp such said ffence gate or bridge att his owne charge and pay the damage therby sustained ; and bee fined for the first default fifty shillings and for the second default fined fve pounds ; and bound to his good behaiour.

\*51\*  
1646.  
against vnciuill  
takeing To-  
bacco.

\*Wheras there is great abuse in takeing of Tobacco in very vnciuill manor in the streets and dangerously in out houses as barnes staules about hay stackes and other such places It is therefore enacted by the Court that if any pson or psons shalbee found or seen heerafter takeing Tobacco publickly in the open streets of any Towne of this Jurisdiction or in and about Barnes staules hay-stackes Corn stackes hay yards or any such like places or out houses That euery such pson or psons soe offending shall forfeite and pay t<sup>o</sup> the Townes vse for the first default twelue pence for the second default two shillings ; and it shalbee lawfull ℥ by this acte warrantable for the Constable of euery Township without further warrant vpon sight and Information to distraine his or their goods for it which doe refuse to pay it vpon his demaund ; and to bee accountable of what he receiues yearly att the election Courts ; souldiers in time of exercise excepted ;

1633.  
1646.  
against vnde-  
scret fiering  
the woods.

Wheras many haue sustained great damage by the vndescret fiering of the woods though Justly occationed thervnto It is enacted by the Court that none shall fier the woods att any time but they shall giue warning therof to the Naighbors about them ; and the time of fiering them to bee from the

fifteenth of february to the latter end of April alsoe that if any pson att any time shall fier any of the woods; and hath noe Just occasion soe to doe hee shalbee fined ten shillings to the vse of the Gou<sup>r</sup>ment or bee whipt.

[PART III.]

\*It is enacted by the Court and the Authoritie therof that whosocuer shall forge any deed or writing wherby any estate of lands either by Inheritance or for tearme of yeares shalbee pased and the right heires disinherited and shall produce and publish the same to such deceightfull ends and purpose and bee therof convict by course of law shall pay the pty greiued double damage and bee fined halfe soe much as the pty greiued recoucreth of him; and incase hee bee not able to pay it to bee publickely whipt and burned in the face with a Roman **I**;

\*52

1645.

It is enacted by the Court and the Authoritie therof That if any officer or keeper of publicke Records or writings shall wilfully steale Imbezell or make away any such publicke Records or writing soe comitted to publicke Record or keeping or shall alter any of them or any pte of them by Raseing out or ading therto or otherwise; shalbee disfranchised and lose his office and burnt in the face except in triuiall Cases;

1645.  
against de-  
faceing of  
Records.

It is enacted by the Court that if any pson or psons shall endeauor or goe about directly or Indirectly to Corrupt any officer keeping any publicke Records or writings to procure him to deface alter or Imbezell any such Records or writings shalbee fined according to the Nature of the offence soe it bee not about forty pounds or bee whipt;

against such as  
doe corrupt  
Register  
keepers.  
1645.

\*It is enacted by the Court that all such as denye the Scriptures to bee a Rule of life; shall receiue corporall punishment according to the deseretion of the maiestrate soe as it shall not extend to life or limb;

\*53  
against deni-  
all  
of the scrip-  
tures.

Wheras there hath bine many Complaints for want of due maintainance for minnesters (as some haue reported) It is enacted by the Court that noe Pastoure or Teacher of any Congregation shall remoue before his Complaint hath bine tendered to the maiestrates and they haue heard both sides; and that vpon such complaints if there appeers to bee a reall defect in the hearers of the minnesters soe complaining; the maiestrates shall vse all gentle means to pswade them to doe their duty heerin; but if any of them shall not heerby bee reclaimed but shall psist through plaine ostinacye against an ordinance of God then it shalbee in the power of the maiestrate to vse such other meanes as may put them vpon their duty;

for minnesters  
maintainance.  
1655.Repealed  
Septem: 1661.

Wheras this Generall Court taking into their serious Consideration the

[PART III.]

more of min-  
nisters main-  
tainance.

1657.

\*54

great defect that either is or like to bee in seuerall Townshipes of this Jurisdiction for want of an able Godly teaching minnestrey and the great prejudice to the soules of many like to ensue and being desirouse according to our duties that such defects should not bee for want of due Incouragement to such as either are or shalbee Employed in soe good a worke of the Lord for his honor and the good of soules; and in Consideration that inasmuch as the seuerall Townshipes graunted by the Gou'ment was that such a Companie might bee receiued as should maintaine the publicke worship of God there; doe Therefore Judge that the whole both Church and Towne are mutually engaged to support the same; and doe therefore order and agree \*That in whatsoever Township there is or shalbee an able Godly Teaching minnistry which is approued of by this Gou'ment That then foure men bee chosen by the Inhabitants or incase of thaire neglect chosen by any three or more of the majestrates to make a Just an equall proportion vpon the estates of the Inhabitants according to thaire abillities to make vp such a convenient maintainanc for his comfortable attendance on his worke as shalbee agreed vpon by the Church in each Township where any is with the concurrence of the rest of the Inhabitants if it may bee had or by the majestrates aforesaid incase of thaire apparent neglect; and that distresse accordingly as in other Just cases bee made vpon such as refuse to pay such thaire proportions which is in Justice due But incase there bee any other way wherby any Township doe or shall agree that may effect the end aforesaid this law not to bee binding to them; To bee explained thuse; That onely such pson or psons as refuse to beare thaire pte with the rest of the Church or Towne in due maintainance and support of Minnistry this law to bee in force onely to them but not vnto others that doe thaire duty;

against villify-  
ing churches  
e.

1650.

It is enacted by the Court That whoesoeuer shall villify by opprobrious speeches or tearmes any Church or ordinance being therof lawfully convicted shall forfeit and pay to the vse of the Collonie ten shillings for euery default;

against breach  
of sabbath.

1650.

this aded June  
1670;

It is enacted by the Court That whosoeuer shall prophane the Lords day by doeing seruill worke or any such like abuses shall forfeit for euery such default ~~ten~~ <sup>forty</sup> shillings or bee publickly whipt;

\*55

against neglect  
to come to the  
worship of God.

1661.

\*It is enacted by the Court That whatsoever pson or psons shall frequently absent or neglect vpon the Lords day the publicke worship of God that is approued of by this Gou'ment shall forfeit for euery such default; ten shillings;



It is enacted by the Court and the Authority thereof That hence forth noe publicke meeting bee set vp within this Gouernment but such as the Court shall approue of. 1657.

Wheras complaint is made of great abuses in sundry places of this Gouernment of Prophaning the Lords day by Trauellers both horse and foot by bearing of burdens carrying of packes &c vpon the Lords day to the great offence of the Godly well affected amongst vs; It is enacted by the Court and the Authoritie thereof That if any pson or psons shalbee found Transgressing in any of the precincts of any Township of this Gouernment hee or they shalbee forthwith apprehended by the Constable of such a Towne and fined twenty shillings to the Collonies vse or else sit in the stockes four houres except they can giue a sufficient reason for their soe doing; and they that transgresse in any of the aforesaid particulars shall onely bee apprehended on the Lords day and on the second day following shall either pay their fine or sitt in the stockes as aforesaid; another against prophanation of the Sabbath. 1658.

It is enacted by the Court and the Authoritie thereof That all such as refuse to take the oath of fidelitie as Quakers or such as are manifest encouragers of such shall haue noe voyce in choise of publicke officers in the place where they dwell or shalbee Employed in any place of trust while they continew such; against Quakers. 1658.

\*It is enacted by the Court and the Authoritie thereof

That noe Quaker Rantor or any such corrupt pson shalbee admitted to bee a freeman of this Corporation; \*56 against Quakers. 1658.

It is enacted by the Court and the Authoritie thereof; That all such as are opposers of the good and wholsome lawes of this Collonie or manifest opposers of the true worship of God or such as refuse to doe the Countrey seruice being called thervnto shall not bee admitted freemen of this Corporation being duely convicted of all or any of these; such as may not bee freemen. 1658.

It is enacted by the Court and the Authoritie thereof That if any pson or psons that are or shalbee freemen of this Corporation that are Quakers or such as are manifest encouragers of them and soe Judged by the Court or such as shall speake contemptuously of the Court and of the lawes thereof and such as judged by the Court grosly Scandalous; as lyers drunkards swearers &c shall lose their freedom of this Corporation; such as shall loose their freedom; 1658.

It is enacted by the Court and the Authoritie thereof That all psons within this Gouernment that are att their owne dispose and haue not taken the oath of fidelitie shall repaire vnto some one of the maiestrates of this Jurisdiction to take the said oath; which if they shall neglect or refuse to doe; such pson fine for not taken the oath of fidelitie. 1661.

[PART III.]

or psons shalbee summoned to every election Court to make their appearance theratt during the time of their abode in this Government; and if any such pson or psons shall then refuse; to take the said oath they shalbee fined; the sume of five pounds to the Collonies vse;

\*57

\*The order of Court Concerning  
the Councell of Warr.

In Regard of the many appearances of danger towards the Country by enimies; and the great nessesitie of Councell and advise in which respect the Court thought meet to make choise of a Councell of Warr consisting of cleuen psons whose names are elsewhere extant in the Records of the Court; which said cleuen or any five of them being orderly called together their act to bee accompted in force; and they to bee continewed in their places vntill others bee elected to bee orderly called together is ment being sumoned by the Gou<sup>r</sup> or Major or the Presedent of this Councell or his deputie; or incase of their absence any two majestrates of the Councell of warr;

1653.  
1659.

It is enacted by the Court and the Authoritie therof That the Councell of Warr shall haue power To Issue out warrants in his Ma<sup>ties</sup> name to Impresse such an Number of men and horses in every Towne as by proportion the said Towne is to sett forth and alsoe to Issue out warrants in said Mat<sup>ies</sup> Name to the said Townes for Armes and prouision and all things Nessesary for them; and what charges shall arise; to be leuied on each Towne proportionable as other publicke rates and to giue Comission to any Cheife officer vnder their Charge either in time of peace or warr;

1659.

The proceeding of the Councell of Warr in the  
Constituting and Comissionating of a Major.

The Councell of Warr being Assembled doe heerby Constitute Impower and Comissionate you our Trusty and welbeloued frind I W to bee as Cheife Officer ouer the milletary Companies of this Jurisdiction bearing the title of a Major and to acte therein as is prouided by order of Court Anexed to your office; according to such Instructions as you haue or shall from time to time receiue from the Councell of Warr In psuance wherof all Captaines Inferiour officers and souldiers are heerby Required to bee in Reddy Subjection to you during your Continuance in the said office which shalbee vntill the Councell of Warr shall see cause to order otherwise;

1658.

Giuen vnder our hand  
and Seale T P Presedent  
with the consent of the rest  
of the Councell of warr;

## \*Instructions for the Major ;

\*59

You shall take into your Comaund the severall Milletary Companies of this Jurisdiction both horse and foot and take care that they bee orderly Trained vp in the vse of armes.

I

1648.

You shall take Care that armes be fix and seruicable.

2

You shall Carfully appoint such watches and Gaurds as may bee needfull for the honor and safty of the Gou<sup>r</sup>ment ;

3

You shall yearly appoint generall Musters or meetings of such Companies as can with any conveniency meet together and with the aduise of your Councell order the same.

4

Incase of any suddaine and vnexpected approach of an enimie or Insurrection within our selues you shall Indeaour to put those Companies into such a posture of defence ; as your selfe and such of your Councell of warr shall giue you Instruction therabouts ;

5

You shalbee redly att all times to obserue and execute such further Instructions either respecting discipline or reall seruice as shall from time to time by the Councell of warr bee directed to you ;

6

You shall on all occations aduise with such as the Councell of Warr shall appoint to bee of your Councell ; and they for the p<sup>r</sup>sent haue chosen those heerafter Nominated ; ¶.

7

See booke of orders and passages of the court ;

\*It is enacted by the Court and the Authoritie therof That incase any Cheife milletary officer bee wanting in any towne within this Gou<sup>r</sup>ment such Township shall p<sup>r</sup>sent two or three p<sup>r</sup>sons of the fittest they haue for that place to the Court ; and such p<sup>r</sup>son or p<sup>r</sup>sons as shalbee approued by the Court shalbee established in such place and office ; and such Cheife officer to chose their vnder officer with the Consent of the body.

\*60

i646.  
of the Choise  
of a milletary  
officer in euery  
Towne.

It is enacted by the Court that as the Captaine Leiftenant and Ensigne are established in their places by Authortie and approbation of the Court ; soe such Capt: Leiftenant and Ensigne shall not lay downe their places but by the consent and approbation of the Court ; vpon the penaltie of five pounds for euery Captaine fifty shillings for euery leiftenant and fifty shillings for euery Ensigne soe laying downe his place without the leaue and liking of the Court and if any Captaine leiftenant or Ensigne shall neglect to traine their men on the daies appointed or shalbee negligent in his or their places ; vpon proffe therof ; shalbee fined ten shillings for euery default ;

i646.

fine for not  
serueing in a  
Capt. Leift. or  
Ensignes  
place.

It is enacted by the Court that the Cheife millitary Comaunder in euery

Towne shall have power to call forth men to exercise them in their armes and to appoint daies of training and the sarjeants to giue warning therof and to bee done as oft as the Court hath appointed ;

i642.  
Cheife mil-  
itary officers  
power.

It is enacted by the Court that all the milletary Companies within this Gouernment shalbee trained at the least six times in the yeare ;

i640.  
six daies train-  
ing.

\*It is enacted by the Court that in the time of feare and danger and suddaine assault of an enimic the cheife milletary Comaunder in euery towne shall have power to call the souldiers of that towne together and put them in a posture of warr ; whose Comaunds euery souldier shall obey for the defence of the Towneship and that they follow the directions of the milletary Comaunder of that towne in keeping watch and ward provided that the ordinary watch bee sett and appointed with the majestraites aprobation if there bee any.

\*61  
i642.  
Cheife mil-  
itary officers  
power.

It is enacted by the Court that the Cheife milletary officers in euery Towne shall sett a fine vpon such as absent themselues on daies of training if there bee not sufficient reason giuen for their absence provided the fine bee with the Consent of the Companie or the major pte therof and such fines to bee gathered by the Clarke of that companie and to bee for the benefit of the same ;

more of Cheife  
milletary offi-  
cers power.

It is enacted by the Court that the milletary officers in euery Towne shall see that the Armes of that towne bee fix and compleat for length and bore and p<sup>r</sup>sent those that are defectiue ;

milletary offi-  
cers see to  
armes.  
i654.

It is enacted by the Court that all and euery pson within this Gouernment shalbee subject to such milletary order for training and exercyse of armes ; as hath bine agreed vpon and inacted by the Court ;

souldiers must  
bee subject to  
milletary or-  
ders.

The fines of such as are defectiue in their armes							
That are wholly defectiue	-	-	-	-	-	-	00. 10. 00
That want a peece	-	-	-	-	-	-	00. 06. 00
That want a sword	-	-	-	-	-	-	00. 02. 06
That want powder	-	-	-	-	-	-	00. 05. 00
That want bulletts	-	-	-	-	-	-	00. 02. 00
<del>That want match</del>	-	-	-	-	-	-	00. 01. 00

i633.

\*The Guns or peeces allowed for scruiue are these viz: musketts fierlockes and matchcookes soe that they haue four fathom of match att all times reddy for euery matchcocke Calliuers Carbines and fowling peeces soe that they bee not aboute bastard muskett or Calliuer bore ;

\*62  
guns allowed  
seruicable.

i642.  
This order as  
it respects  
matchcocks is  
Repealed July  
10: (77.)

It is enacted by the Court that every Township in this Government each township shall provide two sufficient firelocke peeces two swords and two pouches for every thirty men they have in their towne; and soe proportionable to their Number they are to sett out bee they greater and lesser; which shalbee reddey att all times for service vpon any occasion vpon such penaltie for every delinquent as the Court shall Judge meet according to the Nature of the offence;

Townes Armes.  
1646.

It is enacted by the Court that every Township in this Government shall provide a barrell of powder and lead or bulletts answerable; to bee kept by some trusty man or men in every Towne that it may bee reddey for defence in time of need and danger.

Townes powder and shott.  
1641.

It is enacted by the Court that every pson both for him selfe and every man servant hee keepeth able to bear armes have a peece powder and shott viz: a sufficient muskett or other serviceable peece for warr with bandoleers sword and other appurtenances; and that for himselfe and every such pson vnder him hee bee att all times furnished with one pound of powder and four pound of bulletts with foure fathom of match for every match-cocke muskett;

householders to have armes and Amunition.  
1636.

\*It is ordered by the Councill of Warr

\*63

That every Towne that shalbee defectiue in the want of a Drum att any time for the space of two monthes shall forfeit the sume of forty shillings.

1653.  
fine for want of a Drum.

It is ordered by the Councill of warr that every towne provide halberts for their sarjeants of their milletary Companie;

1636.

It is ordered by the Councill of warr that a Considerable Companie of halfe pikes bee provided in every towne att the charge of the township; viz: wher eighty men are; able to beare Armes; there twenty to bee provided and soe proportionable to their Number bee they greater or lesser;

1653.  
halfe pikes to bee procured.

The oath of a Clarke of a milletary Companie.

You shall faithfully serue in the office of a Clarke of the milletary Companie of  $\text{£}$  for this present yeare during which time you shall dilligently obserue such sett times of training as your officers shall appoint You shall keep an exact list of the Names of your Millitary Companie; and take notice of all such defects as shall arise by the breach of any wholesome orders made by the said Companie; and gather in all such fines as belong therunto and giue a Just account therof to the Companie or such as they shall appoint.

1653.

fine for not  
serueing as  
Clarke of a  
military Com-  
panie;

It is ordered by the Councell of warr that all such as are chosen Clarke of any milletary Companie of this Jurisdiction shalbee sworne; and any that shall refuse to serue as Clarke for one yeare shalbee fined twenty shillings and hee that is next chosen to haue the said sume;

\*64

The Gou<sup>r</sup> or  
3 assistants  
may presse  
horses.

1639.

1644.

\*It is enacted by the Court that incase there shalbee need of horses vpon speciall occasion for the Countreyes seruice It shalbee lawfull for the Gou<sup>r</sup> or any three Assistants to presse such and soe many as they shall see reason to Imploy provided that they take order that the owners bee payed for them; but if any such horse or horses miscarry in the seruice; the prise of such horse or mare to bee made good to the owner by the Countrey; and the horse to bee prised att his going forth.

maimed soul-  
diers to bee  
maintained.

1636.

It is enacted by the Court that if any shalbee sent forth as a souldier and shall returne maimed hee shalbee maintained competently by the Countrey during his life;

Seotes & Irish  
may traine.

1655.

It is enacted by the Court that all such Scotos or Irish as are in any Township of this Gou<sup>r</sup>ment shall beare Armes and traine as others; except such as are seruants from month to month;

Smiths to  
mend all armes  
defectiue.

1642.

It is enacted by the Court that all Smithes within this Gou<sup>r</sup>ment bee compelled to amend and reparaire all defectiue armes brought vnto them spedily and to bee paid in wheat or butter and the Smith refusing to answare it att his prill;

\*65

a troope how  
to bee raised.

1658.

\*It is enacted by the Court and the Authoritic therof That a Troope of horse well appointed with furniture viz: a saddle and a case of petternells for euery horse shalbee raised out of the seuerall Townshipes to bee redly for seruice when required; and maintained for the purpose to bee raised as followeth;

viz: Plymouth -	-	-	3	Yarmouth -	-	-	3
Duxburrow -	-	-	2	Barnstable -	-	-	3
Scittuate -	-	-	4	Marshfeild -	-	-	3
Sandwich -	-	-	3	Rehoboth -	-	-	3
Taunton -	-	-	3	Eastham -	-	-	3
Sowamsett -	-	-	1	Bridgwater -	-	-	2

1658.

In all thirty and three; and that all such shalbee freed from foot seruice and from watching and to bee redly by June next ensueing the date heerof on the penaltie of the forfeiture of ten pound\$ for euery towne that shall neglect:

Liberty is graunted vnto the Major to Admitt of soe many vounteers into the troop of horse as will make vp the Number forty eight ; the Comission officers excepted and all such to continew three yeares att the least ;

libertie for vounteers to bee aded to the troop.

i662.

i660.

Concerning Pikes.

Wheras the milletary Companies of this Jurisdiction are entered into a Regementall posture and therefore that the vse of Pikes is nessesarie ; and some already provided for that end ; It is enacted by the Court that the charge of the said pikes shalbee borne by the Townes respectiuey ; and that notwithstanding this order ; That those that exerciseth with the said Pikes shall keep their other armes ſc fix and compleate soe as they may bee fitt for seruice ;

\*fforasmuch as Complaint is made that many Indians presse into diuers ptes of this Jurisdiction wherby some of the plantations begine to bee oppressed by them It is therefore enacted by the Court and the Authoritie therof that noe strang or forraigne Indians shalbee pmitted to come into any pte of this Jurisdiction soe as to make their residence there ; and for that end that notice bee giuen to the scuerall Sagamores to preuent the same ;

\*66

i660.

against strang Indians coming into the Gou'ment.

It is enacted by the Court that wheras it is holden very vnlawful and of dangerous consequence and it hath bine our constant custome from our very first beginning that noe p'son or p'sons haue or euer did purchase rent or hier any land herbage wood or timber of the Indians but by the majestrates consent ; That if any p'son doe heerafter purchase rent or hier any lands herbage wood or timber of the Natives in any place within this Gou'ment without the consent and assent of the Court euery such p'son or p'sons shall forfeite five pounds for euery acre which shalbee soe Purchased rented hiered and taken and for wood and Timber to pay five times the vallue therof to be leuied to the Collonies vse ; and in case that any Inhabitant of this Gouernment or other notwithstanding this order shall presume to purchase hier or any way appropriate or possesse themselves of any of the lands of the Indians without the Courts approbation and leaue ; although the fine or forfeiture cannot att p'sent be obtained yett the lands soe purchased or procured by any ; shalbe forthwith seized vpon for the Countreyes vse.

i643.

against hiering lands of the Indians.

this aded June i668.

In reference vnto the law prohibiting buying or hiering land of the Indians directly or Indirectly bearing date Ann<sup>o</sup> i643 The Court Interprets these words alsoe to comprehend vnder the same penaltie a prohibition of any mans receiuing of any lands vnder pretence of any gift from the Indians without approbation of the Court likewise the prohibition of any English to giue powder shott Amunition horses or boates is Intended vnder the same tearme of Indirect selling vnto the Indians vnder the same penaltie ;

i660.

none may receiue lands by gift from the Indians.

[PART III.]

\*67

1656.

\*It is enacted by the Court and the Authoritie therof; That all Indians liueing neare any Towneship of this Jurisdiction shalbee strictly charged not to make any alarum in the night by shooting or otherwise vnlesse nessesitated therunto; as they will answare it att their prill;

1656.

It is enacted by the Court and the Authoritie therof that noe Indian shall discharge any gun on the Lords day att any thinge to the breach of the sabbath and disturbance of the English as they will answare it att their pill;

1652.

It it enacted by the Court and the Authoritie therof that henceforth the Indians within this Jurisdiction bee not pmitted to doe any seruill worke on the Lords day as by fishing fowling hilling planting or carrying of burdens ſ̄ and if they doe after notice giuen therof; they shalbee warned to the next generall Court by the Constable of the place where they soe transgresse.

1639.

It is enacted by this Court and the Authoritie therof that none shall giue trad trucke or exchange directly or Indirectly with the Natiues or Indians; other then Englishmens servants to giue or pay him mony gold or siluer for the same vpon the penaltie of forfeiting twenty for one by him or her that shall soe doe;

Repealed July  
1669.

1639.

It is enacted by the Court that whosoecer shall sell or barter directly or Indirectly any wine or strongwaters to any Indians vnlesse incase of sicknes or faintnes; and then onely with the consent or foreknowldge of a majestrate if their be any in the Township or in defect of him; with the concent and foreknowldge of the Comittes or Grandjurymen of the said Towneship and but a smale quantitie; and for euery default to pay five pounds to the Collonies vse.

1656.

It is enacted by the Court that henceforth noe one shall make sale of any manor of Barques or boates sayles or Riging to any Indian or Indians on paine of forfeiting that which is soe sold and ten times the vallue therof.

1656.

It is enacted by the Court that none shall sell any horse or mare coult or foale to any Indian or Indians vpon paine of forfeiting euery such horse or mare coult or foale that shalbee soe sold and ten times the vallue therof.

1652.

It is enacted by the Court that noe pson within this Gou'ment shall furnish any Indian with any cask vpon the penaltie of the lose of the prise of the caske the one halfe to the Countrey and the other halfe to the enformer.

1639.

It is enacted by the Court that whosoecer shall giue trade trucke or exchange with the Natiues for any kind of milletary Armes; as guns of any



length or sort ; or any shott ledd bullets or powder ; or swords daggers rapiers or mend or repaire any kind of armes for them shall forfeite twenty for one to the vse of the Collonic ; as much of this order as prohibiteth the selling of powder and shott to the Indians is repealed. July 1669.  
 And the like penaltie to them that shall lend any gun to an Indian ;

[PART III.]

1660.

this aded June 1669.

\*Wheras Complaint is made that many vnder pretence of hiering Indians for to bee their servants for a month or longer time doe furnish them with guns powder and shott to kill foule deare &c It is enacted by the Court that whosocuer henceforth shall hier or Employ any Indian or Indians and furnish them with guns powder or shott or any one of them shall forfeite for euery such default forty shillings ; except they bee Indians that haue bin servants for diuers yeares ; and are in a good measure Ciuilliced and approued of by the Gou<sup>r</sup> and Assistants ;

\*68

1651.

It is enacted by the Court that noe man shall make any pticulare vse of any of the Indians lands without leaue of the Court ;

1663.

This Court takeing notice that there is a very great defect of appeerance att the Generall trainings and that hitherto nothing hath bine done effectually in reference vnto the troopers for the gathering of their fines ;

June 1664.

This Court doth order that such fines as are by the troop settled for defect of appeerance att any Generall Training that vpon an order from the Major or the Captaine of the Troope the Constables of such Townes where any such defects are shall forthwith collect the fine in some good and current pay and soe much besides as may Transport it vnto the Clarke or some place that hee shall appoint for the receiueing of it ;

It is alsoe enacted by the Court that noe Trooper whilst hee stands listed in the Troope shall att any time put away or dispose of his Trooping horse vnlesse hee haue some other horse that is approued by some of the Comission officers of the Troop on penaltie of double the fine of non appeerance.

Morouer it is enacted by the Court That sufficient warning being giuen of a generall Muster ; noe busines or occations by sea or land ; if in the Country shall excuse non appeerance theratt ; nor any thing but sicknes lamnes or Country seruice ;

It is enacted by the Court that if any one of the foot souldiers of any milletary Companie of this Jurisdiction shall vnnessesaryly exempt himselfe from appeerance att the generall Trainings att the times and places appointed except incase of sicknes lamenes Country busines or the like shalbee fined five shillings a day for euery day they shall neglect incase they can not giue a

1662.

1664.

[PART III.]

sufficient reason therof to the milletary Comaunder in cheiffe and these fines to bee as well for the daies of marching out and home ; as for the daies of exercise in training.

\*69

\*Att the Generall Court of Election held att  
Plymouth the 8<sup>th</sup> day of June 1664.

The body of the ffreemen of this Corporation being assembled it was agreed and voated by them that an addresse shalbee made vnto his Ma<sup>tie</sup> for the further confeirmation of our Pattent with as much conveniency as may bee ; and for the management and ordering of matters consarning it both for the raising of moneyes and appointing of men to bee Employed therein The Countrey haue refered the same to the Court of Majestrates and deputies ;

i664.

The body of the freemen of this Corporation being assembled in Court ; haue ordered ; and doe heerby declare their resolutions to maintaine their Just Rightes which for many yeares they haue bine possessed of in all those lands from Cape Codd to Saconett point with Pochassett Causumsett and the lands about Rehoboth to Patuckett Riuer and as farr vp the said Riuer till wee meet the Massachusetts line which crosses the said Riuer and thence to Coahassett as the line Runs ;

i664.

And that incase any pson or psons bee seated or shall seat themselues within any the said lands or cause any cattle to bee brought within the said bounds or otherwise acte to our Treaspas without leaue from this Gou<sup>r</sup>ment and not withdraw after warning giuen them ; that then some effectuall course bee taken for the remoueaill of them ;

And for that end it was likewise voated by the said Court that letters should bee directed from this Generall Court to the Gou<sup>r</sup> and Councell of Road Iland for the asserting of our Just Rightes as aforesaid ; and that they would Employ their interest ouer such to reclaime them as haue thrust in vpon vs neare to Pochassett or elsewhere ;

\*70

\*It is enacted by the Court and the Authoritie therof That all ordinary keepers or retaylers of stronge waters doe pay an excise of six pence a gallon for all such liquors as are made in the Collonie and drawne forth and retailed by them ; and twelue pence a gallon for all such as they bring in or haue brought in vnto them from other ptes and eight pence a gallon for all wine that shalbee brought in and retailed as aforesaid and that those that are appointed in each Towne to looke after the law concerning excessiue bringing liqors into the Gou<sup>r</sup>ment shall alsoe take vp the excise ; and to haue two pence a gallon for all liquors destilled in the Gou<sup>r</sup>ment and four pence a

gallon for all such as shalbee brought into the Gou'ment and two pence a gallon for all wine that is brought in and retailed as aforesaid and that all such retaillers or ordinary keepers shall; make payment of the said Excise vnto those that are appointed to receiue it; att the same time that they bring in such wine or liquors or that it is brought in vnto them; or giue a bill vnder theire hand for the payment therof in some short time after; vpon the penaltie of paying a fine of fve pounds for any that shalbee brought in and not excised or securitie giuen for the payment therof as aforesaid; and if any one chosen shall refuse to serue hee shalbe fined forty shillings to the vse of the Collonie;

[PART III.]

This aded  
June 8 (67.)

## The Names of the Receiuers of the Excise in each Towne.

Plymouth	John Morton	Barnesta.	Henery Cobb
	Wiltam Harlow		Nathaniel Bacon
Duxbur.	Benjamine Bartlett	Marshfeild	John Bourne
Seittuate	Edw. Jenkens		
	John Daman	Rehoboth	Leiftenant Hunt
Sandwich	James Skiffe		Richard Bullocke
	Thomas Tobey		
Taunton	James Walker	Eastham	John Done Junir
	Francis Smith		Wiltam Walker
Yarmouth	M <sup>r</sup> Hawes	Bridgwater	John Willis
	Rich: Tayler		

The oath to bee giuen to those that receiue the excise.

fforasmuch as the Court haue seen cause to order an excise to bee layed vpon sundry thinges

You shall dilligently Attend the execution of all such orders in such case prouided and both demanda and receiue £ giue in such sume or sumes as shalbee due to bee payed by any the said orders; You shall faithfully keep a true account of all such sumes as you shall therby receiue and faithfully deliuer vp a true account therof vnto the Treasurer as hee shall demanda it; according to order Soe healp £@;

1662.

\*It is enacted by the Court and the Authoritie therof That Inheritances shall descend according to the comendable Custom tenure and hold of east greenwich.

\*71

An<sup>o</sup> 1636.  
Greenwich  
tenure.

It is enacted by the Court and the Authoritie therof That all exchanges giufts morgages leases or other conveyances of houses and lands shalbee

1636.  
all sales &c to  
bee recorded.

[PART III.] acknowledged before the Gou<sup>r</sup> or any one of the Assistants and comitted to publicke record and the fees to bee paid ;

1661.  
Wife to haue a thirds.  
It is enacted by the Court and the Authoritie therof that if any man die without Will his wife shall haue a third pte of his Lands during her life and a third pte of his estate for euer ;

The wife must consent to sale of lands.  
July 6 1646.  
It is enacted by the Court and the Authoritie therof That the Assistants or any one of them shall haue full power to take the acknowledgment of a bargaine and sale of houses and lands soe that they keep a booke therof and cause them to bee recorded with all convenient speed ; and that the wife heerafter come in and consent vnto and acknowledg the sale therof alsoe ; But all bargaines and sales of houses and lands made before this day to remaine feirme to the buyer notwithstanding the wife did not acknowledg the same ;

lands must pay debts.  
1633.  
It is enacted by the Court that if any dies more in debt then their estates of goods and chattles comes vnto if the p<sup>rs</sup>ons soe deceased haue bought any lands in his lifetime to the Impaireing of his estate otherwise ; That the lands soe bought bee sold to make satisfaction to his Creditors ; but wheras a portion of lands is disposed to each for the subsistence of his or her selfe and family ; That such land remaine vnto the Surviuers him or her heires and noe seizure being allowed the creditor in such case ;

\*72  
1636.  
Childrea borne in the Countrey their priuiledge ;  
\*It is enacted by the Court that such children as are heer borne and next vnto them such as are heer brought vp vnder their parents ; and are come to the age of descretion allowed and want lands for their accomodations bee provided for in place convenient before any that either come from England or elsewhere.

1636.  
of lands engaged to ser-vants.  
It is enacted by the Court that whoesoeuer shall couenant to giue lands by Indentures ; to their servants att the expiration of their seruice shall make good the same out of their proper lands the countrey being free from any such engagement ; and therefore not to bee expected ;

All lands must be bounded.  
It is enacted by the Court and the Authoritie therof that all townes in this Gou<sup>r</sup>ment ; take course that the true bounds of euery of their Inhabitants land bee certainly knowne ; and sufficient bound markes to their pticulare lands on the penaltie of the forfeiture of ten shillings for euery such neglect the one halfe to the enformer and the other halfe to the Towne ; and this to bee done att or before the fifteenth day of  $\Delta$  1659 ; and incase the Towne bee neglectiue they to bee liable to the fine of three pounds to the Collonies vse ;

It is enacted by the Court that where lands and tenements falls in Joynt ptenorship either by gift graunt or purchase or otherwise ; that if any of the ptenors doe die before the deuision therof shalbee made That the heires and assignes of such as shall soe decease shall not bee depriued of their Right title and Interest into such lands and tenements but shall haue his or their proportion ; as duely and equally as any of the suruiuers or their heires or assignes any acte order costome and prouision made by this Court to the contrary in any wise notwithstanding as fully and amply as if deuision therof had bine formerly ; made ;

i643.  
of lands in  
ptenorship.

It is enacted by the Court that euery Towne in this Gou'ment shall provide a booke for the recording of such lands as are possessed by any for which they haue not euidence ; and all such shall bringe Testimony of witnesses vnto such as the Towne shall appoint to take notice of the said euidence ; which shalbee fiue in number of the same towne ; and what the said fiue or any three of them being mett together shall conclude of they shall cause the Towne Clarke of the same towne to enter the same into the towne booke abouesaid ; and to bee published that if any within the tearme of two yeares can make better claime they shall come in ; and incase none doe by the time prefixed ; that it may be brought to the Court Record and Recorded and soe shalbee reputed sufficient euidence for the future ;

i654.  
euery towne  
shall haue a  
booke to record  
lands &c.

\*It is enacted by the Court that any that are p'sented by any Towne in this Jurisdiction to any Majestrate in this Gou'ment to bee Surveyors or Measures of lands ; and such as are apointed to try and seale measures and all towne Clarkes shall haue an oath adminnestred vnto them by the Majestrates ;

\*73  
i649.  
all measurers  
of land &c to  
bee sworne.

It is enacted by the Court that there shalbee in euery towne within this Gou'ment a Clarke or some one appointed and ordeined to keep a Register of the day and yeare of the marriage beirth and buriall of euery man woman and child within their towneship ; and to haue thripence apece for each pticulare pson soe registered ; and further it is enacted that euery father or mother and next in relation shall certify to the towne clarke or register keeper the name and day of the beirth of euery child soe borne in his house within one month next after it is borne or bee fined for euery such default three shillings the one halfe to the Gou'ment and the other halfe moyetic therof to the clarke or register keeper vpon his complaint and that euery pson married shall signify his and her name with the day on which they are married vnto the said clarke or register keeper within one month next after his said marriage vpon the like penaltie of three shillings the one halfe therof to the

i646.  
TowneClarkes.

[PART III.]

vse of the Collonie; and the other halfe to the said clarke or register keeper vpon his complaint and alsoe that euery master or mistris of the family in the which any pson dieth or pson next in relation to them soe dead shall giue notice vnto the said Clarke or register keeper; the name of the pson and the day of his said buriall and in defect therof to forfeit three shillings for euery default; the one halfe to the Gou<sup>r</sup>ment and the other halfe to the clarke or register keeper upon his complaint; and that the clarke or register keeper of each Township shall exhibite a true and pfect Cobby fairly written anually att March Courts vnto the Court of the beirthes marriages and burials of the yeare past; and lastly that the Clarke or register keeper of euery Township shall publish all the contracts of marriages and haue twelue pence for his fees for euery marriage as hee publisheth orderly;

\*74

\*The oath of a Towne Clarke.

1654.

You shall faithfully serue in the office of a Towne Clarke of the Towne of for this p<sup>r</sup>sent yeare and soe long as by mutuall Consent the Towne and you shall agree during which time you shall carfully and faithfully keep all such Records as you shalbee Intrusted withall; and shall record all towne acts and orders and shall enter all Towne graunts and Conveyances you shall record all beirtes marriages and burials that shalbee brought vnto you within youer towne and shall publish all Contracts of marriages you shalbee required to doe according to order of Court bearing date the 20<sup>th</sup> day of October 1646 soe healp you God;

1636.

Marriage must  
bee with con-  
sent of parents.

It is enacted by the Court that none bee allowed to Marry that are vnder the Couert of Parents but by their Consent and approbation but incase consent cannot bee had then it shalbee with the consent of the Gou<sup>r</sup> or some assistant to whom the psons are knowne whose Care it shalbee to see the marriage bee fitt before it bee allowed by him; and after approbation bee three seuerall times published before the sollemnising therof.

\*75

1638.  
none may sol-  
licite to mar-  
riage on paine  
of fine or pun-  
ishment.

\*Wheras diuers psons vnfit for marriage both in regard of their young yeares and alsoe in regard of their weake estate some practising the Inveigling of mens daughters and maides under Gaurdians contrary to their parents and Gaurdians likeing; and of maid seruants without the leaue and likeing of their Masters; It is therefore enacted by the Court that if any shall make any motion of marriage to any mans daughter not haueing first obtained leaue and consent of the parrents or masters soe to doe shalbee punished by fine soe it exceed not fwe pounds or corporall punishment att the discretion of the bench and according to the nature of the offence;

It is enacted by the Court that if a motion of Marriage bee duly made <sup>i636.</sup> against court-  
to the master and through any senistery or Couetuous desire hee will not con-  
sent therunto; then the cause shalbee made knowne to the majestrates; and <sup>house masters</sup>  
they to sett downe such order therin as vpon examination of the case shall <sup>that hinder</sup>  
appeer to bee most Just and equall on both pties; <sup>theire servants</sup>  
<sup>from marriage.</sup>

It is enacted by the Court that noe servant coming out of his time; or <sup>i636.</sup>  
other single pson bee suffered to keep house or bee for themselues till such <sup>young men</sup>  
time as hee or they bee competently provided for of armes and amunition <sup>must provide</sup>  
according to order of the Collonies and that if such bee yett wanting they bee <sup>armes before</sup>  
provided for as aforsaid or else provide themselues such masters as may <sup>allowed house</sup>  
provide for them; <sup>keepers.</sup>

It is enacted by the Court that none bee allowed to bee housekeepers or <sup>i636.</sup>  
build any Cottages or dwelling houses till such time as they bee allowed by <sup>none to bee</sup>  
the Gou<sup>r</sup> and Councell of Assistants or some one or more of them and that <sup>allowed house</sup>  
this order bee strictly obserued; <sup>keepers but by</sup>  
<sup>the Gou<sup>r</sup> and</sup>  
<sup>Assistants.</sup>

\*It is enacted by the Court that noe servant coming out of England or <sup>\*76</sup>  
elsewhere; and is to serue a master for some time bee admitted to bee for him- <sup>servants must</sup>  
selfe; vntill he haue serued out his time either with his master or some other; <sup>serue out</sup>  
although hee shall buy out his time; except hee haue bin an houskeeper or <sup>theire time be-</sup>  
master of a family or meet or fit to bee soe. <sup>fore pmitte to</sup>  
<sup>keep house.</sup>

It is enacted by the Court That noe pson or psons shalbee admitted <sup>i636.</sup>  
heerafter to liue and Inhabite within the Gou<sup>r</sup>ment of New Plymouth without <sup>none may bee</sup>  
the leaue and likeing of the Gou<sup>r</sup> and two of the Assistants att least: <sup>admitted into</sup>  
<sup>the Gou<sup>r</sup>ment</sup>  
<sup>without the</sup>  
<sup>likeing of the</sup>  
<sup>majestrates.</sup>

#### The oath of Any residing in this Gou<sup>r</sup>ment.

You shalbee truely Loyall to our Sou<sup>r</sup> Lord y<sup>e</sup> Kinge his heires and Suc- <sup>The oath of</sup>  
cessors; and wheras you make Choise att Present to reside within the Gou<sup>r</sup>- <sup>fidelitie.</sup>  
ment of New Plymouth; you shall not doe or cause to bee done any acte or <sup>i636.</sup>  
actes directly or Indirectly by land or water that shall or may tend to the  
destruction or ouerthrow of the whole or any of the seuerall plantations or  
Townshipes within the said Gou<sup>r</sup>ment That are or shalbee orderly erected  
and established; but shall Contrarywise hinder oppose and discourer such  
Intents and purposes as tend therunto to the Gou<sup>r</sup> for the time being or some  
one of the Assistants with all Convenient speed You shall alsoe submitt vnto  
and obey all such good and wholsom lawes ordinances and officers as are  
or shalbee established within the limetts therof Soe healp you God whoe  
is the God of truth and the punisher of ffalchood;

\*77

1661.  
penaltie of re-  
fusing to take  
the oath of  
fidelitie.

\*It is enacted by the Court and the Authoritie therof That all psons within this Gou'ment that are att their owne dispose and haue not taken the oath of fidelitie shall repaire vnto some one of the maiestrates of this Jurisdiction to take the said oath; which if they shall neglect or refuse to doe such pson or psons shalbee summoned to euery election Court to make their appeerance theratt during the time of their abode in this Gou'ment and if any such pson or psons shall then refuse to take the said oath they shalbee fined the sume of five pounds to the Collonies vse;

1639.

Townes liber-  
ties to make  
orders.

It is enacted by the Court that all Townships in this Gou'ment shall haue libertie to meet together and to make such towne orders as shalbee needfull for the maintainance of good naighbourhood; and to sett penalties vpon delinquents; provided their orders bee not repugnant nor Infringe any publicke actes; and the fines and penalties shalbee disposed of afterwards to their pticulare townships;

1639.

more of townes  
liberties.

Wheras the Townes within this Gou'ment haue formerly had libertie to meet together to make some Towne orders which are thought to bee defectiue for that they conceiued they had not power to make assesments rates and taxes for raiseing such nessesary expences as shalbee disbursed about the generall occations of the Towne concerning the Comonwealth It is enacted by the Court and the Authoritie therof that euery Township shall haue libertie to meet together and make leuies rates and taxes for their townes Charges and to distraine such as shall refuse to pay the same vpon warrant from the Court or Gou<sup>r</sup> or any of the Assistants;

\*78

1612.  
none may  
bring in stran-  
gers without  
the towns con-  
sent.

\*It is enacted by the Court that if heerafter any Inhabitant or Inhabitants of any towne within this Gou'ment shall receiue or bring in any pson or psons as is apparently likely to bee chargable to the township; against whom Just exception is made att the time of his coming or within a month after; & without the consent and assent of the Townsmen in a lawfull generall townmeeting the ptie or pties that soe receiued or brought them shall discharge the towne of them;

1642.

of deceased  
psons coming  
out of England  
or otherwise &  
concerning  
their main-  
tainance.

It is enacted by the Court that if any pson or psons Coming out of England or elsewhere bring any pson or psons whoc by reason of Impotencye disease or otherwise is apparently likely to bee Chargable to the place where hee shall come to Inhabite; the pson or psons soe bringing in any pson or psons shall discharge the township of them during the time of the deceaseds abode there but incase any Inhabitant within this Collonic shall bringe ouer from England or elsewhere or procure to bee sent to them any servant or ser-



vants which by Gods prouidence shall fall deseased lame or Impotent by the way or after they come heer they shalbee maintained and prouided for by their said Masters during the time of their seruice and couenants although their said masters release them out of their said seruice; and afterwards to bee relieued by the townshipe where hee liues. [PART III.]

It is enacted by the Court; that if any Children or elder psons shalbee sent or come from one towne to another to bee Nursed Scooled or otherwise educated or to a Phisition or Chirurghion to bee Cured of any desease or wound &c and come to stand in need of reliefe; they shalbee relieued and maintained by the townshipes whence they came or were sent from; and not by that township where they are soe nursed educated or att cure and in case they come or bee sent from any place out of this Collonie then if the nurse ducator or Phisition or Chirurgeon; take not sufficient Securitie of the psons to bee nursed educated or att cure; to discharge [the township] of and from all cost or charge which shall or may come and befall the said Township in which hee and they is soe to bee nursed educated or cured; that they the said Nurse educator Phisition or Chirurghion; as neglecteth the same shall discharge the township of them; them selues;

i642.  
more of psons  
likly to bee  
chargable.

\*It is enacted by the Court that euery pson that liueth and is quietly settled in any Township of this Gou<sup>r</sup>ment; and not excepted against within the Compas of three montes after his coming; in this case shalbee reputed an Inhabitant of this place;

\*79  
i642.  
whoe are to  
bee reputed  
Inhabitants of  
townes.

Wheras it was enacted as abouesaid that a pson quietly settled in any towne of this Gou<sup>r</sup>ment &c the space of three monthes should bee reputed an Inhabitant there; It is enacted by the Court; that that acte shalbee construed onely to haue relation to poor psons; and it is alsoe prouided that that acte shall not any wayes enable any pson to bee reputed an Inhabitant in any Township within this Gou<sup>r</sup>ment that shall or doth refuse to take the oath of fidelitie &c although hee hath bine resedent there for some time;

i644.  
The former  
order about  
towne dwellers  
explained.

It is ordered by the Court that those that haue reliefe from the townes where they liue; and haue children and doe not Employ them that then it shalbee lawfull for the Township to take order that those Children bee put to worke in fitting Employment according to their strength and abillitie or placed out by the townes.

i64i.  
about poor  
children.

Wheras it is obserued that there are diuers psons in this Gou<sup>r</sup>ment which are not able to prouide Competent and convenient food and rayment for their Children; wherby it is that poor children are exposed vnto great want and extremitie

i658.  
more about  
poor people &  
their children.

[PART III.]

It is enacted by the Court and the authoritie therof that two or three men shalbee chosen in euery township of this Gou<sup>r</sup>ment That all such as are not able to prouide nessesary and convenient food and clothing for their Children and will not dispose of them ; themselues soe as they may bee better prouided for ; such said children shalbee disposed of by the said men soe appointed as they shall see meet soe as they may bee comfortably prouided for in the premises ; and the seuerall townes shall returne the names of such men as shalbee deputed and chosen to the Court ;

\*80  
1642.  
of prouision  
for y<sup>e</sup> Poor.

\*It is enacted by the Court that euery Township within this Gou<sup>r</sup>ment shall make competent prouision for the maintainance of their poor according as they shall find most convenient and suitable for themselues by an order and generall agreement amongst them ; in a publicke Towne meeting ;

of townes  
bounds.

It is enacted by the Court that the Gou<sup>r</sup> and Assistants shall appoint some to sett forth the bounds of Townshipes as formerly they haue done ;

1639.  
of highwaies.

It is enacted by the Court that if an highway bee wanting in any Township of this Gou<sup>r</sup>ment vpon complaint That then the Gou<sup>r</sup> or any of the Assistants Impanell a Jury and vpon oath charge them to lay out such waies both for horse and foot as in consience they shall find most beneficiall for the Comonwealth and as little p<sup>r</sup>judiciall to p<sup>r</sup>ticulares as may bee ; and that all old foot pathes shalbee still allowed except other prouision bee orderly made ; and that where there are allowed foot pathes ouer any mans ground which is fenced vp ; the owners of such ffences shall make sufficient stiles or gates.

1644.  
1646.  
Survey of high-  
waies.

It is enacted by the Court That the Surveyors of highwaies shall giue three daies warning to the teames and other p<sup>r</sup>ticulare p<sup>r</sup>sons when they are to amend the highwaies as often as need shall require prouided they doe not warne one Teame or one p<sup>r</sup>son twice ; before they haue gon ouer all the Teames and p<sup>r</sup>sons in their Townshipe ; and if any bee warned as aforesaid and shall neglect hee shalbee fined three shillings a day ; and for euery Teame soe warned that shall neglect eight shillings a day ; and that the Surveyors of such Townes where such neglect is shall returne their names to the next majestrate that by warrant the said fines may bee required by the Constable of the Towne for the Townes vse ; and euery Surveyor that shall neglect his duty in repairing the highwaies shall forfeite five pounds to the Collonies vse ; and if it soe fall out that in the yeare all the Teames and p<sup>r</sup>sons haue not bine warned to the worke aforesaid that they bee all warned ouer before they begine againe ; and that the Surveyors shall hier a teame or man and to bee payed out of the fine of him that is absent ; .

\*It is enacted by the Court that the will and Testaments of such as die bee orderly proued before the Gou<sup>r</sup> and Assistants the next Court after the pty is deceased prouided the court bee not within one month after the death of the Testator and a full Inventory duely vallued bee p<sup>r</sup>esented with the same before letters of adminnestration bee graunted to any; of all the goods and Chattles of the said p<sup>rs</sup>ons; alsoe if incase any man die without will; then his goods bee by his wife or other nearest to him Inventoried and duely vallued and p<sup>r</sup>esented to the Gou<sup>r</sup> and assistants att the time foremen- cioned and if it be a single p<sup>rs</sup>on without kinred heer resedent; that then the Gou<sup>r</sup> appoint some to take a Just Inventory of the same vpon oath to bee true and Just as in other the cases before mencioned;

\*81  
i633.  
of Wills and  
Inventories.

It is enacted by the Court that if any man being weake and sicke and otherwise of disposing memory to declare his mind and will concerning the disposing of his lands or goods before two or more of the ffreeholders of the place where hee liues; It shalbee vpon theire oathes recorded and remaine feirme according to such deuse or bequest.

i645.  
Nuncupatiue  
Wills.

It is enacted by the Court that none shalbee suffered to retaille wine strong waters or beer either within dores or without except in Inns or victual- ling houses allowed; and that noe beer bee sold in any such place to exceed in prise twopence the Winchester quart;

i636.  
of retaileing  
strong liquor  
wine &c.

It is enacted by the Court that noe stronge Liquors shalbee sold in any place within this Gou<sup>r</sup>ment that shall exceed in prise three shillings a quart;

i659.  
the prise of li-  
quors retailed.

It is enacted by the Court that noe Liquors shalbee sold in any pte of this Gou<sup>r</sup>ment that shall exceed in prise six shillings the gallon except it bee English speritts.

i663.  
More of the  
prise of liquor  
retailed.

It is enacted by the Court that whosoever shall sell any wine or stronge waters in any towne of this Gou<sup>r</sup>ment being not allowed by the Court shalbee fined fiue pounds to the vse of the Collonie;

i663.  
None may re-  
taile liquors  
except allowed  
by the Court.

\*It is enacted by the Court and the Authoritie therof That noe ordinary keeper in any Towne of this Gou<sup>r</sup>ment shall p<sup>r</sup>mit any single p<sup>rs</sup>ons either children or servants vnder the Gou<sup>r</sup>ment of parents or masters or any that are not housekeepers to buy any stronge liquors or wine in theire houses or where they haue to doe without libertie from theire parents or masters; vpon the penaltie of paying a fine of fiue shillings; for euery default.

\*82  
i663.  
against single  
p<sup>rs</sup>ons drinking  
in ordinaryes.

Wheras great Complaint is made of Intollorable abuse in diuers ptes of this Gou<sup>r</sup>ment by the bringing in of soe great quantities of wine and stronge

i663.  
Of serching  
boates for li-  
quor &c

[PART III.]

See a further  
appendix or  
addition to this  
order the 23  
page forward  
in this booke.

water by which great excesse is occasioned both amongst English and Indians ; It is enacted by the Court and the Authoritie therof that whatsoever wine or strong waters shalbee brought into this Gou<sup>r</sup>ment by any boat barque or other vessell or into any plantation by any Carrier Wagganor or boates master ; they or any of them soe bringing in strong water or wine ; shall emediately vpon their ariuall ; before they breake bulke or vnload giue in an Invoyce therof to such p<sup>r</sup>son or p<sup>r</sup>sons as the Court shall appoint thervnto vpon the penaltie of forfeiting all such goods one third to the Collonie a third to the enformer and a third to those that are appointed to Invoyce and serch ; and incase the goods soe forfeited shall appeer not to bee the masters of the vessell or the wagganors, the damage that shall acrow to the owners of such goods shalbee made good by the said master or wagganor and incase any such goods shalbee brought into any Towne of this Gou<sup>r</sup>ment by any vessell or waggon ; the master or wagganor not knowing therof That then the forfeiture therof shall fall vpon the owner of such said goods and incase any such goods shalbee in any mans costody that is not Invoyced ; they or the vullue of them shalbee forfeited as aforsaid ; and incase any master of a vessell or a wagganor shall ariue att such times as the p<sup>r</sup>sons appointed to Invoyce are not att home That then it shalbee sufficient notice giuen if the said master or wagganor leaue a note therof att the house of the said p<sup>r</sup>son deputed with his wife or some other of descretion in his family ; and incase any master carrier or wagganor shall haue cause to suspect any such goods may bee concealed in any caske or sacke amongst other goods ; It shalbee lawfull for him to detainie it vnder his hand vntill hee haue enformed the p<sup>r</sup>son or p<sup>r</sup>sons appointed to take care therof in whose power it shalbee to open and serch the same ; and incase any shalbee found that hath bine soe consealled It shalbee forfeited one third to the Collonie one third to the master and another third to the sercher ; Morouer all such as are appointed to Invoyce such goods are authorised by the Court to serch any mans boate house or waggon for such goods as occasion shall require and incase any shalbee found that hath bine soe concealed It shalbee forfeited as aforsaid ; and that all such p<sup>r</sup>sons as shalbee appointed to take Invoyce of such goods shall giue in an account vnto euery<sup>1</sup> of the Generall Courts ; That soe the Court of Majestrates may as they shall see cause enquire after the orderly dispose of such wines or strong liquors wherein if they haue not a satisfactory answare they may inflict such suitable penaltie by fine or otherwise on such abusiue disorderly disposers therof as they may Judge requisitt for remedy of that abuse ;

this aded July  
10<sup>th</sup> 1677.

<sup>1</sup> The original law has here been changed by the substitution of the last five lines on this page as an amendment or addition, being written upon a slip of paper so pasted over the original as to conceal

\*It is enacted by the Court that none doe keep victualling houses or ordinaries or draw wine but such as are allowed by the Generall Court; and that if any victualler or ordinary keeper doe either drinke drunke himselfe or suffer any psons to bee drunke in his house they shall pay five shillings a peece and if the victualler or ordinary keeper doe suffer any Townsmen to stay drinkeing in his house aboue an houre att one time the victualler or ordinary keeper shall pay for euery such default twelue pence; and the pson soe staying aboue the said houre three shillings and four pence; and<sup>d</sup> drunkenes; is vnderstood a pson that lispes or faulters in his speech by reason of ouermuch drinke or that staggers in his goeing or that vomits by reason of excessiue drinking or can not follow his calling The pson or psons that shalbee found guilty in these or any of them shall for the first default pay five shillings and for the 2<sup>cond</sup> default ten shillings to the Collonies vse and for the third default bee bound to the good behauior; and if hee or they can not or will not pay the fines then to bee sett in the stockes and soe for the fourth time to bee fined five pounds or bee whipt and soe from time to time as often as they shall soe Transgresse;

[PART III.]  
\*83  
i646.  
against drunk-  
encs.

It is enacted by the Court that the Children or servants as dwell neare any victualling house bee not allowed Intertained or suffered by the Master of the said house there to drinke and spend their time but if any such can bee proued it bee esteemed a misdemenor punisha<sup>bo</sup> in the said victualler and to bee enquired into.

i636.  
against chil-  
dren or ser-  
vants drinking  
in victualling  
houses.

fforasmuch as great inconueniencies haue bine occasioned by younge men and other labourers that haue dieted in Inns and Alehouses especially whoe haue had other houses to repaire vnto in the same Towne; It is therefore enacted by the Court that none shall diett in Inns and Alehouses nor haunt them which are in the Townes they liue in; nor make them the ordinary place of their abode;

i638.  
against dieting  
in ordinaries.

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or obliterate a portion of the manuscript. A careful removal of this paper has disclosed to view the following paragraph.

[D. P., 1860.]

of the Generall Courts;\* that soe the Court may enquire after and take due course for the preuension of such abuse; and this court doth Impower the Majestrates to take such effectuall course against any that they shall find to transgresse in this kind; as they may in ease of other misdemenors; and further this Court doth require all psons within this Goument; that doe or shall still any stronge waters; to give in account vnto the psons appointed thervnto of their disposall of them; both of the quantitie and the psons to whom sold; on the penaltie of his forfeiting the vullue of such liquors as hee shall not giue in a third to the collonie a third to the enformer and a third to such psons as are appointed to envoyce and serch;

\*



vnto you for that end ; according to such Standards as are allowed and provided by the Countrey Soe helpe £ ; [PART III]

It is enacted by the Court that none shall sell by any vnsealled waights and measures which are not waight and measure by the Standard ; and that if any shall soe doe they shall loose such waightes and measures and make restitution to the pties soe wronged by such waightes and measures ; and shall pay to the Collonies vse for euery such default of falce waight and measure ; for the first Time six shillings for the second time thirte shillings and foure pence ; and for the third time twenty shillings and such waightes and measures to bee burnt ; and that a pile of waightes according to Winchester bee procured to bee the Standard ; and that the sealler shall haue for sealling a peny for euery waight vnder a quarter of a pound ; and for all aboute a quarter of a pound to six pound two pence a peece ; and for all aboute six to a hundred pound foure pence ;

1615.

all must make  
of the waightes  
and measures  
to bee made  
according to  
the standard.

It is enacted by the Court that noe Miller within this Jurisdiction shall take aboute the sixteenth pte of a bushell for grinding such Corne as is brought vnto him to bee ground and that all Millers within this Jurisdiction shall either grind there Corn sufficiently that is brought vnto them for that end or else that vpon complaint to the Court therof and the thinge proued ; the Miller shall pay for euery such default six pence for euery bushell to the pty greiued and six pence to the Treasurer to the vse of the Collonie ;

1638.

of millers and  
grinding of  
corn.

\*It is enacted by the Court that euery Miller within this Jurisdiction shall haue two toule dishes viz: a quart and a pottle but to bee soe made that vphaped they will hold noe more but a quart and a pottle by the measure allowed and those to bee sealed by the last of Nouember 1658 or else to pay ten shillings for euery month soe longe as the said Miller keepeth them vnsealled ; and that all millers shall prouide Scales and waights to wey mens Corne by ; as occation shall require ;

\*86

1645.

millers toule  
dishes.

It is enacted by the Court that all such caske as shalbee made by any Cooper within this Jurisdiction shall haue the two first letters of his Name sett on euery such caske hee makes by a burnt marke ; vpon penaltie of the losse of such Caske the one halfe to the enformer and the other halfe to the Countrey.

1652.

Caske to bee  
marked.

It is enacted by the Court that all Coopers within this Gou<sup>r</sup>ment ; are to make all there Caske according to London gage vpon the like penaltie.

1652.

It is enacted by the Court that euery towne within this Gou<sup>r</sup>ment shall choose a fitt pson for serching of Caske and packing of ffish and p<sup>r</sup>sent them to a maiestrate to bee sworne.

1652.

1633.  
1659.

It is enacted by the Court that every Constablicke have a sufficient pound to Impound Cattle that shall transgresse any such orders as are or shalbee made ; on the penaltie of five pound for every towne that shall Neglect ;

1658.

It is enacted by the Court that every pound keeper shall have six pence for every horse that hee Impoundeth.

1663.

It is enacted by the Court that whosoever shall by pound breach lett out any beast or cattle lawfully Impounded shall pay a fine of fifty shillings for every such default ;

\*87

1633.  
 vnruley Cattle  
 to bee Im-  
 pounded.

\*It is enacted by the Court that whatsoener damage comes to any by Cowes goates mares sheep or hoggs by breaking into mens pticulare Inclosures ; It shalbee lawfull for the psons soe damnified to Impound them ; and two sufficient men to view the damage which accordingly shalbee giuen and payed ;

1652.  
 of sufficient  
 fences.

It is enacted by the Court that such ffences as are Judged sufficient against oxen and Cowes shalbee allowed sufficient against horses and mares ; and if any horse beast breake into any Corne or grasse ouer such sufficient ffence ; the owners of such horses shall pay the damage proued as if they were Impounded.

1655.  
 more of Cattle  
 Impounded.

It is enacted by the Court that incase any cattle horses or hoggs shall trespas vpon any and bee by them Impounded ; and after they are Impounded they remaine foure daies after notice giuen to the owners ; and bee neither releued nor agreed for ; It shalbee lawful for them as Impound them ; to make publicke sale of them after publicke notice giuen to the Inhabitants of the towne of their Intension soe to doe ; and after damages satisfied the remainder to bee returned to the owners.

1633.

It is enacted by the Court that noe man shall heard his owne Cattle or other mens to the p'judice of any att or neare his or their house vpon their land but vpon due Notice and warning shall reforme it or the case bee actionable ;

1658.  
 Diuers orders  
 about horses.

It is enacted by the Court and the authoritie thereof that every Towne within this Gou'ment shall have some publick brand marke for their horses to distinguish them from other townes and alsoe some fitt psons appointed to take notice of mens publicke markes for horses and register them in a booke with their day and yeare which may bee the towne clarke and the said pson to have four pence a peece for every horse kind hee registreth.



That all psons that are resedent in any Township and haue horses goeing there ; giue in vnto the said pson from time to time theire seuerall markes of theire horses with theire age that soe they may record them. 2

\*That if any horse kind being aboute two yeares old and noe marke wherby the owners of them may bee clearly knowne that the said pson soe deputed takinge notice of any such doe signify the same to the Marshall the next generall Court that soe hee may bee three times cryed with his age and couller ; and that if within six monthes afterwards any vpon due euidence can owne them paying all Nessesary charges hee may haue him ; but if in six monthes time none can owne him that then the said horse kind bee looked at as belonging to the Countrey ; and the Treasurer to take order to dispose of him for the Countreys vse as the Countreys stocke defraying all nessesary charges. \*88 3

That noe pson or psons marke any horse kind younge or old but before sufficient witnes that none bee wronged ; 4

That noe pson or psons take vp any horse kind soe as to send them out of this Gou<sup>r</sup>ment before hee or they carry the same to the pson deputed and soe euidence it to bee his or theires for whom taken vp and take a note vnder his hand and that hee shall enter it ; both day and yeare ; 5

That if any pson or psons shalbee found carrying any horse kind out of this Gou<sup>r</sup>ment without a note vnder the hand of the pty deputed afsaidd from whence hee came ; That the horse bee secured att the owners charge vntill a note bee procured ; and the pson that brought him bee fined fiew pounds to the Collonies vse ; If an Inhabitant ; but if a stranger not knowing the order ; the like penaltie vpon him that deliuered him ; if an Indian to bee publickly whipt by the Constable where hee shalbee taken with the horse. 6

That noe Indians bee pmitted to course or take vp any horses except in companie with the English and that with consent and approbation of a maiestrate if there bee any in that towne if not with the approbation of the Towne clarke ; 7

Wheras seuerall Complaints haue bine made to the Court by diuers of great wronges and damages by straying horses not onely of other townes but alsoe of other Jurisdictions and noe redresse this Court ordereth That all such psons whose horses soe treaspas and yett noe redresse or satisfaction tendered ; that the Township soe agreiued as they haue oppertunitie doe Impound the said horses vntill some due satisfaction bee giuen or Composition made for the Treaspas and alsoe all other due for theire Impoundinge ; 8

[PART III.]

\*89

\*The Markes for horses for distinctions of the Townes ;  
 ffor Plymouth a **P** on the neer buttocke  
 ffor Duxburrow a **D** on the neer buttocke  
 ffor Scittuate an **S** on the neer buttocke  
 ffor Taunton a **T** on the neer shoulder  
 ffor Sandwich an **S** on the neer shoulder  
 ffor Yarmoutha **Y** on the neer shoulder  
 ffor Barnstable a **B** ; on the neer Buttocke  
 ffor Marshfeild an **M** on the neer buttocke  
 ffor Rehoboth an **R** on the neer buttocke  
 ffor Eastham an **E** on the farr shoulder  
 ffor Bridgwater a **B** on the neare shoulder  
 Swansey an **S** : on the farr shoulder.

June  
1659.

It is enacted by the Court that if any Towne shall neglect to procure a brand marke by the last of July next for to marke horses according to order shalbee fined five pounds ;

June  
1659.

It is enacted by the Court that euery owner of horses in this Jurisdiction shall take the first oppertunitie to marke and enter their horses according to order and incase any shall neglect soe to doe betwixt this and March next shall forfeite five shill: to the Towne for euery horse found vnmarked ;

1661.

It is enacted by the Court that all stray horses or horse kind that noe pticulare can make any Just proffe that they are his or theirs shall appertaine vnto the Countrey ;

It is enacted by the Court that all such as take vp any strays that shalbee found and proued soe to bee they that take them vp and giue enforcement consarning them shall haue one pte of three for their labour ;

1661.

It is enacted by the Court that the rules and waies to bee obserued for the tryall of strays shalbee by their age markes and Couller ;

\*90

Of Cattle treas-  
pasing the In-  
dians.1659.

\*Wheras Complaint is made that the Indians in seuerall ptes of this Jurisdiction lincing in remoue ptes from any townshipes ; haue receiued great damage by the horses and hoggs of the English ; It is enacted by the Court that it shalbee lawfull for the Indians soe annoyed by the horses or hoggs of the English whoe liue remote from any towne ; to bring such horses or hoggs of the English to the pound in the next towneship ; and there to bee kept till the owners take a course to satisfy the damage and such Indians to haue

twelve pence a peece for hoggs (if they bring them aboute eight Miles and alsoe that if any neate Cattle shall treaspas the Indians; it shalbee lawfull for them to Impound them that soe they may haue reasonable satisfaction. [PART III.]

It is enacted by the Court That none shall make sale of any boards planks or timber out of the Gou<sup>r</sup>ment that hath bine growing in any swampes that are reserued for publicke vse without leaue but shall onely soe doe of such as arise out of their owne proper grounds ; i636.

It is enacted by the Court that for the preuenting of such Inconueniencies as may befall the Gou<sup>r</sup>ment by the want of Timber ; That noe man of what condition soeuer shall sell or Transport any manor of workes ; as frames for houses planks boards shiping shalopes boates canooes or whatsoeuer may tend to the destruction of Timber how little soeuer the quantity bee without the consent approbation and liking of the Gou<sup>r</sup> and assistants and if any bee found faulty heerin and shall Imbarque or convey to that end to make sale of any of the pticulares aforesaid expressed or Intended by this order the said timber to bee forfeited ; and to bee fined twice the vallue therof soe sold to bee leuied for the vse of the Collonie ; except what ariseth within their owne Township or pticulare lands ; i626.  
prohibition of  
selling timber  
of the Gou<sup>r</sup>-  
ment.  
  
this clause  
aded i658.

It is enacted by the Court that whosoever shall saw any boards in any place within this Gou<sup>r</sup>ment that is not in the bounds of any pticulare Township shall pay to the vse of the Gou<sup>r</sup>ment one shilling and eight pence for every Thousand to bee payed to the Treasurer for the vse of the Collonie and of timber and planke according to the proportion answarably ; i652.

\*Wheras Complaint is made that much Timber is felled on the comon and lett lye and not Employed ; and suffered to rott there ; by those that felled it ; and therby the Countrey much damnified ; It is enacted by the Court that whosoever shall or hath felled any timber on the Comon and doth not either square or riue it within halfe a yeare after it is felled ; It shalbee lawfull for any other to make vse therof as hee shall see meet ; i658.  
against abu-  
siue felling of  
Timber.  
\*91

Wheras sundry psons both Quakers and others wander vp and downe in this Jurisdiction and follow noe lawfull calling to earne their owne bread ; and alsoe vse all Indeuours to subvert Ciuill state and to pull downe all churches and ordinances of God ; to thrust vs out of the waies of God ; Notwithstanding all lawes p<sup>r</sup>ouided to the contrary ; Bee it therefore enacted by the Court and the authoritie therof that with all convenient speed a worke i658.  
of a house of  
correction.

[PART III.]

house or house of Correction bee erected; That all such vagarants as wander vp and downe without any lawfull calling; and alsoe all Idle psons or rebellious children or servants that are stubborne and will not worke to earne their owne bread and yett haue not wherewith to maintaine themselves may bee put to the house of Correction; and there bee Employed in such worke as shalbee there prouided for them; and to haue noe other supply for their subsistence then what they shall earne by their labour all the while that they continew there; and alsoe that some faithfull man bee appointed by the Court to bee ouerseer of this house of correction whoe shall carfully obserue such orders as shalbee from time to time directed to him from the Gou<sup>r</sup> or any of his assistants concerning any pson or psons that may [bee] sent to him.

i660.

more of the  
house of Cor-  
rection.

In reference to the puting in execution the order about the house of Correction; It is ordered by the Court that an addition shalbee erected of fourteen foot long of equall height with the prison att the one end therof; with two chimneyes in it; one in the lower rome and the other in the vper rome with a yard before it fenced with a fence of eight foot high made of boards and the Treasurer is to take some speedy course for the doeing of it; and that a fitt pson bee chosen by the majestrates to bee the ouerseer therof.

\*92

1655.

whoe are to  
bee admitted  
into the col-  
lonie.

\*Wheras it hath bine an ancient order bearing date March the seauenth i636 That noe pson coming from other ptes bee allowed an Inhabitant of this Jurisdiction but by the approbation of the Gou<sup>r</sup> and two of the majestrates att least; and that many psons contrary to this order of Court are crept into some Townshipes of this Gou<sup>r</sup>ment; which are and may bee a great disturbance to our more peacable proceedings bee it enacted by the Court and the Authoritie therof that if any such pson or psons shalbee found that hath not doth not apply and approue themselves soe as to procure the approbation of the Gou<sup>r</sup> and two of the assistants That such bee enquired after and if any such psons shalbee found that they either depart the Gou<sup>r</sup>ment; or else that the Court take some such course therin as shalbee thought meet &c;

i658.

of the cheife  
marshall his  
leuing of fines.

It is enacted by the Court that when the vper Marshall shall haue occasion to leuy any fine or fines hee hath libertie by this order to chose one to prise the goods or Chattles taken by destresse and the delinquent hath liberty to chose another if hee please but if the delinquent shall refuse to gitt another then the Marshall and him whom hee hath chosen shall prise the said goods or Chattles and incase they bee required by the Marshall to prise the said goods or chattles and shall refuse hee shalbee fined fve shillings for eury such default to the Collonies vse; and what expence of time and paines

any shalbee att in priseing such said goods or chattles hee shalbee reasonably satisfied for the same ; [PART III.]

fforasmuch as many psons are greatly corrupted with the Quakers doctrines by reading their bookes writings or epistles which are sent and distributed into sundry places within this Jurisdiction ; It is therefore enacted by the Court and the authoritie therof that incase the Constable or grandjurymen shall find or heare of any Quakers bookes epistles or writings hee shall seise on them and p'sent them to a majestrate or the next Court. 1659.  
of Quakers.

It is enacted by the Court that there shalbee in the seuerall townshipes of this Jurisdiction a Cage erected especially att Sandwich Duxburrow Marshfeild and Scittuate and that the charge of them shalbee defrayed out of such fines as shall arise out of the said Townshipes soe the charg exceed not three pounds. 1660.  
of Cages.  
Repealed July 4, 1667.

\*Wheras by a former order of Court all psons were required to giue notice to the Constables of their seuerall p'sents of all such psons as were knowne to bee forraigne Quakers now this p'sent Court doth enact that it shalbee lawfull for any Inhabitant within this Jurisdiction vpon their knowldg and haueing oppertunitie ; to vse all such Indeaours to apprehend all such Quakers and to deliuer them to the Constable or bring them before the Gou'r or some one of the Majestrates. \*93  
1660.  
against Qua-  
kers.

Wheras wee find that of late times the Quakers haue bine furnished with horses and therby they haue not onely the more speedy passage from place to place to the poisoning of the Inhabitants with their cursed tenents ; but alsoe therby haue escaped the hands of the officers ; that might otherwise haue apprehended them ; It is therefore enacted by the Court and the authoritie therof ; That if any pson or psons whatsoever in this Gou'ment doth or shall furnish any of them with horse or horse kind ; the same to bee forfeited and seized on for the vse of this Gou'ment ; or any horses that they shall bring into this Gou'ment or shalbee brought in for them and they make vse of shalbee forfeited as aforesaid ; and that it shalbee lawfull for any Inhabitant to make seizsure of any such horse and to deliuer him to the Constable or the Treasurer for the vse of the Collonie ; 1660.  
against Qua-  
kers.

It is enacted by the Court that any one that shall bringe in any Quaker or Rantor by land or water into this Gou'ment ; viz: by being a guide to them or any otherwise shalbe fined to the vse of the Gou'ment the sume of ten pounds for euery such default ; 1660.  
against bring-  
ing in of Qua-  
kers.

[PART III.]

1660.

It is enacted by the Court that the Law Concerning not coming to our meetings that the fines shall not bee leuied vntill the Court shalbee in a eapacitie to order otherwise ;

\*95

1661.

against enter-  
taining Qua-  
kers.

\*It is enacted by the Court that henceforth noe pson or psons shall pmitt any meetings of the Quakers to bee in their house or housing on the penaltie of being summoned to the next generall court and there being convicted therof; shalbee publickly whipt or pay a fine of five pounds to the Collonies vse ;

against vaga-  
bonds.

1661.1663.

It is enacted by the Court and the Authoritie therof that if any pson or psons shall come into this Gou'ment That according to the law of England may Justly bee accounted vagabonds; the Marshall or the Constable of the Towne wherevnto they come; shall apprehend him or them; and vpon examination soe appeering; hee shall whip them or cause them to be whipt with rodds; soe as it exceed not fifteen stripes; and to giue him or them a passe to depart the Gou'ment and if any such pson or psons shalbee found without their passe; or not acteing according thervnto they shalbee punished againe as formerly; and incase any Constable of this Jurisdiction shalbee vnwilling or can not procure any to Inflict the punishment aforsaid; that then they shall bringe such psons to Plymouth to the vnder Marshall and hee shall Inflict it;

of pressing  
messengers for  
ye country.

1658.

It is enacted by the Court and the Authoritie therof that incase there shalbee occasion to Employ a messenger in the Countreyes busines that it shalbee lawfull for any of the Majestrates; to presse any pson or psons to goe on the Countreyes occations and to bee paid out of the Countreyes stocke.

1661.

all euidences  
to bee kept on  
file;

It is enacted by the Court that henceforth all euidences and Testimonies that shalbee produced for the clearing of any case shalbee giuen vnto the Court in writing and to bee kept vpon the file;

about woulues.

It is enacted by the Court that all woulues that shalbee kild by any English in any pte of this Jurisdiction they that kill them shalbee payed by the townes in whose precincts they are killed and such Indians as kill any woulues they shalbee satisfied by the Treasurer;

\*96

1661.

about makeing  
ffish att the  
Cape;

\*It is enacted by the Court that noe stranger or forraigner shall Improue any of our lands att the Cape for the makeing of ffish without libertie from the Gou'ment and that all such as shall haue libertie shall attend such further orders as shalbee giuen them conserning the same and they shall pay six pence a kentle for all such ffish as shalbee made as aforsaid; for the Col- lonies vse ;

It is enacted by the Court and the Authoritie therof that all ordinary keepers or retaillers of strongewaters doe pay an excise of six pence a gallon for all such liquors as are made in the Collonie and drawne and retailled by them ; and twelue pence a gallone for all such as they bring in or haue brought in vnto them from other ptes ; which they shall draw forth and retaile as aforsaid and that all retaillers and ordinary keepers shall twice in the yeare viz: in the month of May and in the month of october giue in to the Treasurer or his assignes a true account of all such liquors as they bring in or shalbee brought in to them and retailled as aforsaid vpon the penaltie of paying a fine of five pounds for any that shalbee brought in ; and not accounted for as aforsaid ;

1662.  
of excise vpon  
liquors.  
  
this is other-  
wise ordered  
June 1664.

Wheras Complaint is made of some ordinary keepers that they doe allow psons to stay on the Lords daies drinking in their houses in the Intrimes of time betwixt the exercises especially young psons and such as stand not in need therof; It is enacted by the Court and the authoritie therof That noe ordinary keepers in this Gou'ment shall draw any wine or Liquors on the Lords day for any ; except in case of Nessesitie for the releife of those that are sicke or faint or the like for their refreshing on the penaltie of paying a fine of ten shillings for euery such default ;

1662.  
against draw-  
ing liquors on  
the Lord daye.

\*Wheras there hath bine much controuersy occasioned for want of a full and cleare settlment of matters relating vnto such Whales as by Gods prouidence doe fall into any pte of this Jurisdiction ;

\*97

This Court doth therfore order for the preuension of any discontent or controuersy for the future and for a finall Issue and settlment (soe farr as in the Court lyeth) about the same ; That for all such whales as by Gods Prouidence shalbee cast on shore in any pte of this Gou'ment or shalbee by any cutt vp att sea and brought on shore in the Gou'ment there shalbee for euery such ffish one full barrell of Marchantable oyle payed vnto the Countrey deliuered att Boston ; by such townes or psons as are Interested in the lands where they fall or shall soe cutt vp any ffish att sea ; and incase that any ffish bee soe considerably torne or wasted that a full quarter pte bee gone then to pay but halfe a barrell and for such Inconsiderable peeces of ffish as are lesse then halfe they shall pay Nothing ; and for the resedew of such ffish or the produce of them as remaines ; the Countreyes pte being discharged It shalbee freely att the dispose of such Townes wher it falls or for the benefitt of such as cutt them vp if taken on drift without such bounds as haue bine formerly sett the same being still continewed ;

of whales.  
1662.  
  
the Countreys  
due of euery  
such whale  
was altered  
from a hogs-  
hed to a bar-  
rell the 14<sup>th</sup> of  
June 1670.

The Court proposeth it as a thinge they Judge would bee very comendable and beneficiall to the townes where Gods Prouidence shall cast any

more of  
whales.  
1662.

[PART III.] whales if they should agree to sett appart some pte of euery such fish or oyle for the Incouragement of an able Godly minnester amongst them ;

i661.  
more of  
whales.

It is enacted by the Court and the Authoritie therof That whosocuer taketh any Whale on drift att sea without those bounds and limites alreddy sett and bring them on shore hee shall haue the one halfe and the Countrey the other halfe ; and the Countrey to allow Caske for their pte of the oyle ;

i661.  
more of  
whales.

It is enacted by the Court that whosocuer shall find any whale on shore on the Cape or elsewhere that is out of any Townese bounds and is on the Countreyes bounds or limittes shall allow the Countrey two hogsheads of oyle cleare and payed to the Countrey ;

\*98  
i662.  
the sale of  
Kenebecke  
Ratified.

\*Wheras it is giuen forth that diuers are vnsatisfied about the sale of Kenebecke and that oppertunitie is p'sented vnto vs for the haueing of it againe the deputies haueing considered of the p'mises ; and finding noe way p'senting it selfe by the taking of it againe fore the better advantage of the Collonie haue with one consent agreed ; and doe expresse themselues heerby ; that they ; desire not to meddle with it againe but doe rattify the sale therof ;

i662.

It is ordered by the Court that the Treasurer shall procure a booke of the Statutes of England for the vse of the Collonie.

i662.

It is enacted by the Court that the generall Training shalbee one yeare att Duxburrow and another yeare att Yarmouth ; that is to say euery other yeare att one of those places for the future ;

fine for non  
appearing att  
generall train-  
ing.  
There is an  
adition to this  
order before  
in this booke  
see fines of  
troopers.

[see page 223.]  
i662.

It is enacted by the Court that if any one of the foot soldiers of any milletary Companie of this Jurisdiction shall vnnessesarily exempt himselfe from appearence att the generall training att the times and places appointed except incase of sicknes lamenes Countrey busines or the like shalbee fined fve shillings a day for euery day they shall neglect incase they can not giue a satisfactory reason therof vnto the milletary Comaunder in cheife.

It is enacted by the Court that the whole troop of horse both they and the volenteers aded to them shall haue the same libertie that was graunted to those that were the first troopers viz: to bee freed from foot service watching and warding and likewise their horses to bee rate free ;

\*99  
i662.  
about Injuries  
done to the  
Indians by the  
cattle of the  
English.

\*Wheras Notwithstanding all orders that haue bine made for the preventing of wronge done to the Indians by the horses and hoggs of the English ; It doth appeer that the Indians liueing in remote ptes from any Towneshippes doe sustaine much wronge by the horses and that the English



doe sustaine much damage in their particulars thereby; the Court haueing seriously considered thereof and finding some Inconueniency in coming to a generall order about the same haue thought good to propose it to the seuerall Townshippes of this Jurisdiction as a thinge much concerning them; that such Townshippes where such wronge is; doe speedily take some course within themselues about the same either by agreeing with the Indians to healep them to fence their Corne or by compounding with them to secure their Corne themselues where places are vncapable of fencing for want of stuffe or otherwise as shalbee found most suitable to their Condition to prevent future Inconueniencies that may come by their Neglect of the same.

[PART III.]

Wheras the Court haue formerly provided against the prophanation of the Lords day by vnnesseary Travelling on that day; and alsoe haue provided against the seting vp of any publicke meeting without allowance of the Governement this court doth desire that the Transgression of these orders may be carefully looked vnto if it may bee.

and  
advertisement  
to obserue di-  
uers orders.

It is enacted by the Court that if any Indian or Indians shalbee found drunke in any Township of this Governement that they bee fourthwith taken by the Constable of the towne and sett in the stockes and that if any Liquors shalbee found with the Indians; that it bee forfeite to the vse of the Governement; and that it shalbee lawfull for any man to seize any Indian found drunke or any liquors found with the Indians and bring him or it to the Constable to be ordered and disposed of as aforesaid vnlesse any Indian shall make it appeer that hee hath such liquors according to order of Court; and the said Indians that shalbee sett in the stockes as abouesaid shall defray the charge thereof which is two shillings and six pence a time for euery of them;

i663.  
against In-  
dians being  
drunke.

It is enacted by the Court That euery Township of this Governement shall haue a booke of the lawes of the Collonie; and that they bee read openly once euery year;

i658.

In reference vnto such woulues as are or shalbee killd by the Indians the Collonie being out of stocke It is ordered by the Court that a peell of Wampam in the Treasurers Costody may bee deuided and put into the hands of Leiftenant Freeman Leift: Hunt and the Treasurer; for the paying of the Indians fifteen shillings p head; they bringing in the head when they demaund their pay and these men to giue an account this time twelue month of what they shall disburse on this account and if any of them shall disburse more then the peage comitted to them; then they to bee repayed againe either by rate or otherwise.

June i663.  
of payment  
for woulues  
killing.

[PART III.]

\*100

\*It is enacted by the Court and the Authoritie therof concerning the settling of New Plantations in an orderly way that Notwithstanding the graunt of lands to any pticulare psons ; in case such lands lye soe remote as the Inhabitants therof can not ordinarily frequent any place of publicke worship that then noe pson bee admitted ; after the date heerof to goe to Inhabite vpon any such lands without such a competent companie or number of Inhabitants as the Court shall Judge meet to beginne a societie as may in a measure carry on thinges in a satisfactory way both to Ciuill and Religouse respects ; and for the more comfortable carrying on therof ; It is further ordered that such pson or psons as shall haue the graunt of such lands about such places and will neither att the p'sent liue on them themselues ; nor sell nor lett them to others that would ; that then such lands not yett Inhabited att the begining or progresse of such societies shalbee lyable to bee rated in some meet proportion towards the defraying of such Nessesary charges as shall arise either on Ciuill or Religious respects as abouesaid especially respecting an able godly minnistry in such place or places ;

1663.  
an order concerning the settling of new Plantations in an orderly way ;

Alsoe for such places already begun with an Inconsiderable Number viz: Saconesett Accushenett &c That it bee comended vnto them to apply themselues in some effectuall way for the Increase of their number as they may carry on thinges to better satisfaction both in Ciuill and Religious respects especially that they endeanor to procure an able Godly man for the dispensing of Gods Word amongst them and for their quickening and Incurragement therein this Court doth order that all such lands as are within their respectiue places though not Inhabited shalbee lyable to bee rated in some measure of proportion for the defraying of such charges as shall nessesarily arise concerning the p'mises ;

And for the quickening and Incurragement of the well affected in the Towne of Sandwich or any other plantation within this Gou'ment whoe shalbe actiue that way ; This Court taking into their seriouse consideration the great need therof in euery plantation as to the propagation of the Gospell and flurrishing of religion ; the great and knowne end of our Transplanting into these ptes of the world as alsoe of the graunt of competent quantities of lands to the respectiue plantations and ; therefore according to their duties Incumbent on them ; doe heerby declare their reddines to assist such well affected as afforsaid by puting forth their power (where there shalbee need) for the raising of comfortable and competent maintainance for such able faithfull men as shall be procured in such Townshippes and make it their worke to attend vpon the minnistry of the Word of God amongst them from all such respectiue Inhabitants as shall Inhabite any such lands ; according to such former order as by the Court is already provided in such case ;

It is proposed by the Court unto the seuerall Townshippes of this Jurisdiction as a thinge that they ought to take into their serious consideration that some course may bee taken that in euery towne there may bee a Schoo-master sett vp to traine vp children to reading and writing ;

[PART III.]  
1663.

Septem: 1664.

\*Whereas the Clarke of each Milletary Companie of this Jurisdiction is required to gather in all fines which are or shalbee belonging to their Companie It is enacted by the Court and the Authoritie therof; that in case any shall refuse to pay any such fines as are or shalbee orderly Amersed The said Clarke is heerby Authorised by destresse to leuy all such fines by vertue of his said office without any further order ;

\*101

Septem: 1664.

Whereas the Towne of Scittuate preferred a petition to this Court requesting that the Treasurers account may bee more particularly sent to the seuerall Townshippes of this Jurisdiction ; The Court haue ordered that henceforth at euery election Court any of the Townes aforesaid may if they please to send any meet pson to Joyne with others to take the Treasurers account ; and soe to acquaint their respectiue towns therwith in as particular a manor as may bee ; which wee hope may satisfy ;

It is enacted by the Court that the Constable of each Towne in this Government shall gather in all fines that shall fall within his liberties not exceeding five pound ; and to haue two shillings on the pound for gathering them ;

June.  
1665.

It is enacted by the Court that all psons lyable to bee rated in euery towne of this Government bee rated according to their visible estates and faculties that is according to their faculties and psonall abillities whether they are in lands both meddow lands Improved lands or dormant lands appropriated or in cattle goods or stocke Employed in Trading in boates barques &c: mills or other vizable estate ; but for the Incurragement of trafficke ; that it bee ordered that barques Catches and bigger vessells may not bee rated about halfe their vallue ; dormant lands both vpland and meddow such as lyeth without  $\times$   $\times$  to bee rated for euery hundred aeres according to forty shillings estate ; and if any pson lay downe any pte of his proprietie to the Comonage of the Companie their associated together ; hee shalbee rated but for what quantitie hee keeps his propriety in ; and concerning stockes Employed in trading att home in and about the place where hee liues ; shalbee rated onely for two thirds of such stockes soe Improved as thuse one hundred and twenty pound stocke to bee Employed in trading shalbee rated for eighty pound and soe proportionable ;

1665.  
Concerning  
dormant lands  
that the psons  
bee rated in  
such town-  
shippes as the  
psons that  
owne them  
Inhabites in.

[out of town-  
shippes. — vol.  
iv. 102.]

[PART III.]

\*102

\*Actes and orders made and concluded by the Generall Court of Majestrates and Deputies Assembled at Plymouth the eleventh day of October i665.

i665.

Wheras in regard of the remote distance of our honored Gou<sup>r</sup> his former habitation and being; the Countrey saw reason to desire and request his remouall vnto the towne of Plymouth for the more convenient adminnestration of Justice; and that by Gods Prouidence hee is now remoued to his great Inconueniency and detriment;

This Court haue ordered and doe vnanimously agree to allow vnto him the sume of fifty pounds p<sup>r</sup> annum soe long as hee shall remaine in the place of Gou<sup>r</sup>:

And wheras hee is resedent in a place purchased by the Countrey for that end;

This Court haue likewise ordered that incase hee shall decease att any time while hee is in the place of Gou<sup>r</sup> and Inhabiteing the said seat or being; that then his family shall and may without molestation continew in the said place or seat for the full tearme of one yeare after his decease att the least; and likewise that incase there should bee any alteration that any other should bee chosen to the place of Gou<sup>r</sup> whiles hee liueth that hee shall and may notwithstanding remaine in the said place without molestation for the full tearme of one yeare after such alteration att the least;

This repealed  
July 5: (67.)

i665.

In reference vnto the more comfortable carying on of Gou<sup>r</sup>ment It is enacted by the Court that the Countrey proceeding on in their election of Assistants as formerly; such of the old majestrates as shalbee chosen that they bee allowed each ten pounds a yeare and the charge of their Table defrayed soe many of them as shall serue in that place;

And for such as shalbee chosen that haue not formerly serued that they bee allowed onely the charge of their Table;

And incase any shalbee chosen and shall refuse to serue hee shalbee fined fve pounds to the vse of the Collonie;

It is enacted by the Court that both that which is allowed for the charge of the Majestrates Table and likewise that which is allowed them by way of sallary shalbee Transferred into the costody of the Treasurer and that what is to bee for the charge of their Table it bee payed in specye according vnto former order concerning the same and wheras the sume of fve pounds therof was formerly to bee payed in money to the Treasurer as pte of the said pay;

that this yeare the said five pounds bee payed in money to bee raised out of the oyle that shalbee due to the Countrey ; and the Treasurer to make vp the said five pounds vpon account in other pay in leiu therof vnto the Countrey ;

[PART III.]

It is enacted by the Court that in euery Towne of this Jurisdiction there bee three or five select men Chosen by the Townsmen out of the freemen such as shalbee approued by the Court for the better managing of the affaires of the respectiue Townshippes ; and that the select men in euery Towne or the major pte of them are heerby Impowered to heare and determine all debts and differences arising between pson and pson ; within their respectiue Townshippes not exceeding forty shillings ; As alsoe they are heerby Impowered to heare and determine all Differences arising between any Indians and the English of their respectiue Townshippes about damage done in Corne by the Cowes swine or other beasts belonging to any Inhabitants of the said respectiue Townshippes and that the determinations of the abouesaid Differences not being satisfied as was agreed ; the pte wronged to repaire to some maiestrate for a warrant to recouer such award by distraint ;

1665.

It is further enacted that the said select men in euery Townshippes approued by the Court ; or any of them shall haue power to giue forth sumons in his ma<sup>ties</sup> name to require any psons complained of to Attend the hearing of the Case and to summon witnesses to giue Testimony vpon that account and to determine of the Controuersyes according to legall euidence and that the psons Complaining shall serue the sumons themselues vpon the psons complained against ; and in case of their none appearence ; to proceed on notwithstanding in the hearing and determining of such controuersyes as comes before them ; and to haue twelue pence a peece for euery award they agree vpon ;

It is likewise enacted by the Court that such Indians as plant in any Township of this Jurisdiction that they shall secure their Corne by sufficient ffences from any damage that may come therunto by the Cattle of the English amongst whom they dwell ; and for such Indians as shall plant on their owne land out of the bounds of any Township That the English are either to heelp them in fencing their Corne or to satisfy for such damage as shalbee done vnto them by their cattle or beasts therein ;

1665.

\*It is enacted by the Court and the Authoritie therof ; That all matters of misdemeanors that the maiestrates shall take cognizance of without p<sup>r</sup>sentment by the Grand enquest ; they haue full power to proceed and determine therein by fine or otherwise as the nature of the offence may require as if p<sup>r</sup>sented ;

\*103

1665.

[PART III.]

In asmuch as noe house of Correction is yett provided in this Gou<sup>r</sup>ment to receiue and punish such as not onely liue Idlely and vnprofitably but are otherwise vicious and wicked in their carriage towards their parents or otherwise ;

It is enacted by the Court That any two majestrates of this Jurisdiction haucing examined the case shall haue power to Centance such offenders to bee punished by stocking or whipping according to the nature of the offence ;

1665.

It is enacted by the Court that such as shalbee sentanced by the Court to pay any fine to the Countrey shall giue sufficient securitic vnto the Treasurer for the same before hee depart the Court and incase hee refuse shalbee comited vntill hee soe doe ;

1665.

It is enacted by the Court that any pson that shalbee supnaed to appcer att the Court as a witnes in a case shalbee payed two shillings and sixpence a day ;

1665.

It is enacted by the Court that a Constable bee allowed twelue pence for the serueing of a summons ; and two shillings and six pence for an attachment ;

1665.

Wheras complaint is made vnto the Court of great abuse in sundry townes of this Jurisdiction by psons their behauing themselues prophanly by being without dores att the meeting house on the Lords daies in time of exercise and there misdemening themselues by Jestng sleeping or the like It is enacted by the Court and heerby ordered that the Constables of each Township of this Jurisdiction shall in their respectiue townes ; take speciall notice of such psons and to admonish them ; and if notwithstanding they shall psist on in such practices that hee shall sett them in the stockes and incase this will not reclaime them that they returne their names to the Court ;

1665.

It is enacted by the Court that what Comissions haue bine formerly graunted by the Court to any to Purchase land for the Countrey bearing date about twelue monthes from this p<sup>r</sup>sent Court ; bee called in and bee of none effect as to future Improuement ;

1665.

It is enacted by the Court That in euery Township within this Gou<sup>r</sup>ment there bee two sufficient woulfe trapps made betwixt this date and the first of march next and to bee constantly baited and dayly attended vpon the penaltie of fve pounds on each Townshipp as are neglegent and defectiue therein to bee payed to the Collonic ;

1665.

It is enacted by the Court that noe master of a family shall make or cause to bee made within this Gou<sup>r</sup>ment about the number of sixteen barrells

of Tarr for this following yeare vnder the penaltie of three shillinges p barrel forfeite to the Collonie; and euery single pson is heerby prohibited from making any Tarr directly or Indirectly for this following yeare vnder the aforsaid penaltie; and this order to take place from the first of march next ensueing the date heerof

[PART III.]

The order prohibiting the selling of Powder and shott to the Indians is repealed;

1665.

\*fforasmuch as That notwithstanding all former orders against abuse by stronge liquors; there is great quantities brought in; To the great prejudice of the Gou<sup>r</sup>ment

\*104

It is by this Court further enacted as an addition to former orders respecting Liquors That all strongwaters that are brought into this Collonie by priuate psons or for their vse shalbee excised as well as what is drawne in publicke houses; and for the Incouragement of such men as in each Township are or shalbee appointed to serch or enquire after abuse or breach of order respecting liquors the Court doth allow vnto them the one halfe of all such forfeitures and confiscations as shall arise in that towne by any breach of order respecting the same and the like allowance shalbee made to any other that shall discouer such abuse; and that they may more carefully attend their charge the Court doth require them to take oath to bee faithfull and carefull respecting the p<sup>r</sup>mises.

1665.

Wheras it is prohibited for any to sell trad or giue liquors directly or Indirectly to the Indians the Court conceiuing that if any Indian or Indians haue any; that they must haue it in some eregular way;

This Court therefore orders That if any man either English or Indian shall find any Indian or Indians haucing or carrying any liquors It shalbee lawfull for him to apprehend the said Indian or Indians and seize on the said liquors as stollen goods vntill the said Indian or Indians make it Justly appeer before some Majestrate or the select men of that Township of whom and wher and how they had the same and for their paines that any expend in the p<sup>r</sup>mises they shalbee allowed the one halfe of the said liquors soe apprehended or the vullue of it;

1665.

\*Actes and orders made and concluded the seauenth of June Ann<sup>o</sup> Dom<sup>o</sup> 1666.

\*105

**I**T is enacted by the Court and the authoritie therof That the warrants bee Issued out yearly from the June Courts for the bringing in of the rates for publicke charges of the Countrey; and the severall sumes to bee deliuered to the Treasurer or att Boston or att Plymouth as hee shall appoint;

1666.

[PART III.]

by the first weeke of Nouember and the Constables to haue the receiptes by the foremencioned time ; and each Constable is heerby Impowered to presse boates or Cartes with oxen or horses ; and the boates Cartes oxen and horses to bee payed for fraighting and carriage according to the ordinary prise for carrying goods or come vpon other occations for their neighbours and for the kinds of pay to accomplish this designe for the Countreyes occations the one third pte is to bee in wheate or porke or both one other third pte in barley or butter or both and the other third pte in beife Indian Corne pease or rye or any of these or some pte in Tarr prouided it exceed not a third pte of the last third ;

It is enacted by the Court and the Authority therof That all debtes shalbee payed in the speeye for which a man doth agree and that all damages which shall arise according to the Judgment of the Court vpon occations of debt defamation or Treaspas shalbee payed in any good currant Countrey pay att prise Current.

It is enacted by the Court and the autorite therof that henceforth nothinge bee entered vpon the Record of the Court respecting lands in reference to exchanges morgages leases or other conveyances but such as shalbee vnder hand and seale before witnesses and that all such deeds bee exhibited to a majestrate according to order and that the said Majestrate endorse thereon and the same alsoe to bee entered and noe other.

It is enacted by the Court and the Authoritie therof That all sales g[ifts] exchanges leases morgages or other conveyances whatsoever of any houses or lands heerafter made or to bee made which shall not be acknowledged within six monthes after the makeing therof before the Gou<sup>r</sup> or some one of the Assistants shalbee accounted null and void in law ; except such lands as by the Will or Testament of any man disposed which may not haue convenient oportunitie of acknowledgiment therof before a Majestrate.

It is enacted by the Court and the Authoritie therof that there shalbee but three Courts in the yeare for the tryall of causes by Jury (viz) The first Tuseday in march the first Tuseday in July and the last Tuseday in october Annually ; alwaies prouided it shalbee lawfull on speciall occations which shalbe judged of by the Gou<sup>r</sup> and two of the Assistants for any either of our owne Collonie or others to purchase a Court in the Interems of time betwixt the said Courtes ; and that there shalbee att euery such Court the Gou<sup>r</sup> and thre of the majestrates att the least and that henceforth there shalbee noe Courtes of Assistants except the Gou<sup>r</sup> on speciall occasion shall see reason to



summon such a Court ; and it is further enacted by the Court that all tryalls vnder forty shillings shalbee tryed by the select men ; and that none vnder forty shillings shalbee tryed att the aforesaid Courtes except in cases of appeale from any of the Respective Townes ;

[PART III.]

It is enacted by the Court and the Authoritie therof That one or two of the select men whom the Court shall appoint in each Township of this Jurisdiction bee heerby Impowered to adminnester an oath in all cases comitted to them as alsoe to graunt an execution for such psons as neglect or refuse to pay their Just dues according to the verdicte of the said psons ; and that the said select men in euery Towne ; bee vnder oath for the true pformance of their office ; and if any pson finds himselfe agreiued with the verdict of the said select men ; Then they haue their liberty to apeale to the next Court of his Ma<sup>tie</sup> holden att Plymouth provided that forthwith they put in Securitie to prosecute the apeale to effect and alsoe enter the grounds of their apeale ; and incase any Towne doe neglect to chose and p<sup>s</sup>ent such yearly vnto the Courts of election ; That euery such Towne shalbee lyable to pay a fine of five pounds to the Countreyes vse ;

1658.

\*The oath of a Celect man.

\*106

You shall according to the measure of wisdome and descretion God hath giuen you faithfully and Impartially try all such cases between pty and pty brought before you ; as alsoe giue sumons respecting youer trust according to order of the Court as a Celect man of the                      Towne of                      for this p<sup>s</sup>ent yeare soe healp ƥc.

It is enacted by the Court ;

That the Celect men in euery Township of this Gou<sup>r</sup>ment shall take notice of all such psons That are or shall come into any of the Townshipes without the approbation of the Gou<sup>r</sup> and two of the Assistants according to order of the Court and the said Celect men shall warne the said psons to aply themselues for approbation according to order ; which if they shall refuse or neglect ; the said Celect men are heerby Impowered to require the pson or psons to appeer att the next court to bee holden att Plymouth and to require Securitie for their appeerance which if any refuse to doe the said Celect men shall enforme the Constable of the Towne where hee liueth which said Constable shall forth with carry the said pson or psons before the Gou<sup>r</sup> or some one of the Assistants of this Gou<sup>r</sup>ment ;

Whearas the Court takes notice of great neglect of frequenting the publicke worship of God vpon the Lords day ; it is enacted by the Court and the

[PART III.]

authoritie therof That the Celect men in each Townshipe of this Gou<sup>r</sup>ment shall take notice of such in their Townshippes as neglect through prophannes and slothfulness to come to the publicke worship of God ; and shall require an account of them ; and if they giue them not satisfaction that then they returne their names to the Court

It is enacted by the Court that henceforth the Majestrates bee not freed from Country rates or charges ;

It is enacted by the Court that henceforth noe pson or psons within this Gou<sup>r</sup>ment shall still any Strongwaters without lycence on the forfeiture of such stronge liquors or the vallue of them ;

It is enacted by the Court That noe horse or horse kind shalbee driuen or carryed out of any Township of this Gou<sup>r</sup>ment by any pson or psons that are not of the said towne without the consent of the owner therof vnder the penaltie of fiue pounds for euery such horse beast ;

Wheras complaint is made of the Indians their stealing of the hoggs of the English and makeing sale of them and concealing of them by cutting of their eares &c: It is enacted by the Court and the authoritie therof That henceforth noe Indian shall giue any eare marke to his swine vpon the penaltie of the forfeiture of such swine the one halfe to him that shall seize on them ; and the other halfe to the Countrey except hee bringe true Testimony where hee had such swine soe marked before a majestrate or the Celect men ; and that the Indians haue due notice heerof ; and this order to take place from october next ;

Since renewed  
again and re-  
viewed the 2<sup>nd</sup>  
of July 1667.

Memorandum that the Receiuers of the excise in each Township of this Gou<sup>r</sup>ment are freed from their office by the Court and that the Treasurer hath liberty to lett it forth in the behalfe of the Countrey

\*107  
1667.

\*Att the 2<sup>nd</sup> session of the Generall Court holden att Plymouth the 2<sup>nd</sup> of July 1667

**I**T was enacted by the Court That noe pson or psons shall sell any Cyder To any Indian vnder the penaltie of ten shillings for euery such default ; Ordinary keepers excepted for the moderate refreshment of Trauellers ; and that none be allowed to sell any Cyder by retaile to any English without Lycence on the same penaltie as in like case of selling liquors is provided and that none allow any psons to spend their time by tipleing of Cyder Liquors &c: in their houses: and That incase any Cyder be found in the Custody of any Indians It shalbe lawfull for any man to take it away from them ;

It is enacted by the Court That fifty pounds yearly be allowed to such assistants as shall for the future be chosen and serve in that place and the charge of their Table be defrayed; [PART III.]

In reference to military concerns It is enacted by the Court that no single persons under twenty years of age either children or servants shall vote as to that account or any that are not settled Inhabitants of that place and have taken the oath of fidelity.

It is enacted by the Court that such as commit fornication or common drunkards that no fine be received from them for their fact until they have been convicted thereof before the Court unless some unavoidable Impediment shall hinder their appearance thereto.

It is enacted by the Court That the Townsmen or particular persons whose horses or any cattle do trespass upon the Indians upon their own lands out of Townships by spoiling their Corn; shall agree with them for the preservation thereof or to help them to fence; and in case they shall neglect so to do; they shall pay the full damage that shall come by their Cattle so trespassing.

It is enacted by the Court That whosoever are or shall be chosen to be surveyors of the highways shall at the expiration of the year give an account of their doings about the highways to the select men of that Towne.

It is enacted by the Court That such Constables which do or shall neglect to bring in the rates according to times appointed That whatsoever damage shall be sustained thereby shall be paid and made good by such Constable or Constables.

It is enacted by the Court that the Indians be prohibited to make any use of any horses neat cattle or hogs appertaining to the English which may be wounded or otherwise killed by any accident until they have liberty from the owners of such cattle so to do.

The order prohibiting selling of powder and shot to the Indians reviewed and established.

This againe repealed July 1669.

It is enacted by the Court That in case any Indian or Indians shall be found to have any powder or shott Armes or Liquors and will or doth affirm that they had it of this or That person of the English; if the said person shall upon his oath Testify and affirm That hee or shee hath not sold given or healed the said Indian or Indians unto the said powder or shott or Liquors they shall be accounted to be free and cleared of the said fact or otherwise to

[PART III.]

be rendered giulty and to be proceccuted accordingly; and this tryall to be before either a majestrate or one of the Celect men of the Towne appointed to giue an oath;

\*108

i667.

\*It is enacted by the Court That henceforth noe more lands be graunted to psons without the pticulare Townshipes for the tearme of seauen yeares;

It is enacted by the Court that in such Townshipes where occation ariseth for the destressing vpon the estates of any for the minnester such estate soe distressed shall by the Constable of That Towne be deliuered to such of the Towne as shalbe appointed and in defect therof to such as by two majes- trates shalbe ordered to receiue it and to dispose of it as they shall see cause;

It is enacted by the Court That the lands which are not as yett bounded betwixt the English and the Indians may be bounded and mutually agreed on by both p'ties;

It was concluded by the Court that a proposition shalbe made from the Court to the seuerall Townshipes of this Jurisdiction in reference to a Collec- tion or Contribution to be made towards the defraying of the charge of the printing of the history of Gods dispensations towards **N E**: in Generall in speciall towards this Collonie;

[Acts and orders made and concluded by the Generall Court held at Plymouth the third day of June 1668]

\*109

i668.

Repealed June  
sixt i669.

\***I**T is enacted by the Court and the authoritie therof that noe knotts be henceforth gathered by any either English or Indians To make Tarr of them; And that noe Tarr be made by any either English or Indian within this Gou'ment from the sixteenth day of July next; on the penaltie of the forfeiture of all such knots or Tarr the one halfe therof to the Informer and the other halfe to the vse of the Collonie.

Wheras great Complaint is made of great abuse by reason of ffishermen that are strangers who ffishing on some of the ffishing ground on our Coast in Catches dresing and splitting their ffish aboard through their Garbidg ouer- board to the great anoyance of ffish which hath and may proue greatly detre- mentall to the Countrey; It is ordered by the Court that something be directed from this Court to the Court of the Massachusetts to request them to take some effectuall course for the restraint of such abuse as much as may bee;

It is ordered by the Court that there shalbe a Generall Training of both horse and foot att the Towne of Plymouth in the second weeke of october

1669 and once in three years for the future the places to be at Plymouth Taunton and Yarmouth successively that is to say this first at Plymouth as aforesaid the second at Taunton and the third at Yarmouth at the time of the year above mentioned and that every <sup>firman</sup> ~~souldier~~ be provided with <sup>two pound of</sup> powder against the time appointed to be Improved in the said expeditions and exercises at ~~his owne charge~~; the Townes Charge.

An acte for the prevention of the diversion of the execution of Justice by fraud or couen ;

That where an estate can not be found to satisfy any fine or mult due vnto the Countrey or to answere a Judgment obtained against any persons at the particulare suite of any ; The person of any soe fined or cast in law shalbe secured to be responsible therevnto.

It is ordered by the Court and the authoritie therof That noe person neither Inhabitant of this Jurisdiction nor any other shall at any time either by vertue of libertie from the Court to purchase lands of the Indians or vpon any pretence whatsoever shalbe suffered to buy or receiue (in any way of the Indians) any of those lands that appertaine vnto mount hope or Cawsumsett necke or any other such neckes or tracts of land as there is a body of Indians vpon ; and the Court shall judge they can not liue without ;

It is enacted by the Court That all the Kinges highwaies within this Gouernment shalbe forty foot in breadth at the least ;

In reference vnto the proposition made to the Court concerning the making of provision for the Securing of such lands as are held by doubtful title It is referred and hereby presented to the serious consideration of the severall Townes of this Jurisdiction to send in their Judgments and proposals concerning the same vnto the next Court of election.

It is ordered by the Court That whereas the recognizance for the good behavior the fees therof was formerly four shillings the taking and foure shillings the releasing ; That henceforth it shalbe two shillings and sixpence the taking and two shillings and sixpence releasing.

\*It is enacted by the Court ; That libertie is hereby graunted to the English in this Gouernment to Sell horses to the Indians ; provided every horse soe sold be brought to the Towne Clarke of that Towne where hee is sold and ten shillings in mony and deliuer it to the said Clarke for the Colonies vse whoe shall record his marke or markes ; and haue twelue pence of the said

[PART III.]

mony for his paines ; and Incase any shall sell any horses to the Indians and Neglect soe to doe ; hee shall forfeit euery such horse or the vallue therof to the Collonies vse ;

It is further enacted by the Court That noe pson within this Gou<sup>r</sup>ment shall sell or giue any mare to the Indians on the penaltie of the forfeiture of euery such mare or the vallue therof to the vse of the Collonie ; and that noe Indian shalbe suffered to keep any mare in this Collonie on like penaltie of the forfeiture of euery such mare or the vallue therof to the Collonies vse ;

i669.  
July sixt.

It is enacted by the Court and the Authoritie therof ; That none shall sell wine liquors Cyder or beer by retaile in this Collonie except they haue a Lycence: and to pay for there lycence according to the Capasitie of the place where they liue ;

the one halfe  
of these sumes  
to be payed in  
Mony.

viz: Plymouth -	-	-	-	-	-	-	-	-	-	10. 00. 00
That is to say James Cole seni <sup>r</sup>	-	-	-	-	-	-	-	-	-	08. 00. 00
Thomas Lettice	-	-	-	-	-	-	-	-	-	02. 00. 00
Duxburrow	-	-	-	-	-	-	-	-	-	01. 10. 00
Scittuate	-	-	-	-	-	-	-	-	-	02. 10. 00
Sandwich The Treasurer hath agreed with Willam Swift										
Taunton	-	-	-	-	-	-	-	-	-	02. 00. 00
Barnstable	-	-	-	-	-	-	-	-	-	02. 00. 00
Yarmouth	-	-	-	-	-	-	-	-	-	01. 10. 00
Bridgwater	-	-	-	-	-	-	-	-	-	01. 00. 00
Rehoboth	-	-	-	-	-	-	-	-	-	01. 10. 00

Morouer it is enacted by the Court that all such Lycenced ordinaries shall not suffer prophane singing daunceing or reuelling in there houses on the penaltie of ten shillings for euery default and that all ordinary keepers be ordered to keep good beer in there houses to sell by retaile and that some one in euery towne be appointed to see that the beer they sell be suitable to the prise they sell it for ;

Repealed June  
11<sup>th</sup> i670.

It is enacted by the Court and the authoritie therof That noe barke nor board shalbe transported out of this Collonie nor noe kind of Timber except it be wrought vp in vessells or Caske on penaltie of forfeiting of all the same or the vallue therof ; to the vse of the Collonie ;

Repealed June  
11<sup>th</sup> i670.

It is enacted by the Court that noe boards shalbe brought into this Col- lonie and that noe boards shalbe sold in this Jurisdiction to exceed in prise fiue and forty shillings a thousand deliuered att the watersyde in the Town- shipp where they are sawen on the penaltie of paying a fine of ten shillings

a Thousand to the vse of the Collonie and this order not to take place vntill the next october Court; [PART III.]

\*It is enacted by the Court that some one of the Celect men of euery Towne of this Jurisdiction be heerby Impowered to Issue forth warrants in his Ma<sup>ties</sup> name to arrest or attach any pson or psons or in defect of them their goods to answare any suite within their Cognizance as occasion may require \*111

It is enacted by the Court that none shall voate in Towne meetings but freemen or freeholders of twenty pound ratable estate and of good conversation haueing taken the oath of fidelitie;

It is enacted by the Court that all Censures by fine from ten shillings and vnder shalbe payed in mony; and that the fine for fornication be payed forthwith in Mony or else to be punished with corporall punishment.

It is enacted by the Court that the Constables in euery respectiue Towneship of this Jurisdiction shall serue such executions as shalbe directed to them by any of the Celect men of the respectiue townships.

It is enacted by the Court that whosoener hath three sonnes in his family that beare armes in the Milletary Companie; their father shalbe freed from that seruice if the Councell of warr or any three of them shall see cause

Wheras great Inconuenience hath arisen by single psons in this Collonie being for themselves and not betakeing themselves to liue in well Gou<sup>rn</sup>ed families It is enacted by the Court that henceforth noe single pson be suffered to liue of himselfe or in any family but such as the Celectmen of the Towne shall approue of; and if any pson or psons shall refuse or neglect to attend such order as shalbe giuen them by the Celectmen; That such pson or psons shalbe sumoned to the Court to be proceeded with as the matter shall require;

Wheras by order of the Councell of Warr the Townes of this Jurisdiction respectiuey are to find drumes pikes halberts and Coullers att their owne Charge; It is thought meet and accordingly ordered by the Court that all such troopers as find and maintaine their owne armes be excused from bearing any charge in such drums pikes halberts and Coullers.

Wheras seuerall psons liueing out of this Jurisdiction doe possesse seuerall p<sup>r</sup>sells of land within this Jurisdiction which is out of any p<sup>t</sup>icular township; It is enacted by the Court that all such land be Rated accordingly as other lands dormont or Improued to the Countryes vse; viz: such as are dormont as other dormont lands and such as are Improued as other Improued lands within this Jurisdiction;

[PART III.]

It is enacted by the Court that a Cercomstantiall error in a Summons or warrant shall not be taken as a sufficient ground for a nonsuite wher otherwise both the p̄tie and case concerned therein may be rationally vnderstood ;

Concerning the order about the next Generall training the latter p̄te of the order to run thuse ; and that euery fierman be prouided with two pound of powder against the time appointed to be Improued in the said expedition and exercises att the Townes charge.

\*113

\*It is enacted by the Court that henceforth noe p̄son shall haue libertie to bring any Liquors into this Goūrment for themsclues or others to giue or sell but such as are Lycenced ; more then for their owne p̄ticular vse ; which shall not exceed six gallons in the yeare and each mans that is soe brought in shalbe distinct in vessells one from another and incase any doe it shalbe forfeite or the vallue therof one third to the Countrey and one third to the Informer and one third to those that are lycenced to sell ; but if it appeer that any man of quallitie whose condition calleth for further expence in his family that then this law shall not reach them ; onely this is to be vnderstood that vnder pretence of this hec shall not giue or sell to be carryed abroad except it bee soe that the ordinary keepers haue none to supply the nessesities of them that are sicke ;

This order re-  
pealed June  
1670.

It is enacted by the Court that wheras minnestres maintainance is to be raised by rate according to order of Court bearing date 1657 which vpon neglect is to be taken by distresse as by the said order doth appeer ; yett for preuenting off offence (and if it may be of destresse) This Court doth order ; That the Majestrate in each Towne where there is any ; and the Celect men or any one of them where there is noe Majestrate ; be heerby Impowered vpon notice of default heerin ; To Summon euery such p̄son or p̄sons ; to the next Court to answare the said Neglect ; and incase such p̄son or p̄sons doe not make out Just cause for such neglect they shalbe amerced double the sume proportioned to him or them to the Collonies vse to be disposed of by the Court ;

It is enacted by the Court that the Constable or his deputie in each respectiue Towne of this Goūrment shall dillegently looke after such as sleep or play about the meeting house in times of the publicke worship of God on the Lords day and take notice of their names and returne such of them to the Court whoe doe not after warning giuen to them reforme ;

As alsoe that vnnessary violent ryding on the Lords day ; the p̄sons that soe offend ; their names to be returned to the next Court after the said offence ;

It is enacted by the Court That any p̄son or p̄sons that shalbe found



smoaking of Tobacco on the Lords day ; goeing too or coming from the meetings within two miles of the meeting house shall pay twelue pence for euey such default to the Collonies vse ;

[PART II.]

It is enacted by the Court that none shall suffer to goe att large to ffeed in any Commons within this Gou<sup>r</sup>ment any stoned horse being aboute two yeares old ; and not thirteen hands high att least from the lower pte of the hoofe to the vper pte of the whither ; euey hand containing four inches standard measure ; in paine to forfeite the same horse or the vallue therof the one halfe to the Country and the other halfe to him or them which shall seize such horse of lower stature ; soe that first by the assistance of the Constable or Celect men of Any township where such seizeure is made or seizior dwelleth ; such horse being by the seizior first brought to the next pound, shall there by such an officer in the p<sup>r</sup>sence of three sufficient men be measured and found lower then the stature aboue mensioned ; this order to take place from and after the first of October i670.

The orders prohibiting the selling of powder and shott and mony to the Indians are repealed ;

\*ffor quieting mens estates and avoiding suites in Law

It is enacted by the Court and the authoritie therof ; That noe p<sup>r</sup>son or p<sup>r</sup>sons haueing had for the space or tearme of ten yeare fully past and expired any right or titles of enterey into or cause of action for any lands teniments or hereditiments whatsocuer now detained from him or them shall therinto enter or comence suite for but within fiae yeares next after the end of this p<sup>r</sup>sent session of Court and att noe time after ;

July 10<sup>th</sup>

i669.

\*115

And that none shall att any time heerafter make any entery into or comence suite for any lands teniments or hereditiments but within fifteen yeares next after his or their right title or cause of action or suite which shall heerafter first descend fall or acrew to the same: otherwise such title shalbe for euer after barred and the pty claiming and his and their heires vtterly excluded from entery into the same ; Provided Neuerthelesse that if any p<sup>r</sup>son or p<sup>r</sup>sons which hath or shall haue such right title or cause of action be or shalbe att the time of the said right title or cause of action first descended acrowed come of<sup>1</sup> fallen within the age of twenty one yeares feme Couert non compos Mentis Imprisoned or beyond the seas then such p<sup>r</sup>son or p<sup>r</sup>sons his or their heires shall or may notwithstanding the said fifteen yeares expired ; bring his action or make his entery att any time within fiae yeares next after his or their full age discouerture coming of sound

[1 or]

[PART III.] mind Inlargment out of prison or coming into this Countrey ; take benefitt of  
 and sue forth the same and att noe time after the said fue yeares ;

It is further enacted by the Court that such pson or psons as haue had right or title vnto or cause of action for any lands teniments or heridittiments hetherto detained from him or them for the space or tearme of twenty yeares fully past and compleat and neglected hitherto to make his or their entery or to comence suite for the same or haueing had such right title or cause of action for the space or full tearme of eighteen yeares now past and shall neglect to make such entery into or suite for within the space or full tearme of two yeares next after the end of this p'sent session of Court shall in either of these cases be for euer barred excluded and vtterly disabled from such entery or suite to be made excepting as in the abouesaid prouiso according as by the statute of England made Ann<sup>o</sup> 21 Jacobi Regis Capt: 16 Instituted an acte for limitation of actions and avoiding suites in law as in such case provided ; It haueing bine the vsuall manor and costome of this Court to haue recourse as much as might be to the Lawes of England in such case wherein there is noe other law provided by this Court more suitable to our Condition ;

\*117  
 i670.  
 June.

[June<sup>th</sup> 8: 1670]

\*This being aded to a former order of Court bearing date June i657 is determined to be the way for raiseing minnesters Maintainance ; and all other orders respecting the same are heerby repealed ;

Ministers  
 salary.

fforasmuch as it appeereth to be greatly Inconvenient that the minnesters should be troubled to gather in the rates for their maintainance ; and may be an occation to prejudice some psons against them or their ministry ; It is enacted by the Court that att June Courts yearly two meet psons in each Towne be appointed by the said Court vnlesse the townes haue alreddy provided ; whoe shall take care for the gathering in of their minnesters maintainance for that yeare by Inciting of the people to their duty in that respect demanding it when due and if need be by procuring distraint vpon the estate of any that shall neglect or refuse to pay their rates or proportions towards his support according to order of Court in that case provided ; and incase any minnester shall Scruple to receiue what is soe raised ; It shall Neuertheles be gathered as abouesaid and be disposed as the Court shall order or advise for the good of the place.

Wheras It hath bine and is the pious care and true intent of this Court that all such plantations and Townshipes as are by them Graunted should maintaine the publicke sabbath Worship of God and the preaching of the

word and doe to that end affoord them such proportions of lands as may accomodate such a society as may be able to maintaine the same; and yett through the corruption or sinfull neglect of many or most of the Inhabitants of some plantations they content themselues to liue without the minnistry of the word to the great dishonor of God and danger of their soules; there being great reason to feare that many may be acted therein by worldly & conetuous principles; It is by this Court enacted that in such Townships where noe Minnister is resident; especially if it appeers that the generallyty of the Inhabitants are remise in the obtaining of one the generall Court may and shall henceforth Yearly Impose a certaine sume to be raised by rate vpon the Inhabitants of such plantations or Townships which shalbe kept as a stocke for building of a meeting house or for Incouragement of a minnister to labour amongst them or other such pious vses as the Court may Improve it in for their good;

[PART III.]

June.  
1670.

And in reference to the Towne of Dartmouth that the sume of fifteen pounds be leuied by rate with the Countrey rates vpon all the Inhabitants to be in a reddines for and towards the vses aboue expressed;

It is enacted by the Court That whosoever being chosen by any Towne of this Jurisdiction to serue as a Celect man in the said Towne and shall refuse to serue in that place shall pay the sume of twenty shillings the one halfe to the Towne and the other halfe to the vse of the Collonie; and that the Gou<sup>r</sup> shall chose another to serue in his stead.

It is enacted by the Court That there shalbe noe attachment graunted by the Celect men against any ffreeman or settled Inhabitant and that there shalbe three Courts of the Celect men in the yeare: viz: in the month of february in the month of May and in the month of October; and noe other except the Celect men shall see cause;

It is enacted by the Court that incase of Appeale the appealant shall summons the defendant to answare att that Court to which hee appeals and shall produce all the Testimonies that were made vse of att the first Tryall of the case vnder the hand of the Celect men or any one of them from whence the appeale comes and noe new Testimony to be admitted; and the case to be tryed by Jury and if the appealant be againe cast; to pay double damages and all costes and that any one of the Majestrates of this Jurisdiction shall graunt a precept for such an appeale as occation may require;

Wheras a former order respecting the Issueing of differences between English and Indians seemes dubiouse this Court doth determine That all In-

[PART III.] } juries complained of arising between English and Indians shalbe brought to  
 Issue by the Celect men in each Townshipe before whom any complaint shall  
 legally appeer ; except onely in capitall matters and titles of lands ;

[<sup>1</sup>further] ffor the <sup>1</sup> prevention of the prophanation of the Lords day It is enacted by the Court and the authoritie therof That the Celect men of the severall Townes of this Jurisdiction or any one of them may or shall as there may be occasion take with him the Counstable or his deputie and repaire to any house or place where they may suspect that any slothfully doe lurke att hom or gett together in companies to neglect the publicke worship of God or prophane the Lords day and finding any such disorder shall returne the names of the psons to the next Court and giue notice alsoe of any pticulare miscarriage that they haue taken notice of that it may be enquired into ;

\*118  
 1670.  
 June. \*Wheras the Providence of God hath made Cape Cod comodious for vs for ffishing with saines ; and some careles psons haue anoyed the same by casting there ballast neare the shore where such conveniency is ; or by leaueing the Garbidge of ffish or dead ffish to lye there rotting wherby such annoyance is ; This Court doth therefore order that whosoever shall treaspas in any of the said kinds of Annoyance shall pay the sume of forty shillings to the Collonies vse for euery such default vnto the pson that the Court doth appoint to looke after the same ; alsoe this Court doth further order that whosoever of our Inhabitants that draw Mackerell on shore there ; shall pay to the Collonies vse sixpence p barrell for euery barrell soe taken or the quantity that may amount to a barrell : and for euery barrell or the quantitie therof soe taken by any fforaigners in the aforesaid place shalbe payed one shilling and sixpence to the Collonies vse by the pson or psons that soe ffish there and att the beginning of any voyage attempted there ; the pson or psons soe doeing shall att the enterance on the voyage put in sufficient Securitie vnto the pson appointed by the Court vnder this trust for the payment of the aforesaid sume or sumes ;

Thomas Paine is appointed by this Court and impowered as a bayley by land and water to demaund and receiue for the Collonies vse the aboue mentioned sumes as they may att any time become due or payable ; and to take such Securitie for there pformance as abouesaid ; and is heerby Impowered to comaund such aide as hee att any time shall Judge requisite respecting the pmisses.

Wheras wee haue formerly seen Great Inconuenience of taking Makerell att vnseasonable times wherby there encrease is greatly deminished and that it hath bine proposed to the Court of the Massachusetts that some course

might be taken for preventing the same and that they haue lately drawne vp an order about the same this Court doth enacte and order that henceforth noe makerell shalbe caught except for spending while fresh before the first of July Annually on penaltie of the losse of the same the one halfe to the Informer and the other halfe to the vse of the Collonie; and this order to take place from the 20<sup>th</sup> of this Instant June;

It is enacted by the Court that whosoever haueing comitted vncleanes in another Collonie and shall come hither and haue not satisfied the law where the fact was comitted they shalbe sent backe or heer punished according to the Nature of the crime as if the acte had bine heer done;

It is enacted by the Court That wheras diuers psons seeke to evade the payment of ten shillings for euery horse that is sold to the Indians that none shall giue lend or hier any horse to any Indian or Indians on the penaltie of paying a fine of ten shillings to the Collonies vse.

It is enacted by the Court That one witnes shalbe sufficient for the Grand enquest to ground a p<sup>r</sup>sentment on but the ptie not to be condemned without a second witnes or concurring cercomstances And that incase any shall publish any matter of a Scandalous nature except vnto a majestrate or grandjuryman; It shalbe accounted a defamation actionable;

And That in all matters p<sup>r</sup>sentable except Capitall noe evidence shalbe receiued either by a Majestrate or grandjuryman from any pson or psons whoe hath or shall neglect to giue in such evidence within one full yeare and a day after his or her knowlidge therof.

Wheras diuers psons haue complained of great wrong for the want of a packer in theire Townshipe this Court hath ordered and enacted That whatsoever Towne in this Gou<sup>r</sup>ment shall see cause to desire a packer to repacke meat they may p<sup>r</sup>sent a fitt pson to the Court or to some one of the Majestrates of this Jurisdiction to be Sworne;

\*It is enacted by the Court and the authoritie therof That it shalbe lawfull on speciall occasion which shalbe judged on by the Gou<sup>r</sup> and two of the Assistants for any either of our owne Collonie or others to purchase a Court in the Interems of time betwixt the other Courts and that there shalbe att euery such Court the Gou<sup>r</sup> and three of the Assistants att the least; and that any that shall purchase such a Court shall pay the Jury men each three shillings a day for soe long a time as they shall attend that service and beare all other nessesary charges of that Court;

[PART III.]

It was att this Court voated and generally agreed on by the Court ; that our Confederation with two Collonies: viz: Massachusetts and Conecticott shall stand and remaine as It did formerly with three ;

It is enacted by the Court and the authoritie therof that a Committee be chosen to puse all our lawes ; and to gather vp from them or any other healpes they can gett and compose therfrom a body of Lawes ; and p<sup>r</sup>sent the same to the next election Court for a further settlement therof and the charge therof to be bourne and defrayed by the Treasurer

The Committee appointed by the court were <sup>the Gou<sup>r</sup></sup> The Major } and Mr Walley healp  
and Mr Hineckley } to be requested  
and if any of the deputies or others shall propose any thinge to this Committee for their consideration when they meet together it shalbe well accepted ;

Wheras seuerall p<sup>er</sup>sons haue bine greatly Indangered by seting of Guns It is enacted by the Court and the authoritie therof that none shall sett any Guns except in Inclosures and that the gun be sufficiently enclosed soe as it be Cecure from hurting man or beast and that hee that seteth the gun doe giue warning or notice therof to all the Naighbours on the penaltie of paying a fine of f<sup>ive</sup> pounds to the vse of the Collonie for euery default ;

Repealed June  
9<sup>th</sup> 1671.

It is enacted by the Court that if there be any p<sup>er</sup>sons that will buy all the Tarr that shalbe made within this Collonie and will pay eight shillings a barrell for itt in mony ; and for euery halfe hogshed twelue shillings for it in mony ; they shall haue it soe ; for the tearme of two yeares from the date heerof ; and to receiue it att a place appointed in euery Township and it is further enacted by the Court that if any others except those that soe engage to buy all the Tarr shall carry or cause any to be carryed out of the Collonie within the aforsaid tearme of two yeares they shall forfeite either the Tarr or the vallue therof ; the one halfe to the Collonie and the other halfe to those that are engaged to buy all the said Tarr.

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\*fforasmuch as seuerall Townes in this Collonie are alreddy much Straightened for building timber and through Gods prouidence some other townes are well accomodated to afford them a supply that townes soe straightened be not nessessitated to fech their supplies from another Jurisdiction ; whilst wee haue of our owne ;

June 1672.

Be it Inacted by this Court and the Authoritie therof That noe timber of any sort may or shall within the tearme of seauen yeares next after the first of Nouember next ensueing ; be att any time transported or carryed away by land or water out of any Township in this Jurisdiction into any other

Jurisdiction; other then what is first sawne into boards or wrought into Shingle or wrought vp into Caske boates barques or other vessells of burden; on the forfeite of all such timber plancke Cooper stuffe bolts Claboard ℥ or the vallue therof; the one halfe to the Countrey and the other halfe to the Informer if duely proued within twelue months after such Transportation made; and that some meet pson be appointed and authorised by the Court in such Townes as they shall see cause for to take care for the due obseruation of this order; and that noe master of any boate or other vessell presume to receiue aboard any such timber plancke or Cooper stuffe ℥ without first repaireing to such pson appointed and Impowered as aforesaid and giueing in sufficient Securitie for his vnloading and leaueing such timber ℥ in som towne within this Jurisdiction, the dangers of the seas excepted; vnder the penaltie of forty shillings forfeite; the one halfe to the Countrey and the other halfe to the Informer and officer appointed as aforesaid; forthwith to be payed; And that such master of boate ℥ shewing a Certificate from vnder the Constables hand; or any of the Celect men of the Townes where hee shall vnload as aforesaid; shall ffree and discharge him from the Securitie giuen as abouesaid;

And that noe barke shalbe transported out of this Jurisdiction vnder the penaltie and forfeiture as aforesaid;

Notwithstanding the former order concerning the Transportation of Timber it is ordered That any pson or psons may transport any timber, out of any Townships that shall grow vpon their owne pticular proprieties, provided that they make it appeer to any one of the Celect men or Constables of the respectiue Townships by the testimony of one pson not Interested therin; and that shipearpenters be vnder the same restraint as others; and that in defect of any officer neglecting to take notice of the transgression of this order such transgression of the said law shalbe p<sup>r</sup>sentable by the Grand enquest

\*Actes and orders made and concluded the 4<sup>th</sup> of July 1672

\*121

**I**T is enacted by the Court that if any pson or psons that shall att any time heerafter: shipp: or load on board any: ffish into any vessell; which shalbe caught att Cape Cod but such as hee or they shall giue an accountt off to the water Bayley; all such ffishes shalbe forfeite to the Collonies vse;

1672.

And that the Water bayley be heerby Impowered to make seizure of all such ffish as shall att any time become forfeite; and to giue an accountt therof vnto the Treasurer; or such as shalbe appointed by the Majestrates or any four of them; to take the said accountt;

[PART III.]

ffor the Regulatcing of the troope It is ordered by the Court that they be deuided into three Squadrons viz: To the Captaine Leiftenant and Cornett to exercise each Squadron twise in the yeare ;

Troopers.

And that they take a list of the troopp and see that they keep horses with Armes Amunition and Acoulterments flit for that seruice ;

As alsoe that euery trooper shall provide himselfe with a ffix Carbine or horsmans peece betwixt this and the next election Court ; or returne vnto the foot Companie where they dwell ;

An order directed from the Court to the Comission officers of the Milletary Companies of this Jurisdiction as followeth

Gentlemen ;

The Court haucing reason vpon the Intelligence wee haue receiued to feare that wee may haue trouble from the States Generall of the vnitid Belgicke Prouinces or others before the revolution of the yeare ; and how soone wee know not ; doe see reason to take notice of what condition our people are in to defend themselues against an enimie and doe therefore heerby require you speedily and very strictly to make serch how your men are provided with fixed armes and amunition according to order of Court ; and that as well ancient psons that are out of the lists as others ; and that you alsoe enquire into the Townes stocke of Armes and amunition ; and vpon an Impartiall view you cause the Constable by vertue heerof forthwith to Leuy the fine by distresse if not otherwise payed ; The fines of Listed soldiers to the vse of the Companie ; and of others to the Townes vse ; and make speedy returne to the Gour<sup>r</sup> or Major how they find the Townes stocke that they may take course to gather those fines for the Collonie ; and in Generall may <sup>know</sup> know how your towne are provided.

And incase of a suddaine assault or approach of an enimy the Court orders you as much as may be to be Guided by the orders of the Councell of Warr that sits at Plymouth the second day of Aprill 1667 vntill you shall receiue more pticular orders from the Gour<sup>r</sup> Major or Councell of warr ; and that you doe alsoe take Notice of the troopers as to defect of armes and Amunition in your Towne and leuy their fines as abouesaid to the vse of the troope ; vnlesse in such Townes wherin any Comission officer of the troop doth reside.

Wee being Informed that it is vpon the harts of our Naighbours of the Massachusetts Collonie to support and Incourage that Nursary of Learning at harverd Colledge in Cambridge in New England from whence haue through the blessing of God Issued many worthy and vsefull persons for Publique



service in Church and Comonwealth ; being alsoe Informed that diuers Godly and well affected in England are redy to Assist therin by way of contributing considerable sumes prouided the Countrey heer are forward to promote the same ; and that the seuerall Townes in the Massachusetts haue bine very free in their offerings therunto ; wee alsoe being by letters from them Invited and In sighted to Joyne with them in soe good a worke ; and that wee may haue an Interest with others In the blessing that the Lord may please from thence to convey vnto the Countrey ; this Court doth therefore earnestly comend it to the Minnisters and Elders in each Towne, that they takeing such with them as they shall thinke meet ; would p'ticularly and earnestly moue and stirr vp all such in their seuerall townes as are able to contribute vnto this worthy worke be it in mony or other good pay ; and that they make a returne of what they shall effect heerin vnto the Court that shall sit in october next whoe will then appoint meet p'sons to receiue the contributions and faithfully to dispose of the same for the ends proposed.

\*It is ordered by the Court that the charge of the free Scoole, which is three and thirty pounds a yeare shalbe defrayed by the Treasurer out of the proffitts arising by the ffishing att the Cape vntill such Time as that the minds of the ffreemen be knowne concerning it which wilbe returned to the next Court of election ;

\*123  
1673.  
June.

Notwithstanding the former order concerning the Transportation of Timber It is ordered by the Court That any p'son or p'sons may Transport any timber out of any Townships in this Collonie ; that shall grow vpon their owne p'ticulare proprieties provided that they make it apper To any one of the Celect men or Constables of the respectiue Townships by the testimony of one p'son vninterested therin ; and that shipcarpenters be vnder the same restraint as others ; and that in defect of any officer neglecting to take Notice of the Transgression of this order such transgression of the said law shalbe p'sentable by the Grand enquest ;

It is enacted by the Court That whatsoever euidence of Land is or shalbe brought from any Towne booke to be placed in the Court Records shalbe shewed in open Court before it be entered ;

It is enacted by the Court that the one halfe of the Excise due to the Country on the Mackerell to be caught att the Cape bee henceforth abated: viz: that wheras it was twelue pence a barrell to our owne it shall henceforth be but sixpence a barrell from our owne and wheras it was formerly two shillings a barrell to fforaignors it shall henceforth be but twelue pence a barrell to fforaignors ; except any shall come in before the next Court and rent the said priuledge of Cape ffishing ;

[PART III.]

The Court haue ordered that the pay for killing of woulues be lowered from thirty to twenty shillings a head ;

The Court haue ordered that nothing shall stand in force in our written booke of lawes ; but what the printed lawes Refer vnto ;

\*125

\*Acts and orders made and concluded the 4<sup>th</sup> of July 1673

want of armes.

**I**T is enacted by the Court That the Comission officers of each Township of this Jurisdiction as often as they see cause shall make serch and take notice of the defects in Armes and amunition in each Township ; which defects being deliuered to the Constable by the aboue said officers the Constable with the Clarke of that Companie shall leuy the fines by destresse for the vse of the Companie according to order of Court, and that the said Military officers, haue the like power ; to make serch and leuy fines for defect on ancient psons, and all Inhabitants altho not of the traine band ; and the fine of such to be to the poor of the Towne or other Towne vse ;

Rules for Aprisments of Goods or other estate to be leuied by destresse or execution ; viz:

Apprisors.

That two meet men of good Judgment be chosen apprisors, one of them by the Constable and the other by the p'son on whose estate the distresse is made or incase of his default then to be chosen by the Constable ; and where the pty concerned refuseth to sett forth suitable estate both as to nearnes of the sume to be leuied and to the specue due, there the Constable shall seize such goods as may best suite thervnto to be equally and Indifferently appraised according to the specue due and not ouerprised ;

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And incase the apprisers refuse to attend that seruice on the Constables warning then such refuser to forfeite fiue shillings to the Countryes vse.

It is enacted by the Court That such Indians especially young men as Run in debt to any English for thinges nessesary for them shalbe made to worke it out att reasonable rates if they haue not else to discharge their just debts ;

Indians.

It is enacted by the Court That whosoever takes any pledge or paunc of any Indian for siluer or any sort of drinke shall vpon complaint of the Indian loose both his pledge and the mony payed ;

It is enacted by the Court that noe ordinary keeper or other pson shall henceforth sell any beer to any Indian vpon penaltie of fiue shillings for euery quart soe sold to be payed to the Treasurer for the Countryes vse ;

Indians.

And if any Indian be found destempered with drinke and be brought before the Court ; in Court time or before any majestrate ; or in townes where noe Majestrate is before any of the Celect men of the Towne if as soon as hee

is capable hee will not declare of whom hee had his drinke ; hee shalbe forthwith whipt ; and his accusation \*of any pson shalbe prooffe against them except they shall clear themselves by their oath, as incase of liquor is provided and if it manifestly appeer that such Indian doth wrongfully accuse any p<sup>r</sup>son, hee shalbe scueerly whipt for his drunkenes and falce accusation.

[PART III.]

\*127

It is enacted by the Court that on the sixth day of the weeke in October <sup>Indians.</sup> Court and July Court ; and att noe other Courts or other dayes in those weekes shall Indian busines be attended by the Court to the prejudice of the other Occations of the Court and Countrey ;

In reference to such that come to vntimely death It is enacted by the Court that noe such pson be buried before such time that a Corroner or Constable wher no Corroner is, be Informed of such death vpon the penaltie of fiue pounds and that such pson or psons that are most nearly related to such psons soe dieing shall forthwith giue notice to a Corroner or Cunstale ; and in defect heerof any other pson is heerby bound, haueing knowlidge of it forthwith to giue Information as aforesaid and be payed out of the estate of the pson soe deceased or by the Treasurer where no such estate is found.

Vntimely death.

It is enacted by the Court

That noe pson whatsoever in this Collonie shall haue libertie to keep <sup>Horses.</sup> aboute three horse kind on the Comons ; viz: euery housholder Inhabitant or that hath twenty pound rateable estate shall haue libertie to keep one ; and hee that hath forty pound ratale estate hath libertie to keep two and such as haue sixty pound rateable estate may keep three ; but none aboute three as abouesaid ; a colt not to be reckoned for one till a yeare old

And if any p<sup>r</sup>son or p<sup>r</sup>sons shalbe found to keep more horse kind runing <sup>Horses.</sup> on the Comons then this law aloweth him ; It shalbee lawfull for any treaspasped by such horse kind to kill them ;

Pay fiue shillings a weeke for euery horse kind more then his number for the Townes vse ;

And what horses or horse kind soeuer doe or shall treaspas any in their <sup>Horses.</sup> Corne or other enclosed lands or meddowes after warning giuen ; if they continew soe to treaspas It shalbe lawfull for the pson soe treaspasped to kill them.

It is enacted by the Court that what is in our written booke of lawes be by vs looked vpon for law and be taken out of the said booke and by a Comitte drawne vp into one vollume.

It is enacted by the Court that those that are or shalbe sent from the <sup>Deputys.</sup> seuerall Townes for to serue as deputies shall haue a voate with the Majestrates in the purging of the Court vntill by the abouesaid disaccepted.

Gage: Tar. It is enacted by the Court That 15 Gallons beer measure shalbe a settled Gage for tarr barrells ;

i674. \*Actes and orderers made and concluded the fourth day of June Ann<sup>o</sup>  
\*129 Doñ i674 as followeth ;

Freemen. **I**T is enacted by the Court and the authoritie therof as to the orderly Admittance of ffreemen ; first that the Names of the ffreemen in each Towne be kept vpon Towne Record ; and that noc mans Name shalbe brought into the Court to be propounded to take vp his ffreedom vnesse hee haue had the approbation of the Major pte of y<sup>e</sup> ffreemen att home, and the same to be signified to the Court vnder the Towne Clarkes hand by the Deputies ;

Ordinarys. It is enacted by the Court ; That as to the restraining of abuses in ordinaries, That noc ordinary keeper shall sell or giue any kind of drinke to Inhabitants of the Towne vpon the Lords day ; and alsoe that all Ordinary keepers be required to cleare their houses of all Towne dwellers and strangers that are there (on a drinking account) except such as lodge in the house ; by the shutting in of the day light vpon the forfeiture of fiue shillings, the one halfe to the Informer and the other halfe to the Townes vse ;

Pound keep<sup>r</sup>. It is enacted by the Court that whatsoever Neat Cattle horse kind sheep or swine henceforth being Impounded for Treaspas or damage done ; that the p<sup>r</sup>son that owneth the said cattle sheep swine or horskind doe giue to the pound keeper Securitie, to satisfy the damage done by them for which they were Impounded: viz: Ingage before two witnesses or giue vnder his hand to the keeper of the pound to satisfy such Just and legall damages as aboucsaid ; and the poundkeeper that releaseth such beasts being alsoe satisfied for his Impounding of them ;

Race<sup>rs</sup>. It is enacted by the Court that whatsoever p<sup>r</sup>son shall Run a Race with any horse kind in any street or Comon Road shall forfeite fiue shillings in mony forthwith to be leuied by the Constable or sit in the stockes one houre if it be not payed

Indians. It is enacted by the Court That Wheras many Controversycs doe arise between the English and the Indians that are brought to tryall of the seuerall Courts of this Gou<sup>r</sup>ment ; and it is obserued that the Indians would be greatly disadvantaged if noe Testimony should in such case be accepted but on oath ; This Court orders, that any Court of this Jurisdiction before whom such tryall may come shall not be strictly tyed vp to such Testimonyes ; on oath as the Comon law requires but may therein acte and determine in a way of Chancery ; valluing Testimonies not sworne on bothsydes according to their Judgment and Consience ;

The order forbiding powder and shott to be sold to the Indians is Repealed; [PART III.]

It is enacted by the Court that wheras Mannamoiett Paomitt and Satuckett haue bin put vnder the Constabeshipp of Eastham; That they shall belonge vnto, and be off the said Township vntill the Court shall see cause otherwise to order and all other places in like Capasitic shall belonge vnto p'ticular townships as the Court shall see meet;

\*This Court haueing receiued by the deputies of the seuerall townes the signification of the minds of the Major pte of the freemen of this Collonie that all the proffitts of the ffishing att Cape Code graunted by the Court for the erecting and Maintaining of a Scoole be still continewed for that end if a competent Number of Scollars shall appeer to be deuoted therunto, which this Court Judges not to be lesse then eight or ten Doe therfore heerby confirme the Graunt of the aforsaid proffitts of the ffishing att the Cape to the Maintainance of the Scoole; and that there be noe further demaunds, besides the said proffitts of the Cape demaunded of the Country for the Maintainance of the said Scoole. \*131  
i674.  
School.

It is enacted by the Court that such Indians as liue Idlely and will not take care to pay their Just debts after conviction, shalbe made to serue either those to whom they are Indebted or some other man vntill the debt be satisfied for twelue pence a day in summer time and six pence a day in winter time and their diett, and if they will not serue but run away; then it may be lawfull to sell them by order from two Majestrates of this Jurisdiction or the Selectmen of the Towne for soe longe a time as they shall see fitt, vntill the debt be satisfied for, and all such charges as shall arise vpon defect as aforsaid; Indians.

And for all younge p'sons of the Indians as spend their time Idlely It shalbe in the power of the Celect men or Constable in each Towne vpon complaint for to put them to some p'sons that shall keep them to worke and not abuse them, but if such p'sons shall or doe run away they shall forfeite double for such time as they are absent; Indians.

It is enacted by the Court that such Indians which shall or doe steale any thing from the English hee or they shall make restitution by payment of four fold either by serueing it out; or some other way or be sold for his theft; att the descretion of two of the Majestrates of this Jurisdiction. Indians.

It is enacted by the Court; that concerning Indian claimes that are or shalbe made to any lands within this Gou'ment; which are now orderly pos- Indians.

[PART III.] sessed by the English those which doe lay claime to them shall orderly comence and proceccute their claime as farr as hee or they are able; within one whole yeare after they be off age; and noe longer and that care be taken that the Indians haue notice of it;

Troopers. It is enacted by the Court that it be signified to the Townes that the Court expects that the troopers in each towne be as many in Number as before and that they be provided with armes and other aculterments fitt for that seruice, and that their Names be sent in to the next July Court;

\*133 \*Actes and orders made and concluded the first of June 1675 by the Generall Court then assembled att Plymouth for the Jurisdiction of New Plymouth as followeth;

Select men. **W**HERAS through the varietie of Interpretations of sundry orders Respecting the Celect mens Courts; there may arise such acteings as may be crosse to the maine end of that Constitution For the better Regulateing therof it is ordered by the Court and the authoritie therof; that the Courts of Celect men nor any of them shall haue power to send forth any precept to seize any estate without their Respective Townships, or to compel any p'son that is not found within their respective Townships, vnto their obedience; nor shall haue power to try any of the Kinges officers respecting the execution of their office for any damage to any p'son pretended thereby to be receiued; nor to try any action of defamation battery, or that respects Title of lands; nor to make allowance for more witnesses then is nessesarie to any case brought before them nor to allow more then eighteenpence a day for one witnes attendance thereon, nor to allow any cost for any Atorneyes nor to hold more then two Courts in a yeer; viz: one to be kept on the last Tusday in September; Annually, and the other the first Tusday in february Annually, nor to ajorne any of their Courts longer then vntill the next day Immediately following such respectiue Court saueing their libertie onely to call a speciall Court incase they see vrgent cause therof, onely on the accoumpt of a stranger, being concerned in a case, which without much damage can not well be deferred to one of the Cettled Courts; and further it is ordered that incase where a plaintiffe is Inhabitant of an other Towne; and neglects to proceccute or to signify to the defendant, and to one of the Celect men his letting fall his action; then appeering, the defendant hee shall haue his cost allowed, which vpon certifycate therof to any of the Majestrates; hee shall Issue forth a warrant to the Constable to Leuy such cost on the goods of the said offending plaintiffe and make payment therof to the said defendant damnyed;

[PART III.]

\*134  
1675.

\*This Court voates the Country to repay, within two yeers after the date heerof the fifty pounds to Gou<sup>r</sup> Prence his executrix which hee in his life time payed to the Treasurer in the Countryes behalfe as pte of the purchase of his late dwelling house and lands att Plymouth on condition that if the said Executrix; together with all the children concerned therin; which are in this Country, shall resigne vp the deeds which was giuen to the said late Gou<sup>r</sup> Prence by the Treasurer in the Countryes behalfe; and alsoe shall and doe giue sufficient euidence in law to the Treasurer in the behalfe of the Country for the said house and lands; with warrantice onely from by and vnder them the said executrix and children theire and euery of theire heires and assignes for euer; and that then vpon theire signeing and sealing euidences vnto the Treasurer aforsaid, hee alsoe in behalfe of the Country signe and seale a generall release to them of all debts dues bills bonds and demaunds whatsoever;

It is alsoe further ordered by this Court That Mr Thomas Hinckley Capt: James Cudworth and Leift: Morton are Impowered to acte with the Treasurer in the p<sup>r</sup>mises; or incase of his neglect or refusall to acte in the p<sup>r</sup>mises or any pte therof; That then the s<sup>d</sup> Mr Thomas Hinckley Capt: Cudworth and Leift: Morton be heerby fully Impowered to acte therin in the Countryes behalfe without him as alsoe to dispose of the said house and lands, by seting leasing or selling the same in the Countryes behalfe as they shall see cause.

It being moued by some of the Comissioners which mett this yeer att Indians. Boston That some one of the Majestrats might be appointed and Impowered to be healpfull to the praying Indians in this Jurisdiction in Matters ciuill for theire better Gou<sup>r</sup>ment and the Issueing of such controuersies as may arise amongst them; This Court being sensible that it may haue a good tendency to the ciuilliseing of the said Indians; and that it may be some ease both to this Court and to the Indians doe therefore order and impower the Worsh<sup>h</sup> Thomas Hinckley, to call and keep Courts amongst the said Indians att such times and in such places of this Gou<sup>r</sup>ment; as hee shall thinke meet; for such end; and doe heerby Impower him; together with the heads or cheife of the Indians In the seuerall places to make orders, respecting the Gou<sup>r</sup>ment of the said Indians; and to punish them for misdemenors except in cases capitall, and to issue amongst them all ciuill controverses prouided that the said Indians, shall haue libertie, to make theire appeales from that power to our Court of New Plymouth if they see reason soe to doe;

\*It is enacted by the Court and the Authoritie therof That if any man \*135 haue damage done by horses swine sheep or neat Cattle and the damage don Impounding. is full a mile or more from the Towne pound; Then it shalbe lawfull for such

[PART III.] an one to Impound the beast that hath Treaspassed in a pound house or place of restraint, erected vpon his owne ground twenty four houres and that hee shall within six houres giue Notice to the pson that ownes the beast or cattle, which if the owner will not come and satisfy; Then hee that hath the Treaspas don him may driue them to the Towne pound; and shall haue what is Nessesarie for the driueing of them together with the damage, and hee that Impounds the cattle or beast shall giue oath before a majestrate or Celect man (if required) what cattle or beast did the damage see farr as hee knoweth; and that shalbe taken for sufficient proffe when other can not be obtained.

fences. It is enacted by the Court that all fences for ceecuring of corne shalbe full four foot high or otherwise sufficient by the judgment of Indifferent men;

Indians. Wheras it is obserued that some by lending Guns &c to the Indians wherby their Nessesary armes are many times out of Culture or out of the power of the owners for their vse if any exegencye should fall; the Court haue ordered that henceforth none shall lend any Gun or Guns to the Indians on paine of forfeiting them or the vallow of them to the Collonies vse.

Halberts at Election &c. It is ordered by the Court that foure halberteers be in a reddines to Attend the Gou<sup>r</sup> and Assistants on dayes of election yeerly and two after the election is ouer all the time which that Court contineweth;

Troopers casheir<sup>d</sup>. Wheras it was ordered by the Court that the Troope were Required to procure Carbines; and serue as a troop of Dragoncers, vnderstanding that they haue Generally declined it; the Court haue ordered that they returne againe to their foot Companies and doe seruice therein and be subject to such orders as are requisite in that behalfe in the seuerall Townshipes whervnto they belonge,

Meeting house in each Town. It is enacted by the Court that there be a publicke house erected in euery Towne of this Gou<sup>r</sup>ment for the Towne comfortably to meet in to worship God; and incase any Towne shall apparently neglect or refuse to build the said house; it shalbe in the power of the Gou<sup>r</sup> and Majestrates to appoint and authorise a pson or psons to build the said house according to the abillitie and Nessesitie of the people and the charge therof to be defrayed by all the Inhabitants and propriators of the Towne;

\*136 It is ordered by the Court that wheras Graunts of land haue bin formerly made vnto sundry freemen; and many more freemen haue petitioned the Court for land; and the Court not knowing what lands are yett vndisposed of by reason of former Graunts vnto seuerall Townes whose bounds are not certainly knowne this Court doth order M<sup>r</sup> Constant Southworth and Wil-



fam Paybody with such psons as the respectiue townes shall see cause to Joyne with them to run the line ; and to sett the bounds of all such Townes ; where their bounds border on the Comons or vndisposed lands ; whoe are Impowred together, or where any Towne shall omitt or neglect to send or appoint men as aforsaid to Joyne in runing such line or settleing Townes bounds ; then the aboue said M<sup>r</sup> Constant Southworth and Wiltam Paybody shall haue power to doe it, themselues, as neare as they can ; according to Graunts and Records Respecting the p<sup>r</sup>mises ; and what they shall doe therein to stand valled and vniolable for the future and the charge to be defrayed by the seuerall Townes about which they shalbe Employed ;

Alsoe the Court haue ordered and Impowred the aboue named M<sup>r</sup> Constant Southworth and Wiltam Paybody to Run the line between Bridgwater and Middlebery

Incase of the Treasurers Neglect that then Nathaniell Thomas Leiftenant Morton and John Thompson to supply ;

\*Actes and orders of the Court made and concluded the 4<sup>th</sup> of Nouember 1676

\*138  
1676.

**I**T is ordered by the Court and the Authoritie therof ; That there be a true List taken of the Names of all male psons in each Towne of this Gou<sup>r</sup>ment that are betwixt the age of sixteen yeers and sixty yeers whether they doe Judge them able to doe seruice or disabled therynto ; and those in each towne that are Judged by the Towne or Comission officers to be disabled from seruice that they be listed by themselues after the rest ; and this to be brought to Plymouth vnder the hand of the Clarke of the Company or Comission officers against the next June Court.

It is ordered by the Court that each Towne choose two or three men to take a more p<sup>r</sup>fect and exact list of the Rateable estate of the Inhabitants of each Towne and for the better and more cleare bringing in of an Inventory of the Rateable estate of each Towne, these Rules are to be obserued ;

First That a list of the Rateable estate of this Collonie shalbe taken between the 20<sup>th</sup> of May and June Court ; and p<sup>r</sup>sented to June Court ;

2. That in all townes noe Inpropriated lands lying dorman that is within the Towneshipp is to be listed as Rateable

3. That in takeing of a list That beasts cattle sheep hoggs and the Number of them with the p<sup>r</sup>ticular age shalbe expressed, and not a vallation of the worth of them ; in a lumpe estimated by them that take a list

4. That after the list Taken that the Towne meet together to hear the list red ; that if any be wronged hee may make it appeer that hee may be

[PART III.] righted and if any haue not giuen a true list of his estate it may happily be  
 discovered and made manifest by some Naighbours ;

Indians.

Wheras there is an acte or order made by the Councell of warr bearing date July i676 prohibiting any male Indian captiue to abide in this Jurisdiction that is about fourteen yeers of age att the begining of his or theire captiuitie and incase any such should continew in the Collonie after the time then prefixed they should be forfeite to the vse of the Gou<sup>r</sup>ment this Court sees cause to ratify and confirme that order ; and acte and doe therfore order ; that all such as haue any such Indian male captiue that they shall dispose of them out of the Collonie by the first of December next on paine of forfeiting euery such Indian or Indians to the vse of the Collonie ; and the Constables of each Towne of this Jurisdiction ; are heerby ordered to take notice of any such Indian or Indians staying in any the respectiue townes of this Collonie, after the time prefixed ; and shall forthwith bring them ; To the Treasurer ; To be disposed off to the vse of the Gou<sup>r</sup>ment ; as aforesaid ;

[1 Beniamen]

Indians.

Captaine<sup>^</sup> Church haueing ; for and in the behalfe of the Collonie, engaged to seuerall Indians ; about fiue or six ; That incase they did carry well they should abide in this Jurisdiction ; and not sold to any fforraigne p<sup>r</sup>tes ; accordingly this Court doth confirme the said engagement and doth heerby tollarate theire stay as aforesaid ; notwithstanding any law of this Collonie to the contrary ; excepting ; if any of them should appeer to haue had a hand in any horred murder of any of the English p<sup>r</sup>ticularly excepting one Crossman ; whoe is accused to haue had a speciall hand in the crewell murder of M<sup>r</sup> Hezekiah Willett ;

\*139

Indians.

\*It is enacted by the Court That noe Indian or Indians of those that came in and submitted themselues to mereye shalbe p<sup>r</sup>mitted they nor any of theire posteritie to beare Armes for the future within this Collonie ;

Indians.

It is enacted by the Court That noe Indians that are servants to the English shall be p<sup>r</sup>mitted to vse guns for fowling or other exercyse ; as being Judged that it may prouē prejudiciall in time to the English ; and therefore that none shalbe p<sup>r</sup>mitted soe to doe on paine of forfeiting euery such Gun soe vsed to the vse of the Collonie ;

Indians.

fforasmuch as by frequent and sad Experience it is found that selling of armes and amunition to the Indians, is very p<sup>r</sup>nisious and destructiue to the

English It is therefore ordered decreed and Inacted by the Court and the [PART III.]  
 authoritie therof; That whosocuer shalbe found to sell barter or giue directly  
 or Indirectly any Gun or Guns or Amunition of any kind; to any Indian or  
 Indians; and the same legally proued against them; euery such pson or psons  
 shalbe put to death; And in defect of full and legall proffe there the printed  
 law prohibiting the same selling guns or amunition &c: To take place;  
 See printed booke of lawes Chap: 14 page 43:

this was first  
 ordered and  
 enacted by the  
 Councell of  
 Warr in July  
 1676 and now  
 conformed by  
 the Court.

The Court haue ordered That the necke of land called Showamett shalbe  
 sold the prise wherof to be Improved for the releiffe of maimed souldiers and  
 others that are in Great Nessesitie in our Collonie whose Pouertie hath bin  
 caused by the late warr; as alsoe for the defraying of such Just debts as the  
 Country stands engaged vnto any.

The Gou<sup>r</sup>: M<sup>r</sup> Hinckley Major Cudworth and the Treasurer or any two  
 of them; are appointed, and Impowered by the Court to make sale of Show-  
 amett Mount hope and Pocassett in the behalfe of the Collonie; and to make  
 and seale deeds in the Collonies behalfe; for the consefirmation of the sale  
 of them or any of them; and on receipt of the monies; to giue acquittances  
 and discharges as occasion may require;

And the same psons, viz: The Gou<sup>r</sup> M<sup>r</sup> Hinckley Major Cudworth and  
 the Treasurer, are Impowered; together with one chosen and deputed by  
 each Towne in this Collonie; or as many of them as shall appeer att the  
 time & place appointed; To make distribution of the prise onely of Show-  
 amett for the releiffe of maimed souldiers and p<sup>r</sup>sons Impoverished by the warr  
 and poor widdowes such as haue lost their husbands in the warr and others  
 in Great Nessesitie and for the defraying such apparent and just debts as are  
 by the Collonie owing vnto any;

\*Att the Generall Court held att Plymouth the fift of June 1677

\*141

**W**HERAS by frequent and sad Experience great disorder acrewes by the  
 great concourse of Indians vnto Plymouth in Court times in that  
 very oftens they drinke themselues drunke wherby God is much dishonored  
 and sober minded men offended; It is ordered by the Court that all Indians  
 be prohibited from appeering att Plymouth in Court times, except vpon speciall  
 occasions, without order from some one of the Majestrates of this Jurisdiction,  
 or a Celect man, on paine of the payment of a fine of fise shillings; for any  
 that shall appeer without a certifi cate, as aforesaid or to be publickly whipt;

[PART III.]

Att the 2<sup>cond</sup> session of the Generall Court holden att Plymouth the 10<sup>th</sup> of July ann<sup>o</sup> Domini: 1677 actes and orders made and concluded as followeth ;

Wine Liquors  
&c.

**A**S an addition to former orders of the Court for prevention of the growing intollerable abuse by wine stronge liquors &c both amongst the Indians and English

It is ordered by this Court and the authoritie therof that the order mensioned in the printed booke of lawes Chap: 13: N: 1: of retailling wine stronge liquors &c: without lycence is to be construed as intending Strangers as Well as others.

Ordinary  
keepers &c.

It is enacted by the Court that Noe ordinary keepers or other pson or psons shall sell draw or suffer to be drawne any wine or stronge Liquors to any but strangers except incase of manifest sicknes or Nessesitie in that kind ; on paine of ten shillings fforfeite for euery such default the one halfe to the Country and the other halfe to the enformer.

Ordinary  
keepers.

It is ordered by the Court and the authoritie therof that none shall presume to deliuer any wine stronge Liquors or Cyder to any pson or psons whoe they may suspect will abuse the same ; or to any boyes Gerles or single psons tho pretending to come in the name of any sicke pson without a note vnder the hand of some sober pson in whose Name ; they come on paine of fiue shillings for euery such Transgression ; the one halfe to the Country and the other halfe to the enformer.

This order was  
repealed No-  
uem: first 1677.

And forasmuch as it is Judged that letting the Indians haue siluer money is a great meanes wherby they are furnished with Liquors to their Great abuse through the Inordinate loue of their money by some couetuous or euill minded English It is therefore ordered by the Court that noe English or other Nation whatsoever liueing with vs shall Giue trucke or Lend any siluer money to any Indian or Indians on any pretence whatsoever on paine of fiue times the vallue therof to be forfeite ; the one halfe to the Country and the other halfe to the enformer.

The names of the men appointed by the Court in euery Towne to see the orders about and against abuse of drinke and liquors put in execution are as followeth

Plym. Serjean[t] Harlow	}	Barns. Mr. Huckens	}
Andrew Ringe		Mr. Barnabas Loythorp	
Duxburr. John Wadsworth	}	Swansey John Butterworth	}
Benjamin Bartlett		seni <sup>r</sup>	

Scittu. John Bryant	}	Marsh. Thomas Doghed	}	} [PART III.]
Thomas Wade		Ephraim Little		
Sandw. M <sup>r</sup> Edmond ffreeman	}	Reho. Mr Samucl Newman		
Thomas Tupper				
Taunton James Walker	}	Easth. Will: Walker	}	
Joseph Wilbore		Daniel Cole seni <sup>r</sup>		
Yarmouth John Hawes	}	Bridgw. Serj. Cary	}	
Anthony Frey		John Haward x x		

\*Att the second session of the Generall Court held att Plym the 10<sup>th</sup> of July i677 Actes and orders made and concluded \*143

~~I~~ is enacted by the Court and the authoritie therof That, the order Injoyn-  
ing the Milletary Comission officers in each Towne of this Gou<sup>r</sup>ment,  
shall againe be put in execution for the Training and exersyseing of these  
Companies four dayes in a yeer; and that they not onely traine their sould-  
diers in their postures and motions; but alsoe in shooting att Markes &c:

It is enacted by the Court That all such p<sup>r</sup>sons in this Gou<sup>r</sup>ment whoe Military.  
haue serued vnder Comission in the late Warr against the Natiues shall not  
be compellable to serue in the Milletary Companie in any lower capassitie  
then Comission officers; and those officers whoe serued in lower degree shall  
returne to their former stations;

It is enacted by the Court That the order made by the Generall Court Military.  
October the fourth i675 Respecting carrying of Armes to the Meeting be put  
in execution by all such p<sup>r</sup>sons as are by the Lawes of this Collonie Required  
to beare armes viz: the one halfe of the Companie one day and the other the  
other day; and soe continewed vntill further order to the Contrary from  
the Gou<sup>r</sup> or Councill;

It is enacted By the Court That the order of Court made Ann<sup>o</sup> i644 Military.  
allowing Matchcockes be repealed; and that all p<sup>r</sup>sons Required by the Lawes  
of this Collonie to keep and Maintaine armes; be att all times provided with  
sufficient ffix fier lockes or snaphance Musketts or other servicable peeces not  
exceeding four foot and an halfe longe; nor vnder Colliuer bore on penaltie  
of six shillings to be leuied on the estate of all and euery such p<sup>r</sup>son or p<sup>r</sup>sons  
as by order are appointed to keep and Maintaine the same; and that euery  
p<sup>r</sup>son required to keep and Maintaine Armes shall for euery fier locke or snap-  
hance be alwaies provided with thirty flints on penaltie of twelue pence fine;

[PART III.]  
 Military. It is enacted by the Court ; that the Comission officers in each Towne of this Gou<sup>r</sup>ment doe speedily put in execution the order of Court made the fourth of July (73) for serching for defects of armes and amunition ;

Military. It is enacted by the Court that the Order of Court bearing date i640 shall by the Milletary Comission officers of this Jurisdiction, be put in execution againe viz. The order concerning Training ; with this, limitation, and addition that wheras formerly the Milletary Companies were required to traine six times in a yeer they are to traine or be exercised but four times in a yeer ; and that they not onely traine thire souldiers in their postures and motions but alsoe att shooting att Markes &c

\*145 \*The Generall Court held att Plymouth the first of Nouember Ann<sup>o</sup> i677

Select Courts. **I**T was enacted ;  
 That wheras complaint is made that the order of Court made June i675 concerning Celect Courts that there should be but two in a towne Annually, proueth very prejudiciall to senerall of our Inhabitants ;

It is therfore ordered by this Court that the Celect men in any of our seuerall Townes may hold one or two Courts more in a yeer in their respec-  
 tiue townshipes ; one on the first Tusday in the month of December yeerly and on the first Tusday in May ; if they see cause soe to doe ;

Strangers  
 tradeing with  
 Indians. fforasmuch as great inconuenienc doth arise by strangers lying with their vessells in our harbours trading with the Indians wherby such as be-  
 longe to the said vessells haue not onely oppertunity by their Trading to defeat such just debts as the said Indians are indebted to our English Inhabitants, by their carrying all they haue to such traders but also being found by experience, that therby the Indians are furnished with prohibited goods contrary to the lawes and peace of this Gou<sup>r</sup>ment ; as liquors guns and amunition &c

This Court doth therfore order that noe fforaignor doe hence forth lye with his vessell in any of our harbours soe as to trade with any of the Indians of this Jurisdiction vnder any pretence whatsoever on paine of the forfeiture of his vessell and goods to the Collonies vse ; or the sume of fiue or ten pounds as any of the Majestrates or court may see cause as the matter may be cercomstanced ;

Schools. fforasmuch as the Maintainance of good litterature doth much tend to the advancement of the weale and florishing estate of societies and Re-  
 publiques

This Court doth therefore order; That in whatsoever Township in this Government consisting of fifty families or upwards; any meet man shall be obtained to teach a Gramer scoole such township shall allow att least twelue pounds in currant marchantable pay to be raised by rate on all the Inhabitants of such Towne and those that haue the more emediate benefitt therof by their childrens going to scoole with what others may voutentarily giue to promote soe good a work and generall good, shall make vp the resedue Nessesarie to maintaine the same and that the proffitts arising of the Cape fishing; heertofore ordered to maintaine a Gramer scoole in this Collonie, be distributed to such Townes as haue such Gramer scooles for the maintainance therof; not exceeding five pounds p anum to any such Towne vnlesse the Court Treasurer or other appointed to manage that affaire see good cause to adde therunto to any respectiue Towne not exceeding five pounds more p annum; and further this Court orders that euery such Towne as consists of seauenty families or upwards and hath not a Gramer scoole therein shall allow and pay vnto the next Towne which hath such Gramer scoole kept vp amongst them, the sume of five pounds p annum in currant Marchantable pay, to be leuied on the Inhabitants of such defectiue Townes by rate and gathered and deliuered by the Constables of such Townes as by warrant from any Majestrate of this Jurisdiction shall be required;

[PART III.]

The 5th of June 1678 It was enacted by the Generall Court That in euery place in this Government wher a Township is or that is capable for a Township being begun to be peopled though not filled with Inhabitants; they or few of them being desirus to promote the publicke worshipping of God amongst them; shall be assisted by this Government, soe as that the charge to gett an able faithfull preacher of Gods word and to Maintaine the same shall be Raised vpon all the Chattles and Lands or other Rateables, of all the Proprietors of any such place that is there found;

Few shall be encouraged in getting a minister.

Att the said Court it was ordered that all fines falling by the Transgression of the lawes prohibiting the retailing of wines Liquors beer or cyder without lycence; and all fines for selling of wine beer liquors or cyder to the Indians shall be payed in siluer mony;

Fines p<sup>d</sup> in siluer.

\*Att the Generall Court of his Ma<sup>tie</sup> held att Plymouth for the Jurisdiction of New Plymouth the fift of June 1678. \*147

**I**T was enacted by the Court that there be a publicke house or houses erected finished repaired and Inlarged as there shall be need; in euery Towne and village; in this Government; allowed; to be sett vp the worship of God

Meeting houses built repaired &amp; enlarged.

[PART III.]

in ; for the people in such Respective places, to meet together for that end ; and in case the people of any such place shall refuse or neglect soe to doe ; It shall then be in the power of the Court ; to appoint or authorise a pson or psons to build finish Repaire and Inlarge such said house, from time to time as Need may be ; according to the abillitie of the people of any such place ; Requiring men to make a rate or rates vpon all the Inhabitants and proprietors, of any such Towne or village ; To defray the charge of any such worke ; and alsoe to Require the Constable to gather such Rate or Rates, and make payment therof where it shalbe due for such worke ;

None vote in  
Towns without  
takeing y<sup>e</sup> oath  
of fidelitty.

Wheras Complaint is Made that the voateing of p<sup>r</sup>sons that haue not taken the oath of fidelitty, doth much obstruct the carrying on of religion in the publicke weale

It is enacted by the Court that noe pson whoe hath Not taken the oath of fidelittie shall haue libertie to voate in any Towne meeting vntill hee hath taken the aforsaid oathe and that there shalbe a Record of the names of all that haue or doe take the said oath, and kept by the Clarke of euery towne of their owne men that haue taken the same ;

Inhabite with-  
out leaue  
warned &c.

ffor the preventing of prophanes Increasing in the Collonie which is soe provoakeing to God and threatening to bringe Judgments vpon vs ;

It is enacted by the Court as an addition to our printed order Chapter 9<sup>th</sup> folio 30<sup>th</sup> That none shall come to inhabite without leaue &c: and if any haue or shall att any time Intrude themselues to Inhabite any where within this Collonie, not attending the aforsaid order, shall forthwith be warned to be gon out of the Collonie, which if they shall not speedily doe, then euery such offender shall pay fve shillings p weeke for euery weekes continuance in this Collonie after warning, to be gon ;

Not sell or lett  
accomdati<sup>s</sup> be-  
fore accepted  
on penalty.

And if any of our Inhabitants shall att any time sell or hier out accomodation in this Collonie To any that haue not according to Court order bin accepted, into this Gou<sup>r</sup>ment, or otherwise enterta<sup>n</sup>e any such Inhabitant they shalbe fined fve or ten pound, or more according to the descretion of the Court ; hoping the Court wilbe carefull ; that whom they accept off ; are p<sup>r</sup>sons orthadox in their Judgments ;



\*Att the Generall Court held by adjourment att Plymouth for the Jurisdiction of New Plymouth on the third of July año: Domini 1679 Actes and orders made and concluded as followeth ;

[PART III.]

\*149

**I**T is enacted by the Court and the Authoritie therof That the seallers shall make serch within their limitts in any house shopp or ware house where they shall conceiue such defectiue lether is to be sold or deliuered whether made vp into shoes Boots or otherwise as oft as they shall thinke meet ; And seize all such lether or shooes And any lether sold or offered to be sold brought or offered to be serched or sealed contrary to the true Intent and meaning of this order ; The same to seize and retaine in his or their Custody and if the owner shall not submitt to the Judgment of such officer or officers ; shall within three dayes ; call to him two or three honest and skilfull men in such ware to view the same in the p'sence of the ptie concerned, or without him (hee haucing notice therof) whoe shall certify vpon their oathes to the Court or some one of the Majestrates, the defect of the said leather ;

Impr. This to be aded to the order about lether & shoemakers Sealers of Leather &c.

And that the forfeiture of such lether or shooes as aforesaid one third therof shall goe to the searcher, and the other two thirds to the Plantation wherin the offence is comitted

Ditto.

And if any sealler of Leather shall refuse with convenient speed to seale any leather sufficiently tanned, wrought, and vsed according to the true meaning of this order, or shall seale that which ought not to be sealed according to this order, shall forfeit for euery such default twenty shillings.

Ditto.

It is enacted by the Court &c: To the intent ; That the Countryes affaires may be the better carryed on att the Generall Courts of election ; That the answare to p'sentments and thinges of like nature ; that may conveniently ; be refered to July Courts ;

It is enacted by the Court &c:

That All publicke ciuill officers haue an oath formed for each office and brought to the printed booke.

Oaths.

It is enacted by the Court That the Secretary be yeerly vnder oath.

It is enacted by the Court &c: That the deputie Gou<sup>r</sup> be vnder oath as such and therefore annually chosen.

It is enacted by the Court &c. That all euidences p'sented in the Court be kept vpon the file ; and that henceforth none be admitted written by the plaintiffe or defendand or either of their Attorneys, but by some Indifferent

Euidences on file nor writ by partys.

[PART III.] pson and in the witnesses owne words ; and alsoe strictly examined by Court or Majestrate, as the case may require for the clearing of the truth.

It is enacted by the Court &c:

Cost of Court  
p<sup>d</sup> in mony.

That all costs of Court graunted in any action be payed in siluer mony as hath bine Accustomed.

It is enacted by the Court &c:

That in all executions for the leuying of debts in specue according to contract and gathering of rates and fines as by order of Court is required that where the specue will not be tendered nor can not be found, there other goods leuied or distrained shalbe sold att an outcry to procure the same vpon publicke notice giuen therof.

Constables  
power of Wa-  
ter Bayleys

It is enacted by the Court ; That the Constables are Impowred without warrant to make destresse for all sorts of Rates orderly made and comitted to them to collect And that the Constables in the seuerall Plantations shall haue the power of Water Bayleyes in the respectiue plantations where their is occasion for the same.

\*150

\*Att the third session of the Generall Court held att Plymouth the 28<sup>th</sup> of Septem: 1680

Indians.

**I**T was ordered by the Court, that it shalbe Lawfull for any of the Majestrates, to giue a lycence to Any English ; to sell to our ffrendly Indians, such smale quantities of powder and shott, and to lend such armes to such of them, as such Majestrates, shall see cause, to lycence thervnto ; vnder ; his hand ; Which tickett shalbe a sufficient Warrant to such English, any order of Court, to the contrary, In any wise Notwithstanding ;

\*151

\*Actes and orders of Court made and concluded by the Generall Court Att their second session att Plymouth the 7<sup>th</sup> of July Ann<sup>o</sup> Doñi: 1681 as followeth

Apprisem<sup>ts</sup>.

**F**OR the apprisment of Goods or other estate to be leuied by destresse or execution, it is ordered and enacted by the Court ; That hee whose estate is to be prised, is to choose one aprisor ; and hee that is to receiue the estate prised, is to choose another appriser, and incase either neglect to choose ; Then the Constable or Marshall to choose one for him ; and if they two agree not, Then the Marshall or Constable to be the third man ; and where the p<sup>tye</sup> concerned refuseth to sett forth suitable estate ; both as to Nearnes of sume to be leuied and to the speey due ; there the Constable or

Marshall shall seize such goods as may best suite thervnto ; To be equally and Indifferently prised according to the speeye due and not ouerprised ; [PART III.]

Wheras there was an order to sell goods att an outcry  
In reference to the p<sup>r</sup>mises ; it is now by the Court repealed.

It is ordered by this Court that there shall not be allowed aboute five shillings cost for any attorney or attorneyes to any one action and where there shall happen to be but one Attorney entertained but one day in any one action ; then to haue two shillings and six pence onely allowed him for cost therein ; Attorneys allowance.

It is ordered by the Court that euey Towne in this Jurisdiction choose three men to be Joyned together with those of the Comission officers to be of their towne Councell ; Three men joyned to Comission officers to be y<sup>r</sup> Town Councel.

Concerning Celect Courts Wheras some times it falls out that the plaintiffe Not residing in the same Towne where the case is depending They shall putt in Caution to repaire th<sup>e</sup> defendant if found Inosent before the plaintiffe hath sumons graunted him ;

Wheras the Law saith that the Celect men shall haue their pay att the bringing in of their verdict it is now ordered by the Court that they shall haue their pay att the entering of the action ; Select men.

Wheras wee find Noe prouision in the law to obtaine any Witnes out of any other towne to bringe euidence in any case that is depending out of the Towne where the witnes liues, it shalbe lawfull for either plaintiffe or defendant to require a subpena of any Celect man of the same Towne where the witnesses liue ; to require any pson to appeer before some one of the Celect men of the same Towne ; To giue euidence before some one or more whoe shall convey it to the Celect Court of that Towne where the case is depending ; Sumons Wittness.

If any pson being legally subpoenaed to giue in his euidence before any Celect Court or Celect man, and shall either refuse or neglect to giue in his euidence, being capeable to giue euidence in the case ; shall pay for euey such default ; a fine of twenty shillings, to the vse of the p<sup>t</sup>ic wronged ; for want of such euidence ; Neglect.

\*It is enacted by the Court in reference vnto Milletary discipline That all the Milletarye Companies in this Gou<sup>r</sup>ment be made compleat in their officers of as able and fit men as they may be. \*152 Military.

It is enacted by this Court That euey souldier in this Jurisdiction that beares Armes be with all convenient speed furnished with a compleat sword or cutlas ; Military.

## [PART III.]

Choice of  
Select men.

It is ordered by the Court and the Authoritie therof that the choise of Celect men be specified in the warrants that are sent downe to the seuerall Townes for the choise of his Ma<sup>ties</sup> officers ; and their names to be returned vnto the Court vnder the Constables hand and to be called in Court to take their oath as is in such case prouided ; and if incase any prouidence p<sup>r</sup>uent, their appeerance then to appeer before some Majestrate of this Gou<sup>r</sup>ment ; within one Month after the said Court to take oath vnder the penalty of twenty shillings further it is enacted by this Court That each Towne of this Gou<sup>r</sup>ment doe provide a booke wherein shall be entered all those orders of Court as are or shalbe made for direction of said Celect Courts by the Secretary being first to enter all said lawes in each of the said bookes or send coppyes therof to each Towne.

## Military.

It is ordered by this Court that the Comission officers of the Milletary Companies of each Towne in this Gou<sup>r</sup>ment doe take care That one fourth pte of said Milletary Companies doe bringe their armes fixed to the Meetings euery Lords daye ; with euery souldier bearing armes six charges of Powder and shott viz begining from the begining of Aprill to the end of October yeerly and euery yeer as well in times of peace as warr ; onely in times of danger they shalbe increased as the Milletary Comaunders and Towne Councill shall see cause and that such as palpably neglect or refuse to p<sup>r</sup>forme their duty therein shall forfeite two shillings for euery such Neglect ; and ten shillings incase it appeers to be in contempt ; To be gathered by order from the Comission officers to the Constable ; and where it appeers that any doe ordinarily and p<sup>r</sup>posely keep from meeting because they would not bringe their Armes as aforsaid to be summoned to the Court to haue such reasonable fines as to the Court shall seem meet, saueing such townes wherby agreement amongst themselues they haue such a number of men proportionable to aforsaid order constantly to carry their armes on euery Lords day ; to the meetings.

\*153

\*Lawes and orders made by the Generall Court holden att Plymouth July the 7. 1682.

## Indians.

**W**ITH reference to the Indians for their better regulateing and that they may be brought to liue orderly soberly and dilligently first It is enacted by this Court And the Authoritie therof That in each Towne of this Jurisdiction where Indians liue ; some one able descreet man be appointed by the Court of Assistants ; from time to time as oftens as need shall require to take the ouersight and Gou<sup>r</sup>ment of the Indians in the said Towne according to such lawes orders and instructions as are or shalbe made and giuen by the Generall Court ;

It is ordered by the Court that the said ouerseer with the Tithingmen in that Towne shall haue power to heare and determine all causes that may happen betwixt Indian and Indian Capitalls and titles vnto lands onely excepted alwaies allowing liberty of appeale to any pty greiued att their Judgment to the Court of Assistants. [PART III.]

It is enacted by the Court; That the said ouerseer shall haue power by warrant vnder his hand to comaund any English Constable in his Township and all Indian Constables whatsocuer to Arrest attach Summons & serue executions on the body or goods of any of the Indianes for any matter or cause that may in his Court be heard and determined;

That in each towne where Indians doe reside euery tenth Indian shalbe chosen by the Court of Assistants or said ouerseer yeerly whoe shall take the Inspection care and ouersight of his nine men and present their faults <sup>1</sup> Misdemenors to the ouerseer which said ouerseer shall keep a list of the Names of the said Tithing Men and those they shall haue the charge of and the said tithingmen shalbe Joyned to the ouerseer in the Adminnestration of Justice and in hearing and determining of causes and incase <sup>2</sup> Tithingmen doe not agree with the ouerseer in any case that may come before them in Judgment then the sa<sup>1</sup>. ouerseer shall haue Negatiue voyce and such case shalbe remoued to be determined by the Court of Assistants. [<sup>1</sup>and]

That the ouerseer and tithing men shall appoint Constables of the Indians yeerly who shall attend their Courts and the said Constables shall obey all the warrants of the ouerseer on such penalty as the Court of Assistants shall inflict. [<sup>2</sup>the]

Euery Indian shall pay such Rates for his head and estate as the Court of Assistants shall appoint from time to time; which Rates shalbe made and proportioned by the ouerseers Court and gathered by their Constables and payed to the Treasurer or his order.

That once euery yeer the ouerseer shall sumons all the Indians within his Townshipp to meet together where and when hee shall appoint and there shall hee cause to be read to their vnderstanding all the capitall and criminall lawes of this Collonie that they may know and obserue them;

That euery Indian in this Collonie shalbe subject to all the capitall and criminall lawes that are or shalbe made for the English of this Collonie and for breach of them suffer the same penalty wher noe other law is provided for them;

All Indians for drunkenes shalbe scuerly punished for the first Transgression they shalbe fined fiue shillings or be whipt for the second ten shillings

[PART III.]

or be whipt and soe for euery time any of them shalbe convicted of drunkenes before any Court Majestrate ouerseer tithing man or English Constable ;

As an addition to a law made in Nouember 1676 prohibiting all such Indians as were our Enimies to beare armes It is further enacted That the ouerseer of the Indians in each Towne shall take speciall Notice and make Inquiry from time to time whoe of the said Indians haue procured any English armes and seize the same for the vse of the Collonie allowing one halfe of the vallue to the Informer ;

That noe fforaigne Indian of other Collonies or Plantations shalbe suffered to hunt in any Towne or Plantation of this Collonie without a pmitt from a majestrate or the Celect men of that Towne wher they shall desire to hunt shewing for how longe they desire to stay ; on penalty of the forfeiture of all such furs and skins as they shall their gett ; Nor shall any fforaigne Indian haue a pmitt to hunt in this Collonie vnlesse they bring a certificate from the place whence they came ;

\*154  
Indians. \*Wheras the Indians by their disorderly remouing from one Place to another liue Idlely and on the Labours of others and spend their time to Noe Profitt It is therefore enacted by the Court that noe Indian whatsoeuer shall remoue from one place to another without a pmitt in writing, from his ouerseer declaring for what cause or how ; long and whether hee or they are going ; and if any Indian shall remoue from one place to another without his pmitt hee shalbe taken vpp by the Constable of that place where such wanderer shalbe found and carryed before the next ouerseer whoe shall cause him to pay a fine of fve shillings or be whipt ; and sent home to his owne place ; and where Noe ouerseer is to be found the English Constable in that Towne where such Indians are to be found as aforsaid shall execute this office as the ouerseer aboue named might doe nor shall any Indians remoue from one place or Plantation to an other ther to abide aboue three dayes but shall goe to the ouerseer of that towne wher hee is remoued for his pmitt ; declaring for what cause hee came thither and how longe hee or they desire to stay ; and if any Indian shall stay in Any place without a pmitt ; in writing as abouesaid hee shalbe fined fve shillings or be whipt and alsoe sent backe to the place of his former abode.

fforasmuch as the office of an ouerseer is & wilbe burthensome and chargeable It is therefore ordered that hee shalbe allowed out of the publicke Treasury a yeerly sallery.

The said ouerscers and Constables shalbe accomptable to the Treasurer for all Indian Rates and fines ;

And that all Indian and English Constables shalbe payed by the ouer-

seers for serneing warrants in Criminall cases and Inflicting of Punishments on the Indians out of the Indian fines or Rates ; [PART III.]

It is enacted by the Court and the Authoritie therof; that if an Indian whoe is a servant to the English shall run away amongst any Indians such Indians whither such a runaway Indian is come shall forthwith giue notice of the said Run away to the Indian Constable whoe shall Imediatly apprehend such Indian servant; and carry him or her before the Ouerseer or Next Majestrate whoe shall cause such servants to be whipt; and sent home by the Constable to his or her master whoe shall pay said Constable for his service therin according as the Majestrate or ouerseer whoe sent such seruant home shall Judge meet;

This Court doth Request our Honored Gou<sup>r</sup>, that now is; to take the Generall ouersight & Inspection of the whole affaire of the Gou<sup>r</sup>ment of the Indians in such manor; as by law is or shalbe prescribed from time to time and to take care of the Preaching of the Gospell amongst them; and Amitting such of the Indians to preach to them as hee shall thinke fittest for that seruice; and alsoe to distribute amongst them; what for that end comes yeerly from England and is allowed to them by the Comissioners of the Vnited Colonies in such manor as hee shall see meet.

Wheras diuers Marchants Shopkeepers Tradsmen and Handicrafts men haue traded sold and trafficked their goods wares and Marchanteice to diuers persons in private and their Costomers oftens sending for such thinges as they Need by children and servants vnder age &c: wherby such Marchants shopkeepers and Tradsmen haue Noe oppertunity to take bonds bills or witnes of the deliuey of their goods yett just it is that such dealers should be duly payed for their wares and Marchantice It is therefore enacted that all and euery Marchant shopkeeper dealler &c: shall keep a booke of their dealing and trading fairely writteng downe therin both debt and credit and the said Marchants their ffactors or servants or any of them that shall deliuer any such wares or Marchandice; makeing oath that the said Booke of accompts is true both for debt and credit; such Booke of accompts shalbe held sufficient in law for the recouery of any debt within four yeers after the deliuey of any such goods; But if the defendant will take his oathe that hee had not those goods charged in the booke or accompt; or that hee hath payed for the same; then the case shalbe tryed and determined according to the best and strongest presumptions the ptyes concerned shall produce;

\*for the settleing and maintaining of Right amongst Naighbors about fences It is enacted by the Court and the Authoritie therof That all such persons as doe or shall make Improument of their land by tilling moweing or \*155  
Fences equally  
made &c

[PART III.]

grasing which doth or may lye and be adjacent to the lands of any other whoe make Improuement of their land aforesaid; The one propriator or Improuer shall make and Maintaine one halfe of the ffence and the other the other halfe of the ffence in the line or range between the said land;

And where one pson shall Improue his Land before his Naighbour and make the whole ffence himselfe; if afterward his said Naighbour shall Improue his land alsoe hee shall pay his Naighbour for halfe the ffence against his land; according to the present value of it and shall Maintaine the same and if any such pson shall sease to Improue his land as aforesaid then any pson that hath Joynd ffence shall haue liberty to purchase his pte of the ffence that seaseth to Improue paying him according to present vallow by Apprisement of indifferent psons;

And when any psons shall make Improuement of their land lying together; and either of them shall refuse or neglect to make or Maintaine one halfe of the ffence between their land lying together as aforesaid; The ptye Makeing the whole ffence in the line or Range as aforesaid; shall cause the same to be viwed and apprised by psons mutually chosen by him and his Naighbour; but if the Naighbour whoe refuseth to ffence shall refuse to chose any to view and apprise the ffence then hee that made the ffence shall haue liberty to make choise of Indifferent psons to view and apprise the said ffence; and the pty refusing or Neglecting his halfe of ffence shall pay to him that makes and Maintaines it the full vallow of his cost and charges for said halfe from time to time to be recouered by due course of law in any Court proper for the same provided this law be not binding to such as haue their land lye together in a comon field in such case if any pson ffence in his land Intirly hee shall doe it wholly att his owne proper charge;

As an addition to the printed law allowing libertie to men to cleare themselves by their oath incase of being acused for selling strong drinke to the Indians It is ordered That Noe English pson that is acused by an Indian for giueing selling &c: strong drinke to them shall be put to sweare further then the pticular accusation;

The law made July 1673 about horses: viz: the two latter clauses of it allowing the killing of them is repealed;

The law prohibited the catching of ffish before they haue spauned is to be Reviued by the Comissioners att their next sessions;

Wheras complaint is made that diuers psons in disorderly manor haue taken vp horses as straves which were then Runing in the woods for preven-



tion wherof for the future it is enacted that noe pson shall take vp any horse kind as a stray which is taken Runing in the woods between the first of Aprill and the first of December yeerly on penalty of ten shillings fine to the Collonie besides damage to the owner of such horses. [PART III.]

Wheras in diuers Townes and places of this Collonie there are seuerall Tracts of land which belong to and are held by diuers psons in comon as the propriators therof and noe order hath bine yett made for their orderly meeting together to deuide the said lands or to make orders for the<sup>1</sup> and settlement of the same; It is therfore enacted that where need doth require in any such place or Towneshipp; if the matter doe not concern the Towne as a Towne in Generall vpon request made by the said propriators or some of them to any maiestrate of this Collonie an order shalbe graunted them to warne all the propriators belonging to any such Towne to come together att some certaine time and place to Transact such matters as may concerne them and what shalbe lawfully acted att such meeting by the propriators or the Major pte of them shalbe vallid and binding; Dividing lands. [1 well]

\*It is enacted by the Court That in euery case of ciuell Nature between pty & pty where there shalbe soe neare a relation between any Judge and either of the ptyes as father and son by Nature or by Marriage brother and brother Vnkel and Nephew Landlord and tenant such Judge though hee may giue reasonable advice in the case yett shall hee not haue power to cenance therin as a Judge; \*156 Exceptions against Judge or Jury.

It is enacted by the Court and the Authoritie therof that none shalbe allowed to keepe an ordinary or publike house of entertainment but such as first be approued soe to doe by the townes wherein they liue; Ordinary keepers allowed by \* Towns.

Wheras complaint is Made of much damage don by swine Rooting vp meddowes and Inclosures for the preventson wherof it is ordered and enacted that on Notice giuen to the owners of such swine from the pty damnified, said owners shall forthwith Ringe or cause to be sufficient Ringed all such swine; on penalty of one shilling to be payed for euery such swine that shalbe found vnringed after warning giuen by the wronged pty; and as often as the owner of such swine shalbe warned to ringe them and Neglect it. Swine.

It is enacted that if any Shipp or other vessell be it frind or enemy shall suffer Shipwracke vpon our Coast there shalbe noe violence vsed nor wrong offered to their psons or goods but their p'sons shalbe relieued & harboured; and their Shipwracke

[PART III.] goods preserued in safety vntill Authoritie may be certified and giue further order therein.

Ordinarys.  
[<sup>1</sup> weekly]

It is enacted that in euery place wher weck day<sup>1</sup> lectures are kept, all victuallers and ordinary keepers shall cleare their houses of all psons able to goe to meeting during the time of the Exerexyse except in extreordinary cases for the Nessesary releiffe of Strangers vnexpected repairing to them on penallty of fiue shillings for euery such offence

Servile worke  
[e. on day of  
Humil: e.  
[on] penalty  
of fiue shil-  
lings.

It is enacted that none shall p<sup>r</sup>sume to attend servill worke or labour or attend any sports on such dayes as are or shalbe appointed by the Court for humilliation by fasting and prayer or for publicke Thanksgiueing on penalty of fiue shillings.

Sabbath.

To preuent prophanation of the Lords day by fforaignors or any others vnnessary traucelling through our Townes on that day; It is enacted by the Court that a fitt man in each Towne be chosen vnto whom whosoeuer hath Necessity of trauell on the Lords day in case of danger of death or such Necessitous occations shall repaire and making out such occations satisfyingly to him shall receiue a Tickett from him to pas on about such like occations which if the traueeller attend not vnto; It shalbe lawfull for the Constable or any man that meets him to take him vp and stop him vntil hee be brought before Authority or pay his fine for such transgression as by law in that case is prouided; and if it after shall appeer that his plea was ffalce then may hee be apprehended att another time and made to pay his fine as aforesaid;

Foraigners &c.  
[<sup>2</sup> strangers]

It is enacted that all forraigners<sup>2</sup> that sell Liquors their vessell shalbe confiscate vntil their fine is payed.

Presse Artifi-  
cers to repair  
prisons &c.

It is ordered That the Gou<sup>r</sup> or any of the Assistants shall haue power to presse men Artificers or others to make or repaire prisons or other Instru-ments of Justice and to order their payments att such reasonable rates as for other worke is accustomed and the Court of Majestrates is to order the pay of such as are Employed in any occations for the Countryes vse;

Stocks, &c.

That euery Towne in this Gou<sup>r</sup>ment shall haue a paire of stockes and a whipping post.

Witnesses.

The order Chapt: 4: Secti; 5 for two shillings six pence p day for witnesses shall be intended onely for such as for the waight of the matter are justly required to make their psonall appeerance att Court; other witnesses on oath are to haue but one shilling ƥ six pence a day;

It is enacted that noe Indians heerafter shalbe trusted before hand for any thing by any English on penalty of being Barred the recouery of any debts by action or plaint ; Indians not trusted.

\*It is enacted by the Court That none shall p'sume to buy any guns tooles clothes or any other goods of the Indians vnder the penalty of his returne of said guns tooles clothes or other goods to the Right owners therof from whom they were borrowed stollen or p'loyned by any Indian ; \*157

It is enacted by the Court that any debt dew by bill or specialty to another shalbe as good a debt to the Assignee as it was to the Assigner and as recoucrable by suite provided the Assignment be vnder the Assigners hand ; and witnesses thervnto ; Assignm<sup>ts</sup>

It is enacted by the Court and the authority therof That all deceightfull or ffrandulent allianations of lands or other estate shalbe of noe vallydity to defeat any man from any due debts just clame title or possession of that which is so fraudulently ; gotten ; Fraudulent conveyances.

It is enacted by the Court That noe conveyance deed or promise shalbe valled which is gotten by illegall violence Imprisonment threats or fforcible compulions ; Duress.

It is ordered by the Court

That euery Towne doe procure their bounds<sup>1</sup> to be sett out within twelue monthes after the end of this Court by such p'sons as the Court of Assistants shall appoint to lay out the Same ; wher such bounds are not alreddy layed out and to deside any difference where they are alreddy layed out that may arise between any p'ties concerned therin ; whether the Townes Country or any other p'sons to whom any lands are graunted saucing to the greiued p'ty his remedy Att law And that in euery Towne the Townc or Celect men appoint two or three p'sons whoe on notice giuen to or by the adjacent Townes shall once in euery two or three yeers goe to the bounds between them to view and renew their bound which shalbe a heape of stones or a trench of six foot longe a foote and an half deep and two foot wide vpon paine of five pounds for euery Towne that shall neglect the same ; and that each propriator of lands in any Comon feild or lying vnfenced that shall not once in the yeer or in two yeer ; on warning giuen him by his Naighbour attend the meeting to keep vp the bounds betwixt them which shalbe sufficient meet stones shall forfeite ten shillings for such Town bounds. [of land.]

[PART III.]

default ; the one halfe to the p<sup>r</sup>ty moueing and the other halfe to the Country and that two or three men shalbe appointed by each Towne to deside the controuersy or difference between the naighbours or between the Towne and any of the Inhabitants about the bounds of their lands ; Sailing to the greiued p<sup>r</sup>ty his remedy in law ;

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RECORDS  
OF  
PLYMOUTH COLONY.

DEEDS, &c.

VOL. I.

1620—1651.

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BOOK OF INDIAN RECORDS FOR THEIR LANDS.



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

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

EDITED BY

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CONNECTICUT, WISCONSIN AND IOWA HISTORICAL SOCIETIES.

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VOL. I.

1620—1651.

BOOK OF INDIAN RECORDS FOR THEIR LANDS.



BOSTON:

FROM THE PRESS OF WILLIAM WHITE,  
PRINTER TO THE COMMONWEALTH.

1861.

AMS Press • 1968 • New York

AMS Press, Inc.  
New York, N.Y. 10003  
1968

Manufactured in the United States of America



## INTRODUCTION.

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**T**HIS volume contains a copy of the manuscript lettered "PLYMOUTH COLONY RECORDS, DEEDS, &c., VOL. I. 1627-1651," and of the "Book of Indian Records for their Lands," which is contained in the manuscript lettered "PLYMOUTH COLONY RECORDS, — IND. DEEDS, — TREAS<sup>RS</sup> RECORDS, ACC<sup>TS</sup>, LISTS OF FREEMEN," which Book of Indian Records, with the exception of two pages, is in the handwriting of Nathaniel Morton and Samuel Sprague.

The manuscript Book of Deeds, &c., which is the most ancient record of the first settlers of Plymouth, was begun by Governor Bradford, but the greater part of it is in the handwriting of Nathaniel Sowther and Nathaniel Morton. A few pages are in the handwriting of Antony Thacher and Samuel Sprague.

The book was paged by Secretary Morton, with the exception of thirty-two leaves at the beginning, and seven leaves at the end, which many years afterwards were paged by other persons.

In the year 1716, John Cotton, Esq., made Indexes, or Tables, as he calls them, on some of the leaves left unpagged, and wrote on the first page of the record

"Anno 1627

There are 2 Tables in this Book."

The date "1627," however, probably does not refer to the record on the same page, in Governor Bradford's handwriting, of the meersteads and garden plots laid out in 1620, or to the pages containing the record, mainly by the same hand, of the allotments of land in 1623. Those pages have every appearance of having been written in the years mentioned in the record. The date written by Mr. Cotton, "1627," undoubtedly refers to the record of Deeds, agreeably to the Title, on the leaf preceding the first page, namely,

"Plimouths great Book of Deeds of Lands  
Enrolled: from An<sup>o</sup> 1627 to An<sup>o</sup> 1651:"

A few deeds were also enrolled or recorded in this book of a date subsequent to 1651.

In some instances Deeds and other Instruments were signed by the parties with their own hands on the record, fac-similes of several of which autographs will be found in their appropriate places. A fac-simile of the first page, as recorded by Governor Bradford, is also added.

DAVID PULSIFER.

BOSTON, November 21, 1861.

# MARKS AND CONTRACTIONS.

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

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

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

A Caret ^ indicates an omission in the original record.

A Cross x indicates a lost or unintelligible word.

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

Some redundancies in the original record are printed in Italics.

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

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

Several characters have special significations, namely:—

@, — annum, anno.

ā, — an, am, — curiā, curiam.

ã, — mātate, magistrare.

ĥ, — ber, — numĥ, number; Robĥ, Robert.

ĉ, — ci, ti, — acĉon, action.

ĉo, — tio, — jurisdicĉon, jurisdiction.

ĉ, — cre, cer, — acs, acres; cleriĉ, clericus.

ĉ, — dĉ, delivered.

ĉ, — Trĉr, Treasurer.

ĉ, — committĉ, committee.

ĝ, — ĝĝial, general; Georĝ, George.

ĥ, — chr, charter.

ĩ, — begĩg, beginĩg, beginning.

ł, — łre, letter.

m̄, — mm, mn, — com̄ittee, committee.

m̄, — recom̄daĉon, recommendation.

m̄, — mer, — form̄ly, formerly.

n̄, — month.

n̄, — nn, — Peñ, Penn; año, anno.

n̄, — Dñi, Domini.

n̄, — ner, — manñ, manner.

o, — on, — mentiō, mention.

o, — mō, month.

p̄, — par, por; p̄t, part; p̄tion, portion.

p̄, — pre, — p̄sent, present.

p, — per, par, pur, pear, — psuite, pursuite; appd, appeared; pson, person; pte, parte.

p, — pro, — pporĉon, proportion.

p, — proper.

q, — qstion, question.

q̄, — esq̄, esquire.

r̄, — Apr̄, April.

š, — š, session; šd, said.

š, — ser, — švants, servants.

š, — ter, — neuł, neuter; secreł, secretary.

š, — capš, captain.

u, — uer, — seřal, seueral; goũ, gournor.

ũ, — aboũ, aboue, above.

v̄, — ver, — seřal, several.

x, — ver, verse, verses.

w̄, — w̄n, when.

y<sup>e</sup>, the; y<sup>m</sup>, them; y<sup>n</sup>, then; y<sup>r</sup>, their; y<sup>s</sup>, this; y<sup>t</sup>, that.

z, — us, ue; vilibz, vilibus; annoqz, annoque.

℄, — es, et, — statut℄, statutes.

℄ĉ, &ĉ, &c<sup>a</sup>, — et cætera.

viz<sup>l</sup>, — videlicet, namely.

/ — full point.

Rĉ, Regis; RRĉ, Regni Regis.

(v)



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PLYMOUTH RECORDS.

---

DEEDS, &c.

VOL. I.

1620—1651.

The most ~~plots~~ & garden plots of  
which some first layd out 1620  
the north side

the south side

Walter Brown

John Goodman

W Brewster

---

Eight way

---

John Billington

W Isaac Norton

Francis Cooke

Edmund Winslow

the street



# PLYMOUTH RECORDS.

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[The manuscript volume entitled "Plimouths Great Book of Deeds of Lands Enrolled from An<sup>o</sup> 1627 to An<sup>o</sup> 1651," (a copy of which follows, ending on page 221 of this volume,) is divided into two parts. The first part, containing the allotments of land, &c., was written by Governor Bradford, excepting pages 11, 50—57, and part of page 30, which are in an unknown hand. The second part was written by the following named persons: Edward Winslow, pages 1 and 4. Nathaniel Sowther, 2, 16, 18, 19—82, 84—133, 136—153, 156—189, 194—214, 218, 220, parts of 134, 154, 190, and 192. William Bradford, 6—10, 83, 223, 224, 277—230, 382, 384, part of 134. Antony Thacher, 154, 191, 225, 237, 240, parts of 154, 234, and 236. Nathaniel Morton, 215, 216, 232, 241—368, parts of 190, 192, 234, and 371. William Paddy, receipt on page 236. Samuel Sprague, 375—376. The greater part of the manuscript is written on one side only of the leaf. The folios of the blank pages are omitted in the margin of the printed copy.—D. P.]

---

\*The meersteads ℥ garden plotes of [those] which came first layd out 1620.

\*1

The north side

The south side

Peeter Brown  
John Goodman  
Mr W<sup>m</sup> Brewster

---

high way

---

John Billington  
Mr Isaak Allerton  
Francies Cooke  
Edward Winslow

the streete

## PLYMOUTH COLONY RECORDS.

\*4 \*The Falles of their grounds which came first ouer in the May-Floure,  
according as thier lotes were cast .1623.

---

	Robart Cochman . . . . .	1	the number [of]
	M <sup>r</sup> William Brewster . . . . .	6	akers to [each]
	William Bradford . . . . .	3	one.
	Richard Gardener . . . . .	1	
these lye on the	Frances Cooke . . . . .	2	
South side of	George Soule . . . . .	1	
the brooke to	M <sup>r</sup> Isaak Alerton . . . . .	7	
the baywards.	John Billington . . . . .	3	
	Peter Browen . . . . .	1	
	Samuell fuller . . . . .	2	
	Joseph Rogers . . . . .	2	

---

these containe .29. akers.

---

These lye one	John Howland . . . . .	4
the South side	Steuen Hobkins . . . . .	6
of the brook to	Edward ^ . . . . .	1
the woodward	Edward ^ . . . . .	1
opposite to the	Gilbard Winslow . . . . .	1
former.	Samuell fuller Juneor . . . . .	3

---

these containe .16. akers besids Hobamaks  
ground which lyeth betwene Jo: Howlands & Hobkinse.

this .5. akers lyeth  
behind the forte  
to the litle ponde.

William White . . . . .	5
Edward Winslow . . . . .	4
Richard Warren . . . . .	[2]

these lye one the  
north side of  
the towne nexte  
adjoyning to  
their gardens  
which came in  
the Fortune.

John Goodman . . . . .	x
John Crackston . . . . .	x
John Alden . . . . .	x
Marie Chilton . . . . .	x
*Captin Myles Standish . . . . .	2
Francis Eaton . . . . .	4
Henerie Samson . . . . .	1
Humillitie Cooper . . . . .	1

\*5

\*The sales of their grounds which came in the Fortune according as their Lots were cast 1623. This ship came Nov<sup>r</sup> 1621. \*6

these lye to the sea, eastward.	These lye beyond the f[first] brook to the wood we[st]ward.
William Hilton . . . . . 1	William Wright & } . . . . . 2
John Winslow . . . . . 1	William Pitt } . . . . . 2
William Coñer . . . . . 1	Robart Hiekes . . . . . 1
John Adams . . . . . 1	Thomas Prence . . . . . 1
William Tench & } . . . . . 2	Steuen Dean . . . . . 1
John Cannon } . . . . . 2	Moyses Simonson & } . . . . . 2
	Philipe de la Noye } . . . . . 2
	Edward Bompass . . . . . 1
these folowing lye beyonde the .2. brooke.	Clemente Brigges . . . . . 1
	James Steward . . . . . 1
	William Palmer . . . . . 2
<del>Hugh Statie</del> . . . . . 1	Jonathan Brewster . . . . . 1
Hugh Statie . . . . . 1	Benet Morgan . . . . . 1
William Beale & } . . . . . 2	Thomas Flauell } . . . . . 2
Thomas Cushman } . . . . . 2	& his son, } . . . . . 2
Austen Nicolas . . . . . 1	Thomas Morton . . . . . 1
Widow Foord . . . . . 4	William Bassite . . . . . 2
15. akers.	19. akers.

\*The sales of their grounds which came ouer in the shipe called the Anne according as their, were cast. 1623. \*10

Akers	these to the sea eastward. ak.
James Rande . . . . . 1	Francis Spragge . . . . . 3
these following lye beyond the brooke to Strawberie-hill.	
Edmond Flood . . . . . 1	Edward Burcher . . . . . 2
Christopher Connant . . . . . 1	John Jenings . . . . . 5
Francis Cooke . . . . . 4	goodwife Flauell . . . . . 1
	Manasseh & John Fance . . . . . 2

these but against the swampe & reed-ponde.	this goeth in w <sup>th</sup> a corner by y <sup>o</sup> ponde.
George Morton & } . . . . 8	Alice Bradford . . . . . 1
Experience Michell } . . . . 8	Robart Hickes his } . . . . 4
Christian Penn . . . . . 1	wife & children } . . . . 4
Thomas Morton Junior . . . . 1	Brigett Fuller . . . . . 1
William Hiltens wife } . . . . 3	Ellen Newton . . . . . 1
ℓ.2. children . . . } . . . . 3	Pacience ℓ Fear Brewster, } . 3
	w <sup>th</sup> Robart Long . . . } . 3
	William Heard . . . . . 1
	M <sup>rs</sup> Standish . . . . . 1

These following lye on the other side of the towne towards the  
eele-riuer.

Marie Buckett adioyning to } . 1	Robart Rattlife beyonde the } . [2]
Joseph Rogers . . . } . 1	swampie & stonie ground } . [2]
Mr Ouldom ℓ those joyned } . 10	These butt against Hobes Hole.
with him . . . . . } . 10	
Cudbart Cudbartsonne . . . . 6	Nicolas Snow . . . . . x
Anthony Anable . . . . . 4	Anthony Dixe . . . . . x
Thomas Tilden . . . . . 3	Mr Perces .2. Ser: . . . . . x
Richard Waŕen . . . . . 5	Ralfe Walen, . . . . . x
Bangs . . . . . 4	

\*11

\*South side.

North side.

Steph: Tracy three acres . . . 3	Edw: Holman 1. acre . . . 1
Tho. Clarke one acre . . . . 1	ffrancℓ wife to Wit Palmer .1. acre
Robt Bartlet one acre . . . . 1	Josuah Prat ℓ } . . . . . 2
	Phineas Prat } . . . . . 2

An<sup>o</sup> 1632.

Aprill .2.

\*20

\*The names of those which promise to remoue their fam[ilies] to liue in the towne in the winter time that they [may] the better repair to the wor-ship of God.

John Allden.  
Capten Standish.  
Johna: Brewster.  
Tho: Prence.

\* **P**HILLIP DELANOY hath sould to Stephen Deane one Acre of Land lying on the North side the towne between the first and second brooke in the Vpper fall of the said field and bounded with the grounds of Moses Simonson on the north side and the saide Stephen on the south side. The said Stephen, to haue ℥ to hould the said Acre soe lying, to the pp vse and benefit of him ℥ his Heires for euer for ℥ in Consideration of the Sum or Vallue of fower pound℥ sterling eyther to be made in currant monye of England or in such other comōdity as will Readily pcure or amount vnto the said som, in this plantation: in maner ℥ forme following, viz<sup>t</sup> the one halfe in ℥ vpon the first day of October: 1628: in the now dwelling house of the said Stephen, to the said Phillip, his heires, or assignes, the same being there by him or them demaunded And twenty shillings more vpō the first day of October Anno. 1629 ℥ the last 20 shillings Anno 1630: on the first of October each payment to be made at the place afforesaid.

An<sup>o</sup> 1627.  
\*30

PALIPP DELANOY  
STEPHEN DEANE

**E**DWARD BOMPASS, and Moses Simonson sould ech of them an Acre of ground, to Robart Hicks lying on the north side of the towne.

An<sup>o</sup> 1628.  
March 26.

**S**TEUEN DEAN sould to Robart Hixe .2. acers of land lying on the north side of the towne between the first, ℥ second brook, the one being his owe inheritance, y<sup>e</sup> other was that he bought of Philip De le noy. the which .2. acers he sould as aforesaid to the said Robart Hixe for the some of .4.<sup>h</sup> sterling, which paiment he haith receiued. ℥ in wittnes hearof hath put to his hand. this .3. of July. 1630.

Feb. 10,  
An<sup>o</sup> 1629.

STEPHEN DEAN.

\* **A**BRAHAM PEIRCE, sould to Thomas Clarck one Acre of land lying on y<sup>e</sup> south side of the towne abutting on Hobs-hole with the one end, and bounded one y<sup>e</sup> one side with the ground of Ralfe Wallen, ℥ on the other end, ℥ side with Coṃone ground. for the Consideration ℥ sume of .30. pounds of good ℥ marchantable Tobaco. to him, ℥ his heirs for euer.

An<sup>o</sup> 1629  
Sept. 28.  
\*32

The .29. of the same month ℥ year aboue written the said Thomas Clark sould to William Bradford the aforesaid acre of land bought of y<sup>e</sup> said Abraham Peirce, lying ℥ bounded as abouesayd.

And also an other acre of grounde lying on the same side of the towne, abutting with y<sup>e</sup> one ende on y<sup>e</sup> Bay, ℥ bouēd one y<sup>e</sup> one side with *with* y<sup>e</sup> land of widow Wařen, ℥ on y<sup>e</sup> other sid with y<sup>e</sup> land of Edward Bangs; both which

All this was  
paid according  
to y<sup>e</sup> bargen.

acres of land he the said Thomas, hath sould the said William, for the sume of .5.<sup>li</sup> sterling, to haue, & enjoye, to him & his heirs for euer. the said .5.<sup>li</sup> is to be payed in good & current money in England, except .6.<sup>li</sup> of beauer to be payed hear.

Teste.

- \*36 ~~\*The— of June m<sup>r</sup> Oldum by the whole companie was by the wh~~  
\*40 \*Orders agreed on at feuerall times for the generall good of the Colony; and the better gouernment, & preferuation of the fame

Anno .1623.  
desemb: 17.

**I**T was ordained .17. day of Desemb. Anno .1623. by the Court then held; that all crimynall facts; and also all maters of Trespasses; and debts between man, & man should, be tried by the verdict, of twelue Honest men, to be Impanned by Authority, in forme of a Jurie vpon their oaths.

Anno .1626.  
march .29.

It was decreed by the Court held the .29. of march Anno .1626. That for the preuenting of shuch inconueniences, as doe, and may befall the plantation by the want of timber, That no man of what condition soeuer sell or transport any maner of works as frames, for howses, planks, bords, shiping, shalops, boats, cañoes, or what so euer may tende to the destrucktion of timber aforesaid; how litle so euer the quantie be; without the consent, approbation, & liking of the Gouvernour, & Counsell;

And if any be found falty herein & shall imbarke, or any way convey to that end to make salle of any the goods aforesaid exprest or intended by this decree, the same to be forfeited, and a fine of twise the valew for all so sould to be duly taken by the Gouvernour for the vse & benefite of the Company.

It was furder decreed the day & year aboue written; for y<sup>e</sup> preuenting of shuch abuses, as doe & may arise amongst vs; that no handicrafts men of what profession so euer, as Taylors, shoemakers, carpenters, Joyners, Smiths, Sawiers or whatsoever w<sup>ch</sup> doe or may residd or belong to this plantation of Plimoth: shall vse their science or Trads, at home or abroad for any streangers or foriners, till shuch time as the necessity of [the] Colony be serued, without the concent of y<sup>e</sup> Gouvernour & counsell; The breach thereof to be punished at [their] descretion.

March .29.  
1626.  
\*42

\*It was ordained the said .29. of March .1626. for the preuenting scarcity, as also for the furdering of our trade, that no corne, beans, or pease, be transported, inbarked or sold to that end to be conuayed out of the colony without the leaue & licence of the Gouvernour & Counsell; the breach wherof to be punished with lose of the goods so taken or proued to be sould; & the scler furder fined, or puinshed, or both at the discretion of y<sup>e</sup> Goũ<sup>r</sup> & counsell.

January .6.  
1627.

It was agreed vpon by the whole courte held the .6. of Jenuar<sup>r</sup> .1627. that from henceforward no dwelling-house was to be couered with any kind of thatche as straw, reed, &c. but with either bord, or pale or the like; to wet: of all that were to be new build in the towne.

\* 1627. }

\*50

**A**T a publique court held the 22<sup>th</sup> of May it was concluded by the whole Com-  
panie, that the cattell w<sup>ch</sup> were the Companies, to wit, the Cowes & the Goates  
should be equally deuided to all the psonts of the same company & soe kept vntill  
the expiration of ten yeares after the date aboue written. & that euery one should  
well and sufficiently puid for there owne pt vnder penalty of forfeiting the same.

That the old stock with halfe th increase should remaine for comōn vse  
to be deuided at thend of the said terme or otherwise as ocation falleth out,  
& the other halfe to be their owne for euer.

Vppon w<sup>ch</sup> agreement they were equally deuided by lotts soe as the bur-  
then of the keeping the males then beeing should be borne for common vse  
by those to whose lot the best Cowes should fall & so the lotts fell as followeth/  
thirteene psonts being pportioned to one lot.

i. The first lot fell to ffrancis Cooke & his Companie Joyned to him his  
wife Hester Cooke.

- 3 John Cooke
- 4 Jacob Cooke
- 5 Jane Cooke
- 6 Hester Cooke
- 7 Mary Cooke
- 8 Moses Simonson
- 9 Phillip Delanoy
- 10 Experience Michaell
- 11 John ffance
- 12 Joshua Pratt
- 13 Phinihas Pratt

To this lot fell the least of the 4  
black Heyfers Came in the Jacob,  
and two shee goats.

2 The second lot fel to M<sup>r</sup> Isaac Allerton & his Companie ioyned to  
him his wife ffear Allerton.

- 3 Bartholomew Allerton
- 4 Remember Allerton
- 5 Mary Allerton
- 6 Sarah Allerton
- 7 Godber Godberson
- 8 Sarah Godberson
- 9 Samuell Godberson
- 10 Marra Priest
- 11 Sarah Priest
- 12 Edward Bumpasse
- 13 John Crakstone

To this lot fell the Greate Black cow  
came in the Ann to which they must  
keepe the lesser of the two steers, and  
two shee goats.

- \*52
- \*3 The third lot fell to Capt Standish & his companie Joynd to him  
 2 his wife Barbara Standish \_\_\_\_\_  
 3 Charles Standish To this lot fell the Red Cow w<sup>ch</sup> be-  
 4 Allexander Standish longeth to the poore of the Colonye to  
 5 John Standish w<sup>ch</sup> they must keepe her Calfe of this  
 6 Edward Winslow yeare being a Bull for the Companie.  
 7 Susanna Winslow Also to this lott Came too she goats.  
 8 Edward Winslow  
 9 John Winslow  
 10 Resolued White  
 11 Perigrine White  
 12 Abraham Peirce  
 13 Thomas Clarke
- 4 The fourth lot fell to John Howland & his company Joynd to him  
 2 his wife Elizabeth Howland  
 3 John Howland Junor To this lot fell one of the 4 heyfers  
 4 Desire Howland Came in the Jacob Called Raghorne.  
 5 William Wright  
 6 Thomas Morton Junor  
 7 John Alden  
 8 Prissilla Alden  
 9 Elizabeth Alden  
 10 Clemont Briggs  
 11 Edward Dolton  
 12 Edward Holdman  
 13 Joh. Alden
- 5 The fift lot fell to Mr Wilkm Brewster & his companie Joynd to him  
 2 Loue Brewster \_\_\_\_\_  
 3 Wrestling Brewster To this lot fell one of the fower  
 4 Richard More Heyfers Came in the Jacob Calcd the  
 5 Henri Samson Blind Heyfer & 2 shee goats.  
 6 Johnathan Brewster  
 7 Lucrecia Brewster  
 8 Wilkm Brewster  
 9 Mary Brewster  
 10 Thomas Prince  
 11 Pacience Prince  
 12 Rebecka Prince  
 13 Humillyty Cooper



\*6 The sixt lott fell to John Shaw & his companie Joyned \*54

- |    |                                    |   |
|----|------------------------------------|---|
| 1  | to him                             |   |
| 2  | John Adams                         | To this lot fell the lesser of the                |
| 3  | Eliner Adams                       | black Cowes Came at first in the Ann              |
| 4  | James Adams                        | w <sup>th</sup> which they must keepe the biggest |
| 5  | John Winslow                       | of the 2 steers. Also to this lott was            |
| 6  | Mary Winslow                       | two shee goats.                                   |
| 7  | Wiltm Basset                       |   |
| 8  | Elizabeth Bassett                  |   |
| 9  | Willyam Basset Juno <sup>r</sup>   |   |
| 10 | Elyzabeth Basset Juno <sup>r</sup> |   |
| 11 | ffrancis Sprage                    |   |
| 12 | Anna Sprage                        |   |
| 13 | Mereye Sprage                      |   |

7 The seauenth lott fell to Stephen Hopkins & his companie Joyned to

- |    |                                   |  |
|----|-----------------------------------|--|
| 2  | him his wife Elizabeth Hopkins    |  |
| 3  | Gyles Hopkins                     | To this lott fell A black weining                  |
| 4  | Caleb Hopkins                     | Calfe to w <sup>ch</sup> was aded the Calfe of     |
| 5  | Debora Hopkins                    | this yeare to come of the black Cow,               |
| 6  | Nickolas Snow                     | w <sup>ch</sup> fell to John Shaw & and his Com-   |
| 7  | Constance Snow                    | panie, w <sup>ch</sup> pueing a bull they were to  |
| 8  | Wiltm Pallmer                     | keepe it vngelt 5 yeares for common                |
| 9  | ffrances Pallmer                  | vse & after to make there best of it.              |
| 10 | Wiltm Pallmer Jno <sup>r</sup>    | Nothing belongeth of theſe too, for y <sup>e</sup> |
| 11 | John Billington Seno <sup>r</sup> | cōpanye of y <sup>e</sup> first stock: but only    |
| 12 | Hellen Billington                 | half y <sup>e</sup> Increase.                      |
| 13 | ffrancis Billington               | To this lott theſe fell two shee goats:            |
|    |                                   | which goats they posseſ on the like                |
|    |                                   | terms which others doe their cattell.              |

8 The eaight lot fell to Samuell fuller & his company Joyned to him his wife

- |    |                       |   |
|----|-----------------------|---|
| 2  | Bridgett fuller       | To this lott fell A Red Heyfer Came                 |
| 3  | Samuell fuller Junior | of the Cow w <sup>ch</sup> belongeth to the poore   |
| 4  | Pecter Browne         | of the Colony & so is of that Consid-               |
| 5  | Martha Browne         | eration. (viz <sup>z</sup> ) thes psonts nominated, |
| 6  | Mary Browne           | to haue halfe the Increase, the other               |
| 7  | John fford            | halfe, with the ould stock, to remain               |
| 8  | Martha fford          | for the vse of the poore./                          |
| 9  | Anthony Anable        | To this lott also two shee goats.                   |
| 10 | Jane Anable           |   |

- 11 Sara Anable  
 12 Hannah Anable  
~~13 Thom Morton Senor~~  
 13 Damaris Hopkins
- \*56 \*9 The ninth lot fell to Richard Warren & his companie Joyned w<sup>th</sup>  
 2 him his wife Elizabeth Warren  
 3 Nathaniell Warren To this lott fell one of the 4 black  
 4 Joseph Warren Heyfers that came in the Jacob ealed  
 5 Mary Warren the smooth horned Heyfer and two  
 6 Anna Warren shee goats.  
 7 Sara Warren  
 8 Elizabeth Warren  
 9 Abigall Warren  
 10 John Billington  
 11 George Sowle  
 12 Mary Sowle  
 13 Zakariah Sowle
- 10 The tenth lot fell to Francis Eaton & those Joyned w<sup>th</sup> him his  
 2 wife Christian Eaton To this lott fell an heyfer of the  
 3 Samuell Eaton last yeare called the white belyd  
 4 Rahell Eaton heyfer & two shee goats.  
 5 Stephen Tracie  
 6 Triphosa Tracie  
 7 Sarah Tracie  
 8 Rebecka Tracie  
 9 Ralph Wallen  
 10 Joyce Wallen  
 11 Sarah Morton  
~~12 Edward Fludd~~  
 12 Robert Hilton Bartlet  
 13 Tho: Prence.
- 11 The eleuenth lott fell to the Gouvernor M<sup>r</sup> William Bradford and  
 2 those with him, to wit, his wife Alles Bradford and  
 3 William Bradford, Junior  
 4 Mercy Bradford To this lott fell An heyfer of the  
 5 Joseph Rogers last yeare w<sup>ch</sup> was of the Greate white  
 6 Thomas Cushman back cow that was brought ouer in  
 7 William Latham the Ann, & two shee goats.  
 8 Manases Kempton

- 9 Julian Kempton
- 10 Nathaniell Morton
- 11 John Morton
- 12 Ephraim Morton
- 13 Patience Morton
- 12. The twelueth lott fell to John Jene & his companie joyned to him,  
     2 his wife Sarah Jene
- 3 Samuuell Jene
- 4 Abigall Jene
- 5 Sara Jene
- Robert
- \*6 Robert Hickes
- 7 Margret Hickes
- 8 Samuuell Hickes
- 9 Ephraim Hickes
- 10 Lidya Hickes
- 11 Phebe Hickes
- 12 Stephen Deane
- 13 Edward Banges

To this lott fell the greate white  
 backt cow w<sup>ch</sup> was brought ouer with  
 the first in the Ann, to w<sup>ch</sup> cow the  
 keeping of the bull was joyned for  
 the<sup>s</sup> psonts to p<sup>u</sup>ide for.  
 heere also two shee goats.

\*57

1627, May the 22. It was farther agreed at the same Court/:

That if anie of the cattell should by accident miscarie or be lost or  
 Hurt: that the same should be taken knowledg<sup>e</sup> of by Indifferent men: and  
 Judged whether the losse came by the neglegence or default of those be-  
 trusted and if they were found faulty, that then such should be forced to  
 make satisfaction for the companies, as also their partners dammage/:

\*The .3<sup>d</sup>. of January .1627. it was agreed in a full Court; about deuision of  
 lands as foloweth.

Plimoth.  
 \*60

**T**HAT the first deuision of the Acers should stand, and continue firme,  
 according to the former deuision made vnto the possessers ther of, & to  
 their heirs for euer. free liberty being reserued for all, to gett fire-wood thereon.  
 but the timber trees wer excepted for the owners of y<sup>e</sup> ground.

In p<sup>r</sup>

That the .2. deuision should consist of .20. Acers to euery person; and  
 to containe fve in bredth, and foure in length; and so accordingly to be  
 deuided by lott, to euery one which was to haue share therein.

2<sup>ly</sup>

3<sup>ly</sup> The ground to be Judged sufficient before the lots were drawne, and the rest to be left to Common use.

4<sup>ly</sup> This being don ; that for our better subsistance, and conuenience ; those grounds which are nearest the towne, in whose lott so euer they fall ; shall be used by the whole, for the space of .4. years from the date here of, viz. first, that the right owner make choyce of twise that quanty he shall or may vse, within the said terme. and then to take to him shuch nighbours as shall haue node & he thinke fite ; but if they cannot agree then the Gouvernour and Counsell may appoint as they think meet: Prouided that the woods be ordered for felling & loping according as the owner shall appoint ; for neither firewood nor other timber, either for building, or fencing, or any other vse, is to be feld or carid of of any of these lots, without the owners leaue & licence. but he is to preserue them to his best aduantage.

5<sup>ly</sup> \*That what soeuer the surueigers Judg sufficient shall stand without contradiction, or opposition. and euery man shall rest contented with his lott.  
\*62

6<sup>ly</sup> That after the purchasers are seruced, as aforesaid that then shuch planters as are heirs to shuch as died before the right of the land was yeilded to the aduenturers haue also .20. Acres a person, pportionable to their right laid out in pt of their inheritance.

7<sup>ly</sup> That first they shall begine, weer the Acers of the first deuision end. and lay out that to the Eele-riuer so farr as shall be thought fitt by y<sup>e</sup> surueighers ; and returne to the north sid of the town, & so proceed accordingly. And that they leaue all great timber swamps for com̄on vse.

8<sup>ly</sup> That fouling, fishing, and hunting be free.

9 That the old path-waies be still allowed ; and that euery man be allowed a conuenient way to the water weer so euer the lott fall.

IO Lasly, that euery man of y<sup>e</sup> surueighers haue *haue* a peck of corne for euery share of land laid out by them ; to be payed by the owner therof when the same is layd out.

The names of the layers-out were these.

William Bradford  
Edward Winslow  
John Howland  
Francis Cook

Josua Pratt  
Edward Bangs

\***E**DWARD WINSLOW hath sold unto Cap<sup>t</sup> Myles Standish his six shares in the red Cow for ℥ in considera<sup>o</sup>n of five pownds ten shilling℥ to be p<sup>d</sup> in Corne at the rate of six shilling℥ p bushell freeing the s<sup>d</sup> Edward from all manner of charge belonging to the said shares during the terme of the nine yeares they are let out to halues ℥ taking the benefit thereof. Jan. 20. 1627.  
\*1

**A**BRAHAM PEIRE<sup>1</sup> hath sold unto Cap<sup>t</sup> Myles Standish two shares in the red Cow for ℥ in considera<sup>o</sup>n of two Ewe lambs the one to be dd at the time of weaning this p<sup>r</sup>nt yeare ℥ the other at the same time Anno 1628 freeing the said Abraham from all manner of charge belonging to the said shares during the terme of the nine yeares they are let out to halues ℥ taking the benefit thereof. Jan. 20. 1627.  
[<sup>1</sup>Peiree, see  
page 10.]

\*An agreement made this p<sup>r</sup>sent vij<sup>th</sup> of July 1630 betweene John Winslow on the one pty and John Shawe of the other pty as followeth./ \*2

**I**NPRIMIS the said John Winslow hath fully and absolutely sould to the said John Shawe all his arrable land that is lying in that Tract of land that is co<sup>m</sup>only called Knaues acre otherwise named Woodbec in manner and forme as followeth.

first, the said John Shawe is to pay to the said John Winslow for the said lands six pounds of lawfull money or good commodities of w<sup>ch</sup> said six pounds three pounds is already payd downe in hand, and the remaynder is to be payed namely three pound in such good co<sup>m</sup>odityes as the said John Winslow well liketh or els in good merchantable Corne to be payd the first of November next ensuing.

Secondly the said John Shawe is to giue to the said John Winslowe all the Meadow ground that butteth at the vpper end of the said arrable land to the brooke side as well that that was fori<sup>n</sup>ly the said John Winslowes, as the other of the said John Shawes.

Thirdly the said John Shawe is to allow the said John Winslow his heires and Assignes a payth ℥ heigh way with free egressse ℥ regresse through the said land vnto any pte of the said John Winslowes grounds adjoyneing therevnto. In witnesse whereof wee the said p<sup>r</sup>ties haue interchaungably set to our hands the day and yeare aboue written.

Witnes herevnto

JOHN WINSLOWE.

Johnnathā Brewster.

John ~~F~~ Shawe.  
his marke.

\*4

\*The 25 of June 1631.

**E**DW: WYNSLOW of new Plymouth hath bought of John Wynslow of the same three Acres of land lying in the Co<sup>m</sup>on field on the south side the towne of Plymoth afore<sup>s</sup>d lying betweene the land<sup>l</sup> of ffranc<sup>l</sup> Eaton on the north side & Capt Myles Standish on the south for a valuable considera<sup>c</sup>õn agreed on betweene them. The said John binding himselfe to confirme the same to the <sup>s</sup>d Edw: & his heires for ever.

JOHN WINSLOWE.

ffranc<sup>l</sup> Eaton of Plymouth aboue<sup>s</sup>d hath sold unto Edw: Wynslow of the same four acres of land lying in the north field between the land<sup>l</sup> of Capt Myles Standish on the South side & one acre due unto Henry Sampson on the North for & in Considera<sup>c</sup>õ of the second Cow calfe shall fall unto the said Edw: after the date of this pr<sup>nt</sup> viz<sup>t</sup> the 25 of June 1631. The <sup>s</sup>d Edw: to deliver the same at the age of six moneths & if it miscarry before then a 3<sup>d</sup> <sup>l</sup>c. till paym<sup>t</sup> be made according to the tenure of this p<sup>nt</sup>. The <sup>s</sup>d ffranc<sup>l</sup> binding himselfe & heires, to confirme the said moctie of land to the said Edw: Wynslow & his heires for ever.

FRANCES EATEN.

Cap<sup>t</sup> Myles Standish of Plymouth hath sold unto Edw: Wynslow of the same two acres of land lying in the north field between the late land<sup>l</sup> of John Wynslow on the South side & ffranc<sup>l</sup> Eaton on the North now in the possession of Edward Winslow aforesaid (being by him purchased & acknowledged as aboue men<sup>c</sup>õned) for & in considera<sup>c</sup>õn of seaven pownd<sup>l</sup> of lawfull money of Engl. The said Myles Standish binding himselfe & heires to confirme the right & title thereof to the said Edward Wynslow & his heires for ever.



\*6

\*Desemb: 30. 1631.

**F**RANCES EATON of New Plimoth, hath sould vnto m<sup>r</sup> William Brewster of the same towne, one share of land, containing twenty Acers, lying at the place comonly called Nothingelse, next ajoyning to the land of the said William Brewster lying to the north therof on the one side ;

And haueing the resedew of the land of the foresaid Frances Eaton lying to the southward therof; for £ in Consideration that the said William Brewster, shall pay his purchas for four shars which comes to .21<sup>li</sup>. 12<sup>s</sup> sterling; the which the said William Brewster doth bind himselfe by these presentes to dischare, £ free the said Francis Eaton wholly of the same. £ the said Francis Eaton doth likewise by these presents confirme, for him, his heirs, £ exsecutores for euer the said portion of land abouesaid, to the said William Brewster to him £ his heires for euer. in witnes wherof they haue hearunto put their hands. the day £ year aboue written.

*Frances Eaton*

*William Brewster*

Moreouer the year, £ day aboue written, the said Francis Eaton of Plimoth aforesaid, hath sould other twelue Acers of land lying in the aforesaid place at Nothingells, next adjoyning to the foresaid portion, aboue mentioned, £ bounded as before; for £ in consideration of the sume of .10<sup>li</sup>. pound sterling; allredy paid by the said William Brewster, to the aforesaid Francies Eaton. And therefore the said William Brewster is to haue £ to hould, the abouesaid portion of .12. Acers of land, to him £ his heires for euer, in witnes wherof the said Francis Eaton hath put to his hand.

FRANCES EATEN.

\*March .24. An<sup>o</sup> 1630.

\*7

**R**ALFE WALLEN sould to Thomas Clarek a parcell of his lott of land called Wallens Well, lying vpon y<sup>e</sup> Eelle-Riuier; haueing y<sup>e</sup> lott of y<sup>e</sup> said Thomas Clarke lying northerly from it on y<sup>e</sup> one side, viz. all y<sup>t</sup> parte or portion of y<sup>e</sup> said lott, called Wallens wells lying betweene y<sup>e</sup> brooke y<sup>t</sup> is in y<sup>e</sup> said ground, £ y<sup>e</sup> said lott of Thomas Clarks; from y<sup>e</sup> commone passage by y<sup>e</sup> Eele riuer side forty pole vp into y<sup>e</sup> land. for y<sup>e</sup> sume £ consideration of .10<sup>li</sup>. sterling. as appears by an Indenture made betweene them, presented vnto vs vnder their hands, £ seale, dated as aboue. to which was witnes Josua Pratt.

\*June y<sup>e</sup> .9. 1630.

\*8

**A**NTHONY ANABLE sould to Danell Ray, his dwelling house, £ garding plote, £ fence, with all y<sup>e</sup> priuileges ther vnto belonging for y<sup>e</sup> sume of .15<sup>li</sup>. sterling. y<sup>e</sup> which being paid, he is to haue £ Injoy y<sup>e</sup>

same for him & his heirs for euer. as apperd by a writing presented vnto vs confirmed vnder y<sup>e</sup> hand of y<sup>e</sup> said Anthony Anable.

werevnto was witnes

Josua Pratt.

October y<sup>e</sup> .12. 1630.

**R**ALFE WALLEN sould, to M<sup>r</sup> John Coombe his house garden plote, & y<sup>e</sup> fences therto belonging, and all other benefites & priuiledges any way apertaining to y<sup>e</sup> same. for y<sup>e</sup> some of .9.<sup>li</sup> as apears by a writing more at large presented vnto vs, vnder their hands & seals; the paimente to be made as is therin expressed, and he to haue & Inojoy y<sup>e</sup> same to him & his heirs for euer.

To which was witnes

Josua Pratt.

\*10

\*May y<sup>e</sup> .9. An<sup>o</sup> 1631.

**E**XPERIENCE MICHELL, sould vnto Samuell Eddy his dwelling house garden plott & fence, w<sup>th</sup> all things nailefast in y<sup>e</sup> same; for y<sup>e</sup> summe of twelfe pounds starling, as apears more at large by a writing vnder their hands, to which ffrances Eaton was witnes.

Only this was excepted by y<sup>e</sup> abouesaid Experience Michell, so much of y<sup>e</sup> said garden plote as lyeth betweene y<sup>e</sup> ende of y<sup>e</sup> house & y<sup>e</sup> streete; throw which notwithstanding he was to alow y<sup>e</sup> said Samuell a conuenient way of pasage. and to fence y<sup>e</sup> said ground (thus excepted) at his owne charge, & to maintaine y<sup>e</sup> same.

October .16. An<sup>o</sup>: 1632.

**W**ILLIAM PALMER sould his house, & .6. acres of ground adjoyning to y<sup>e</sup> Reede Pond to M<sup>r</sup> John Holmes, for y<sup>e</sup> price of .35.<sup>li</sup> sterling, the paimente to be made within y<sup>e</sup> terme of one whole yeare nexte ensuing y<sup>e</sup> date hearof.

to this bargin was witness.

Josua Pratt.

Bradford Gouno<sup>r</sup>.

\*16

\*The xxiiij<sup>th</sup> of June, Anno Dñi 1637. Anno Carot Rē Angl<sup>i</sup> (e: xiiij<sup>o</sup>

**W**ILLIAM BASSETT of Ducksborrow hath in writing vnder his hand & Seale freely remitted and released vnto M<sup>r</sup> Raph Partridg of the same all his Right and title into so much of the lott of his land & lying in Ducksborrow aforesaid as is now enclosed by the said M<sup>r</sup> Partridg To



haue ℄ to hold the said land℄ to the said Raph Partridge his heires and Assignes foreuer ℄ to their onely pp vse ℄ behoofe.

Witnesses hereof

William Collyer

Jonathan Brewster

**f**rancis Sprague of Ducksborrow hath in writing vnder his hand and Seale freely remitted and released vnto Mr Raph Partridg of the same all his Right and title into so much of the lott of his land℄ lying in Ducks-burrow aforesaid as is now enclosed by the said Mr Partridg. To haue and to hold the said land℄ vnto the said Raph Partridg his heires and Assignes for euer and to their onely proper vse and behafe.

Witnesses hereof

Wilłm Collyer

Jonathan Brewster /

The two aboue said pcells of land℄ are bounded thus: To the land℄ of the said ffrancis Sprage to the South To the Land℄ of the said William Basset to the East to the houselott of Mr Wilłm Lesich now layd forth for him to the North ℄ toward℄ the land℄ of Xpofor Waddsworth to the West.

\*Bradford Gou<sup>r</sup>. An. RR℄ Careli xij<sup>o</sup> 1637.

\*18

**W**HERAS William Spooner of Colchester in the County of Essex by his Indenture bearinge date the twenty seaventh day of March Anno Dñi 1637 in the thirteenth ycare of his Ma<sup>ties</sup> Raigne ℄ hath put himself apprentice w<sup>th</sup> John Holmes of New Plymouth in America gen<sup>t</sup> from the first day of May next after the date of the said Indenture vnto thend ℄ terme of six yeares thence next ensuing w<sup>th</sup> diuers other couenant℄ on both pts to be pformed eich to other as by the said Inden<sup>t</sup> it doth more plainly appeare. Now the said John Holmes w<sup>th</sup> the consent ℄ likeinge of the said Wilłm Spooner hath the first day of July assigned and set ouer the said William Spooner vnto John Coomes of New Plymouth aforesd gen<sup>t</sup> for all the residue of his terme vnexpired to serue the sd John Coomes and the sd John Comes in thend of his said terme shall giue the said Wilłm Spooner one comely suite of apparell for holy dayes and one suite for workinge dayes and twelue bushells of Indian Wheate, and a good serviceable muskett, bandiliers and sword fit for service.

The xij<sup>th</sup> of July Anno Dñi 1637. Edward Dotey & Richard Derby.

**T**HE said Edward Dotey for and in consideraçõn of the sume of one hundred and fifty pound℥ of lawfull money of England to be payd in manner and forme following Hath freely and absolutely bargained sould allienated enfeofed and confirmed vnto the said Richard Derby his heires and assignes All those his Messuages houses and tennement℥ at the heigh Cliffe or Skeart hill together w<sup>th</sup> the foure lotts of land℥ and three other acres purchased of Josuah Pratt Phineas Pratt & John Shawe All which s<sup>d</sup> p<sup>m</sup>is<sup>s</sup> are now in the tenure or occupaçõn of the said Edward Dotey and his Assignes and all his right title interest clayme and demaund of and into the said p<sup>m</sup>is<sup>s</sup> and euery part and pcell thereof together w<sup>th</sup> all and singuler the appurtenc℥ therevnto belonging To haue and to hold the said Messuages land℥ & p<sup>m</sup>is<sup>s</sup> and all & singuler thapp<sup>t</sup>enc℥ vnto the said Richard Derby his heires and Assignes foreuer to the onely p<sup>p</sup>er use & behoofe of the said Richard Derby his heires & Assignes for euer.

In consideraçõn whereof the said Richard Derby doth p<sup>m</sup>ise & agree to pay or cause to be payd vnto the said Edward Dotey his Execut<sup>r</sup>℥ Administrat<sup>r</sup>℥ or Assignes the said sume of one hundred & fifty pound℥ of lawfull money of England as aforesaid in manner following That is to say Twenty pounds by Bill of Exchange in old England (if the said Edward Dotey can p<sup>p</sup>ure the same here) or els in luc thereof one heiffer which the said Edward shall make choyce of to be valued by two indifferrent men to be chosen by eich p<sup>t</sup>e w<sup>ch</sup> said sume to be in p<sup>t</sup> of payment of the said hundred and fifty pounds & the residue of the said hundred & fifty pound℥ to be payd at the returne of the said Richard Derby forth of old England w<sup>ch</sup> wilbe w<sup>th</sup>in two yeares now next ensuing (if God p<sup>m</sup>itt.)

I<sup>f</sup>m it is agreed vpon betwixt the said p<sup>t</sup>ies that the said Richard Derby shall haue p<sup>s</sup>ent possession of all the said cheif Messuage (except one inner chamber wherein the said Edward Dotey layeth his Corne) and of one lott & three acres of the said lands, and as much more as he cann conueniently take in & make vse of to plant vpon.

I<sup>f</sup>m it is also agreed vpon that the said Edward Dotey shalbe in possession of thother house & thother three lott℥ of land vntill he shalbe satisfied and payd the said hundred & fifty pound℥ and that it shalbe lawfull for him to reape this crop & another crop the next yeare and then if the \*said Richard Derby shall not be returned forth of old England or haue not payd or cause to be payd & satisfied the 150<sup>th</sup> by that tyme yt shall be lawfull

for the said Edward Dotey to sowe the second Crop and reape it and so a third vntill the said Richard Derby shall haue payd or cause to be payd the said 150<sup>li</sup>.

I<sup>tem</sup> it is also agreed vpon betweene the said pties That the said Richard Derby shall p<sup>ro</sup>cu<sup>re</sup> one able man servant to be brought ouer to serue the said Edward Dotey for the terme of fiue six or seauen yeares for whose passage the said Edward Dotey shall pay fiue pound<sup>l</sup> to the said Richard Derby  $\ell$  p<sup>ro</sup>forme such other couenant<sup>l</sup> to the said servant as the said Edward shall agree vpon w<sup>th</sup> twelue bushells of Indian graine at thend of his terme.

I<sup>tem</sup> it is also agreed vpon betweene the said pties that the said Edward Dotey shall make vse of the two oute houses for the housing of his Corne and Cattle vntill he be payd the said 150<sup>li</sup> w<sup>ch</sup> said houses the said Edward shall keepe and leaue in as good reparaire (as now they are) when he leaues them as also the dwelling house (he is to use as afore<sup>sd</sup>)  $\ell$  the fence vpon the land<sup>l</sup> as sufficient as now they are.

I<sup>tem</sup> it is lastly concluded vpon betweene the said pties That W<sup>m</sup> Hodgkinson shall hold his tyme in such p<sup>te</sup> of the said land<sup>l</sup> as hee now occupyeth for his terme, w<sup>ch</sup> is two crops more besid<sup>l</sup> this p<sup>re</sup>s<sup>en</sup>t crop now vpon the ground.

RICHARD DERBY,  
EDWARD DOTEY, his  $\cup$  marke.

\*BRADFORD GOUNOR 1637.

The xvij<sup>th</sup> July 1637.

**S**TEEPHEN HOPKINS of Plymouth gen<sup>tl</sup> hath the day  $\ell$  yeare aboue said for and in considera<sup>o</sup>n of the su<sup>m</sup>e of threescore pound<sup>l</sup> of lawfull money of England to be payd in manner and forme following That is to say thirtie pound<sup>l</sup> of lawfull money of England at or vpon the first day of May next ensuing the date hereof and thother thirty pounds at or vpon the twenty ninth day of September next ensuing the foresaid payment Hath freely  $\ell$  absolutely bargained sould alienated enfeoffed  $\ell$  confirmed vnto Georg Boare of Scituate yeo<sup>fn</sup> All that his Messuage houses tennement<sup>l</sup> outhouses lying and being at the Broken Wharfe toward<sup>l</sup> the Eele Riuer together w<sup>th</sup> the six shares of land<sup>l</sup> therevnto belonging containeing six score acres together w<sup>th</sup> all and singler the meadowes pastures Co<sup>m</sup>ons and all  $\ell$  singuler thapp<sup>te</sup>nec<sup>l</sup> therevnto belonging  $\ell$  all his interest right title clayme  $\ell$  demanda<sup>o</sup>n of and into the said p<sup>re</sup>mis<sup>ss</sup> and every p<sup>te</sup>  $\ell$  p<sup>ce</sup>ll thereof To haue  $\ell$  to hold the said Messuage houses land<sup>l</sup> tennem<sup>nt</sup> $\ell$   $\ell$  p<sup>re</sup>mis<sup>ss</sup> w<sup>th</sup> all and singuler their appurte<sup>n</sup>ces vnto the said George Boare his heires and assignes fore<sup>er</sup> To the onely p<sup>er</sup> v<sup>se</sup>  $\ell$  behoofe of him the said Georg<sup>o</sup> Boare his heires  $\ell$  assignes fore<sup>uer</sup>.

\*20

The third day of August 1637. xiiij<sup>o</sup> Caroli RR℄.

**E**LLINOR BILLINGTON of New Plymouth Widdow hath the day and yeare aboue written for and in consideraçõn of the sume of twenty six pounds and six shillings, *Hath* freely and absolutely bargained sould aliened enfeoffed and confirmed vnto Thomas Armitage of the same yeoman All that her Messuage or tenne<sup>nt</sup> at Plaine Dealeing together w<sup>th</sup> all houses edifices ℄ buildings therevnto belonging and the lott of land therevnto lying containeing by estimaçõn twenty acres or there about℄ bee it more or lesse together w<sup>th</sup> all pastures commons meaddowes and all ℄ singuler thapp<sup>r</sup>teñces therevnto belonging And all her interest right title clayme ℄ demaund whatsoeu of and into the said p<sup>r</sup>misss and euery part and pcell thereof To haue and to hold the said Messuage land℄ and p<sup>r</sup>misss w<sup>th</sup> all and euery thaire appurteneñ℄ vnto the said Thomas Armitage his heires and Assignes for euer to the onely pp vse of him the said Thomas Armitage his heires and Assignes for euer.

\*BRADFORD Gouno<sup>r</sup> 1637.

\*21

**K**NOW all men by these p<sup>r</sup>nt℄ That I Clement Briggs of Wessaguscus for and in consideraçõn of the sume of fiue shillings in money to me paid by John Browne of Plymouth the eight day of October 1637 do couenant and graunt that the said John Browne shall haue and enjoy for him and his heires foreuer foure acres of land of the vpper end of that lot of land that appertaineth vnto me the said Clement Briggs And that the said John Browne doth also agree that the s<sup>d</sup> Clement Briggs shall haue for him ℄ his heires for euer the like quantitie of foure acres of land out of the land of the said John Browne lying at the lower end and adjoyneing to the residue of the land of the aforeçd Clement Briggs at Joanes Riuer Witnessse my hand the day ℄ yeare aforeçd

The marke of CLEMENT  BRIGGS.

Richard Cornish witnes.

\*BRADFORD Gouñ<sup>r</sup>: xiiij<sup>th</sup> of King Charles.

\*22

The first day of Nouember 1637.

**R**ICHARD MOORE of Ducksborrow yeoñ for and in consideraçõn of the sume of twenty one pounds ster<sup>t</sup> to be payd in money or beauer in manner ℄ forme following that is to say tenn pounds pt thereof at or vpon the sixteenth day of this instant Nouember and other tenn pounds at or vpon

the twenty ninth day of Septemb<sup>r</sup> next ensuing the former payment and thother thirty shillings the first of Nouember after Hath bargained sould aliened encoffed and confirmed vnto Abraham Blush of the same all that his messuage and tennement in Ducksborrow aforesaid w<sup>th</sup> the twenty acres of land therevnto belonging and all the fence about the same w<sup>th</sup> all and singuler the p<sup>r</sup>misses therevnto belonging and all his right title and interest of and into the said p<sup>r</sup>misses and euery part and pcell thereof To haue and to hold the said Messuage or tennement lands and p<sup>r</sup>misses and all and singuler their appurteñces vnto the said Abraham Blush his heires and Assignes forouer to the onely proper vse and behoofe of him the said Abraham Blush his heires and Assignes for eũ.

The thirteenth day of Novemb<sup>r</sup> 1637.

**W**HEREAS M<sup>r</sup> Edward Winslowe forñly bought three acres of lands of John Winslow lying on the North side of the Towne of New Plymouth and betweene the lands of the said Edward Winslowe & John Alden Now the said Edward Winslow hath for valuable consideraçõn sould and reassigned the said three acres of lands vnto the said John Winslowe againe. And the said John Winslowe for & in consideraçõn of the sume of tenn pounds tenn shillings sterl bargained & sould the said three acres together w<sup>th</sup> one other acre lying betweene the lands of M<sup>r</sup> Thomas Prince and the said Edward Winslow in the lower diuision of the feild on the North side of the said Towne betweene the two brookes vnto Josias Winslow his heires and assignes To haue and to hold the said foure acres of lands vnto the said Josias Winslow his heires & assignes for eũ to their ownely pp use and behoofe.

Memorand the same day the said Josias Winslow exchanged the fore said acree lying betweene the landℓ of the said M<sup>r</sup> Edward Winslow & M<sup>r</sup> Thomas Prince w<sup>th</sup> the said Edward Winslow to haue & and to hold the said acre of land to him the said Edward his heires and assignes for eũ to their onely pp use & behoofe for one acre of landℓ of the said Edward Winslowes lying next to the said three acres on the north side To haue and to hold the said acre of land vnto the said Josias Winslow his heires and assignes for eũ & to their ownely pp use & behoofe.

\*24

\*BRADFORD GOV<sup>r</sup>NOR 1637.The xvij<sup>th</sup> day of November 1637. xiiij<sup>o</sup> Caroli Regē ℞.

**M**EMORAN<sup>~</sup>D the day and yeare aboue said That Richard Wright of New Plymouth Taylor for and in considera<sup>o</sup>n of the su<sup>m</sup>e of foure pounds ℞ fiteene shillings ster<sup>t</sup> to him payd by Geor<sup>g</sup> Russell of the same yeoman Hath bargained and sould vnto the said Geor<sup>g</sup> his heires and Assignes All that his lot of lands w<sup>th</sup> the fence and labours vpon the same vpon Oulbery Playne containeing aboute foure or five acres (w<sup>ch</sup> said Lot of land the said Richard Wright bought of M<sup>r</sup> Alexander Higgens) and all his right title ℞ interest of and into the said Lands To haue ℞ to hold the said lands and fence about the same vnto the said George Russell his heires and Assignes for e<sup>u</sup> to the onely proper vse and behoofe of him the said George Russell his heires ℞ Assignes for euer.

The xvij<sup>th</sup> day of November 1637. xiiij<sup>o</sup> Ca<sup>r</sup>t RR℞.

**M**EMORAN<sup>~</sup>D the day and yeare abouesaid That James Davis of New Plymouth Saylor for ℞ in considera<sup>o</sup>n of the su<sup>m</sup>e of three pounds ℞ tenn shillings ster<sup>t</sup> to him payd by Wil<sup>m</sup> Sherman of the same <sup>^</sup> Hath bargained and sould vnto the said Wil<sup>m</sup> Sherman his heires and Assignes all that his lott of lands lying neere the lands graunted to M<sup>r</sup> John Weekes containeing by estima<sup>o</sup>n fwe acres or there about℞ (form<sup>l</sup>y graunted to the said James in pte of the lands due to him for his service) And all his right Title ℞ interest of and into the said Lands To haue and to hold the said fwe acres of lands vnto the said Wil<sup>m</sup> Sherman his heires and Assignes for e<sup>u</sup> to the onely proper vse and behoofe of the said Wil<sup>m</sup> Sherman his heires ℞ Assignes foreuer.

The fift day of Decemb<sup>r</sup> 1637.

**A** BRAHAM PERSE acknowledged that he hath sould to Josuah Pratt a house and a garden Place in Plymouth next to Ady Webbs house for fourteene bushells of Corne To haue and to hold the said house and garden place w<sup>th</sup> all ℞ singuler the p<sup>r</sup>misss there vnto belonging vnto the said Josuah Pratt his heires ℞ Assignes fore<sup>u</sup> to the onely pp vse ℞ behoofe of him the said Josua Pratt his heires ℞ assignes foreuer.

\*BRADFORD GOÜNOR.

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the fift day of January, 1637.

**W**HEREAS I William Basset of the Towne of Ducksborrow, in [the] Plantaçõn of New Plymouth did by word freely consent and giue × vnto M<sup>r</sup> William Leuerich late of the said Towne to enclose some pt of × Lott of land adjoyncing to a pcell of land w<sup>ch</sup> was graunted to him [for] an house lott Now forasmuch as M<sup>r</sup> Raph Partrich of the said Towne hath satisfied by an agreement made with the said M<sup>r</sup> Willm Leuerich for his whole charge in incloseing & breacking vp of the said ground, and hath the graunt of the said Lott to bee layd to his adjoyncing thereto. Know all men by this p<sup>r</sup>sent writing that I William Basset aforesaid, do freely remitt and release from my self and my heires for euer all my right and title in any pt of the said land that now lyeth inclosed as is aboue mençõned to haue benee by me willingly so pmitted vnto the said Raph Partrich of Ducksborrow aforesaid and to his heires for euer. In wisse whereof I haue sett to my hand and seale the vij<sup>th</sup> day of the ninth month Anno Dñi 1637.

Sealed & Deliu'd in the p<sup>r</sup>sence  
of vs. William Collyer  
Johnnathan Brewster  
Job Cole

WILLIAM BASSET.

**W**EE whose names are herevnder written by Order of M<sup>r</sup> Thomas Prince & M<sup>r</sup> William Collier Assistant have measured & layd out tenn acres of arrable land lying on the head of Mortons Hole videllz<sup>s</sup> one acre in breadth and tenn acres in length lying in a square the South side butting vpon the garden plott<sup>l</sup> of Edward Hall the West side running into Christopher Wadesworths lott The East side vpon the Heigh way and the north side vpon the common ground w<sup>ch</sup> wee allotted and haue layd out for M<sup>r</sup> Raph Partrich the thirtieth of December 1637.

p vs JOHNNATHAN BREWSTER  
STEEPHEN TRACYE  
CHRISTOPHER WADESWORTH

\*28

\*M<sup>r</sup> BRADFORD GOV<sup>n</sup> 1637.

**M**EMORAN<sup>d</sup> the fift day of January 1637 that Manasseth Kempton of New Plymouth yeoman doth acknowledg<sup>e</sup> That hee hath freely and absolutely giuen and confirmed vnto John ffaunce All that lott of land whereon the said John ffaunce doth now dwell containeing twenty acres or thereabout<sup>e</sup> and all his right title & interest of and into the said lott of land w<sup>th</sup> all and singuler thappurteñces therevnto belonging To haue and to hold the said lott of land & all and singuler the appurteñc<sup>e</sup> therevnto belonging vnto the said John ffaunce his heires and assignes foreuer to the onely proper vse and behoofe of him the said John ffaunce his heires & Assignes for euer.

**M**EMORAN<sup>d</sup> the fift day of January 1637 that Manasseth Kempton of New Plymouth Yeoman doth acknowledg<sup>e</sup> That he hath freely and absolutely giuen vnto Nathaniell Morton of the same Ycoñ All that lott of land whereon the said Nathaniell doth now dwell containeing twenty acres or there about<sup>e</sup> and all his Right title & interest of and into the same with all and singuler the appurteñces therevnto belonging To haue and to hold the said lott of land w<sup>th</sup> all and singuler the p<sup>r</sup>miss therevnto belonging vnto the said Nathaniell Morton his heires and Assignes for euer and to the onely pper vse and behoofe of him the said Nathaniell Morton his heires & Assignes foreuer.

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\*M<sup>r</sup> BRADFORD GOV<sup>n</sup> 1637.

**M**EMORAN<sup>d</sup> The first day of January 1637 That James Skiffe of New Plymouth yeoman acknowledgeth That hee hath sould his house and tenn acres of lands therevnto belonging neere playne Dealeing to Georg<sup>e</sup> Clarke of the same yeoñ for fourscore bushells of Indian Corne to be payd the fifteenth day of November next ensuinge at the house of M<sup>r</sup> John Holmes neere Plymouth and a goate to be the third choyce of all his goates The house being vnfinished is to haue a boarded chamber floore ouer the house and the house to be couered w<sup>th</sup> boardes and clap boarded w<sup>th</sup>in vp to the floore and a partition to be made of clap board through the middest and the chimney to be daubed and three acres of the said tenn acres to be enclosed w<sup>th</sup> pallasadoes except the vpper end thereof w<sup>ch</sup> is to be hedged The possession of the said house and lands to be giuen to the said George Clark his heires or Assignes when he deliuereth the said Corne and Goate and so to be & remayne To haue and to hold vnto the said Georg<sup>e</sup> Clarke his heires & Assignes foreu<sup>r</sup> w<sup>th</sup> all and singuler the app<sup>r</sup>teñces to the said house & land belonging to the onely proper vse and behoofe of him the said Georg<sup>e</sup> Clarke his heires and Assignes foreuer.



**M**EMORAND The seauenth Day of february 1637 That M<sup>rs</sup> Elizabeth Warren of the Eele Riuer Widdow for and in consideraçõ of a Marriage already solempnized betwixt John Cooke the yeonger of the Rockey Nooeke and Sarah her daughter doth acknowledge that shee hath giuen graunted enfeoffed and confirmed vnto the said John Cooke one lot of land lying at the Eele Riuer containeing eighteene acres or thereabouts and lying on the North side of Robert Bartletts lott forõly also giuen the said Robert in Marriage w<sup>th</sup> Mary another of the s<sup>d</sup> M<sup>rs</sup> Warrens daughters, w<sup>ch</sup> said lott is to begin at the heigh way and so to goe in lenth 9 breadth w<sup>th</sup> the said Roberts lott together w<sup>th</sup> a heigh way from the said lott to the water side if it be demaunded or requested To haue and to hold the said Lott of land w<sup>th</sup> all 9 singuler the app<sup>r</sup>teñces therevnto belonging vnto the said John Cooke his heires and Assignes for euer to the onely p<sup>er</sup> v<sup>se</sup> and behoofe of the said John Cooke his heires 9 Assignes for euer.

## \*BRADFORD GOÛNOR

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**W**HEREAS forõly by a geñall Court long since diuers lotts of lands lying at Winberry Hill w<sup>ch</sup> should haue containyd twenty acres apeece were graunted to John Donhame to lye to his house hee hath built therevpon nere the Towne of New Plymouth w<sup>th</sup> all the wood trees and tymber groweing therevpon, And for the moore comõdious receipt of people to inhabite in the said Towne of Plymouth the said John Donhame hath relinquished diuers of those said lotts that those lands may be to fitt such p<sup>ersons</sup> as shall there inhabite, and hath onely reserued vnto himself the land hee hath now taken in and vseth w<sup>th</sup> the said house w<sup>ch</sup> by estimaçõ containe about thirty acres w<sup>th</sup> a swampe that was also afterwards graunted vnto the said John Donhame w<sup>ch</sup> said land 9 are bounded as followeth viz<sup>z</sup> the lands of William Pontus lyinge on the South East side and the Indian feild called Cattacapechise and the heads of the acres lying on the North East side and the lands lately graunted to John Wood and a Swamp therevnto adjoyneing lying on the northwest side and the open field or comõn lands lying on the Southwest side thereof All w<sup>ch</sup> said lands containeing by estimaçõ thirty acres or thereabout 9 w<sup>th</sup> the trees and woods growing therevpon w<sup>th</sup> all 9 singuler their appurteñces are now confirmed vnto the said John Donhame his heires and Assignes foreuer To haue and to hold the said lands and all 9 singuler the p<sup>er</sup>miss<sup>es</sup> with their app<sup>r</sup>teñces vnto the said John Donhame his heires and Assignes foreuer and to their onely p<sup>er</sup> v<sup>se</sup> 9 behoofe for euer.

**M**EMORANĎ, that M<sup>r</sup> Thomas Prince doth acknowledg the fift day of february 1637 That he hath sould vnto M<sup>r</sup> John Atwood a house and a garden place in Plymouth scituate and being in the lower end of the North Streete for and in consideraċōn of the sume of fourescore pound℥ ster℥ To haue and to hold the said house and garden place w<sup>th</sup> all and singuler thapp<sup>r</sup>teñċ therevnto belonging vnto the said John Atwood his heires and Assignes foreuer to the onely pper vse and behoofe of the said John Atwood his heires and Assignes for euer.

The xj<sup>th</sup> day of Novemb<sup>r</sup> 1637.

**M**EMORANĎ that whereas John Cooke hath a lott of land at the Eele Riuer lying next to Robert Bartlet containeing by estimaċōn eighteene acres or thereabout℥ giuen him by M<sup>rs</sup> Elizabeth Warren in marriage w<sup>th</sup> his wyfe and Ro<sup>b</sup>te Bartlett hath a lott of land of like quantitie lying on Duxborrow side betwixt the lotts of Thomas Morton and Jonathan Brewster Now this writing of Record witnesseth that the said John Cooke ℥ Robert Bartlett haue exchaunged the said lotts w<sup>th</sup> eich other so that the said John Cooke shall haue ℥ hold the lott of land lying on Duxborrow side to him and his heires foreuer ℥ to their owne pper use and behoofe foreu<sup>r</sup> And the said Ro<sup>b</sup>te Bartlett shall haue ℥ hold the said lott of land lying at the Eele Riuer to him and his heires for euer ℥ to their onely pper use and behoofe for euer/

\*34

\* BRADFORD GOŪNOR.

**M**EMORANĎ the eight day of March 1637 That John Winslow of Plymouth doth acknowledg that he hath sould a house and a garden place scituate in the New street in Plymouth afore<sup>s</sup>d to M<sup>r</sup> Thomas Burne for the sume of sixteene pounds ster℥ to him in hand payd To haue and to hold the said house and garden place and all and singuler thapp<sup>r</sup>teñċes therevnto belonging vnto the said Thomas Burne his heires and Assignes for euer to the onely proper vse and behoofe of the said Thomas Burne his heires and assignes for euer.

**M**EMORANĎ that M<sup>rs</sup> Elinor Billington Widlow the twentyeth day of March Ann<sup>o</sup> Dñi 1637 by her decde in writing vnder her hand and scale bearing date the eight day of January 1637 in the thirteenth yeare of the Raigne of o<sup>r</sup> now So<sup>l</sup>aigne Lord Charles by the grace of God ꝓ King of England Scotland ffranc<sup>e</sup> ℥ Ireland ℥c Hath giuen graunted enfeoffed and confirmed All and singuler her lands meadowes pastures comons w<sup>th</sup> all ℥ singuler the app<sup>r</sup>teñċes therevnto belonging scituate and being at P<sup>l</sup>ayne Dealing together

w<sup>th</sup> all her right title and interest of and into the said p<sup>r</sup>miss<sup>s</sup> & every part and p<sup>ce</sup>ll thereof All which w<sup>th</sup> some p<sup>r</sup>viso<sup>e</sup>s and reser<sup>va</sup>ti<sup>o</sup>ns appeareth more fully and plainly in the wordes of the deed hereafter following, viz<sup>z</sup>. To all x<sup>p</sup>ian people to whom these p<sup>r</sup>nt<sup>l</sup> shall come Ellinor Billington of New Plymouth Widdow sendeth greeting in the Lord God e<sup>u</sup>lasting Know yee That I the said Elinor for and in considera<sup>ti</sup>o<sup>n</sup> of the naturall loue that I beare vnto ffancis Billington my naturall sonn and for diuers other good causes and considera<sup>ti</sup>o<sup>n</sup>s me therevnto especially moueing Haue giuen graunted encoffed and confirmed, and by these p<sup>r</sup>nt<sup>l</sup> doe giue graunt encoffe and confirme vnto the said ffancis Billington his heires and Assignes foreuer All and singuler those my lands meadowes pastures and co<sup>m</sup>ons w<sup>th</sup> all and singuler thapp<sup>r</sup>te<sup>n</sup>ce<sup>l</sup> therevnto belonging scituate lying and being neere Playne Dealeing w<sup>th</sup>in the gouerment of New Plymouth aforesaid, together w<sup>th</sup> all my Right title and interest of and into the said p<sup>r</sup>miss<sup>s</sup> and every p<sup>te</sup> and p<sup>ce</sup>ll thereof To haue and to hold the said lands meadowes pastures and commons w<sup>th</sup> all and singuler the p<sup>r</sup>miss<sup>s</sup> and their app<sup>r</sup>te<sup>n</sup>ces vnto the said ffancis Billington his heires and Assignes for euer to the onely p<sup>pr</sup> vse and behoofe of him the said ffancis Billington his heires and assignes for euer Provided alwayes & reserued vnto me the said Ellinor Billington such a p<sup>ce</sup>ll or quantitie of lands out of the p<sup>r</sup>misses as will make a thousand and a halfe of hills to sett w<sup>th</sup> Indian corne or sowe w<sup>th</sup> English graine w<sup>th</sup>in some p<sup>te</sup> of the p<sup>r</sup>miss<sup>s</sup> w<sup>ch</sup> shalbe infenced during my naturall life if I shall please to use yt And also p<sup>u</sup>ided & excepted out of the p<sup>r</sup>miss<sup>s</sup> a smale p<sup>ce</sup>ll of ground to make a garden place & erect a house vpon together w<sup>th</sup> such a quantitie of land in a new feild as the said Ellinor shall please to be at charge to manure and take in w<sup>th</sup> the said ffancis to be hers to use during her naturall life ; Provided lastly that the said ffancis Billington doe not sell bargaine aliene or assigne the said p<sup>r</sup>miss<sup>s</sup> or any p<sup>te</sup> thereof during the life of the said Ellinor w<sup>th</sup>out her consent and approba<sup>ti</sup>o<sup>n</sup> And the said Ellinor Billington all and singuler the said p<sup>r</sup>misses and every p<sup>te</sup> and p<sup>ce</sup>ll thereof vnto the said ffancis Billington his heires and Assignes and every of them against all men doth couenant and graunt by these p<sup>r</sup>nt<sup>l</sup> fore<sup>u</sup> to warrant and defend. In witness whereof I the said Ellinor Billington haue herevnto set my hand and Scale the Eight day of January in the Thirteenth yeare of the Raigne of our So<sup>u</sup>aigne Lord Charles by the grace of God of England Scotland ffrance and Ireland Kinge Defendor of the fayth 1637.

ELLINOR BILLINGTON  her mark.

Scaled & deliued in the p<sup>r</sup>sence of  
Nathanicll Sowther, James Hurst, &  
Robte Lec.

And endorsed w<sup>th</sup> these words viz<sup>o</sup>t. Memorand, that quiet & peacable possession & seisin of the p<sup>r</sup>miss<sup>s</sup> w<sup>th</sup>in specified was giuen and receiued by the w<sup>th</sup>in named Ellinor Billington vnto the w<sup>th</sup>in named Francis Billington in the same day in the p<sup>r</sup>sence of vs, James Hurst, Robert Lee, & Nathaniell Sowther.

\*36

\*BRADFORD GOÜNOR.

**M**EMORAND the twenty fourth day of March 1637 Richard Wright acknowledged That hee hath sould to Wil<sup>m</sup> Hiller carpenter five acres of lands for<sup>m</sup>ly graunted to him lying at fishing poynt towards the Eele Riuer together w<sup>th</sup> the fenc & labours about the same and all his Right title & interest therein w<sup>th</sup> all & singuler thapp<sup>r</sup>teñces therevnto belonging for and in considera<sup>o</sup>n of the sume of foure pounds five sh<sup>l</sup> ster<sup>l</sup> To haue & to hold the said five acres of lands and all & singuler the p<sup>r</sup>miss<sup>s</sup> therevnto belonging vnto the said Wil<sup>m</sup> Hiller his heires and Assignes for euer and to the onely p<sup>p</sup>er vse & behoofe of the said Wil<sup>m</sup> Hiller his heires and Assignes for euer./

\*38

\*1638

M<sup>r</sup> PRENCE GOÜNO<sup>r</sup>

**M**EMORAND the nineteenth day of June 1638 in the fourteenth yeare of the Raigne of our Souaigne Lord Charles by the grace of God of England Scotland France and Ireland King Defendor of the fayth &c That Jonathan Brewster of Duxborrow gen<sup>t</sup> doth acknowledg that for and in considera<sup>o</sup>n of the sume of one hundred & fifty pound<sup>l</sup> ster<sup>l</sup> to him in hand payd & secured to be payd hath fully & absolutely bargained & sould vnto Comfort Starr of New Towne (al<sup>s</sup>) Cambridg in Mattachuset Bay Chirurgion all that Messuage or dwelling house in Duxborrow afore<sup>s</sup>d wherein the said Jonathan doth now liue & all the houses & outhouses therevnto belonging and fourscore acres of vpland and five acres of meadow ground be it more or lesse w<sup>th</sup> all the fences p<sup>r</sup>fitts and com<sup>m</sup>odities to the said Messuag & land<sup>l</sup> belonging and all & euery their app<sup>r</sup>teñ<sup>l</sup> therevnto appertaining together w<sup>th</sup> all his Right title & interest of and to the said p<sup>r</sup>miss<sup>s</sup> and euery part & p<sup>l</sup> thereof To haue & to hold the said Messuag & fourscore acres of Vpland & five acres of Meddow w<sup>th</sup> all & singuler their app<sup>r</sup>teñ<sup>l</sup> therevnto belonging & euery p<sup>t</sup> & p<sup>l</sup> thereof vnto the said Comfort Starr his heires & Assignes for euer to the onely p<sup>p</sup>er vse and behoofe of him the said Comfort Starr his heires and Assignes for euer.

**M**EMORANÐ the sixt day of July 1638 that Samuell Eddy acknow-  
ledgeth that for and in consideraçõn of fourty bushells of good Mer-  
chantable Indian Corne hath bargained & sould vnto Richard Clough all that  
his house and garden in Plymouth wherein the said Samuell now dwelleth  
w<sup>th</sup> all the boards & pallysadoes in and about the said house and garden  
together w<sup>th</sup> all his Right title and interest of and into the same and all &  
singuler thapp<sup>r</sup>teñeç therevnto belonging To haue and to hold the said house  
and garden and all & singuler the p<sup>r</sup>misss vnto the said Richard Clough his  
heires & assignes foreuer and to his & their onely pp use & behoofe foreuer.

The said Corne to be payd in Plymouth by the last day of January next  
but the possession of the garden to be deliued to the said Richard Clough the  
first of Septemb<sup>r</sup> next and of the house in October following.

**M**EMORANÐ the sixt day of July 1638 That Nicholas Snow acknow-  
ledgeth that for & in consideraçõn of the sume of Twelue pounds sterl<sup>t</sup>  
to be payd him he Hath bargained and sould vnto Samuell Eddy all that his  
house & garden adjoyneing w<sup>th</sup> the fence in & about the same in Plymouth  
wherein the s<sup>d</sup> Nicholas now dwelleth w<sup>th</sup> all & singuler thappurteñeç there-  
vnto belonging and all his Right title & Interest of and into the said p<sup>r</sup>misss  
& every pte & pcell thereof To haue and to hold the said house & garden and  
all, singuler the p<sup>r</sup>misss w<sup>th</sup> their appurteñeç vnto the said Samuell Eddy his  
heires and Assignes for euer and to the onely pper vse of the said Samuell  
Eddy his heires & Assignes for euer.

The said xij<sup>li</sup> for the p<sup>r</sup>misss to be payd in fourty bushells of good mer-  
chantable Indian Corne at the rate it will passe from man to man & if it shall  
fall short of the said sume then the said Samuell to make vp the same either  
in money or other comodyty. And the possession of the said house and  
garden to be given by the last day of October next at w<sup>ch</sup> tyme the money  
or Corne is to be payd & deliued.

\* PRINCE GUNOR

\*40

**M**EMORANÐ the sixt day of July 1638 That William Renolds of Dux-  
borrow acknowledgeth That he hath sould the half of his black heiffer  
vnto John Phillips of the same and that the s<sup>d</sup> John hath sould the said W<sup>m</sup>  
all his pte of the crop of Indian corne he hath w<sup>th</sup> W<sup>m</sup> Lathame and that the  
said Wilhm Renolds is to pay the said John Phillips for the same besids the  
one half of the said heiffer twelue bushells of Indian Corne by the first of  
Decemb<sup>r</sup> next.

**M**EMORANÐ the xvij<sup>th</sup> day of July 1638 That Elizabeth Watson widdow doth acknowledg that shee hath assigned and made ouer vnto Thomas Watson all her Right & interest in the residue of the terme of yeares that Henry Blage by his Indenture is to serue her w<sup>ch</sup> is from Easter day last 1638 vnto thend of the terme of foure yeares next ensuinge In consideraçon whereof the said Thomas Watson is to pay the said Elizabeth cleauen pounds tenn shillings for this first yeares service, and also after that rate for the residue of the terme in this manner viz<sup>y</sup> viij<sup>li</sup> p añ to the said Elizabeth & thother iij<sup>li</sup> x<sup>s</sup> p añ to the said Henry Blage for his wages according to his couenant.

**M**EMORANÐ The fourth day of August 1638 That John Barnes doth acknowledg That for & in consideraçon of the sum of vj<sup>li</sup> x<sup>s</sup> stert to him in hand payd and twenty bushells of merchantable Indian Corne to be payd him in March next by Roþte Bartlet hath assigned all his right & title in the terme of yeares w<sup>ch</sup> he hath in the service in Thomas Shreiuie (w<sup>ch</sup> is three yeares from the first day of this instant August) as by his Indenture beareing date the fourth of May Anno Regñ Regē Caroli nunc Angt & xiiij<sup>to</sup> it doth most playnely appeare. the s<sup>d</sup> Roþte also paying the s<sup>d</sup> Thoñ Shreiuie iij<sup>li</sup> vj<sup>s</sup> viij<sup>d</sup> p añ for the terme of the said three yeares. And the said Thoñ Shreiuie doth further couenant w<sup>th</sup> the said Roþte Bartlet to serue the said Roþte one yeare more after the said three yeares are expired for fiue pounds stert.

\*42

\*PRENCE GOUN<sup>r</sup>.

Concerning the guift of M<sup>r</sup> James Shurley of London Merchant.

The vij<sup>th</sup> day of July 1638.

**W**HEREAS there was great difference about ymploying of the Stock giuen by M<sup>r</sup> James Shurley mēchant to the benefitt of the poore of the Towne of Plymouth because other places claymed an interest therein as Scituate and Duxborrow at this p<sup>r</sup>sent, as appertaininge to the Colony. It appeareth by the testimony of M<sup>r</sup> Winslow & M<sup>r</sup> Holmes that the donor intended the same onely to the Towne of Plymouth as also, by his tres vnder his owne hand in these words following as first by a tre dated the xvj<sup>th</sup> of Nouember 1633 ffor the cow I gaue amongst the poore and w<sup>ch</sup> the Lord hath beene pleased to blesse I could not haue any other thought then to the poore of Plymouth, and as you haue deserued praise in continuing of her &

her encrease according to the intent of the giuer, so I pray you do still that is onely to the poore of New Plymouth and if you put of any Bull calves or when they grow to bigger stature, I pray let that money or moneys worth purchase hose ℥ shooes for the poore of Plymouth or such necessaries as they most want and this I pray make knowne to all. and also by another letter dated the vij<sup>th</sup> of September Ann<sup>o</sup> 1635 Mr Hatherly requests me to expresse my self fully concerneing my smale gyft to the poore of the Towne of Plymouth I perceiue he would haue it belong to the Patten, but my answer to him is this: That I cannot justly doe what he requireth, for when I gaue it to the poore of the Towne of Plymouth I had not so much witt as to fore see that in so short tyme there would be other Townes that might lack, And therefore I must confesse that I freely ℥ wholly gaue it to the poore of the Towne of Plymouth and so I hope they will continue it. By the words of which two hres It appeareth that the guift belongeth onely to the Towne of Plymouth and for that cause they were here recorded to put an end to all differenc℥ for tyme to come.

\*Articles of agreement made and concluded vpon the xxvij<sup>th</sup> of August 1638 Betweene Gregory Armestrong of thone pty and Ellinor Billington, Widdow, of thother pty concning a marriage to be solempnized betweene the said pties as followeth viz<sup>s</sup>.

\*44

**I**NPRIMIS it is concluded and agreed vpon betweene the said pties to these p<sup>nt</sup>℥ and in considera<sup>ō</sup>n of the said Marriage That whereas the said Ellinor hath two Cowes w<sup>ch</sup> the said Gregory is p<sup>s</sup>ently to enter vpon The said Gregory doth couenant and graunt by these p<sup>nt</sup>℥ That if it please God that he happen to outliue the said Ellinor that then he shall and will at his decease giue two heiffers of a yeare old ℥ advantage a peece to the benefit of the naturall children of ffrancis Billington the said Ellinor℥ naturall sonn out of the estate that he shall then haue left, and if it happen that the said Gregory dept this life before the said Ellinor that then the estate shalbe at the disposing of the said Ellinor, except some thinges to his frend℥ at his death according to his estate at his death.

Item It is also concluded vpon that the said two heiffers shalbe put forth when they fall to the benefit of the said children by the ouersight ℥ discretion of the Go<sup>u</sup>n<sup>r</sup> and Assistant℥ of New Plymouth for the tyme being Always p<sup>u</sup>ided that the said ffrancis Billington haue the vse of them before any other, if he be then liueinge.

Item it is concluded vpon betweene the said pties And the said Ellinor doth

couenant and graunt to and w<sup>th</sup> the said Gregory That if hee the said Gregory shall surviue and outliue the said Ellinor that then hee the said Gregory shall enjoy the house they now liue in and the land℄ they occupye during his life.

\*46

\*PRINCE GOŪNOR 1638

**M**EMORANĎ That Joseph Grosse the xiiij<sup>th</sup> of August 1638 doth acknowledge that he hath put himself apprentice to John Winslow for the terme of seauen yeares next ensuing after the date hereof ℄ fully to be compleate ℄ ended The said John Winslow fynding him meate drink ℄ apparell during the said terme and in thend thereof to giue him two convenient suits of apparell one for workeing dayes and another for Lords dayes and twelue bushells of Indian Corne.

**M**EMORANĎ the xxv<sup>th</sup> of August 1638 That Peeter Maycock for ℄ in consideraĉōn of the suŋ of fourty shillings ster℄ to him in hand payd by Richard Wright doth acknowledg That he hath absolutely bargained ℄ sould vnto the said Richard Wright the xxv acres of land due to him for his service To haue and to hold the said lands ℄ all his interest ℄ title therevnto vnto the said Richard Wright his heires ℄ Assignes fore℄ to the onely pp use and behoofe of the said Richard Wright his heires and Assignes for e℄.

**M**EMORANĎ the xxix<sup>th</sup> day of August 1638 That Clement Briggs acknowledged that for good ℄ valuable consideraĉōn hee hath sould vnto M<sup>r</sup> Robte Heeks one acre of land in the vpper fall neere the second Brooke ℄ all his right title ℄ interest into the same To haue ℄ to hold the said acre of land vnto the said Robte Heeks his heires and Assignes for euer to their onely pper use and behoofe foreuer/

\*48

\*PRINCE GOU<sup>r</sup>. 1638.


**M**EMORANĎ that at the suite of M<sup>r</sup> Robert Heekes the xxix<sup>th</sup> August in the xiiij<sup>th</sup> yeare of the Raigne of o<sup>r</sup> Souaigne Lord Charles now of England Kinge ℄ Clement Briggs of Waymouth fellowenger was sworne ℄ exaied as followeth.

This deponant deponeth and sayth That hee this deppōit about two and twenty yeares since dwelling w<sup>th</sup> one M<sup>r</sup> Samuell Lathame in Barmundsey street in Southwark and one Thomas Harlow then also dwelling w<sup>th</sup> the said M<sup>r</sup> Robte Heeks.



The Deposición of Clement Briggs, of Weymouth fellmonger taken at New Plymouth the xxix day of August in the fourteenth yeare of the now Raigne of our Soſaigne Lord Charles by the grace of God of England Ʒ. 1638. before Thoñ Prence of New Plymouth gent̃ Goñr and Wilm Bradford of the same Gent̃ Assistant of the said goñr Ʒ.

**T**HIS Deponant deposeth and sayth That about two and twenty yeares since this depon<sup>t</sup> then dwelling w<sup>th</sup> one M<sup>r</sup> Samuell Lathame in Barmundsey streete in Southwarke a fellmonger and one Thomas Harlow then also dwelling w<sup>th</sup> M<sup>r</sup> Robte Heeks in the same street a fellmonger the said Harlow and this depon<sup>t</sup> had often conferrence together how many pelts eich of their masters pulled a weeke. And this depon<sup>t</sup> deposeth and sayth That the said Robte Heeks did pull three hundred peltƷ a weeke and diuers tymes six or seauen hundred Ʒ more a weeke in the killinge seasons w<sup>ch</sup> was the most part of the yeare (except the tyme of lent) for the space of three or foure yeares, And that the said Robte Heeks sould his sheeps pelts at that tyme for forty shillings a hundred to M<sup>r</sup> Arnold Allard whereas this depon<sup>t</sup> M<sup>r</sup> Samuell Lathame sould his peltƷ for fifty shillings p C to y<sup>e</sup> same man at the same tyme and M<sup>r</sup> Heeks peltƷ were much better ware.

CLEMENT  BRIGGS his marke.

\* PRENCE Goñnor

\*50

**M**EMORANÐ the xxix<sup>th</sup> of August 1638 That Web Adey acknowl- edgeth that for and in consideraçõ of the sume of seauenteene poundƷ ster<sup>t</sup> twenty shillings whereof is payd in hand hath absolutely bargained Ʒ sould vnto M<sup>r</sup> John Jenney all that his house and garden place adjoyneing scituate in Plymouth together w<sup>th</sup> the three acres of landƷ in the new feild therevnto belonging w<sup>th</sup> y<sup>e</sup> fences about the said landƷ and all his right title and interest of Ʒ into the said p<sup>r</sup>misss and euery pte Ʒ pcell thereof To haue and to hold the sd house Ʒ garden and landƷ therevnto belonging w<sup>th</sup> all Ʒ singular thapp<sup>r</sup>teñƷ therevnto belonging vnto the said John Jenney his heires and Assignes foreuer Ʒ to their onely proper use and behoofe foreuer/

**M**EMORANÐ the seaventh day of Septemb<sup>r</sup> 1638 That Thomas Prence gent̃ Ʒ Goñnor of New Plymouth William Bradford and Edward Winslow of the same gentl̃ and AssistantƷ of the said Goñment Execut<sup>rs</sup> of the last Will and Testament of Wilm Palmer of Duxborrow nayler deceased

by vertue and power committed to them by the said Wilt for and in consideraçon of the sum of one hundred pound℥ sterl Haue fully and absolutely bargained and sould vnto Thomas Besbeeche of Scituate gen<sup>t</sup> All that Messuage house and outhouses together w<sup>th</sup> the lands and fences about the same w<sup>th</sup> all and singuler thapp<sup>r</sup>teñc℥ and all the right title ℥ interest of and into the said p<sup>r</sup>misss ℥ every pt and pcell thereof w<sup>ch</sup> were lately the said William Palmers lying and being in Duxborrow aforesaid To haue and to hold the Messuage houses lands and p<sup>r</sup>misss and euery pt and pcell thereof vnto the said Thomas Besbeeche his heires and Assignes for euer to the onely p<sup>p</sup>er vse and behoofe of him the said Thomas Besbeeche his heires ℥ assignes foreü.

The first day of Septemb<sup>r</sup> 1638.

**M**EMORAN<sup>D</sup> That Georg Cleare of Ply<sup>m</sup> Carpenter doth acknowledg that he hath freely ℥ absolutely bargained ℥ sold vnto ffrancis Goulder of the same yeo<sup>m</sup> All that his house ℥ garden place ℥ fence about the same scituate in Ply<sup>m</sup> aforec<sup>d</sup> w<sup>th</sup> all ℥ singuler thapp<sup>r</sup>teñc℥ thervnto belonging and all his right title ℥ Interest of and into the same vnto the said ffrancis Goulder To haue ℥ to hold the said house and Garden place w<sup>th</sup> all ℥ singuler thapp<sup>r</sup>teñc℥ therevnto belonging vnto the said ffrancis Goulder his heires ℥ assignes for euer to the onely p<sup>p</sup> vse and behoofe of him the said ffrancis Goulder his heires ℥ Asss for eü.

\*52

\* PRINCE GOVERN<sup>r</sup>

The xij<sup>th</sup> day of September 1638.

**M**EMORAN<sup>D</sup> that M<sup>r</sup> Jonathan Brewster and Peter Meacock haue agreed and concluded about the keepeing of the fferry at the North Riuer for transportaçon of men and cattle as followeth ffirst That the said Jonathan shall at his owne p<sup>p</sup> cost and charges pvide one boate or skiffe for transportaçon of men oü the said Riuer and another vessell for horses and cattell w<sup>th</sup> oares and other necessaries vnto them belonging, And that the said Peter shall keepe the same for the space of three yeares now next ensuing and for his paynes shall haue thone half of the pfitt℥ arising for transportaçon of men and cattell w<sup>th</sup> the said vessells ouer the said Riuer during the said terme And also that the said Jonathan shall and will assigne the said Peter Meacock tenn acres of land℥ neero the said fferry place to haue and to hold the said tenn acres of land℥ vnto the said Peter his heires and Assignes

foreuer Provided alwayes that if the said Peter shalbe disposed to sell the same that then the said Johnnathan Brewster shall buy it before any other man he giueing for it as much as another will doe ; And it is also concluded vpon betweene the said pties That the said Peter shall mayntaine himself w<sup>th</sup> meate drink & apparell and keepe and mayntaine the said vessells or Boats w<sup>th</sup> their furniture & necessaries from tyme to tyme at his owne charges during the said terme in good & sufficient manner & in thend thereof so to leaue them And the said Peter doth further also couenant and agree to discharge and saue harmesse from tyme to tyme during the said terme the said Jonathan his Execut<sup>r</sup> & Assign<sup>s</sup> of & from any losse or damage that may happen or be occasioned by the said Peters absence or want of a ferry there during the said terme And lastly it is concluded betwixt the said pties That the said Jonathan shall fynd or p<sup>u</sup>re a man servant to dwell w<sup>th</sup> the said Peter and to set & plant corne w<sup>th</sup> him there and to fynd his said servant meate drink & apparell and to haue half the encrease of the Corne w<sup>ch</sup> they shall plant yearly during the said terme.

\* PRINCE GOÛN<sup>r</sup>.

\*54

**M**EMORAND<sup>Ÿ</sup> the fourteenth day of Septemb<sup>r</sup> 1638 That whereas Wiltm Tench and John Carman did bequeath two acres of land℄ vnto John Billington deceased Now Ellinor Billington his wyfe and ffancis Billington his sonn doe acknowledg that for and in considera<sup>õ</sup>n of the sume of foure pounds ster<sup>t</sup> in hand payd haue freely and absolutely bargained and sould vnto M<sup>r</sup> Tho<sup>m</sup> Prince GoÛn<sup>r</sup> the said two acres of land lying on the South side of the second brooke & next to the land℄ of M<sup>r</sup> Wiltm Bradford w<sup>th</sup> all & singuler the app<sup>t</sup>ēces therevnto belonging and all their right title & interest of & into same & every p<sup>t</sup>e & p<sup>ce</sup>ll thereof To haue and to hold the said two acres of land℄ w<sup>th</sup> their app<sup>t</sup>ēc℄ vnto the said Thomas Prence his heires and Assignes for euer to the onely p<sup>u</sup>er vse and behoofe of the said Thomas Prence his heires and Assignes fore<sup>u</sup>. There was one third p<sup>t</sup> of one of the said acres excepted w<sup>ch</sup> was giuen to M<sup>r</sup> Bradford & was rateably to be abated for, except M<sup>r</sup> Bradford would release the same w<sup>ch</sup> he did in considera<sup>õ</sup>n of the bargaine followinge.

Memorand the xxj<sup>th</sup> of Septemb<sup>r</sup> 1638 That Gregory Armestronge Ellinor his now wyfe and ffancis Billington her naturall sonn doe acknowledg that for and in considera<sup>õ</sup>n of the sume of fourty shillings ster<sup>t</sup> in hand payd by M<sup>r</sup> Wiltm Bradford as also for that the said M<sup>r</sup> Bradford hath released

his interest vnto them in third pte of an acre of land lately sould to M<sup>r</sup> Prince Haue freely & absolutely bargained & sould vnto the said M<sup>r</sup> W<sup>m</sup> Bradford one acre & a halfe of land lying on the north side of the land of the said Will<sup>m</sup> Bradford vpon the lowest diuision next the water side in the feild on the North side of the Towne of Plymouth together w<sup>th</sup> all their Right title & interest of and into the same w<sup>th</sup> all & singuler thapp<sup>r</sup>teñes therevnto belonging To haue & to hold the said acre & half of land w<sup>th</sup> all & singuler the app<sup>r</sup>teñe therevnto belonging vnto the said Will<sup>m</sup> Bradford his heires & Assignes for euer to the onely pp use and behoofe of the said William Bradford his heires & Assignes for euer.

\*56

\* PRINCE GOÛN<sup>r</sup>.

**M**EMORAN<sup>D</sup> the fourth day of October 1638 That Thomas Burges did acknowledg that he hath sould to Nicholas Robins Shoemaker all the fenceing and labour & building vpon and about the tenn acres of land lying on Duxburrow side w<sup>th</sup> all his Right title and interest thereinto and also into the said land & the Court graunted the land & 3 acres more to the s<sup>d</sup> Robins.

**M**EMORAN<sup>D</sup> the xxij<sup>th</sup> of Octob<sup>r</sup> 1638 That John Weekes doth acknowledg that for and in considera<sup>õ</sup>n of the su<sup>m</sup>e of thirty six pound<sup>l</sup> stert to him in hand payd by W<sup>m</sup> Paddy Hath absolutely and freely bargained and sould vnto the said Will<sup>m</sup> Paddy All that his Messuage house outhouses Sellers and buildings whatsoever at Wellingsley together w<sup>th</sup> the nine acres & a half of land therevnto belonging and all the hedges and other fence in and aboute and all his Right title & Interest into the said p<sup>r</sup>mis<sup>s</sup> & every pt and pcell thereof To haue and to hold the said Messuag houses and land & p<sup>r</sup>mis<sup>s</sup> w<sup>th</sup> all and singuler thapp<sup>r</sup>teñe vnto the same belonging vnto the said Will<sup>m</sup> Paddy his heires and Assignes for euer and to the onely pp vse and behoofe of him the said Will<sup>m</sup> Paddy his heires & Assignes for euer.

The deposi<sup>õ</sup>n of Thomas Harvey of Cohannett yeo<sup>m</sup> aged xxj yeares or there about<sup>l</sup> taken before Thom<sup>õ</sup> Prince gen<sup>t</sup> Gour & the eight day of Novemb<sup>r</sup> in the xiiij<sup>th</sup> yeare of his Ma<sup>t</sup> now Raigne of England & 1638.

**T**HE said Thomas Harvey deposeth and sayth That he this depo<sup>nt</sup> haueing a bond or writing vnder the hand and seale of Walter Knight carpenter whereby the said Walter Knight stood endebted in the su<sup>m</sup>e of five

pounds sterl vnto M<sup>r</sup> Christopher Derby w<sup>ch</sup> was payd for his passage ouer the w<sup>ch</sup> five pounds is to be payd vnto M<sup>r</sup> Richard Derby here: as this deponent was reading the same (at the s<sup>d</sup> Knight℄ request) in the ship as they came ouer The said Walter Knight snatched the said bond or writing out of this depon<sup>t℄</sup> hand℄ and imēdiately tore the same in peece℄.

## \* PRENCE GOUNOR.

\*58

**M**EMORAN<sup>ḏ</sup> the xxvij<sup>th</sup> of Novemb<sup>r</sup> 1638 That whereas Abraham Blush purchased one House and lot of land containeing twenty acres lying on Ducksborrow side of Richard Moore with all the fence and labours vpon ℄ about the same Now the said Abraham Blush doth acknowledg this p<sup>r</sup>sent day that for ℄ in considera<sup>ḡ</sup>on of the sumē of eight pound℄ ten shillings sterl to him in hand payd by John Willis hath freely and absolutely sould vnto the said John Willis the one half of the said lott of lands being the Easterly end thereof toward℄ the place called the Eagles nest w<sup>th</sup> all ℄ singular the p<sup>r</sup>misss therevnto belonging together with all his Right title ℄ interest of ℄ into the same To haue ℄ to hold the said half lott of land w<sup>th</sup> all ℄ singular thapp<sup>r</sup>teñces therevnto belonging vnto the said John Willis his heires ℄ Assignes foreū to the onely proper vse ℄ behoofe of the said John Willis his heires ℄ Assignes foreū.

**M**EMORAN<sup>ḏ</sup> the xxx<sup>th</sup> day of Novemb<sup>r</sup> 1638 That M<sup>r</sup> Steephen Hopkins doth acknowledg that for and in considera<sup>ḡ</sup>on of the sumē of six pound℄ sterl to him in hand payd by Josias Cooke hath freely ℄ absolutely bargained ℄ sould vnto the said Josias Cooke all those his six acres of land lying on the South side of the Towne brooke of Plymouth to the woodward and all his right title and interest of and into the same To haue ℄ to hold the said six acres of land w<sup>th</sup> all ℄ singular thapp<sup>r</sup>teñces therevnto belonging vnto the said Josias Cook his heires ℄ Assignes foreuer to the onely proper vse ℄ behoofe of him the said Josias Cook his heires ℄ Assignes for euer.

**M**EMORAN<sup>ḏ</sup>; The 29<sup>th</sup> of September 1657 That wheras John Willis purchased of Abraham Blush halfe the twenty acree lott lying on Duxburrow syde; which Lott the said Blush purchased of Richard More as may appeer by an Instrument vpon Record bearing date November 27 i638 Now the said John Willis doth acknowlidg that for and in consideration of eight pounds to him in hand payed by Wiltam Paybody of Duxburrow; haue freely and absolutely sold vnto the said Wiltam Paybody That one halfe

lott That hee bought of the aforesaid Blush being the easterly end of the twenty acree Lott Towards the place called the Eagles Nest point with all and singlegulare the premises thervnto belonging, Together with all his Right title and Interest of and in the same To haue and to hold the said halfe Lott of land with all and singulare the Appurtenances thervnto belonging vnto the said Wilłam Paybody his heires and Assignes for euer for the onely proper vse and behooffe of him the said Wilłam Paybody his heires and Assignes for euer.

By mee JOHN WILLIS.

Signed sealed and deliuered  
in the p<sup>r</sup>esence of Nathaniell Morton  
Josiah Standish

This Instrument was acknowledged this 4<sup>th</sup> of July 1679 before mee

DANIELL SMITH Assistant ;

\*60

\* PRENCE GOÛN<sup>r</sup>.

**M**EMORANÐ the xxvj<sup>th</sup> day of December 1638 That Leiftennant Wilłm Holmes for ℓ in consideraçõn of the suñe of fiteene pounds tenn shillings sterł to him in hand payd hath freely and absolutely bargained ℓ sould vnto M<sup>r</sup> John Howland all that lott ℓ half of landℓ lying on Duxborowe side betweene the landℓ of Joseph Biddle and Constance Sowthworth containe thirty acres be it more or lesse together with three acres of meadow thereto belonging and all his right title ℓ interest of and into the said p<sup>r</sup>miss̄s ℓ every pt ℓ pcell thereof To haue ℓ to hold the said Landℓ w<sup>th</sup> all ℓ singuler thapp<sup>r</sup>ntces thervnto belonginge vnto the said John Howland his heires ℓ Assignes for euer ℓ to the onely proper use and behooffe of him the said John Howland his heires and Assignes for euer.

**M**EMORANÐ the xxvj<sup>th</sup> day of December 1638 That Leiftennant W<sup>m</sup> Holmes of Plymouth doth acknowledg that for and in consideraçõn of the suñe of sixteene poundℓ sterł to him in hand payd wherew<sup>th</sup> he is fully satisfied and payd hath freely and absolutely bargained and sould vnto Nathaniel Sowther of the same yeoñ All that house and garden place in Plymouth aforesaid lying on the North side of the heigh street betweene the lands of M<sup>r</sup> John Alden and the fort and all the fence about the same w<sup>th</sup> all ℓ singuler thapp<sup>r</sup>tēçℓ thervnto belonging together w<sup>th</sup> all his right title and interest into the said p<sup>r</sup>miss̄s ℓ every part ℓ pcell thereof To haue ℓ to hold the s̄d House and garden place and all ℓ singuler thapp<sup>r</sup>tēces thervnto

beloing vnto the said Nathaniell Sowther his heires and Assignes foreuer and to the onely pper use and behoofe of him the said Nathaniell Sowther his heires and Assignes for euer.

**M**EMORANĎ the xxiiij<sup>th</sup> of Januař 1638 That Edward Hall of Duxborrow doth acknowledg that for and in consideraċōn of the sume of twenty foure pounds sterł to be payd him by M<sup>r</sup> Wilłm Wetherell hath freely and absolutely bargained and sould vnto the said Wilłm Wetherell all that dwelling house and garden place w<sup>th</sup> thenclosure therevnto belonging scituate in Duxborrow aforesaid containeing two acres or there aboute as the same is now enclosed lying betweene the lands of M<sup>r</sup> Raph Partrich & Nicholas Robins together w<sup>th</sup> all his right title and interest of and into the same and all the fence & labours vpon the p<sup>r</sup>misses w<sup>th</sup>all and singuler thapp<sup>r</sup>teineċ therevnto belonging & euery pte & pcell thereof To haue & to hold the said dwelling house garden place & p<sup>r</sup>misses w<sup>th</sup>all and singuler their app<sup>r</sup>teinces therevnto belonging to the said Wilłm Wetherrell his heires and Assignes foreuer, and to the onely pp vse and behoofe of the said Wilłm Wetherrell his heires & Assignes for euer.

\*PRENCE Gou<sup>r</sup>.

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**M**EMORANĎ the second day of februař 1638 That M<sup>r</sup> John Jenney doth acknowledg that for and in consideraċōn of the sume of fourescore and two pounds sterł to him paid by M<sup>r</sup> John Howland and also for three acres of land of the said John Howland lying at Caughtaughanteist hill on the south side of the towne of Plymouth hath freely and absolutely sould vnto the said John Howland All that his house barnes & outhouses at Rockey Nooke together w<sup>th</sup> all the lands therevnto belonging layd forth for the said M<sup>r</sup> Jenneys shares w<sup>th</sup> that w<sup>th</sup> was Phillip Delanoys allowed him for want of measure and the five acres of meadow adjoyneing vnto the said land And all his right title and interest of and into the said p<sup>r</sup>misses and all the fenceing wood tymber & trees in and vpon the same w<sup>th</sup> all & euery the app<sup>r</sup>tenceċ therevnto belonging To haue and to hold the said dwelling house barnes & outhouses lands and meadowes & p<sup>r</sup>misses w<sup>th</sup> all & singuler theire app<sup>r</sup>teineċ therevnto belonging vnto the said John Howland his heires and Assignes foreu to the onely pper vse and behoofe of him the said John Howland his heires and assignes for euer./

**M**EMORANÐ the same day That John Howland doth acknowledg that he hath in the consideraçõn of the bargaine afores<sup>d</sup> absolutely and freely sould & conveyed three acres of land lying at Cautaughteist hill vnto the said John Jenney & all his right title & interest of and into the same To haue & to hold the said three acres of land w<sup>th</sup> all & singuler thapp<sup>t</sup>encel therevnto belonging vnto the said John Jenney his heires and Assignes foreû and to the onely pper vse & behoofe of him the said John Jenney his heires and Assignes foreû, puided they be measured oûthawrt the s<sup>d</sup> M<sup>r</sup> Howland & pportion there and to haue that pt next the ^

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\*PRENCE GOÛN<sup>r</sup>.

**M**EMORANÐ the xxiii<sup>j</sup>th of March 1638 That Richard Clough of Plymouth Taylor doth acknowledg that for and in consideraçõn of the sume of seaven poundel tenn shillings sterl to him in hand payd by Wilłm Dennis of the same shoemaker hath freely & absolutely bargained & sould vnto the said Wilłm Dennis all those his five acres of land be it more or lesse lying at fishing poynt betweene the landel of Thomas Pope on the North side and the landel of Wilłm Hiller on the South side and all the fence and labours in and about the same together w<sup>th</sup> all his right title & interest of and into the same and euery pt & pcell thereof w<sup>th</sup> all and singulare thapp<sup>t</sup>encel therevnto belonging To haue and to hold the said five acres of land & fenceing aboute the same w<sup>th</sup> all & singuler thapp<sup>t</sup>encel therevnto belonging vnto the said Wilłm Dennis his heires and Assignes foreû to the onely pper vse of him the said Wilłm Dennis his heires & Assignel foreû.

**M**EMORANÐ the vij<sup>th</sup> of May 1639 That Edward Holiman doth acknowledged that for & in consideraçõn of the sum of five pounds & x<sup>s</sup> sterl to him by Rołte Waterman payd and secured to be payd hath freely & absolutely bargained & sould vnto the said Rołte Waterman all that his garden place scituate & being in the new streete in Plym afores<sup>d</sup> betweene the Landel of M<sup>r</sup> John Done on the East side and of M<sup>r</sup> Andrew Hellott on the West side together w<sup>th</sup> all the tyMBER for buildinge & fence in & aboute the same and all his Right title & interest into the said p<sup>r</sup>misss & euery pt & pcell thereof w<sup>th</sup> their app<sup>t</sup>encel To haue and to hold the said garden place tyMBER for buildinge & fence about the same w<sup>th</sup> all & singuler thapp<sup>t</sup>encel therevnto belonging vnto the said Rołte Waterman his heires & Assignes foreû to the onely pp use and behoofe of the said Rołte Waterman his heires and Assignes foreû.



\*BRADFORD Gou<sup>r</sup>:

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**M**EMORAN<sup>D</sup> the xiiij<sup>th</sup> day of July Anno D<sup>ni</sup> 1639 That whereas Robert Hick<sup>l</sup> of Plym<sup>th</sup> by the name of Ro<sup>b</sup>te Hicks cittizen & leather seller of London by his bill vnder his hand & seale beareing date the sixt day of July 1618 standeth endebted vnto one Tho<sup>m</sup> Heath cittizen & Cooper of London in the sume of one hundred and four score pound<sup>l</sup> w<sup>ch</sup> was this day demaunded by tres of Attorney made by ffrancis Newbould Execut<sup>r</sup> to the said Thomas Heath deceased to one Wil<sup>m</sup> Heath and by another tre of Attorney made by the said Wil<sup>m</sup> Heath to one Hannah Cugley who demaunded the said money which seemed due by the said bill as afore<sup>s</sup>d The said Ro<sup>b</sup>te Hicks shewed a ge<sup>n</sup>all acquittance of all debts & demaund<sup>l</sup> whatsoever from the worlds begining vntill the thirteenth day of July Anno D<sup>ni</sup> 1619 in the xvij<sup>th</sup> yeare of King James <sup>l</sup><sup>c</sup> of happy memory made vnder the hand and seale of the said Tho<sup>m</sup> Heath whereby it appeareth that the <sup>s</sup>d debt is fully & clearely discharged.

**M**EMORAN<sup>D</sup> the xiiij<sup>th</sup> day of July 1639 That M<sup>r</sup> Ro<sup>b</sup>te Hicks came before the Go<sup>v</sup> and desired the acquittance of Thomas Heath of London Cooper might be recorded (w<sup>ch</sup> was accordingly granted) and it followeth in these words viz<sup>s</sup> Bec it knowne vnto all men by these p<sup>r</sup>nt<sup>l</sup> That I Thomas Heath of London Coop<sup>r</sup> haue remised released & for me mine heires execut<sup>r</sup> and Administrat<sup>r</sup> do by these p<sup>r</sup>nt<sup>l</sup> remise release and fore<sup>u</sup> quite clayme vnto Ro<sup>b</sup>te Hicks of London Leather seller his heires execut<sup>r</sup> and Administrat<sup>r</sup> all and all manner of acc<sup>o</sup>ns cause of acc<sup>o</sup>ns suit<sup>l</sup> quarrells Debt<sup>l</sup> Duties and Demaund<sup>l</sup> whatsoever w<sup>ch</sup> I the <sup>s</sup>d Thomas Heath mine heires execut<sup>r</sup>s & administrat<sup>r</sup> now haue or hereafter might haue against the said Ro<sup>b</sup>te Hick<sup>l</sup> his heires execut<sup>r</sup> or Administrat<sup>r</sup> for any matter cause or thing whatsoever from the begining of the world vntill the day of the date hereof In witness whereof I haue herevnto set my hand & Seale Yeouen this thirteenth day of July Ann<sup>o</sup> D<sup>ni</sup> 1619 and in the seauenteenth yeare of the Raigne of our Sou<sup>er</sup>aigne Lord James by the Grace of God King of England ffrance & Ireland and of Scotland the three & fiftieth <sup>l</sup><sup>c</sup>.

Scaled and deliued in  
the presence of

Mordicay Hunton  
Nathaniell Harris  
Peter Carter.

by me THOMAS HEATH

here his  
Seale

\*70 \* 1639.

BRADFORD GOÛN<sup>r</sup>.

**M**EMORANÐ the x<sup>th</sup> of June 1639 That Richard Cluffe of Plym Taylor for and in consideraçõn of the sume of fiftene pound℥ sterl to him in hand payd by M<sup>r</sup> John Jenney of the same hath freely ℥ absolutely bargained and sould vnto the said John Jenney All that his house ℥ garden w<sup>th</sup> the fence about the same all that the said Richard Cluff bought of Samuell Eddy w<sup>th</sup> twenty post℥ and forty Rayles and two hundred of pallasadoes lying in the woods w<sup>th</sup> all his Right title and interest of and into the same ℥ euery pt ℥ pcell thereof together w<sup>th</sup> all ℥ singuler thapp<sup>r</sup>teñcs therevnto belonging To haue and to hold the said house and garden place land℥ fence and p<sup>r</sup>misss w<sup>th</sup> all ℥ singuler their appurteñces and eucry pt and pcell thereof vnto the said John Jenney his heires and assignes foreû to the onely pp use and behoofe of the said John Jenney his heires and Assignes for euer.

**M**EMORANÐ the xxiii<sup>th</sup> June 1639 That John Combe gen<sup>t</sup> doth acknowledge That for and in consideraçõn that M<sup>r</sup> Thoñ Prence hath vndertaken to pay sixteene bushells of English wheate and eighteene bushells of English Rye dry and well condiçõned to Wil<sup>m</sup> Hatch of Scituate or his Assignes at Boston Scituate or Plymouth where the said W<sup>m</sup> Hatch or his Assignes shall appoynt yt to be deliued ℥ saue the said Wil<sup>m</sup> Hatch harmlesse of so much Corne to be deliued by him to M<sup>rs</sup> Glouer of Cambridg Hath freely ℥ absolutely bargained sould assigned ℥ set ouer vnto the said Thomas Prence All that his Dwelling house and twenty acres of land℥ lying on that side toward℥ ffrancis Cook℥ land w<sup>ch</sup> came by his wyfe w<sup>th</sup> all his right title ℥ interest of and into the same w<sup>th</sup> all ℥ singuler thapp<sup>r</sup>teñcs therevnto belonging To haue and to hold the said house and land℥ w<sup>th</sup> all ℥ singuler thapp<sup>r</sup>teñc℥ therevnto belonging vnto the said Thoñ Prence his heires and assignes foreuer to the onely pper use and behoofe of him the said Thomas Prence his heires and Assignes for euer Provided that if the said John Combe shall satisfye and pay or cause to be satisfyed and payd vnto the said Wil<sup>m</sup> Hatch or M<sup>rs</sup> Glouer of Cambridg the said sixteene bushells of wheate and eighteene bushells of Rye as aforesaid That then the bargaine and sale aforesaid to be voyde or els to be in full force strength and validitie.

And it is also agreed vpon betweene the said John Combe and Thomas Prence That whereas there was other tenn acres of land exchanged w<sup>th</sup> the said M<sup>r</sup> Thoñ Prence which was the said M<sup>r</sup> Combes mother in lawes if the heire when he comes to his age doe not legally confirme the said

exchange so made That then the said Tenn agrees shalbe and remayne vnto the said Thomas Prence his heires and Assignes as in his and their former estate Provided that in the meane tyme it shalbe lawfull for the said John Combe to plant & occupie the said land, but not otherwise to exchange sell or mortgage the same.

\* 1639.

BRADFORD Gou<sup>r</sup>

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**M**EMORAN<sup>D</sup> the xiiij<sup>th</sup> July 1639 That Georg Sowle doth acknowledge that for & in considera<sup>o</sup>n of one Steere Calfe to him payd & Delivered by Rob<sup>t</sup>e Hick of Plymouth hath freely and absolutely bargained and sould vnto the said Rob<sup>t</sup>e Hicks his heires & assignes all those his two acres of land lying at the place called the watering place on the South side of the Towne of Plymouth and all his right title & interest of and into the same w<sup>th</sup> all and singuler thapp<sup>r</sup>te<sup>n</sup>ces therevnto belonging To haue and to hold the said two acres of land w<sup>th</sup> all and singule the app<sup>r</sup>te<sup>n</sup>ce therevnto belonging vnto the said Rob<sup>t</sup>e Hicks his heires & Assignes forc<sup>u</sup> to the onely p<sup>p</sup>er use and behoofe of him the said Rob<sup>t</sup>e Hicks his heires and assignes for cuer/

**M**EMORAN<sup>D</sup> the xxiiij<sup>th</sup> of June 1639 That John Winslow of Ply<sup>m</sup> yeom<sup>a</sup> doth acknowledg that for and in considera<sup>o</sup>n of the sume of eight pound & ster<sup>t</sup> to him in hand payd by John Barnes of the same yeom<sup>a</sup> hath freely and absolutely bargained & sould vnto the said John Barnes foure acres of meddow land assigned and layd forth to the said John Winslowe at the Heigh Pynes lying to the south east side of the meddow ground there likewise layd forth vnto the said John Barnes w<sup>th</sup> all & singuler thapp<sup>r</sup>te<sup>n</sup>ces therevnto belonging and all his right title & interest of & into the said p<sup>r</sup>mis<sup>s</sup> and euery pt & p<sup>o</sup>cell thereof To haue and to hold the said foure acres of meddow w<sup>th</sup> all and singuler thapp<sup>r</sup>te<sup>n</sup>ces therevnto belonging vnto the said John Barnes his heires & Assignes forc<sup>u</sup> to the onely p<sup>p</sup>er use and behoofe of him the said John Barnes his heires and assignes for euer.

**M**EMORAN<sup>D</sup> the xx<sup>th</sup> July 1639 That John Barnes of Ply<sup>m</sup> yeom<sup>a</sup> doth acknowledg that for and in considera<sup>o</sup>n of the sume of nine pound & fifteene shillings ster<sup>t</sup> to him in hand payd by M<sup>r</sup> Rob<sup>t</sup>e Hicks of the same Hath freely and absolutely bargained and sould vnto the said Rob<sup>t</sup>e Hick all those foure acres of meddow ground lying at the High Pynes w<sup>th</sup> he bought of John Winslowe and all his right title and interest of & into the same w<sup>th</sup> all & singuler thapp<sup>r</sup>te<sup>n</sup>ce therevnto belonging To haue and to

hold the said foure acres of meddow w<sup>th</sup> all and singuler thapp<sup>t</sup>ence℥ therevnto belonging vnto the said Ro<sup>b</sup>te Hicks his heires and Assignes foreuer to the onely p<sup>p</sup>er use and behoofe of the said Ro<sup>b</sup>te Hicks his heires and assignes foreū.

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\*BRADFORD GOŪ.

**M**EMORAN<sup>D</sup> the xv<sup>th</sup> day of August 1639 That John Cooke the yonger doth acknowledg that for and in considera<sup>o</sup>n of the su<sup>m</sup>e of twelue pound℥ ster<sup>t</sup> to him in hand payd by Georg Partrich of Duxborrow Taylor hath freely ℥ absolutely bargained ℥ sould vnto the said Georg Partrich one lott of land containeing twenty acres or there about℥ lying on Duxborrow side betwixt the land℥ of M<sup>r</sup> Comfort Starr lying on the Northeast side ℥ Thomas Morton on the Southwest side thereof w<sup>th</sup> all and singuler thapp<sup>t</sup>eñces therevnto belonging w<sup>th</sup> all his Right title and interest of and into the same To haue and to hold the said lott of land℥ w<sup>th</sup> all ℥ singuler thapp<sup>t</sup>eñces therevnto belonging vnto the said Georg Partrich his heires ℥ Assignes for euer to the onely p<sup>p</sup>er use and behoofe of him the said Georg Partrich his heires ℥ assignes for euer.

**M**EMORAN<sup>D</sup> the xix<sup>th</sup> day of July 1639 That M<sup>r</sup> Thomas Besbeeche of Duxborrow doth acknowledg that for and in considera<sup>o</sup>n of the su<sup>m</sup>e of twenty shillings to him in hand payd hath freely and absolutely bargained and sould vnto Edmond Chaundlor of the same one acree of land lying to the north side of the lands of the said Thomas Besbeeche next to the heighway and all his right title and interest of and into the same and the said Edward is to set vp the fence betwixt them before the begining of the next March To haue and to hold the said acre of land and all ℥ singuler thapp<sup>t</sup>eñc℥ therevnto belonging vnto the said Edmond Chaundlor his heirs ℥ Assignes foreū to the onely p<sup>p</sup> use and behoofe of him the said Edmond Chaundlor his heires and Assignes for eū.

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\*BRADFORD GOU<sup>r</sup>:The xxiiij<sup>th</sup> Septemb<sup>r</sup> 1639.

**M**EMORAN<sup>D</sup> That Edward Dotey of Ply<sup>m</sup> Planter doth acknowledg That for and in considera<sup>o</sup>n of the su<sup>m</sup> of twenty two pound℥ to him in hand payd by M<sup>r</sup> Richard Derby hath freely and absolutely bargained ℥ sould vnto the said Richard Derby one lott of Land contayneing twenty acres lying at the heigh Cliff the Land℥ of John Winslow lying on the North side thereof and the land℥ of the said Edward Dotey on the South side w<sup>th</sup>

all and singular thapp'teñç therevnto belonging & all his right title & interest therein To haue and to hold the said twenty acres of land and fence about the same & all & singular thapp'tencç therevnto belonging vnto the said Richard Derby his heires and Assignes for euer To the onely pp use and behoofe of him the said Richard Derby his heires & Assignes for eũ.

**M**EMORANĎ the same day That the said Richard Derby for and in consideraçõn of the sumes of xx<sup>s</sup> to him in hand payd and twenty poundç sterł to be payd in England by the appoyntment of Samuell King of Plym̄ hath freely and absolutely bargained and sould vnto the said Samuell King the abouesaid xx acres of landç at the heigh Cliffe & fence about the same w<sup>th</sup> all & singular thapp'teñç therevnto belonging and all his Right title & interest of and into the same w<sup>th</sup> all & singular thapp'teñç therevnto belonging To haue and to hold the said xx acres of land and all & singular thapp'tencç therevnto belonging vnto the said Samuell King his heires and Assignes for eũ to the onely pp use & behoofe of the said Samuell King his heires and Assignes for eũ.

The viij<sup>t</sup> of Octobr 1639.

**M**EMORANĎ That Peter Collymer for & in consideraçõn of the sune of six poundç sterł to be payd him the last day of Aprill next by Raph Chapman of Duxborrow hath freely & absolutely bargained & sould vnto the said Raph Chapman all those his xxv acres of landç due vnto the said Peter for his service and all his Right title & interest of and into the same w<sup>th</sup> all & singular thapp'tencç therevnto belonging To haue and to hold the said xxv acres of landç & all & singular the app'teñç therevnto belonging vnto the said Raph Chapman his heires & Assignes for eũ to the onely pper use & behoofe of him the said Raph Chapman his heires & Assignes for eũ.

The xvi<sup>th</sup> Octobr 1639.

**M**EMORANĎ That Nathaniell Sowther of Plym̄ doth acknowledg That for & in consideraçõn of the sum̄ of three poundç tenn shillings sterł & one bushell of Indian Corne to be payd the first day of february next ensuing by John Paybody hath freely & absolutely bargained & sould vnto the said John Paybody all those his two acres marsh meaddow assigned him at Blewfish Riuer and all his right title & interest of and into the same To haue & to hold the s̄d two acres of meaddow w<sup>th</sup> all & singular thapp'tencç therevnto belonging vnto the said John Paybody his heires & Assignes for euer to the onely pp use & behoofe of him the said John Paybody his heires & Assignes for eũ.

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\* BRADFORD GOV<sup>n</sup>.

**M**EMORAN<sup>D</sup> The xix<sup>th</sup> of October 1639 That Rob<sup>t</sup>e Mendall of Dux-  
 borrow doth acknowledg that for ℥ in considera<sup>o</sup>n of the sume of six  
 pound℥ to him in hand payd and eighteene pound℥ ster<sup>t</sup> more to be payd  
 him by John Phillips yearly every first day of Octob<sup>r</sup> at M<sup>r</sup> Winthrops house  
 in Bostone vntill the said xvij teene pound℥ shalbe fully payd Hath freely and  
 absolutely bargained ℥ sould vnto the said John Phillips All that his dwelling  
 house ℥ outehouses and all the land℥ therevnto belonging and the fence ℥  
 labours in ℥ about the same w<sup>th</sup> two acres of meddow therevnto assigned ℥  
 all ℥ singular thapp<sup>r</sup>teñc℥ vnto the said p<sup>r</sup>miss<sup>s</sup> belonging and all his Right  
 title ℥ interest of ℥ into the same and every pt ℥ pcell thereof To haue ℥ to  
 hold the said house outhouses meadow land℥ ℥ p<sup>r</sup>miss<sup>s</sup> w<sup>th</sup> all ℥ singular  
 their appu<sup>r</sup>teñc℥ vnto the said John Phillips his heires ℥ Assignes for euer  
 and to the onely pp use ℥ behoofe of him the s<sup>d</sup> John Phillips his heires ℥  
 Assignes for eū. Provided that if the said John Phillips do fayle to make  
 payment of the first payment at the day and place afore<sup>s</sup>d That then the bar-  
 gaine to be voyd.

The fourth of Novemb<sup>r</sup> 1639.

**M**EMORAN<sup>D</sup> That ffrancis Billington ℥ Christian his wyfe for and in  
 considera<sup>o</sup>n of the sume of seauen pound℥ ster<sup>t</sup> to them in hand  
 payd by Jonathan Brewster ℥ Loue Brewster Haue freely and absolutely bar-  
 gained ℥ Sould vnto them the said Jonathan and Loue All that third part of  
 the lands lying on that side next to the land℥ of the s<sup>d</sup> Jonathan ℥ Loue  
 accruing vnto the said Christian as her third℥ by her right from her former  
 husband ffrancis Eaton w<sup>th</sup> all ℥ singular thapp<sup>r</sup>teñc℥ therevnto belonging and  
 all their right ℥ interest thereinto ℥ every pt ℥ pcell thereof To haue and to  
 hold the said third℥ of the said land℥ w<sup>th</sup> all ℥ singular thapp<sup>r</sup>teñc℥ thereunto  
 belonging vnto them the said Jonathan Brewster ℥ Loue Brewster their heires  
 Execut<sup>r</sup>℥ ℥ Assignes during the naturall life of the said Christian.

The sixt of November 1639.

**M**EMORAN<sup>D</sup> that Wiltm Hiller for and in considera<sup>o</sup>n of the sume  
 of foure pound℥ ster<sup>t</sup> and twenty bushells of Indian Corne in hand  
 payd by Marke Mendloue hath freely and absolutely sould vnto the said  
 Marke Mendloue all those his fiue acres of land℥ be it more or lesse lying at

the Eele Riuer betweene the landℓ of Wilłm Dennis and Thomas Clark w<sup>ch</sup> the said Wilłm hath lately bought of Richard Wright and all his right title ℓ interest of ℓ into the same w<sup>th</sup> the fence about yt and all ℓ singuler the p<sup>r</sup>miss<sup>s</sup> therevnto belonging To haue and to hold the said fiue acres of landℓ and all and singuler thapp<sup>r</sup>teñeℓ therevnto belonging vnto the said Marke Mendloue his heires and Assignes foreü to the onely pp use and behoofe of him the said Marke Mendloue his heires and Assignes for eü.

\* 1639.

BRADFORD Gou<sup>r</sup>.

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The vij<sup>th</sup> Novemb<sup>r</sup> 1639.

**M**EMORANĎ That Edward Holman for ℓ in consideraċõn of the suñe of fourty shillings to him in hand payd by John Barnes hath freely ℓ absolutely bargained and sould vnto the said John Barnes all those his two acres of meaddow assigned the said Edward and layd forth for him at the Turkey poynt w<sup>th</sup> all his right title ℓ interest of and into the same w<sup>th</sup> all ℓ singuler thapp<sup>r</sup>teneℓ therevnto belonging To haue ℓ to hold the said two acres of Meaddow w<sup>th</sup> the app<sup>r</sup>teneℓ therevnto belonging vnto the said John Barnes his heires and Assignes foreü to the onely p<sup>p</sup>er vse and behoofe of him the said John Barnes his heires and Assignes for eü.

The viij<sup>th</sup> Novemb<sup>r</sup> 1639.

**M**EMORANĎ That Rowland Leighorne of Duxborrow doth acknowledg that for and in consideraċõn of the suñe of eighteene poundℓ sterł to be payd in August next hath freely and absolutely bargained and sould vnto Wilłm Hiller and Georg Pollerd all that his house ℓ garden place in Duxborrow aforesd and tenn acres of landℓ therevnto belonging w<sup>th</sup> one acree of Meaddow therevnto adjoyneing w<sup>th</sup> all ℓ singuler thapp<sup>r</sup>teneℓ vnto the said p<sup>r</sup>miss<sup>s</sup> belonging and all his right title and interest of and into the same ℓ every pte thereof To haue and to hold the said house garden place tenn acres of vpland and one acree of meaddow and all ℓ singuler thapp<sup>r</sup>teñes therevnto belonging vnto the said Wilłm Hiller ℓ George Pollerd their heires and Assignes for euer to the onely use ℓ behoofe of them the said Wilłm Hiller and Georg Pollerd their heires ℓ Assignes for euer/

The xxv<sup>th</sup> of Novemb<sup>r</sup> 1639.

**M**EMORANĎ That M<sup>r</sup> Thomas Starr of Duxborrow doth acknowledg that for and in consideraċõn of the suñe of tenn poundℓ sterł fiue poundℓ whereof is in hand payd ℓ thother fiue poundℓ is to be payd the

xxv<sup>th</sup> of March next by M<sup>r</sup> Andrew Hellot of Plymouth Hath freely & absolutely bargained and sould vnto the said Andrew Hellot One frame of a house w<sup>th</sup> a chymney to be set vp and thacked in Yarmouth in the place appoynted and seaventeene acres of vpland in two divisions and twelue acres of Marsh & meadow vnto the said house and meadsteed belonging in Yarmouth aforesaid w<sup>th</sup> all and singuler thapp<sup>t</sup>ēncℓ therevnto belonging and all his right title & interest of & into the same w<sup>th</sup> euery ^ & pcell thereof To haue & to hold the said house & meadsteed seaventeene acres of vpland and twelue acres of Marsh & meadow w<sup>th</sup> all and singuler thapp<sup>t</sup>ēncℓ therevnto belonging vnto the said Andrew Hellot his heires and assignes foreū to the onely pper vse and behoofe of the said Andrew Hellott his heires & Assignes foreū.

The frame of the said house is to be made & set vp w<sup>th</sup> a chymney and to be thacked studded and latched (daubing excepted) by Wilłm Chase who was agreed w<sup>th</sup>all and payd for the doing thereof by the sđ Thomas Starr before the bargaine was made w<sup>th</sup> M<sup>r</sup> Hellot as aforesđ and so assigned oū to him.

\*82

\*BRADFORD Gofin<sup>r</sup>xv<sup>to</sup> Caroli Rℓ.The ix<sup>th</sup> of December 1639.

**M**EMORANĎ That M<sup>r</sup> Edward Winslowe doth acknowledg That for and in consideraċōn of the sume of six score poundℓ sterł to be paid him by M<sup>r</sup> Thomas Wallis merchant in manner & forme following That is to say fīue poundℓ in hand fīteene poundℓ the first day of May next ensuing fītye poundℓ the first of August following and the other fifty poundℓ vpon the first of ffebruař next after Hath freely and absolutely bargained & sould vnto the said Thomas Wallis All that his dwelling house & garden place the backhouse in thend thereof w<sup>th</sup> the fould yard now adjoyneing as the same is now taken in and the outhouse on the banck side & the land lying betweene the p<sup>r</sup>miss̄s and the waterside as farr as the garden & fould yard do extend w<sup>th</sup> all & singuler thapp<sup>t</sup>ēncℓ to the said p<sup>r</sup>miss̄s belonging & euery pt & pcell thereof and all his right title and interest thereinto & euery pt thereof (except liberty of ingresse egressse & regresse for the said Edward Winslow his heires and Assignes in the said fould yard to his barne and stable w<sup>th</sup> liberty also to lay manure in the said yard and also except the land lying northward from thend of the said barne & stable to the streetward and little pcell of land lying at the south end of the said barne, and liberty likewise to take away the fruit trees when he pleaseth) now growing in the said



garden. To haue ℥ to hold the said house and garden place backhouse fould yard outhouse and all ℥ singular the p<sup>r</sup>misss with their app<sup>r</sup>teñe℥ (except before excepted) vnto the said Thomas Wallis his heires ℥ Assignes foreũ and to the onely p<sup>p</sup>er use and behoofe of him the said Thomas Wallis his heires and Assignes foreũ.

The ix<sup>th</sup> Decemb<sup>r</sup> 1639.

**M**EMORAN<sup>D</sup> That M<sup>r</sup> Rob<sup>t</sup>e Hicks hath set and to farme lett vnto John Smyth fūe acres of land℥ be it more or lesse lying at the Recde pound To haue ℥ to hold the said fūe acres of land vnto the said John Smyth and his Assignes from the xxv<sup>th</sup> of March next ensuing the date hereof vnto thend ℥ terme of three yeares thenç next ensuing and fully to be compleat The said John Smyth ℥ his Assignes yielding and paying therefore yearly during the said terme xij bushells of Indian Corne good ℥ merchantable in December yearly and shall fence the East side of the said fūe acres to the Seaward w<sup>th</sup> post ℥ rayles fūe rayles in height.

\* An<sup>o</sup> 1635.

\*83

**M**EMORAN<sup>D</sup> that M<sup>r</sup> John Jeney sould vnto Georg Watson, the dwelling house ℥ garden with all y<sup>e</sup> appurtenances thervnto belonging, which was sometimes Richard Maisterons, for the sume of .23.<sup>li</sup> by him then payed to y<sup>e</sup> said John Jeney ; to haue and to hold for him and his heires for euer.

An<sup>o</sup>: 1639.

**M**EMORANDUM that William Bradford, sould vnto Georg Watson, a parcell of land esteemed to be aboute .3. Acres, (be it more or less) for y<sup>e</sup> sume of ten pounds to him then payed by y<sup>e</sup> said Georg Watson ; to haue and hold to him and his heires for euer. The said parcell of land lying beyond a smalle creek or slough to y<sup>e</sup> eastward of y<sup>t</sup> street wher his now dwelling house is, being part of y<sup>e</sup> Acres that were aloted to y<sup>e</sup> said William Bradford, and part of what he bought of ffrancis Cooke. bounded as foloweth, with the said creek or slough westward, and with a parcell of land bought of M<sup>r</sup> Brewster by John Barnes on y<sup>e</sup> north, and y<sup>e</sup> lands of M<sup>r</sup> Thomas Prence to y<sup>e</sup> Southward, and abuting on bay eastward.

\*84

\*BRADFORD GOU<sup>r</sup> xv<sup>to</sup> Caroli Rē.The vj<sup>th</sup> January 1639.

**M**EMORAN<sup>D</sup> That M<sup>r</sup> Edward Winslow for and in considera<sup>o</sup>n of the sume of one hundred pound<sup>l</sup> ster<sup>t</sup> to be payd by Georg Bower in manner <sup>l</sup> forme following That is to say tenn pound<sup>l</sup> the first of february next forty pound<sup>l</sup> the first of January w<sup>ch</sup> shalbe in the yeare of our Lord God one thousand six hundred forty one and thother forty pound<sup>l</sup> the first of January in the yeare of ou<sup>r</sup> Lord G. one thousand six hundred forty and two Hath freely and absolutely bargained and sould vnto the said Georg Bower his heires and Assignes All that his barne and stable scituate in Plym together w<sup>th</sup> the two pcells of land<sup>l</sup> lying at the North and South end<sup>l</sup> of the said Barne and Stable w<sup>th</sup> liberty of ingresse egresse <sup>l</sup> regresse in the fould yard for his cattell to come <sup>l</sup> goe to the said barne <sup>l</sup> stable as occasion shall serue and liberty to lay donge in the said fould yard And seauen acres of enclosed land<sup>l</sup> lying on the North side of the said towne of Plym betwixt the garden plac<sup>l</sup> and the land<sup>l</sup> of M<sup>r</sup> Wilm Bradford on the north <sup>l</sup> south side<sup>l</sup> thereof together w<sup>th</sup> the land belonging to the said seauen acres not enclosed And also nine acres of <sup>^</sup> lying on the north side of the said Towne of Plym on eich side the first brooke (viz<sup>d</sup>) the most northerly of the two acres w<sup>ch</sup> the said Edward Winslow purchased of Captaine Standish and foure acres purchased of ffrancis Eaton adjoyneing therevnto <sup>l</sup> one acree adjoyneing purchased of Henry Sampson all these lying on the south side of the said first brook and two acres lying on the north side of the said first brook w<sup>ch</sup> fell to the said Edward Winslow in his first diuision and one acree w<sup>ch</sup> was exchauned w<sup>th</sup> Josias Winslow for thother southerly acree purchased of Captaine Standish as aforesaid together w<sup>th</sup> all <sup>l</sup> singuler the p<sup>r</sup>ueledges and graunt<sup>l</sup> graunted to the said Edward Winslow for enclosure of the same w<sup>th</sup> all and singuler thapp<sup>r</sup>teñces therevnto belonging and all his right title <sup>l</sup> interest of and into the said p<sup>r</sup>miss<sup>s</sup> <sup>l</sup> euery part and pcell thereof (except liberty of housrome this yeare for the said Edward Winslowe <sup>l</sup> his Assignes to lay his Corne groweing on the said seauen acres w<sup>th</sup> in the said Barne To haue <sup>l</sup> to hold the said Barne <sup>l</sup> stable <sup>l</sup> pcell<sup>l</sup> of land<sup>l</sup> at thend<sup>l</sup> thereof the said seauen acres enclosed w<sup>th</sup> the land thereto beloing and the nine acres aforesaid w<sup>th</sup> all <sup>l</sup> singuler their app<sup>r</sup>teñ<sup>l</sup> to the said p<sup>r</sup>miss<sup>s</sup> belonging <sup>l</sup> euery pt <sup>l</sup> pcell thereof vnto the said Georg Bower his heires and Assignes for euer to the onely proper vse and behoofe of the said Georg Bower his heires and Assignes for euer Provided alwayes

that if the said Edward Winslow shall come and build vpon the two furthest of the nine acres and dwell vpon them himself That then the said Edward shall haue them at the same rate that the said Georg Bower now payeth for them, allowing him such further charge as the said Georg shall then haue layd forth vpon them.

\* BRADFORD Gou<sup>r</sup> xv<sup>to</sup> Ca<sup>st</sup> R<sup>l</sup>.

\*86

The viij<sup>th</sup> January 1639.

**M**EMORAN<sup>D</sup> that whereas George Lewes of Scituate Clothyer for and in the considera<sup>o</sup>n of the s<sup>u</sup>m of xix pound<sup>l</sup> ster<sup>t</sup> to him to be payd by Richard Willis of Ply<sup>m</sup> Planter hath freely and absolutely bargained & sould vnto the said Richard Willis his dwelling house in Scituate and lott of Land<sup>l</sup> adjoyneing containeing by estima<sup>o</sup>n f<sup>i</sup>ue acres or there about<sup>l</sup> and one acre and three quarters of swampe lying before the said Lott and three acres of marish ground lying betweene the land<sup>l</sup> of John Winter and John Lewes in Scituate aforesaid and all the land<sup>l</sup> giuen the said George Lewes by the f<sup>r</sup>ee men of Scituate aforesaid w<sup>th</sup> the said George Lewes is to p<sup>u</sup>rcure to the said Richard Willis by all good wayes & meanes (suite of law excepted) Now the said Richard Willis doth acknowledg that for and in considera<sup>o</sup>n of the s<sup>u</sup>m of xxx shillings o<sup>u</sup> & aboute the s<sup>d</sup> xix pound Hath bargained sould & assigned vnto Thomas Robert<sup>l</sup> of Ply<sup>m</sup> all his right title and interest of and into the said house & land<sup>l</sup> w<sup>th</sup> all and singuler their app<sup>r</sup>te<sup>n</sup>ce<sup>l</sup> To haue and to hold the said house & land<sup>l</sup> w<sup>th</sup> their app<sup>r</sup>te<sup>n</sup>ce<sup>l</sup> vnto the said Thomas Robert<sup>l</sup> his heires & Assignes for euer to the onely p<sup>u</sup>per use & behoofe of him the Tho<sup>m</sup> Robert<sup>l</sup> his heires and Assignes for euer The said Thomas Robert<sup>l</sup> his Assignes p<sup>o</sup>rformeing & fullfilling all such payment<sup>l</sup> for the same as the said Richard on his p<sup>t</sup> should haue donn Prouided alwayes that if the said Thomas Robert<sup>l</sup> shall fayle in the payment<sup>l</sup> that then it shall and may be lawfull for the said Richard Willis his heires & Assignes into the said house and land<sup>l</sup> to enter and the same to haue & hold vntill such payment<sup>l</sup> shalbe fully satisfied and payd.

The ix<sup>th</sup> January 1639.

**M**EMORAN<sup>D</sup> That M<sup>rs</sup> Elizabeth Warren Widdow for and in considera<sup>o</sup>n of a marriage already consummate betwixt Anthony Snow & Abigail her daughter Hath freely & absolutely giuen granted assigned & made ouer vnto the said Anthony Snow All that her house scituate nere the place called Wellingsly (alis) Hobs Hole w<sup>th</sup> the eight acres of land<sup>l</sup>

therevnto adjoyneing w<sup>th</sup> all ℓ singuler thapp<sup>r</sup>teñçℓ therevnto belonging To haue and to hold the said house and lands w<sup>th</sup> all ℓ singuler their app<sup>r</sup>teñces vnto the said Anthony Snow his heires and Assignes for eñ to the onely pper use and behoofe of him the said Anthony Snow his heires and Assignes foreuer/

\*88

\*BRADFORD GOÛ xv<sup>to</sup> Cañli Rç.The xj<sup>th</sup> of ffebruař 1639.

This bargaine  
ℓ sale is made  
voyd by con-  
sent of both  
pties.

**M**EMORANĎ That M<sup>r</sup> Robert Hickçℓ of Plymouth Planter for ℓ in consideraçõn of the suñie of six score poundçℓ sterł threescore and fiue poundçℓ whereof is in hand payd and thother fifty fiue poundçℓ is to be payd vpon demaund wherew<sup>th</sup> the said Robert Hickçℓ is fully satisfyed and contented Hath freely and absolutely bargained and sould vnto Samuell Hicks his eldest sonne all that his house outhouses and garden place scituate in Plym̄ aforesaid together w<sup>th</sup> foure acres of landçℓ lying in the feild on the south side of the said Towne of Plymouth and eight acres of landçℓ or thereaboutçℓ lying betweene the first ℓ second brooke on the North side of the said Towne of Plymouth together w<sup>th</sup> all the meadow ground lying at the heigh Pynes and Iland Creeke contayneing seauen acres or thereaboutçℓ and all his Right title and interest of and into the said landçℓ ℓ p<sup>r</sup>miss̄s w<sup>th</sup> all and singuler their app<sup>r</sup>teñces ℓ euery part ℓ pcell thereof, and hath also bargained and sould vnto the said Samuell three Cowes viz<sup>t</sup> one Red cow w<sup>th</sup> a starr in the forehead and two black ones one of them haucing also a starr in the forehead To haue and to hold the said house outhouses garden place the twelue acres of landçℓ and seauen acres of meadow w<sup>th</sup> all ℓ singuler their app<sup>r</sup>teñçℓ vnto the said Samuell Hickçℓ his heires ℓ Assignes for euer to the onely pper use and behoofe of him the said Samuell Hickçℓ his heires and Assignes for euer As also the said three cowes to the onely pper use and behoofe of him the said Samuell Hickçℓ his heires execut<sup>r</sup>çℓ and administrat<sup>r</sup>s w<sup>th</sup> warranties against all people foreuer by these p<sup>r</sup>nts.

The xxvj<sup>th</sup> of Decemb<sup>r</sup> 1639.

**M**EMORANĎ That Wiltm Lathame of Duxborrow planter doth acknowledge that *that* for and in consideraçõn of the suñie of twenty six poundçℓ thirteene shillings and foure pence to him payd by M<sup>r</sup> Raph Partrich of the same hath freely ℓ absolutely bargained ℓ sould vnto the said Raph Partrich all that his house and twenty acres of landçℓ and one acre of meadow therevnto assigned w<sup>th</sup> the fence now about ℓ vpon the p<sup>r</sup>miss̄s w<sup>th</sup>

all ℓ singular their app<sup>r</sup>teñçℓ and all his right title ℓ interrest of ℓ into the same ℓ euery pt thereof To haue and to hold the said house and twenty acres of land and one acre of meaddow w<sup>th</sup> then fence ℓ labourℓ in about the same w<sup>th</sup> all ℓ singular thapp<sup>r</sup>teñçs therevnto belonging vnto the said Raph Partrich his heires ℓ assignes foreü to the onely pper vse and behoofe of him the said Raph Partrich his heires and Assignes for euer.

\*BRADFORD GOÜ

1639.

xv<sup>to</sup> Cařli Rç.

\*91

The last of Decemb<sup>r</sup> 1639.

**M**EMORANĎ That Wiltm Hoskine of Plym<sup>n</sup> planter doth acknowledg that for ℓ in consideraçõn of the suñie of eight poundℓ sterł to be payd by Georg Clarke of the same in money Corne or cattell as the will passe from man to man to the said Wiltm Hoskine or his Assignes the fifteenth day of Decemb<sup>r</sup> next hath freely and absolutely bargained ℓ sould vnto the said Georg Clarke all those his eight acres of lands and fence ℓ labours in and vpon the same lying by the landℓ graunted to James Skiffe nere Playne Dealeing and all his right tittle ℓ interrest of and into the same w<sup>th</sup> all ℓ singular their app<sup>r</sup>teñçℓ therevnto belonging To haue and to hold the said eight acres of land, w<sup>th</sup> the fence in ℓ vpon the same and all ℓ singular thapp<sup>r</sup>teñçℓ therẽto belonging vnto the said Georg Clarke his heires ℓ Assignes foreü to the onely vse and behoofe of him the <sup>^</sup> Georg Clarke his heires and Assignes for euer /

The vij<sup>th</sup> of March 1639.

**M**EMORANĎ That Thomas Robertℓ of Plymouth doth acknowledg that for and in consideraçõn of the suñie of fourty shillings sterł to be paid by Humfrey Turner of Scituate the first day of May next Hath freely and absolutely bargained and sould vnto the said Humfrey Turner one pcell of Swamp land lately purchased of Georg Lewis of Scituate and lying to the landℓ of the said Humfrey Turner in Scituate on the North side containeing by estimaçõn one acre and three quarters or there aboutℓ w<sup>th</sup> all his right title ℓ interrest of ℓ into the same w<sup>th</sup> all ℓ singular thapp<sup>r</sup>teñçℓ therevnto belonging To haue and to hold the said acre ℓ three quart<sup>r</sup>ℓ of swamp land w<sup>th</sup> all ℓ euery thapp<sup>r</sup>teñçℓ therevnto belonging vnto the said Humfrey Turner his heires and Assignes for euer to the onely pper vse ℓ behoofe of him the said Humfrey Turner his heires ℓ Assignes for euer.

The xvi<sup>th</sup> March 1639.

**M**EMORAN<sup>D</sup> That Thomas Morton doth acknowledg that for ℥ in considera<sup>o</sup>n of the sume of sixteene pound℥ ster<sup>t</sup> to him in hand payd by m<sup>r</sup> Comfort Starr of Duxborrow hath freely and absolutely bargained ℥ sould vnto the said Comfort Starr all that his lott of land lying on Duxborrow side betweene the land℥ of Wil<sup>m</sup> Kemp and Georg Partrich containeing by estima<sup>o</sup>n twenty acres or thereabouts and two acres of meddow land lying at Musketoe hole w<sup>th</sup> all and singuler thapp<sup>r</sup>teñ℥ therevnto belonging and all his right title ℥ interest of and into the same and euery pt and pcell thereof To haue and to hold the said twenty acres of vpland and two acres of meddow w<sup>th</sup> all and singuler thapp<sup>r</sup>teñ℥ therevnto belonging vnto the said Comfort Starr his heires and Assignes fore<sup>u</sup> to the onely p<sup>pr</sup> vse and behoofe of him the said Comfort Starr his heires and Assignes for e<sup>l</sup>.

This ~~acknowledgment was~~ ~~condic<sup>o</sup>nall~~ ~~that~~ ~~by~~ ~~Manasseh~~ ~~Kempton~~ ~~and~~ ~~his~~ ~~wyfe~~ ~~of~~ ~~the~~ ~~sd~~ ~~Th<sup>m</sup>~~ ~~Morton~~ ~~and~~ ~~his~~ ~~freñd~~ ~~did~~ ~~consent~~ ~~to~~ ~~yt~~ ~~theñ~~ ~~to~~ ~~stand~~ ~~firm~~.

\*93

\* 1640.

BRADFORD GOUN<sup>r</sup>.

April 2<sup>d</sup> 1640.

**M**EMORAN<sup>D</sup> That M<sup>r</sup> John Howland doth acknowledg That for ℥ in considera<sup>o</sup>n of the sume of seauenscore pounds ster<sup>t</sup> to him in hand payd by M<sup>r</sup> W<sup>m</sup> Kempe of Duxborrow hath freely and absolutely bargained and sould vnto the said W<sup>m</sup> Kempe all that his messuage ℥ outehouses situate in Duxborrow aforesaid and fourescore acres of vpland and five acres of meddow three whereof lying at the west end of Iland Creek pond and thother two in the Marsh before the said house w<sup>th</sup> all and singuler thapp<sup>r</sup>teñ℥ to the said p<sup>r</sup>mis<sup>s</sup> ℥ euery of them belonging together w<sup>th</sup> the fenceing in ℥ about the said p<sup>r</sup>mis<sup>s</sup> and all his right title and interest of and into the said p<sup>r</sup>mis<sup>s</sup> ℥ euery pt ℥ pcell thereof To haue and to hold the said Messuage outehouses fourscore acres of vpland and the five acres of meddow ℥ all and singuler the p<sup>r</sup>mis<sup>s</sup> w<sup>th</sup> all ℥ euery their app<sup>r</sup>teñ℥ therevnto belonging vnto the said W<sup>m</sup> Kemp his heires ℥ Assignes fore<sup>u</sup> to the onely p<sup>pr</sup> use and behoofe of him the said Wil<sup>m</sup> Kempe his heires ℥ assignes fore<sup>u</sup>.

Aprill 2<sup>d</sup> 1640.

**M**EMORANĎ That John Handmore of Duxborrow plant doth acknowledge that hee hath freely and absolutely bargained and exchanged w<sup>th</sup> M<sup>r</sup> Wilhm Kemp of the same All those his tenn acres of vpland℄ lying at the Iland Creeke pond on Duxborrow side for six acres of land℄ be it more or lesse one acree whereof was giuen him by m<sup>r</sup> John Howland out of the p<sup>r</sup>miss̄s aboue said ℄ consented vnto by the said W<sup>m</sup> Kemp, ℄ lying on the southerly part of the foresaid fourescore acres next vnto the land℄ of M<sup>r</sup> Robte Hjecks of Plymouth as the same are now marked ℄ bounded forth w<sup>th</sup> all ℄ singuler thapp<sup>r</sup>teñ℄ vnto them belonging To haue and to hold the said tenn acres at Iland Brook pond vnto the said Wilhm Kemp his heires ℄ Assignes for eũ and to their onely p<sup>p</sup>er use ℄ behoofe for eũ, and likewise To haue ℄ and to hold the said six acres of land be it more or lesse vnto the said John Handmore his heires ℄ Assignes foreũ ℄ to their onely p<sup>p</sup>er use and behoofe foreũ.

Aprill 2<sup>d</sup>: 1640.

**M**EMORANĎ That John Shawe of Plymouth Planter doth acknowledge that for and in consideraċõn of the sume of fiue pound℄ to him in hand payd by M<sup>r</sup> Wilhm Kempe of Duxborrow hath freely and absolutely bargained ℄ sould vnto the said Wilhm Kempe two acres ℄ a half of meddow land℄ lying at the Easterly end℄ of the lands of the said Wilhm Kemp in in Duxborrow aforẽsd w<sup>th</sup> all ℄ singuler the app<sup>r</sup>teñ℄ therevnto belonging and all his Right title ℄ interest of ℄ into said p<sup>r</sup>miss̄s ℄ every pt thereof To haue ℄ to hold the said two acres ℄ half of meddow w<sup>th</sup> all ℄ singuler thapp<sup>r</sup>teñ℄ therevnto belonging vnto the said Wilhm Kemp his heires ℄ Assignes foreuer ℄ to the onely p<sup>p</sup>er use and behoofe of him the said W<sup>m</sup> Kempe his heires ℄ Assignes for eũ.

\* BRADFORD GOÛNOR.

1640.

\*95

The xij<sup>th</sup> Aprill 1640.

**M**EMORANĎ That George Bower of Plyñ Planť doth acknowledge That for and in consideraċõn of the sume of fourty ℄ foure pound℄ sterł to him in hand payd by Christopher Winter of Scituate Planter hath freely ℄ absolutely bargained ℄ sould vnto the said Christopher All that his

house & ground thereto belonging w<sup>ch</sup> he bought of John Stowe of Rocksberry or had by division allotted by the ffreemen of Scituate w<sup>ch</sup> house and land℄ are lying and being in Scituate aforesaid & containing by estimaçõn foure acres of vpland & three acres of Marish ground be the more or lesse lying at the easterly end & southerly side of the said four acres and one lott of vpland lying in the third Cliffe in Scituate aforesaid containeing by estimaçõn twenty acres be it more or lesse lying betweene the land℄ of Wilm Gilson and Humfrey Turner and a pcell of Marish ground lying at the Southwest end thereof containeing by estimaçõn nine acres be it more or lesse together w<sup>th</sup> all the allotment℄ w<sup>ch</sup> shalbe hereafter layd forth to the said house and land℄ by the ffreemen of Scituate and all his Right title and interest of and into the said p<sup>r</sup>misss and euery part & pcell thereof w<sup>th</sup> all & singuler thapp<sup>r</sup>teñc℄ therevnto belonging To haue & to hold the said house and foure acres of vpland three acres of marish land adjoyneing twenty acres of vpland and nine acres of marish ground adjoyneing therevnto and all other the allottment℄ to be layd therevnto w<sup>th</sup> all and euery their app<sup>r</sup>teñc℄ to them or any of them belonging vnto the said Christopher Winter his heires and Assignes foreuer to the onely proper use and behoofe of him the said Christopher Winter his heires and Assignes for euer.

The xiiij<sup>th</sup> of Ap<sup>r</sup>ill 1640.

**M**EMORANÐ That Christopher Winter of Scituate Plan<sup>t</sup> doth acknowledge that for and in consideraçõn of the sume of fourty & fiue pound℄ ster<sup>t</sup> to him in hand payd by John Whitcombe of the same Plan<sup>t</sup> hath freely & absolutely bargained & sould vnto the said John Whitcombe All that his house & ground there vnto beloinging w<sup>ch</sup> were fori<sup>n</sup>ly bought by Georg Bower of John Stowe of Rocksberry, or had by diuision allotted by the ffreemen of Scituate w<sup>ch</sup> house & land℄ are lying and being in Scituate aforesaid & containeing by estimaçõn foure acres of vpland & three acres of Marish ground be the more or lesse lying at the Easterly end & Southerly side of the said foure acres and one lott of vpland lying in the third Cliffe in Scituate aforesaid containeing by estimaçõn twenty acres be it more or lesse lying betweene the land℄ of Wilm Gilson and Humfrey Turner and a pcell of Marish ground lying at the Southwest end thereof containeing by estimaçõn Nine acres be it more or lesse together w<sup>th</sup> all the allottment℄ w<sup>ch</sup> shalbe hereafter layd forth to the said House and land℄ by the ffreemen of Scituate And all his Right title & interest of & into the said p<sup>r</sup>misss and euery part and pcell thereof w<sup>th</sup> all & singuler thapp<sup>r</sup>teñc℄ therevnto belong-



ing To haue and to hold the said house and foure acres of vpland three acres of Marish land adjoyneing twenty acres of vpland and nine acres of marish ground adjoyneing therevnto and all other the allotment℄ to be layd therevnto w<sup>th</sup> all ℄ euery their appurteñ℄ to them or any of them belonging vnto the said John Whitcomb his heires and Assignes foreû to the onely pper use and behoofe of him the said John Whitcombe his heires and Assignes for euer.

\*BRADFORD Gouñor.

\*97

The xxvij<sup>th</sup> of May 1640.

**M**EMORANÐ That whereas Mr Thomas Wallis of Plymouth merchant hath bought of Mr Edward Winslow All that his house garden ℄ backhouse and fould yard scituatē in Plymouth aforesaid for the suñe of six-score pound℄ to haue beene payd at certain dayes limmitted, as in the said bargaine ℄ sale more playnely appeareth and hath payd the suñe of xx<sup>li</sup> or there about℄ in part of payment Now the said Thomas Wallis for diuers good causes and consideraçõs him therevnto mooueing doth acknowledg that he hath and doth reassigne and make ouer the said house ℄ garden backhouse ℄ fould yard w<sup>th</sup> all and singuler the p<sup>r</sup>misss w<sup>th</sup> their app<sup>r</sup>teñ℄ w<sup>th</sup> ingresse egressē ℄ regresse of and into the same ℄ euery pt thereof vnto the said Edward Winslow his heires ℄ Assignes and all his Right title and interest of and to same ℄ into euery part and pcell thereof To haue and to hold the said house ℄ garden ℄ bakehouse ℄ fould yard w<sup>th</sup> all ℄ singuler their app<sup>r</sup>teñ℄ vnto the said Edward Winslow his heires and Assignes foreuer to the onely pper vse and behoofe of him the said Edward Winslow his heires ℄ Assignes for euer Prouided that the said twenty pound℄ shall remayne in the hand℄ of the said Edward Winslow his Execut<sup>r</sup>℄ and Assignes vntill that either the said Edward Winslow can sell the same at the price afore<sup>sd</sup> or that the said Thomas Wallis can p<sup>r</sup>cure a chapman that will take it at such <sup>sd</sup> rate ℄ tyme as the <sup>sd</sup> Thoñ Wallis should *should* haue payd for it.

The xj<sup>th</sup> of June 1640.

**M**EMORANÐ That John Smaly ℄ Richard Higgens haue exchanged two pcells of meddow land w<sup>th</sup> eich other viz<sup>t</sup> one acre that the said John Smaly had at Blewfish Riuer w<sup>th</sup> Richard Higgens for a pcell of meddow ground graunted him at Warrens Wells containeing by estimaçõn two acres or there about℄ be it more or lesse.

\*99

\*BRADFORD GOU<sup>r</sup>.xvi<sup>th</sup> of Charles.

**M**EMORAN<sup>D</sup> the fifteenth day of July 1640 That M<sup>r</sup> John Browne doth acknowledg that for and in considera<sup>o</sup>n of the sume of two hundred and fourscore pound<sup>l</sup> ster<sup>t</sup> to be payd vnto him by M<sup>r</sup> Wil<sup>m</sup> Hanbury hath freely and absolutely bargained and sould vnto the said Wil<sup>m</sup> Hanbury his heires and Assignes all that his Messuage or dwelling house scituate by Joanes Riuer w<sup>th</sup> all the houses outhouses barnes & stables therevnto belonging and all that tract of vpland and pcell of marsh meddow thereto adjoyneing & also foure acres of Marsh meddow be it more or lesse lying at the head of Joanes Riuer Swamp and all & singuler thapp<sup>r</sup>teinc<sup>l</sup> therevnto belonging or in any wise appertaineing w<sup>th</sup> the fenceinge in and about the said p<sup>r</sup>mis<sup>s</sup>s and one hundred and twenty post<sup>l</sup> lying vpon the said land<sup>l</sup> and all his Right title and interest of and into the said p<sup>r</sup>mis<sup>s</sup>s and euery pt & pcell thereof To haue and to hold the said Messuage or dwelling house outhouses barnes stables & all that tract of vpland w<sup>th</sup> the two pcells of marish meddow therevnto belonging and all & singuler the p<sup>r</sup>mis<sup>s</sup>s w<sup>th</sup> all and euery their app<sup>r</sup>teinc<sup>l</sup> vnto the said Wil<sup>m</sup> Hanbury his heires & Assignes fore<sup>u</sup> to the onely p<sup>p</sup>er vse and behoofe of him the said Wil<sup>m</sup> Hanbury his heires & assignes fore<sup>u</sup> Provided that it shalbe lawfull to and for the said John Browne to reape and gett the Corne & graine of all sorts now groweing in and vpon the said p<sup>r</sup>mis<sup>s</sup>s and also the grasse growing vpon the said Marshes this yeare and to dwell in the said house vntill the end of May next and make use of the said Barnes & outhouses to winter his cattell and lay his fodder in. And it is further agreed vpon betwixt the said John Browne & Wil<sup>m</sup> Hanbury That the said John Browne shall carry forth the manure about the houses into that feild where the wheat is now groweing, and after the Corne is reaped to plow and sowe the same for the said Wil<sup>m</sup> Hanbury w<sup>th</sup> such graine as the said Wil<sup>m</sup> shall p<sup>u</sup>ide to sowe the same w<sup>th</sup>all And it is lastly agreed vpon betweene the said pties That the said Wil<sup>m</sup> Hanbury shall haue his dyett w<sup>th</sup> the said John Browne freely during the said terme that the said John Browne shall remayne in the said house as aforesaid.

The xxvij<sup>th</sup> July 1640.

**M**EMORAN<sup>D</sup> That Wil<sup>m</sup> Renolds doth acknowledg that for & in considera<sup>o</sup>n of twelue bushells of Indian Corne to be payd assoone as Corne is merchantable hath sould vnto Henry Howland of Duxborrow all those his fiue acres of vpland lying in Duxborrow aforesaid betwixt the

land℄ of John Paybody ℄ Wilm Tubbs and one acre of marsh meddow lying at the East end thereof and all his right title ℄ interest of and into the said p̄miss̄s and euery pt ℄ pcell thereof To haue ℄ to hold the said fiue acres of vpland and one acree of marsh ground w<sup>th</sup> all and singuler thapp<sup>r</sup>teñ℄ therevnto belonging and euery pte ℄ pcell thereof vnto the said Henry Howland his heires ℄ Assignes foreuer to onely p̄p use and behoofe of him the said Henry Howland his heires and Assignes for euer.

\*BRADFORD Gou<sup>r</sup>.

xvj<sup>th</sup> of King Charles.

\*101

**M**EMORAN<sup>D</sup> the fift day of August 1640 That John Combe gen<sup>t</sup> and Phineas Pratt joyner do acknowledg that for and in considera<sup>o</sup>n of the suffi of three pound℄ ster<sup>t</sup> to them in hand payd by John Barnes of New Plymouth haue freely and absolutely bargained and sould vnto the said John Barnes his heires ℄ Assignes all those two acres of vpland w<sup>ch</sup> they had of Goodbert Godbertson in marryage w<sup>h</sup> their wiues lyinge at the North side next to the Towneward of that parcell of vpland at Wellingsley brooke w<sup>ch</sup> fell to him by lott in the first Diuisions, and all their right title and interest of and into the said two acres of vpland w<sup>th</sup> all and singuler thapp<sup>r</sup>teñ℄ thereto belonging To haue ℄ to hold the said two acres of vpland w<sup>th</sup> all ℄ singuler their app<sup>r</sup>teñ℄ vnto the said John Barnes his heires ℄ Assignes foreuer To the onely p̄p vse ℄ behoofe of him the said John Barnes his heires ℄ Assignes for euer.

The xxix<sup>th</sup> of August 1640.

**M**EMORAN<sup>D</sup> That Thomas Pope doth acknowledg that for ℄ in considera<sup>o</sup>n of the sume of twenty two pounds ster<sup>t</sup> to be payd in Indian and English Corne (assoone as it shalbe merchantable) at the rate or price that corne is then sold at viz<sup>t</sup> the Indian in Decemb<sup>r</sup> come twelue months and the English in ffebruary following by Georg Bonam hath freely and absolutely bargained and sould vnto the said George Bonam all that his house and land thereto belonging containeing fiue acres and thenlargement since and all the fence in and aboute the same w<sup>th</sup> all and singuler thapp<sup>r</sup>teñ℄ therevnto belonging and all his Right title and interest of and into the said p̄miss̄s and euery part ℄ pcell thereof To haue and to hold the said house and land℄ ℄ fence in ℄ about the same ℄ all ℄ singuler thapp<sup>r</sup>teñ℄ therevnto belonging ℄ euery pt and pcell thereof vnto the said George Boname his heires and Assignes foreuer to the onely p̄p vse and behoofe of him the said Georg Boname his heires ℄ Ass̄s foreu.

\*103 \*1640.

BRADFORD GOU<sup>r</sup>.

**M**EMORAND<sup>o</sup> The second day of June in the xvj<sup>th</sup> yeare of the Raigne of o<sup>r</sup> So<sup>u</sup>raigne Lord Charles by the Grace of God King of England &c That Daniell Salmon of Saugust came before the Gouvern<sup>r</sup> and shewed a tre of Attorney made to him by Richard ffrancis (a<sup>t</sup>s) Deacon of Barleston in the County of Leicester in the Realme of England demaunding a certaine legacy bequeathed vnto the said Richard ffranc<sup>e</sup> (a<sup>t</sup>s) Deacon by his brother John ffrancis (a<sup>t</sup>s) Deacon deceased w<sup>ch</sup> said tre of Attorney or deed followeth in these word<sup>e</sup> viz<sup>s</sup>. To all X<sup>p</sup>ian people to whom these p<sup>r</sup>nt<sup>e</sup> may concerne Richard ffrancis (a<sup>t</sup>s) Deacon of Barlston in the County of Leicester sendeth greeting in our Lord God euerlasting Whereas I haue bene credibly informed aswell by tres as by word of mouth out of New England That my brother John ffrancis (a<sup>t</sup>s) Deacon there deceased did by his last will and testament giue vnto me the sum of tenn or twelue pounds to be payd vnto me or my certaine Attorney by M<sup>r</sup> Winslow Gou<sup>n</sup>or of Plymouth there Know yee that I the said Richard ffrancis (a<sup>t</sup>s) Deacon haue appoynted constituted & made and by these p<sup>r</sup>nt<sup>e</sup> do appoynt constitute and make my welbeloued in Christ Daniell Salmon of Saugust in the said Countrey my true and lawfull Attorney to aske receiue and take the said su<sup>m</sup>e of Tenn or Twelue pound<sup>e</sup> whether the same be and the same to dispose of as I by a for<sup>m</sup> tre sent vnto him haue limmitted & appoynted, and vpon receipt of the same to make a discharge as fully as I my self might or could do if I were p<sup>r</sup>sonally p<sup>r</sup>sent In wites whereof I the said Richard ffrancis a<sup>t</sup>s Deacon haue to these p<sup>r</sup>nt<sup>e</sup> put my hand and seale the thirteenth day of January in the fourteenth yeare of the Raigne of our So<sup>u</sup>raigne Lord Charles by the grace of God of England Scotland ffrance and Ireland King defender of the fayth &c An<sup>o</sup> D<sup>ni</sup> 1638./

Scaled and Deliu<sup>ed</sup> to the vse of thaboue named Daniell Salmon in the p<sup>r</sup>sent<sup>e</sup> of vs John Salmon Joseph Salmon

And Subscribed further thus viz<sup>t</sup> Wee whose names are Sign  $\Phi$   
 herevnder written two of his Ma<sup>t</sup>ies Justices of the peace & Rich. ffranc<sup>e</sup> a<sup>t</sup>s  
 quorū w<sup>th</sup>in the county of Le<sup>e</sup> do certesye that Richard Deacon  
 ffrancis (a<sup>t</sup>s) Deacon is now liueing and dwelleth at Barleston  
 in the said County of Leicester the first day of March Anno D<sup>ni</sup> 1638  
 Dated at Markett Bosworth in the said County the day  
 and yeare abouesaid W. DIXIE  
 WILEM ROBERTS.

The second July 1640.

**M**EMORANÐ that the aboue named Daniell Salmon did acknowledg before Nathaniell Sowther & John Winslow that he hath receiued of Mr John Howland full satisfacõn for the legacy aforesaid due to the said Richard ffrancis (ats) Deacon & desired the same might be recorded.

\* BRADFORD GOÛ<sup>r</sup> 1640.

16<sup>th</sup> Charles. King &c.

\*105

The fift day of October 1640.

**M**EMORANÐ That Josias Winslowe doth acknowledg That for and in consideraõn of the sume of fifty two pounds sterł to be discounted & discharged for cattell bought of Richard Sparrow and a pcell of cloth to the value of eight pounds to him deliued & to be discharged as aforesd by John Barnes of Plym̃ hath freely and absolutely bargained and sould vnto the said John Barnes All that his house Messuage out houses and garden place w<sup>th</sup> the vpland belonging to the said house in Plym̃ aforesd and two acres of Marsh meddow lying at the Wood Iland and all & singuler thapp<sup>r</sup>teñç thereunto belonging and all his right title and Interest of and into the said p<sup>r</sup>misss and euery pt & pcell thereof w<sup>th</sup> the fencł about the same or any pt thereof To haue & to hold the house houseing garden vpland & meddow w<sup>th</sup> all & euery their app<sup>r</sup>teñç vnto the said John Barnes his heires and Assignes for euer to the onely pper use & behoofe of him the said John Barnes his heires and Assignes for euer.

The third day of Septemb<sup>r</sup> 1649.

**M**EMORANÐ That John Barnes doth acknowledg that for and in consideraõn of the sume of fifty poundç sterł to be payd in money corne goods or cattell by m<sup>r</sup> Thomas Wallis of Plym̃ merchant in manner and forme following That is to say tenn poundç in hand ^

\* BRADFORD GOÛ<sup>r</sup>. xvj<sup>th</sup> of K: Charles 1640.

\*107

**M**EMORANÐ the fift day of October 1640 That Wilłm Dennis doth acknowledg that for and in consideraõn of the sum of twenty poundç sterł to be payd by Richard Willis of Plym̃ in manner & forme following That is to say twenty markes by as much as twenty bushells of Indian Corne will yeild this yeare & to be deliuered the first day of Nouember next

and the remaynder of it the next yeare assoone as Corne shalbe merchantable and thother twenty nobles in the same season when Corne is merchantable in the yeare after All w<sup>ch</sup> payment℄ are to be made in money Corne or cattell in manner and forme aforesaid The said Wiltm Dennis hath freely ℄ absolutely bargained and sould vnto the said Richard Willis All that his house and land℄ therevnto belonging lying at the Eele Riuer (w<sup>ch</sup> was lately Richard Cloughs) and lying betwixt the lands of Thomas Pope and Mark Mendloue w<sup>th</sup> all and singuler thapp<sup>r</sup>teñ℄ therevnto belonging w<sup>th</sup> all his Right Title and Interest of and into the said p<sup>r</sup>misss and euery pte ℄ pcell thereof w<sup>th</sup> the fenceing in ℄ about the same To haue and to hold the said house and lands w<sup>th</sup> all ℄ singuler their app<sup>r</sup>teñ℄ vnto the said Richard Willis his heires and Assignes for euer to the onely pper vse and behoofe of him the said Richard Willis his heires and assignes foreũ.

John Barnes vndertaketh ℄ p<sup>r</sup>miseth w<sup>th</sup> the said Richard Willis for the said payment℄ to pay them to the said Wiltm Dennis or to whom hee shall assigne them to be payd at the tymes they shall growe due and payable/

The xxvj<sup>th</sup> of Octob<sup>r</sup> 1640.

**M**EMORAN<sup>Ð</sup> That Mathew ffuller doth acknowledg That for ℄ in considera<sup>õ</sup>n of a cow calfe and two goats to him in hand payde by Andrew Ringe of Plymouth hath freely ℄ absolutely bargained ℄ sould vnto the said Andrew Ringe All that his garden place in Plym<sup>th</sup> aforesaid and the six acres of land therevnto belonging lying in the New feild w<sup>ch</sup> the said Mathew lately bought of John Gregory and all the fence in and about the p<sup>r</sup>misss w<sup>th</sup> all ℄ singuler their app<sup>r</sup>teñ℄ and all the tymber lying at the garden place and vpon the said land℄ made ready toward℄ the buildinge of a house To haue and to hold the said garden place ℄ the six acres of vpland℄ fence and Tymber w<sup>th</sup> all ℄ singuler the app<sup>r</sup>teñ℄ therevnto belonging vnto the said Andrew Ring his heires ℄ Assignes for euer to the onely pper vse and behoofe of him the said Andrew Ringe his heires and As<sup>s</sup>s for euer/

\*109

\*BRADFORD Goũ 1640.

xvj<sup>th</sup> K: Charles.

The xxvij<sup>th</sup> Nouemb<sup>r</sup> 1640.

**M**EMORAN<sup>Ð</sup> That Marke Mendloue doth acknowledg that for ℄ in considera<sup>õ</sup>n of the sum of twelue pound℄ to him in hand pay<sup>l</sup> by John Barnes of Plymouth hath freely and absolutely bargained and sould vnto the s<sup>d</sup> John Barnes All that his house and land℄ lying at the fishing

poynt vpon the Eele Riuer w<sup>th</sup> the fence about the land℄ and the board℄ ℄ poles about the house w<sup>th</sup> all ℄ singuler thapp<sup>r</sup>ñices therevnto belonginge and all his Right Title and Interest into the said p<sup>r</sup>misss ℄ euery pte ℄ pcell thereof with their app<sup>r</sup>teñices To haue and to hold the said house and lands fene board℄ ℄ poles and all ℄ singuler the p<sup>r</sup>misss w<sup>th</sup> their app<sup>r</sup>teñc℄ vnto the said John Barnes his heires and Assignes for eũ to the onely pper vse and behoofe of him the said John Barnes his heires ℄ As<sup>s</sup>g̃s for euer.

The first day of Decemb<sup>r</sup> 1640.

**M**EMORAN<sup>̃</sup> That Henry Cob doth acknowledg that for ℄ in consid<sup>r</sup>ation of the sume of twenty pound℄ ster<sup>t</sup> one cowe and two goates to him in hand payd by Manasseh Kempton of Plym̃ hath freely ℄ absolutely bargained and sold vnto the said Manasseh Kempton All that his house in Scituate outhouses garden place w<sup>th</sup> twelue acres of vpland be it more or lesse w<sup>th</sup> the pcell of meddow lying before the said house ℄ fourescore acres of vpland falling in the fourth lott abutting on the North Riuer w<sup>th</sup> a pcell of Marsh Meddow therevnto belonging containeing about twelue acres be it more or lesse w<sup>th</sup> all and singuler thapp<sup>r</sup>teñc℄ to the said p<sup>r</sup>misss or any pt of them belonging and all his right title and Interest of ℄ into the same ℄ euery pt thereof To haue and to hold the said house garden place outhouses vpland ℄ meddowes w<sup>th</sup> all and singuler thapp<sup>r</sup>teñc℄ therevnto belonging vnto the said Manasseh Kempton his heires and Assignes for euer to the onely pper vse and behoofe of him the said Manasseh Kempton his heires and Assignes for euer.

\* BRADFORD God̃

1640.

xvj<sup>th</sup> K: Ch:

\*111

The xxiiij<sup>th</sup> Decemb<sup>r</sup> 1640.

**M**EMORAN<sup>̃</sup> That Anthony Snowe doth acknowledg that for ℄ in consid<sup>r</sup>ation of the sume of sixteene pound℄ ℄ tenn shillings ster<sup>t</sup> to be payd by John Jenkyne in manner and form following That is to say five pound℄ tenn shillings the first of October next and five pound℄ tenn shillings that tyme twelue months after and thother five pound℄ tenn shillings the said first of October the next yeare following thother all which paym<sup>nt</sup>℄ are to be made in money Corne or cattell The said Anthony Snow hath freely and absolutely bargained and sold vnto the said John Jenkin All that his house and eight acres of land lying at Hobbs hole on the South side of Willingsly Brooke w<sup>th</sup> all and singuler the p<sup>r</sup>misss therevnto belonging To

haue and to hold the said house and lands and all and singuler thapp<sup>r</sup>teñcℓ therevnto belonging vnto the said John Jenkine his heires and Assignes for euer to the onely pper vse ℓ behoofe of him the said John Jenkine his heires and Assignes for euer.

The xxxj<sup>th</sup> Decemb<sup>r</sup> 1640.

**M**EMORAND<sup>¶</sup> That M<sup>r</sup> Comfort Starr doth acknowledg that for and in considera<sup>o</sup>n of the su<sup>m</sup>e of sixteene poundℓ ster<sup>t</sup> to him in hand payd by John Maynard hath freely and absolutely bargained and sould vnto the said John Maynard All that lot of vpland lying on Duxborrow side betwixt the lands of M<sup>r</sup> Wiltm Kemp on the South side and Georg Partrich on the North side w<sup>th</sup> the two acres of meddow lying in the marsh at the East end of the said lott (w<sup>ch</sup> landℓ were lately purchased of Thomas Morton) and all and singuler thapp<sup>r</sup>teñcℓ thereto belonging and all his right Title and Interest of and into the said p<sup>r</sup>misss and euery pt ℓ pcell thereof To haue and to hold the said lott of vpland w<sup>th</sup> the two acres of Marsh Meddow and all ℓ singuler thapp<sup>r</sup>teñcℓ therevnto beloinging vnto the said John Maynard his heires and Assignes for euer to the onely pper use ℓ behoofe of him the said John Maynard his heires and Assignes for eñ.

\*115

\* BRADFORD Gou<sup>r</sup>.

A deed acknowledged in Court the first of December and appoynted to be enrouled. as followeth viz<sup>¶</sup>.

**K**NOW all men by these p<sup>r</sup>nts That I John Lothrope Pastor of the Church of Barnestable in America for and in considera<sup>o</sup>n of the su<sup>m</sup>e of fourescore pounds of good and lawfull money of England by me receiued haue giuen ℓ graunted and by these p<sup>r</sup>ntℓ do giue graunt bargaine and sell vnto Tymothy Hatherley of Scituate gen<sup>t</sup> one dwelling house together w<sup>th</sup> barne and outhouses therto belonging together w<sup>th</sup> all such lands both vplands ℓ Marsh grounds as therto belong lying and being nigh to the first hering brooke about a quarter of a mile more or lesse eastward therefrom in Scituate afore-said the vpland lying and bounding on this manner towards the lands of M<sup>r</sup> Checkett on the West towards the lands of John Hewes and the heigh way on the South towards the Co<sup>m</sup>on and the lands of John Winter ℓ John Emerson on the North towards the Lands of Humfrey Turner on the East being p<sup>t</sup>ed by a little Creeke The Marsh ground containeing twenty acres



more or lesse part whereof is an Island bounding towards the land℄ of M<sup>r</sup> Checkett on the West Toward℄ the lands of M<sup>r</sup> Tilden ℄ Humfrey Turner on the East towards the heigh way on the North Toward℄ the North Riuer compassing an Iland part thereof on the South To haue and to hold the said house vpland Marsh ground w<sup>h</sup> all app<sup>r</sup>teñ℄ thereto belonging to him ℄ his heires forcū Mooreū I haue for and in consideraçón of the aforesaid sume receiued giuen graunted bargained ℄ sould vnto thaboue named Tymothy Hatherley my great lott containcing an hundred acrees of ground lying vp the Riuer not farr from Scituate together w<sup>th</sup> my diident of Marsh ground thereto belonging To haue and to hold the said vpland ℄ Marsh ground to him ℄ his heires foreu<sup>r</sup> And I do by these p<sup>r</sup>nt℄ giue power to the said Tymothy Hatherley by himself or his Assignes to enroule or p<sup>c</sup>ure to be enrowled the title ℄ tenor of the forenamed land℄ to himself and his heires foreu<sup>r</sup> in his Ma<sup>ties</sup> Court of Plymouth in America before the Right Wor<sup>th</sup>: the Gou<sup>r</sup> and Assistant℄ according to the order of Court and vsuall course of euedence in that case p<sup>u</sup>ided In Witnes of the p<sup>r</sup>mis<sup>ss</sup> I haue set to my hand and scale this first day of November 1640 in the xv<sup>th</sup> yeare of our So<sup>u</sup>laigne Lord Charles of great Brittainē ffrance ℄ Ireland Kinge.

JOHN LOTHROPE



Witnessed by me

Joseph Hull ℄

Richard ffoxwell.

\*BRADFORD Gou<sup>r</sup>.

\*117

A Deed acknowledged in the Court the first of Decemb<sup>r</sup> 1640 and appoynted to be enroulled as followeth viz<sup>]</sup>.

**K**NOW all men by these p<sup>r</sup>nt℄ That I Tymothy Hatherley of the Plantaçón of Scituate in America gen<sup>t</sup> for and in consideraçón of the sum of threescore pound℄ of good and lawfull money of England by me receiued haue giuen ℄ graunted and by these p<sup>r</sup>nt℄ do giue graunt bargain and sell vnto Christopher Blakewood of Scituate planter one dwelling house together w<sup>th</sup> Barne and outhouses thereto belonging together w<sup>th</sup> all such lands both vpland℄ and Marsh grounds as therto belong lying and being nye to the first hering brooke about a quarter of a mile more or lesse eastward therefrom in Scituate aforesaid The vpland lying and bounding on this manner toward the lands of M<sup>r</sup> Checkett on the west toward℄ the lands of John Hewes

and the heigh way on the South toward℄ the Cofion and the lands of John Winter and John Emerson on the North toward℄ the lands of Humfrey Turner on the East being parted by a little Creeke The Marsh ground containeing twenty acres more or lesse part whereof is an Island bounding towards the lands of M<sup>r</sup> Tilden and Humphrey Turner on the East towards the land℄ of M<sup>r</sup> Checkett on the West toward℄ the heigh way on the north towards the hering brooke compassing an Island part thereof on the South To haue hold occupie and enjoy the said house vpland and Marsh ground w<sup>h</sup> all thapp<sup>r</sup>teñc℄ thereto belonging to him and his heires for euer Mooreñ I haue for and in consideration of the aforesaid sume receiued, giuen graunted bargained ℄ sould vnto thaboue named Christopher Blackwood my great lott containeing an hundred acres of ground lying vp the Riuer not farr from Scituate together w<sup>h</sup> my Diuident of Marsh ground thereto belonging To haue and to hold the said vpland and marsh ground to him and his heires foreñ and I do by these p<sup>r</sup>nt℄ giue power to the said Christopher Blackwood by himself or his Assignes to enroule or p<sup>c</sup>ure to be enrouled the title and tenure of the forenamed land℄ to himself and his heires foreñ in his Mat<sup>ies</sup> Court of Newe Plymouth in America before the Right Wor<sup>th</sup>: the Gofinor ℄ Assistant℄ according to the order of Court and vsuall course of Euedence in that case guided In witnesse of the p<sup>r</sup>misss I the aboue named Tymothy Hatherley haue set to my hand ℄ Seale this xxij<sup>th</sup> day of November in the 15<sup>th</sup> yeare of the Raigne of our Souaigne Lord Charles of Great Brittainne ffrance ℄ Ireland Kinge ℄.

Witnesse

Edward ffoster  
Edmond Eddenden

TYMOTHY  
HATHERLEY



\*119

\*BRADFORD GO<sup>r</sup> 1640.

The fiteene day of January 1640.

**M**EMORAN<sup>D</sup> That M<sup>r</sup> Thomas Hill doth acknowledg to for and in consideration of the sume of twenty pound℄ ster℄ to him in hand payd by John Barnes of Ply<sup>m</sup> hath freely and absolutely bargained and sould vnto the said John Barnes All that his house ℄ garden and land℄ therevnto belonginge lying on the North side Wellingsly brooke w<sup>th</sup> the fence in ℄ about the same and all ℄ singuler thapp<sup>r</sup>teñc℄ therevnto belonging and all his right title ℄ interest of and into the said p<sup>r</sup>misss and euery pt ℄ pcell thereof To haue ℄ to hold the house garden and land℄ w<sup>th</sup> their app<sup>r</sup>teñc℄ vnto the said John Barnes his heires and Assignes for eñ to the onely p<sup>p</sup>er use and behoofe of

him the said John Barnes his heires and Assignes for euer. And also fifty apple trees five and twenty whereof are to be first chosen by the s̄d John Barnes out of all the trees that the said Thoñ Hill hath now vsold and thother xxy<sup>th</sup> are to be chosen first John Barnes one and the s̄d Thoñ Hill another of those that are left, and those that M<sup>r</sup> Hill shall haue afterward℄ remayneing to be taken away by the first day of May next.

**M**EMORANÐ the tenth day of february 1640 That John Barnes doth acknowledg that for and in consideraçõn of the suñ of eighteene pound℄ ster℄ to be payd him by Wilłm Baker in money goods Corne or cattell as they will passe from man to man in manner and forme following, that is to say six pound℄ the tenth day of februař next following six pound℄ the tenth day of febr̄ w<sup>th</sup> shalbe in the yeare of our Lord one thousand six hundred fourty and two and thother six pound℄ w<sup>th</sup> shalbe in the yeare of our Lord one thousand six hundred fourty ℄ three Hath freely ℄ absolutely bargained ℄ sold vnto the said Wilłm Baker all that his house ℄ land ℄ fence aboute the same seituat at the Eele Riuer ℄ lately purchased of Marke Mendlone w<sup>th</sup> all and singuler thapp<sup>r</sup>teñ℄ therevnto belonging and all his right title and interest of ℄ into the same ℄ euery pt ℄ pcell thereof To haue and to hold the said house and land℄ ℄ all ℄ singuler thapp<sup>r</sup>teñ℄ therevnto belonging vnto the said Wilłm Baker his heires ℄ Assignes foreũ to the onely pper use ℄ behoofe of him the said Wilłm Baker his heires ℄ Assignes for eũ.

**M**EMORANÐ the thirteenth day of february 1640 That Richard Willis doth acknowledg that for and in consideraçõn of the suñ of eighteene pound℄ ster℄ to be payd in money corne or cattell by Georġ Bonume in manner ℄ forme following, that is to say six pounds in December next ensuing, eight pounds that tyme twelue months after, and thother foure pounds in Decemb<sup>r</sup> in the yeare of our Lord one thousand six hundred fourty and three, All w<sup>th</sup> payment℄ are to be made at the seũall days in money corne or cattell as they will then passe from man to man The said Richard Willis hath freely ℄ absolutely bargained and sold vnto the said Georġ Bonume all that his house and lands lying at the fishing poynt vpon the Eele Riuer, w<sup>th</sup> the fenceing about the same, ℄ all and singuler thapp<sup>r</sup>teñ℄ therevnto belonging w<sup>th</sup> all his right title ℄ interest of ℄ into the same ℄ euery part thereof w<sup>th</sup> said house and land℄ the said Richard Willis lately purchased of Wilłm Dennis To haue and to hold the house ℄ land℄ w<sup>th</sup> all ℄ euery their app<sup>r</sup>teñ℄ therevnto belonging

This Debt was paid by Gorge Bonham to John Barnes as the assigne of Richard Willis and is Cleared by an aquittance vnder the said John Barnes his hand dated the 16<sup>th</sup> of aprell 1649 which is also entered in this book.

vnto the said George Bonuñe his heires & Assignes for euer to the onely pp use & behoofe of him the said George Bonuñ his heires & Assignes for euer./

It is also agreed vpon betweene the said pties that the said Richard Willis shall set half the ground this yeare rent free if he please./

\*121

\*A decde acknowledged in the Court the 3<sup>d</sup> of March 1640 and appoynted to be recorded as followeth viz<sup>s</sup>.

**B**E it knowne vnto all men by these p<sup>r</sup>sent<sup>l</sup> That I Tymothy Hatherley Planter of Scituat in the Pattent of New Plymouth in America for and in consideraçõn of the sume of Twenty and eight pounds by me receiued Haue giuen & graunted and by these p<sup>r</sup>nt<sup>l</sup> doe giue graunt bargaine and sell vnto Thomas Ensigne Planter of Scituat in America as aforesaid All such lands both vpland & marsh grounds thereto belonging comõnly called the first Cliff lying and being in Scituat aforesaid which in Estimaçõn is eighteene acres of vpland and twenty acres of Marsh grounds more or lesse there it is to be had It lying and bounding to the mayne Sea to the East to the harbours mouth to the north and nor west to the mayne Channell where vessells ordinary come into the west and southwest to the lands of Thomas Tart to the south there the marsh goes half way to his ground comõnly called the second cliff w<sup>ch</sup> lands so bounding as aforesaid and lying by it self it is almost an Iland All w<sup>ch</sup> lands both vplands and marsh grounds w<sup>th</sup> all the Tymber or tymber trees w<sup>th</sup> thapp<sup>r</sup>tences thereto belonging to the aforesaid Thomas Ensigne To haue and to hold to him and his heires foreuer And I doe by these p<sup>r</sup>nt<sup>l</sup> giue and graunt power vnto the said Thomas Ensigne himself or his Assignes to enroule the Title and tenure of the said land & to himself & his heires foreuer in his Ma<sup>ties</sup> Court of Plymouth in America before the Right Wor<sup>sh</sup> the Goũnor and Assistant & according vnto the Order of Court & vsuall course of euedence in that case prouided In witnesse of the p<sup>r</sup>misses I haue set to my hand and seale In Scituat dated the xxij<sup>th</sup> of January 1640 in the sixteenth yeare of the Raigne of o<sup>r</sup> So<sup>l</sup>aigne Lord Charles of great Brittainne s<sup>r</sup>rance & Ireland Kinge &c.

Signed sealed & deliued  
in the p<sup>r</sup>sence of  
Sam: Poole  
Richard Sillis

TYMOTHY HATHERLY  
SUSAN HATHERLY.



\*A deed acknowledged in the Court the third March 1640  
and appoynted to be recorded as followeth vizꝯ.

\*I23

**K**NOW all men by these p<sup>r</sup>nt℥ That I John Lathrope of Barnestable in the Corpora<sup>o</sup>n of New Plymouth in America Mi<sup>n</sup>ster for and in considera<sup>o</sup>n of the sume of foureteene pounds of good and lawfull money of England by me in hand receiued Haue giuen ℥ graunted and by these p<sup>r</sup>nt℥ do giue graunt bargaine and sell vnto Richard Scillis of Situate in the Corpora<sup>o</sup>n of New Plymouth aforesaid Planter one dwelling house together w<sup>th</sup> one out house thereto belonging together w<sup>th</sup> fīue acres of land more or lesse therevnto adjoyneing the w<sup>th</sup> land lyeth and is bounded on this manner towards the East w<sup>th</sup> the Common foote path from the stony brook to the Harbours mouth on the north w<sup>th</sup> the land of Eglīne Hanford on the west w<sup>th</sup> a certaine lane extending northward into the woods from the Stony brookwards and on the South w<sup>th</sup> the lands of Thomas Ensigne To haue and to hold the said houses w<sup>th</sup> the lands therevnto adjoyneing w<sup>th</sup> all thapp<sup>r</sup>teñ℥ therevnto belonging to him and his heires foreuer And I do by these p<sup>r</sup>nt℥ giue power to the said Richard Sillis by himself or his Assignes to enroule or p<sup>r</sup>euere to be enrolled the Title and tenure of the said lands to himself and his heires foreū in his Ma<sup>ties</sup> Court of Plymouth in America before the Right Wor<sup>ll</sup> the Goūnor and Assistant℥ according to the order of Court and vsuall Course of Euedence in that case p<sup>r</sup>uided In witnesse of the p<sup>r</sup>misss I haue set to my hand ℥ seale the twenty eight day of December 1640 In the xvj<sup>th</sup> yeare of o<sup>r</sup> Sou<sup>er</sup>aigne Lord Charles of Great Brittainē ffraunce and Ireland Kinge. ℥

Signed sealed ℥ deliued

in the p<sup>r</sup>sence of vs.

John Cooper

Henry Cobb

Isaack Robinson

JOHN LOTHROPE his

Seale



A deed acknowledged in the Court the third of March 1640  
℥ appoynted to be recorded as followeth vizꝯ.

**K**NOW all men by these p<sup>r</sup>nt℥ That I Tymothy Hatherley of Scituate in the Corpora<sup>o</sup>n of New Plymouth in America doe giue vnto Eglīne Hanford of Scituate aforesaid fīue acres of land more or lesse to her ℥ her heires foreū w<sup>th</sup> land lyeth in Scituate on the north side of the Stony Brooke the third lott from the brooke bounded on the East end w<sup>th</sup> the Co<sup>m</sup>on path that runneth from the brooke to the harbours mouth on the South w<sup>th</sup> the

land of Richard Sillis and on the west w<sup>th</sup> a cōmon drift path or lane running almost north and South and on the North w<sup>th</sup> the land of Gowen White And I doe giue power by these p<sup>nt</sup>℄ to the said Egline Hanford by herself or her Assignes to enroll or p<sup>cu</sup>re to be enrolled the title and tenure of the said lands to her self and her heires foreuer in his Ma<sup>ties</sup> Court of Plymouth in America before the Right Wor<sup>ll</sup> the Go<sup>u</sup> and Assistant℄ according to the order of Court and usuall Course of euidence in that case p<sup>u</sup>ided In witness whereof I Tymothy Hatherley haue set to my hand and Seale the twenty fourth day of ffebruary 1640 in the xvj<sup>th</sup> year of our So<sup>u</sup>laigne Lord Charles of Great Brittainē ffrance and Ireland Kinge ℄.

This land was giuen to the said Egline Hanford the xxvij<sup>th</sup> day of Septemb<sup>r</sup> in the yearē An<sup>o</sup> D<sup>ni</sup> 1634.

Sealed ℄ deli<sup>u</sup>d in the  
p<sup>r</sup>sence of  
Edward Holman

p me TYMOTHY  
HATHERLEY



\*125

\* BRADFORD GOU<sup>r</sup> 1641.

At a gēniall Townes meeting holden by the Inhabitant℄ of the Towne of Duxborrow vpon the seauenth day of Novemb<sup>r</sup> in the yearē of o<sup>r</sup> Lord God 1639 for the makeing of such lawes and orders as should be thought good and beneficiall for the said Towne of Duxborrow, It was agreed as followeth. viz<sup>g</sup>.

**I**MPRIMIS It is couenanted and agreed of betweene Georg Pollard late inhabitant of the Towne of Stokeclere in the Realme of England yeoman and Will<sup>m</sup> Hiller of the Towne of New Ply<sup>m</sup> Carpenter of the one pte and the Inhabitant℄ of the Towne of Duxborrow of the other pte in manner following To witt the said George Pollard and Wil<sup>m</sup> Hiller is at their owne p<sup>pp</sup>er cost and charges to build frame and set vp one sufficient water Milne to grind Corne on both English ℄ Indian, w<sup>th</sup>in the terme of one whole yeare next after the date hereof As also stampers to beate Indian Corne at, as speedily as possibly they cann. And that they parties aforesaid are to build the said Milne and Stampers vpon a certaine brooke cōmonly called or knowne by the name of Stony brooke lying by the house of Phillip Delanoy In considera<sup>ō</sup>n whereof we the Inhabitants of the Towne of Duxborrow do byud our selues to the aboue said p<sup>ties</sup> as followeth.

Imp<sup>ris</sup> That no other Millne shalbe set up or erected w<sup>th</sup>in our Towne

limmits alwayes prouided that the foresaid pties at their Millne be able well & sufficiently to grind all the Corne of thaforesaid Inhabitant℄ of the Towne of Duxborrow in tyme conveyent.

2<sup>ly</sup> Wee the Inhabitant℄ of the Towne of Duxborrow do promise to vse all our best endeavours to procure all the Common lands that lyeth vpon the north side of the said brooke vndisposed of next to the place where the said Milne shall stand, as also that meddow land that lyeth next to yt.

3<sup>ly</sup> Wee the Inhabitant℄ aforesaid do promise to do our best endeavours to procure the land℄ of John Irish and Henry Wallis, and to procure them land℄ elsewhere in exchange or otherwise, but if the said parties will not so exchange, that then the said Georg Pollerd and Wilm Hiller may if they can procure the said lands either by purchase or otherwise of the owners thereof That wee the said Inhabits do promise to giue vnto the said parties the sum of six pounds towards the purchase of the same.

4<sup>ly</sup> Wee promise to help the said Georg Pollerd & Wilm Hiller to land both meddow and arrable in some place further of from the Towne of Duxborrow for their use, when their stocks of cattell shall require the same, as we shall allow to other of our townes men and neighbours.

And also that the said pties are to take a pottle of Corne for grinding euery bushell that shall be brought vnto them and no more.

further and lastly It is couenanted graunted and agreed vpon betwixt the Inhabitant℄ of the Towne of Duxborrow and pties aboue said That the said Georg Pollard & Wilm Hiller shall haue hold occupie use & ymploy the said Milne, together w<sup>th</sup> all and euery the sefall p<sup>u</sup>iledges prorogatiues benefits immunities and app<sup>r</sup>teñces whatsoeū before specified in this p<sup>r</sup>sent writing To haue and to hold the same to them their heires execut<sup>r</sup>℄ and Assignes foreū Dated the seauenth day of Novemb<sup>r</sup> in the fifteenth yeare of the now Raigne of King Charles King of England Scotland franç & Ireland Defendor of the fayth &c Anno Dñi 1639.

Subscribed by

W<sup>m</sup> COLLIER

JONATHAN BREWSTER

CHRISTOPHER WADDESWORTH

MILES STANDISH.

Recorded the xj<sup>th</sup> }  
June 1641. }

\*127

\* BRADFORD Gou<sup>r</sup> 1641.

**M**EMORAND<sup>ŷ</sup> the xj<sup>th</sup> of June 1641 That John Irish doth acknowledge that for and in considera<sup>o</sup>n of the dwelling house wherein Wil<sup>m</sup> Hiller now dwelleth in Duxborrow and the meadstead or garden adjoyneing w<sup>th</sup> the fruit<sup>l</sup> thereon now groweing hath freely and absolutely bargained and sold vnto the said Wil<sup>m</sup> Hiller & George Pollerd of Duxborrow mi<sup>n</sup>ners all those tenn acres of vpland lying on the north side of Stony brooke and on the East side of the lands of the said Wil<sup>m</sup> and George w<sup>th</sup> two acres of Marsh meddow adjoyneing to the said vpland w<sup>th</sup> all & singuler thapp<sup>r</sup>te<sup>n</sup>c<sup>l</sup> therevnto belonging and all his right title & interest of and into the said p<sup>r</sup>misses and every pt and pcell thereof To haue and to hold the said Tenn acres of vpland w<sup>th</sup> the said two acres of marsh meddow w<sup>th</sup> all and singuler their app<sup>r</sup>te<sup>n</sup>ces therevnto belonging vnto the said William Hiller and Georg Pollerd their heires and Assignes for euer to the onely p<sup>p</sup>er vse and behoofe of them the said Wil<sup>m</sup> Hiller and Georg Pollerd their heires and Assignes for euer.

\*129

\* BRADFORD Gou<sup>r</sup> 1641.The viij<sup>th</sup> Septemb<sup>r</sup> 1641.

**M**EMORAND<sup>ŷ</sup> That M<sup>r</sup> Andrew Hellott doth acknowledge That in considera<sup>o</sup>n of a Debt of fve pounds & foure shillings he now oweth vnto M<sup>r</sup> Wil<sup>m</sup> Paddy and twenty nine shillings he also oweth vnto M<sup>r</sup> Wil<sup>m</sup> Hanbury and that hee is now going into England and is not able to pay them hath freely & absolutely assigned mortgaged and made ouer vnto the said Wil<sup>m</sup> Paddy and Wil<sup>m</sup> Hanbury all that his farme in Barnestable w<sup>th</sup> all and singuler thapp<sup>r</sup>te<sup>n</sup>c<sup>l</sup> therevnto belonging and all his Right title and interest of and into the same and every pt and pcell thereof To haue and to hold the said Land<sup>l</sup> & p<sup>r</sup>misss vnto them the said Wil<sup>m</sup> Paddy and Wil<sup>m</sup> Hanbury their heires and Assignes for euer and to the onely p<sup>p</sup> use and behoofe of the said W<sup>m</sup> Paddy and Wil<sup>m</sup> Hanbury their heires and Assignes for euer. Prouided alwayes That if the said Andrew Hellott shall satisfye and pay or cause to be satisfyed and payd vnto the said Wil<sup>m</sup> Paddy and Wil<sup>m</sup> Hanbury their se<sup>n</sup>all Debt<sup>l</sup> abouesaid within the space of one whole yeare next after the date hereof that then the bargaine and sale aboues<sup>d</sup> to be voyde or e<sup>l</sup>s to remaine in full strenght & vertue as aforesaid.



The x<sup>th</sup> of Septemb<sup>r</sup> 1641.

**M**EMORAN<sup>D</sup> That Edmond Hawes of Duxborrow doth acknowledg that for and in considera<sup>o</sup>n of the su<sup>m</sup> of two thousand foote of sawne boards to be deli<sup>u</sup>ed and payd him by Robert Caruer of the same Sawyer Hath freely and absolutely bargained and sold vnto the said Robert Caruer all those his Tenn acres of vpland lyinge crosse Greens Harbor payth w<sup>th</sup> all his labours in  $\ell$  aboute the same w<sup>th</sup> all and singuler thapp<sup>r</sup>te<sup>n</sup>c $\ell$  therevnto belonging and all his Right Title and interest of and into the said p<sup>r</sup>miss<sup>s</sup> To haue and to hold the said Tenn acres of vpland $\ell$  w<sup>th</sup> all and singuler thapp<sup>r</sup>te<sup>n</sup>c $\ell$  therevnto belonging vnto the said Rob<sup>t</sup>e Caruer his heires and Assignes for euer and to the onely p<sup>p</sup>er use and behoofe of him the said Robert Caruer his heires and assignes for euer.

This bargan is reversed by consent of both partis in June the 7<sup>th</sup> 1648.

\*BRADFORD GOUL 1641.

\*132

The xvj<sup>th</sup> of Septemb<sup>r</sup> 1641.

**M**EMORAN<sup>D</sup> That John Allen of Ply<sup>m</sup> Planter doth acknowledg that for and in considera<sup>o</sup>n of the su<sup>m</sup> of twenty pounds to be payd by Ezra Covell in manner and forme following viz<sup>z</sup>. twenty shillings in hand foure pounds the xvj<sup>th</sup> of December next five pounds that tyme twelue months five pounds the xvj<sup>th</sup> of Decemb<sup>r</sup> 1643 and thother five pounds 1644 or assoone as Corne shalbe merchantable in any of the said yeares Hath freely and absolutely bargained and sold vnto the said Ezra Covell All that his dwelling house and buildings therevnto belonging w<sup>th</sup> all those his tenn acres of lands where his house is and at Woebury playne w<sup>th</sup> all the fenceing in and about the same and all his Right Title and interest of and into the said p<sup>r</sup>miss<sup>s</sup> and eury p<sup>t</sup>  $\ell$  p<sup>o</sup>cell thereof To haue and to hold the said house houseing and tenn acres of vpland $\ell$  w<sup>th</sup> all and singuler thapp<sup>r</sup>te<sup>n</sup>c $\ell$  therevnto belonging vnto the said Ezra Covell his heires and Assignes foreuer to the onely p<sup>p</sup> use and behoofe of him the said Ezra Covell his heires and Assignes for euer Provided alwayes that if the Ezra Couell shall fayle in any of the said payment $\ell$  That then it shalbe lawfull for the said John Allen to enter into the said p<sup>r</sup>miss<sup>s</sup> and the same to haue againe vntill the said payment $\ell$  shalbe fully satisfied  $\ell$  payd And it is agreed betwixt the said p<sup>t</sup>ies that the said payment $\ell$  shalbe made in Corne when it is m<sup>o</sup>chantable or any kynd of Cattell (except goates) to be apprised by two men chosen by either p<sup>t</sup>e.

The xxvj<sup>th</sup> day of May 1641.

**M**EMORANĎ That whereas Thomas Morris of Seacunck by the Name of Thomas Morris of New Hauen in America by his deede bearing date the xxvj<sup>th</sup> Nouember 1640 hath freely and absolutely sold vnto Edward Cope of Prouidence all that his house and lands in Seacunck w<sup>th</sup> all other accommodaçõs that either are or shalbe layd therevnto w<sup>th</sup> all his right and title of and into the same and hath also sold vnto the said Edward Cope one great chest and a nest of boxes and all his clapboard bolts and wood that is felled there as by the said deed or writing it doth more playnly appeare Now the said Edward Cope by ffrancis Weeks his Attorney ƥ ĩre vnder his hand doth acknowledg that for ƥ in consideraçõn of eight melch goates to him in hand payd hath freely and absolutely bargained and sold vnto M<sup>r</sup> Wilłm Bradford the said house ƥ lands w<sup>th</sup> all thapp<sup>r</sup>teñces therevnto belonging and all his right title ƥ interest therein together w<sup>th</sup> the said Chest nest of boxes clapboard bolts and wood that is felled To haue and to hold the said house and land ƥ and p<sup>r</sup>misses w<sup>th</sup> all ƥ euery their appurtenances vnto the said Wilłm Bradford his heires and assignes foreũ to the onely p<sup>r</sup>per use and behoofe of him the said Wilłm Bradford his heires and Asss foreũ ƥ.

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\*BRADFORD Gou<sup>r</sup>. 1641.

The xxvij<sup>th</sup> octob<sup>r</sup> 1641.

**M**EMORANĎ That M<sup>r</sup> Thomas Wallis merchant doth acknowledg that for and in consideraçõn of the sum of thirteene pound ƥ to him in hand payd and twenty foure pounds and tenn shillings vnder taken to be payd for him to John Barnes wherew<sup>th</sup> he is fully satisfied and payd Hath freely and absolutely sold vnto M<sup>r</sup> William Bradford All that his Dwelling house ƥ gardens one lying to the house another next to M<sup>r</sup> John Done w<sup>th</sup> the out houses and seauen acres of vpland thereto belonging and two acres of marsh meddow lying at the Wood Iland w<sup>th</sup> all and singuler thapp<sup>r</sup>teñc ƥ therevnto belonging and all his Right title and interest of and into the said p<sup>r</sup>misss and euery pt ƥ pcell thereof To haue and to hold the said house ƥ gardens outhouses seaven acres of vpland and the two acres of marsh meddow w<sup>th</sup> all and singuler thapp<sup>r</sup>teñc ƥ therevnto belonging vnto the said Wilłm Bradford his heires and Asss for eũ to the onely p<sup>r</sup>per use and behoofe of him the said William Bradford his heires and Assignes for cuer.

All which pay-  
ments were  
duly made ƥ  
fully satisfied.

**T**HE which dwelling house & garden with all y<sup>e</sup> appurtenances together with y<sup>e</sup> seuen Acres of vpland, and the .2. Acres of meadow, aboue mentioned; bought of m<sup>r</sup> Thomas Wallis marchant as abouesaid. I William Bradford doe freely giue vnto my sone in law Thomas Southworth; to haue & to hold, to him, & his heirs for euer; and doe by these presents giue & make ouer my full right & title therto vnto him his heires & assignes for euer, to his & their proper vse and behoofe, and doe hereby put him in possession of y<sup>e</sup> same, and doe wholly quite all claime, or title therto from me and mine for euer. In witnes wherof I haue put to my hand according to y<sup>e</sup> day & year aboue written.

WILLIAM BRADFORD.

The xij<sup>th</sup> of January 1641.

**M**EMORAN<sup>D</sup> That Jonathan Brewster doth acknowledg That for and in considera<sup>o</sup>n of the su<sup>m</sup> of three score pounds to him in hand payd and secured to be payd by Ro<sup>b</sup>te Barker John Barker Thomas Howell and Raph Chapman Hath freely & absolutely bargained and sould vnto the said Ro<sup>b</sup>te Barker John Barker Thomas Howell and Raph Chapman All that his farme lying at the North Riuer containeing one hundred acres of vpland w<sup>th</sup> the meddowing belonging vnto it lying on the said North and South Riuers w<sup>th</sup> all & singuler thapp<sup>r</sup>teñç therevnto belonging and also the fferry and fferry boatç w<sup>th</sup> all things therevnto belonging and all his Right title and Interest of and into the said p<sup>r</sup>misss and euery part & pcell thereof together w<sup>th</sup> the fferry house and all the fenceing in and vpon the said lands w<sup>th</sup> their app<sup>r</sup>teñç. To haue and to hold the said vplandç and meddow landç fferry house & fferry boatç w<sup>th</sup> all and singuler thapp<sup>r</sup>teñç therevnto belöinge vnto them the said Ro<sup>b</sup>te Barker John Barker Thomas Howell and Raph Chapman and euery of them their heires and Assignes for eñ and to the onely pper use & behoofe of them the said Ro<sup>b</sup>te Barker John Barker Thomas Howell & Raph Chapman their heires and Assignes for euer/

\* BRADFORD GO<sup>u</sup> 1641.

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The xxiiij<sup>th</sup> March 1641.

**M**EMORAN<sup>D</sup> That Thomas Cushman doth acknowledg that for and in considera<sup>o</sup>n of the su<sup>m</sup> of tenn poundç ster<sup>t</sup> to be payd by Thomas Lettis in manner and forme following That is to say fise poundç at <sup>^</sup> before the xx<sup>th</sup> day of August next in money or cattell and thother fise poundç *and thother fise poundç* at or before the first day of Aprill next ensuing the

all which pay-  
ments are fully  
made and due-  
ly Satisfied.

foresaid payment in Corne or cattell Hath freely and absolutely bargained and sold vnto the said Thomas Lettis All that house & garden and seaven acres of land therevnto belonging scituate in Plym̄ wherein M<sup>r</sup> Andrew Hellott lately liued in w<sup>th</sup> all and singuler thapp<sup>r</sup>teñc̄ therevnto belonging and all his Right title and interest of and into the said p<sup>r</sup>miss̄s and euery pt & pcell thereof To haue and to hold the house & garden and seaven acres of vpland w<sup>th</sup> all and singuler thapp<sup>r</sup>teñc̄ therevnto belonging vnto the said Thomas Lettis his heires and Assignes for euer to the onely pper vse and behoofe of him the said Thomas Lettis his heires and Assignes for eũ. Prouided alwayes that the said house & land℄ shall remayne as securytie in case the said Thomas Lettis doe fayle in payment at the dayes & tymes aforeſd.

The xxviiij<sup>th</sup> March 1642.

**M**EMORAND̄ That ffrancis Sprague doth acknowledg that for and in consideraçõn of the suñ of three pound℄ to him payd & to be payd by Morris Truant hath freely and absolutely bargained & sold vnto the said Morris Truant two acres of Marsh meddow lying at the Wood Iland betwixt the lands of Richard Sparrow and Steephen Tracy w<sup>th</sup> all & singuler thapp<sup>r</sup>teñc̄ therevnto belonging and all his Right title & interest of and into the said p<sup>r</sup>miss̄s w<sup>th</sup> their app<sup>r</sup>teñc̄ To haue and to hold the said two acres of marsh meddow w<sup>th</sup> the app<sup>r</sup>teñc̄ therevnto belonging vnto the said Morris Truant his heires and Assignes for eũ to the onely pper use and behoofe of him the said Morris Truant his heires & Assignes foreu<sup>r</sup>.

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\*BRADFORD Gou<sup>r</sup> 1642.

The fift of Aprill 1642.

**M**EMORAND̄ That M<sup>r</sup> John Combe doth acknowledḡ That for & in consideraçõn of the suñ of fourty shillinges whereof vj bushells of Rye at 3<sup>s</sup> 6<sup>d</sup> p bushell is payd in hand and the remaynder to be paid in July next hath freely and absolutely bargained and sold vnto M<sup>r</sup> Thomas Prence all those his two acres of Marsh meddow lying before the house of the said Thoñ Prence at Joanes Riuer next to the Marsh meddow of Phineas Pratt w<sup>th</sup> all & singuler thapp<sup>r</sup>teñc̄ therevnto belonging and all his Right title & Interest of and into the said p<sup>r</sup>miss̄s & euery pt thereof To haue and to hold the said two acres of Ma<sup>r</sup>sh meddow w<sup>th</sup> all thapp<sup>r</sup>tenc̄ therevnto belonging vnto the said Thomas Prence his heires and Assignes foreũ to the onely pper use & behoofe of him the said Thomas Prence his heires & Ass̄s foreũ.

The vij<sup>th</sup> Aprill 1642.

**M**EMORAND<sup>Ÿ</sup> That M<sup>r</sup> Rob<sup>t</sup>e Hicks doth acknowledg That for £ in considera<sup>õ</sup>n of the su<sup>m</sup> of foure pounds £ eight shillings to be payd him by M<sup>r</sup> William Bradford the last day of May next in Corne or any sort of cattell as two men shall rate them hath freely and absolutely bargained and sold vnto the said Wil<sup>m</sup> Bradford two acres of marsh Meddow lying at the heigh Pines next to the marsh meddow of Constant Southworth w<sup>th</sup> all and singuler the app<sup>r</sup>teñc<sup>l</sup> therevnto belonging and all his right title £ interest of and into the said p<sup>r</sup>miss<sup>s</sup> £ euery pt thereof To haue and to hold the said two acres of Marsh meddow w<sup>th</sup> the ap<sup>r</sup>teñc<sup>l</sup> vnto the said Wil<sup>m</sup> Bradford his heires £ Assignes for e<sup>ũ</sup> to the onely p<sup>p</sup>er vse and behoofe of him the said Wil<sup>m</sup> Bradford his heires and Assignes for euer.

ROBERT HICKS.

The vii<sup>th</sup> April 1642.

**M**EMORAND<sup>Ÿ</sup> That M<sup>r</sup> John Done doth acknowledg That for £ in considera<sup>õ</sup>n of four goats payd him by M<sup>r</sup> Wil<sup>m</sup> Bradford and all his right title and interest of and into a garden place in Ply<sup>m</sup> lying next to the garden of the said John Done the said John Done hath freely £ absolutely exchanged bargained and sold vnto the said Wil<sup>m</sup> Bradford all those his three acres of Marsh ground or meddow lying at Joanes Riuer next to the land<sup>l</sup> of Nicholas Snow w<sup>ch</sup> was bought of Thomas Willet w<sup>th</sup> all £ singuler the thapp<sup>r</sup>teñc<sup>l</sup> therevnto belonging and all his Right title £ interest of and into the said p<sup>r</sup>miss<sup>s</sup> and euery pt thereof To haue and to hold the said three acres of marsh ground or meddow w<sup>th</sup> thapp<sup>r</sup>teñc<sup>l</sup> vnto the said Wil<sup>m</sup> Bradford his heires £ Ass<sup>s</sup> for e<sup>ũ</sup> to the onely p<sup>p</sup>er vse £ behoofe of him the said Wil<sup>m</sup> Bradford his heires and Assignes for euer.

\*BRADFORD Gou<sup>r</sup> 1642.

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The xvij<sup>th</sup> day of April 1642.

**M**EMORAND<sup>Ÿ</sup> That M<sup>r</sup> Raph Smyth doth acknowledg that for £ in considera<sup>õ</sup>n of the su<sup>m</sup> of six score pounds to him in hand payd by M<sup>r</sup> John Done wherew<sup>th</sup> he doth acknowledg himself fully satisfied and payd hath freely £ absolutely bargained and sould vnto the said John Done (Agent for the church of Plymouth) All that his house and buildings and garden plotts therevnto adjoyneing scituate in Plymouth together w<sup>th</sup> the six acres

Granted to Mr  
Reyner, p. 154.

of vpland lying in the new feild w<sup>th</sup> all and singuler thapp<sup>r</sup>teñç to the said p<sup>r</sup>misss belonging and euery of them and all his right title and interest of and into the said p<sup>r</sup>misss and euery pt thereof To haue and to hold the said house buildings and garden plotts together w<sup>th</sup> the six acres of vpland and all ç singuler thapp<sup>r</sup>teñç to the said p<sup>r</sup>misss belonging vnto the said John Done his heires and Assignes for euer to the onely pper use and behoofe of him the said John Done his heires and assignes for euer./

The vij<sup>th</sup> May 1642.

**M**EMORANĎ That M<sup>r</sup> Robert Hicks doth acknowledg That for ç in consideraçõn of the suffi of seaven pounds to be payd him by Wilłm Brett of Duxborrow hath freely and absolutely bargained and sold vnto the said Wilłm Brett seauen acres of vpland lying at Iland Creek in the noock towards the Sea next to the lands of m<sup>rs</sup> Elizabeth Kemp as it is now set forth w<sup>th</sup> all ç singuler thapp<sup>r</sup>tencç therevnto belonging and all his Right title and interest of and into the same To haue and to hold the said seauen acres of vpland w<sup>th</sup> all ç singuler thapp<sup>r</sup>teñç therevnto belonging vnto the said Wilłm Brett his heires and Assignes foreuer to the onely pp use and behoofe of him the said Wilłm Brett his heires ç Assignes for euer./

The xxij<sup>th</sup> of June 1643 This land being almost fenced about the said Wilłm Brett hath sould vnto M<sup>r</sup> Raph Partrich of Duxborrow for xij<sup>s</sup> in hand payd ç all his right title and Interest of ç into the same w<sup>th</sup> thapp<sup>r</sup>teñces To haue ç to hold to the said Raph Partrich his heires and assignes for eũ and to their onely pp use ç behoofe for ever.

The vij<sup>th</sup> May 1642.

**M**EMORANĎ That M<sup>r</sup> Robert Hicks doth acknowledg That for ç in consideraçõn of the suffi of vj<sup>s</sup> xij<sup>s</sup> to be payd him by m<sup>r</sup> John Reynor hath freely and absolutely bargained and sold vnto the said John Reynor three acres of marsh meddow lying at the heigh Pynes next the landç of  
 ^ w<sup>th</sup> all and singuler thapp<sup>r</sup>teñç therevnto belonging and all his right title and interest of and into the said p<sup>r</sup>misss To haue and to hold the said three acres of marsh meddow w<sup>th</sup> thapp<sup>r</sup>teñç vnto the said John Reynor his heires and Assignes for euer to the onely pper use and behoofe of him the said John Reynor his heires and Assignes foreũ.

ROBERT HICKES.

\*BRADFORD Gou<sup>r</sup> 1642.

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The vij<sup>th</sup> May 1642.

**M**EMORAN<sup>D</sup> That Josuah Pratt doth acknowledg̃ that for ℥ in considera<sup>o</sup>n of the su<sup>m</sup> of fourty shillings to him in hand payd by Edward Dotey hath freely ℥ absolutely bargained and sold vnto Edward Dotey one acre of vpland lying at the heigh Cliff betwixt the land℥ of Phineas Pratt ℥ John Shawe and all his right title ℥ interest therevnto To haue and to hold the said acre of land vnto the said Edward Dotey his heires ℥ Assignes foreuer to the onely p<sup>er</sup> use and behoofe of him the said Edward Dotey his heires ℥ assignes foreuer.

The vij<sup>th</sup> May 1642.

**M**EMORAN<sup>D</sup> That Josuah Pratt doth acknowledg That for ℥ in considera<sup>o</sup>n of the su<sup>m</sup> of twelue bushells of Corne to him in hand payd hath freely ℥ absolutely bargained and sold vnto Josias Cooke all those his two acres of Marsh Meddow lying at the wood Iland betwixt the land℥ of Georg Soul in the north ℥ m<sup>rs</sup> fuller in the South and all ℥ singuler thapp<sup>r</sup>teñ℥ thereto belonging and all his right title ℥ interest of ℥ into the said p<sup>r</sup>mis<sup>s</sup>s To haue and to hold the said two acres of marsh meddow w<sup>th</sup> thapp<sup>r</sup>teñ℥ thereto belonging vnto the said Josias Cooke his heires ℥ Assignes foreu<sup>er</sup> to the onely p<sup>er</sup> use and behoofe of him the said Josias Cooke his heires and Assignes foreuer./

\*BRADFORD Gou<sup>r</sup> 1642.

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A Deede acknowledged and appoynted to bee  
recorded the first of June Ann<sup>o</sup> Dñi. 1642.

**K**NOW all Men by these p<sup>r</sup>nt℥ That I Christopher Blakewood of the Plantation of Scittuate in America for and <sup>^</sup> considera<sup>o</sup>n of the su<sup>m</sup>e of three score pounds of good and lawfull money of England by M<sup>r</sup> Charles Chauncey in sufficient Bills of exchaung in England Assigned Haue giuen and graunted and by these p<sup>r</sup>nts doe giue graunt bargaine ℥ sell vnto the said M<sup>r</sup> Charles Chauncey of Scittuate aforesaid one dwelling house together w<sup>th</sup> barne and out houses thereto belonging together w<sup>th</sup> all such lands both vplands and Marsh grounds as thereto belongeth (the peece of Marsh lying w<sup>th</sup>out the pallisadoes of the feild next to Goodman Turner excepted) the vpland lying and bounding in this manner towards the land℥ of

Josias Checkett on the West towards the lands of John Hewes & the heigh way on the South towards the Coñon and the lands of John Winter and John Emerson on the North and toward℄ the lands of Humphrey Turner on the East The Marsh ground containeing twenty acres more or lesse part whereof is an Island bounding towards the lands of the heires of M<sup>r</sup> Tilden on the East towards the lands of Josias Checkett on the West towards the heigh way on the North and towards the hering brook compassing an Island part thereof on the South To haue hold occupie and enjoy the said House vpland and marsh ground w<sup>th</sup> all the app<sup>r</sup>teñices thereto belonging to him and his heires foreuer Moreouer I haue (for and in consideraçõn of the foresaid Bills of Exchange made ouer to me by M<sup>r</sup> Charles Chauncey aforesaid) giuen graunted bargained and sold vnto thaboue named M<sup>r</sup> Charles Chauncey my great lott containing an hundred acres of ground lying vp the Riuer not farr from Scituate together w<sup>th</sup> my deuident of marsh ground thereto belonging To haue and to hold the said vpland and Marsh ground to him and his heires foreuer And I doe by these p<sup>r</sup>mit℄ giue power to the said M<sup>r</sup> Charles Chauncey by himself or his Assignes to enroll or p<sup>r</sup>cure to be enrolled the title & tenure of the forenamed lands to himself and his heires foreu<sup>r</sup> in his Ma<sup>ties</sup> Court of New Plymouth in America before the right wo<sup>r</sup>p<sup>ll</sup> the Gou<sup>nr</sup> and Assistant℄ according to the order of Court and vsuall course of Evidenece in that case prouided In Witnesse of the p<sup>r</sup>misses I the aboue named Christopher Blakewood haue set to my hand & seale this fift day of October in the seaventeenth yeare of our Sou<sup>r</sup>aigne Lord Charles of Great Brittainne france & Ireland King ℄.

Signed sealed & deliuid }  
 in the p<sup>r</sup>sence of vs  
 Georg Willerd  
 John Beamont  
 Elisha Bisbe.

CHRISTOPHER BLACKWOOD



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\*BRADFORD Gou<sup>r</sup> 1642.

A deed appoynted to be recorded acknowledged  
 the second of June 1642.

**K**NOW all men by these p<sup>r</sup>sent℄ that I Anthony Annable of Barnestable in the Corporaçõn of New Plymouth in New England Planter for and in consideraçõn of the full sume of seaventy nine pounds of good and lawfull English money by me in pt receiued and the other at the tyme appoynted to be receiued do giue and graunt and by these p<sup>r</sup>sent℄ do bargain for and

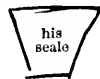


absolutely sell vnto Thomas Raulins of Scituate in the Corporaçon aforesaid Planter my dwelling house and out house and all my lands therevnto appertaining viz<sup>z</sup> one lott of vpland of twenty two acres more or lesse lying on the North East side of the first hering brooke and nine acres of Marsh land more or lesse lying on the same side of the aforesaid hering brook bounded on the North w<sup>th</sup> the Marsh of James Cudworth and on the westerly side w<sup>th</sup> the vpland and on the South and westerly side w<sup>th</sup> the Marsh land of Henry Cobb and on the South and Easterly side w<sup>th</sup> the hering brooke And one lott of vpland more of fourscore acres more or lesse lying on the north side of the North Riuer bounded on the East with a space of vnlotted vpland part of the way and on the south w<sup>th</sup> the Marsh land and on the West w<sup>th</sup> the lott of Edward ffoster vpland and on the North w<sup>th</sup> the Coñon woods and also thirteene acres of Marsh land thereto belonging bounded on the West w<sup>th</sup> the Marsh of Edward ffoster on the north w<sup>th</sup> the vpland of the said lott and on the East w<sup>th</sup> the Marsh land of Georg Kennerick and on the South w<sup>th</sup> the North Riuer These and all of these I haue sold free from all intaylements to me and my heires for euer to the said Thomas Raulins and to his heires foreü And do giue full power to the said Thomas Raulins by him self or his Assignes to enrolle or p<sup>er</sup>sure to be enrolled the tytle and tenor thereof in his Ma<sup>ties</sup> Court of Plymouth before the Right Wor<sup>th</sup> Go<sup>u</sup> and Assistant<sup>l</sup> according to the order of Court in that case p<sup>ro</sup>uided In the year Anno Dñi 1639 Septembr 29<sup>th</sup>.

Signed sealed & deliued  
in the p<sup>re</sup>sence of us.

Edward ffoster }  
Henry Bourne } witness̄s

ANTHONY *d* ANNABLES Mark



\* BRADFORD Go<sup>u</sup> 1642.

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The viij<sup>th</sup> June 1642.

**M**EMORAN<sup>D</sup> That Wilhm Chase doth acknowledg That for and in consideraçon of the sume of five pound<sup>l</sup> he oweth to m<sup>r</sup> Stephen Hopkins and for the secureing of the said debt vnto him hath bargained assigned set ouer and mortgaged All that his house and land<sup>l</sup> in Yarmouth containeing Eight acres of vpland and six acres more lying at the Stony coue w<sup>th</sup> all & singuler thapp<sup>er</sup>teñ<sup>l</sup> thervnto belonging and all his Right title and Interest of and into the said p<sup>re</sup>miss̄s and euery pt & parcell thereof To haue and to hold the said house and land<sup>l</sup> w<sup>th</sup> their app<sup>er</sup>tences vnto the said Steephen Hopkins his heires and Assignes for eü to the onely p<sup>er</sup>per use and behoofe of him the said Steephen Hopkins his heires and Assignes for euer

Prouted alwayes That if the said Wilſm Chase doe ſatisfye and pay or  
 cauſe to be ſatisfyed and payd vnto the ſaid Steephen Hopkins or his Assignes  
 the ſaid ſuſie of five pounds in money Corne or cattell at or vpon the firſt  
 day of November next enſuing the date hereof That then the mortgage to be  
 voyd or elſe to remayne in full force and ſtrength.

The viij<sup>th</sup> June 1642.

**M**EMORAND<sup>ſ</sup> That James Cudworth of Barnestable gen<sup>t</sup> doth acknowledg  
 that for and in conſidera<sup>o</sup>n of the ſuſie of Eighteene pounds to him  
 in hand fully payd by Thomas Enſinge of Scittuate plant<sup>r</sup> Hath freely and  
 abſolutely bargained and ſold vnto the ſaid Thomas Enſinge All that his  
 dwelling houſe wherein the ſaid Thomas now dwelleth in Scittuate aforeſaid and  
 an outhouſe w<sup>th</sup> five acres of vpland therevnto adjoyneing lying to the land<sup>ſ</sup>  
 late m<sup>r</sup> Lathrops to the north and to the land<sup>ſ</sup> of m<sup>r</sup> Tymothy Hatherley  
 Eaſt & South and to the Coffion lane Weſt w<sup>th</sup> all and ſinguler thapp<sup>r</sup>teñç  
 thereunto belonging w<sup>th</sup> all his Right title and interreſt of and into the ſame  
 and euery part and pcell thereof To haue and to hold the ſaid houſe out houſe &  
 vpland<sup>ſ</sup> w<sup>th</sup> thapp<sup>r</sup>teñces to the ſaid p<sup>r</sup>miſſs belonging vnto the ſaid Thomas  
 Enſinge his heires and Assignes for eũ to the onely p<sup>p</sup>er uſe and behoofe of  
 him the ſaid Thomas Enſinge his heires and Assignes for eũ.

A Deede appoynted to be recorded the firſt of July 1642.

**K**NOW all men by theſe p<sup>r</sup>ntç that I Wilſm Almy late of Sandwich in  
 the Colony of New Plymouth in New England In conſidera<sup>o</sup>n of  
 Eighteene pounds to me well and truly payd by Edmond ffreeman of Sand-  
 wich the yeonger of w<sup>ch</sup> I do acquit and diſcharg the ſaid Edmond do hereby  
 giue graunt ſet ſell vnto the ſaid Edmond ffreeman one dwelling houſe in  
 Sandwich aforeſaid w<sup>th</sup> all app<sup>r</sup>teñç together w<sup>th</sup> all the lands whatſoeũ to me  
 belonging lying w<sup>th</sup>in the bounds of Sandwich aforeſaid and alſo all ſuch lands  
 or moneys w<sup>ch</sup> either now do belong or hereafter ſhall accrue to me the ſaid  
 Wilſm Almy by way of ſatisfac<sup>o</sup>n for ſondry charges by me diſbuſed in my  
 vndertakership for the laying out of the lands in Sandwich aforeſaid To haue  
 and to hold quietly poſſeſſe and enjoy to him the ſaid Edmond ffreeman his  
 heires and Assignes for euer In witneſſe whercof I haue herevnto ſet my hand  
 and Seale the two and twentyeth day of June in the yeare of our Lord 1642.

Witneſſs

Wilſm Leuerich  
 Edward Wollaston

WILLIAM  
 ALMY



\* BRADFORD Gou<sup>r</sup> 1642.

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The viij<sup>th</sup> of June 1642.

**M**EMORAN<sup>D</sup> That Anthony Annable of Barnestable Planter doth acknowledge That for and in considera<sup>o</sup>n of the su<sup>m</sup> of threescore and nineteene pounds to him fully satisfyed and payd by Thomas Rauline of Scittuate planter Hath freely and absolutely bargained and sold vnto the said Thomas Rawline All that his house and outhouses in Scittuate aforesaid w<sup>th</sup> one hundred acres of vpland<sup>l</sup> be it more or lesse twenty three acres thereof lying to the said house and adjoyneing to the lands of Walter Woodward on the East side and to the Swamp of the hering brooke on the west side and thother fourscore acres of vpland lying at the North Riuer the South end abutting vpon the said North Riuer and to the land<sup>l</sup> of John Lewis on the East side and to the land<sup>l</sup> of Edward ffoster on the west side and to the woods Northerly And also one pcell of Marsh Meddow containeing about thirteene acres be it more or lesse lying betwixt the foresaid vpland<sup>l</sup> and the North Riuer and one other pcell of Marsh meddow containeing about nine acres be it more or lesse lying at the first hering brooke betweene the vp-lands and Marsh meddow of Thomas Robinson w<sup>th</sup> all and euery thapp<sup>r</sup>teines to the said p<sup>r</sup>miss<sup>s</sup> belonging and euery part <sup>l</sup> pcell thereof And all his Right title and interest of and into the said p<sup>r</sup>miss<sup>s</sup> <sup>l</sup> euery of them To haue and to hold the said house outhouses vplands and pcells of marsh meddow w<sup>th</sup> all and singuler their app<sup>r</sup>teinc<sup>l</sup> therevnto belonging vnto the said Thomas Rawline his heires and Assignes for euer to the onely p<sup>p</sup>er vse and behoofe of him the said Thomas Rawline his heires <sup>l</sup> Assignes fore<sup>e</sup>u.

The second of August 1642.

**M**EMORAN<sup>D</sup> That Willm Hiller doth acknowledge That for and in considera<sup>o</sup>n That Nathaniell Sowther of Plym<sup>th</sup> is bound w<sup>th</sup> the Released. said Willm Hiller and for his p<sup>p</sup>er debt in the su<sup>m</sup> of xxviij<sup>l</sup> for the payment of fourteene pound<sup>l</sup> ster<sup>t</sup> in merchantable Corne at certaine dayes men<sup>o</sup>ned in a writing beareing date the last day of May 1642 vnto Robert Caruer made betweene the said Robert Carver and the said Willm Hiller Hath (for the secureing dischargeing and saueing harmelesse the said Nathaniell Sowther his heires Execut<sup>r</sup> <sup>l</sup> Administrat<sup>r</sup> <sup>l</sup> euery of them of and concerning the said debt) freely <sup>l</sup> absolutely bargained and sold assigned and mortgaged all that his moytie of the milne in Duxborrow w<sup>th</sup> all and singuler the

p<sup>r</sup>mis̄s & p<sup>r</sup>fits therevnto belonging and all his Right title and interest of and into the same & euery pt thereof To haue and to hold the said moytie of the said milne & all thapp<sup>r</sup>tenc<sup>l</sup> therevnto belonging vnto the said Nathaniell Sowther his heires and Assignes foreuer to the onely p<sup>r</sup>per use and behoofe of him the said Nathaniell Sowther his heires and Assignes for euer. Provided alwayes That if the said Wil<sup>m</sup> Hiller do from tyme to tyme and at all tymes well & sufficiently saue and keep harmesse the said Nathaniell Sowther his heires Execut<sup>r</sup> & Administrat<sup>r</sup> and euery of them concerning the said debt & payment<sup>l</sup> and do well and truly satisfye the said payment<sup>l</sup> as they shall grow due and payable, That then the bargaine & sale afore<sup>s</sup>d to be voyd or el<sup>s</sup> to remayne in full force strength & vertue/

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\* BRADFORD Gou<sup>r</sup> 1642.The xxvii<sup>th</sup> Septemb<sup>r</sup> 1642.

**M**EMORAN<sup>D</sup> That M<sup>r</sup> Edward Winslow came into the publik Court and did acknowlegd That he hath absolutly & freely giuen graunted enfeoffed and confirmed vnto Peregrine White his sonn in law all & singuler those his lands lying at the Eele Riuer w<sup>th</sup> all and singuler thapp<sup>r</sup>tenc<sup>l</sup> therevnto belonging and all his right title and interest of & into the same To haue and to hold all and singuler the said land<sup>l</sup> w<sup>th</sup> their app<sup>r</sup>tenc<sup>l</sup> vnto the said Peregrine White his heires and assignes for euer to the onely p<sup>r</sup>per use and behoofe of him the said Peregreene White his heires and Assignes for euer/

The xxvii<sup>th</sup> of Decemb<sup>r</sup> 1642.

**M**EMORAN<sup>D</sup> That John Roe of Duxborrow doth acknowlegd that for and in considera<sup>o</sup>n of the su<sup>m</sup> of three pounds three shillings ster<sup>l</sup> in hand payd by Wil<sup>m</sup> Browne of Ply<sup>m</sup> plant<sup>h</sup> hath freely and absolutely bargained and sold vnto the said Wil<sup>m</sup> Browne all that his house and three acres of vpland adjoyneing to the said house w<sup>th</sup> the fence about the same and all and singuler thapp<sup>r</sup>tenc<sup>es</sup> therevnto belonging and all his right title and interest of and into the same and euery pt & p<sup>r</sup>cell thereof To haue and to hold the said house and land<sup>l</sup> w<sup>th</sup> their app<sup>r</sup>tenc<sup>l</sup> vnto the said Wil<sup>m</sup> Browne his heires and Assignes for euer vnto the onely p<sup>r</sup>per use & behoofe of him the said Wil<sup>m</sup> Browne his heires and Assignes for euer

It is agreed vpon betweene the said pties That the said John Roe shall dwell in the said house vntill this day twelue months (viz<sup>t</sup> the 28<sup>th</sup> Decemb<sup>r</sup>

1643) the said John Roe leaucing the said house and fence about the ground in as good and sufficient repaire as now it is, casualties not excepted and a flore ouer the Cow house of eight or nine boards & the flores in the house not to be taken away nor remooued nor the shelues about the house nor the cupboard nor the cabbin bedstead but to be left safe & deliuered vp w<sup>th</sup> the house at the said yeares end./

\*BRADFORD Gou<sup>r</sup> 1642.

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**M**EMORAN<sup>D</sup> That whereas M<sup>r</sup> John Done on the behalf of the Church of Plymouth purchased of M<sup>r</sup> Raph Smyth his dwelling house barnes & buildings and garden plotts in Plymouth w<sup>th</sup> six acres of vpland therevnto belonging lying in the new feild w<sup>th</sup> all & singuler thapp<sup>t</sup>eñces therevnto belonging Now the said John Doane w<sup>th</sup> and by the consent of the Church of Plymouth Hath giuen graunted assigned and made ouer *made ouer* the said house and garden plotts w<sup>th</sup> the six acres of vpland & w<sup>th</sup> all and singuler their appurtenances vnto M<sup>r</sup> John Reynor their teacher and all his Right title and Interest of and into the same and euery part and pcell thereof To haue and to hold the said house barnes buildings garden plotts w<sup>th</sup> the six acres of vpland with their app<sup>t</sup>eñces vnto the said John Reynor his heires and Assignes foreü to the onely p<sup>p</sup>er use and behoofe of him the said John Reynor his heires and Assignes foreuer./

The xxxj<sup>th</sup> day of Decemb<sup>r</sup> 1642.

**M**EMORAN<sup>D</sup> That John Barnes for and in considera<sup>o</sup>n of the su<sup>m</sup> of sixteene pounds to be payd by Edward Edwards in manner & forme following that is to say fíue pounds six shillings & eight pence at or vpon the sixteenth day of June next following and fíue pounds six shillings & eight pence that day twelue months after and thother fíue pounds six shillings & eight pence the xvj<sup>th</sup> day of June w<sup>ch</sup> shalbe in the yeare of o<sup>r</sup> Lord one thousand six hundred fourty & fíue w<sup>ch</sup> said payment & are to be made in money stockings shooes or other merchantable co<sup>m</sup>moditytes that the said John Barnes shall accept of at the days of payment Hath freely & absolutely bargained & sold vnto the said Edward Edwards all that his house & land & lying at Wellingly brooke w<sup>ch</sup> was lately purchased of m<sup>r</sup> Thomas Hill w<sup>th</sup> the two acres of vpland lying at Wellingsly brooke lately purchased of M<sup>r</sup> John Combe & Phineas Pratt w<sup>th</sup> all & singuler thapp<sup>t</sup>eñces therevnto belonging and all his Right title & interest of & into the said p<sup>r</sup>misss & euery part &

pcell thereof To haue ℥ to hold the said house and lands w<sup>th</sup> all and euery their appurtenanc℥ vnto the said Edward Edward℥ his heires and Assignes for euer to the onely p<sup>per</sup> vse and behoofe of him the said Edward Edwards his heires ℥ Assignes for e<sup>u</sup>.

The xxx<sup>th</sup> day of October 1644.

**M**EMORAN<sup>D</sup> that John Barnes doth acknowledg that hee hath receiued full satisfac<sup>o</sup>n for the said house and land℥ of Edward Edwards and the said Edward Edwards hath fully and absolutely bargained sould assigned and set ouer all his Right title and interest of and into the said house and land℥ bought of m<sup>r</sup> Tho<sup>m</sup> Hill ℥ the two acres bought of Phineas Pratt w<sup>th</sup> their appurtenanc℥ vnto Thomas Whitney of Plymouth in considera<sup>o</sup>n of the sum of Nine pounds two shillings and six to be payd vnto the said John Barnes w<sup>th</sup>in the space of one yeare now next ensuing in currant Countrey pay either at Plymouth or in the Massachusetts Bay.

**M**EMORAN<sup>D</sup> that I John Barnes do acquit release and discharge Thomas Whitten of all debts ℥ demaunds fr<sup>o</sup> the beginning of the world to this p<sup>re</sup>sent 27<sup>th</sup> of October 1647.

Witnes Henry Coggan  
Samuell Mayo

p me JOHN BARNES

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\*BRADFORD ^ the xxvj<sup>th</sup> Januar<sup>e</sup> 1642.

The xxvi<sup>th</sup> of January 1642.

Relinquished  
by consent of  
both pties.

**M**EMORAN<sup>D</sup> That Edward Hall doth acknowledg that for ℥ in considera<sup>o</sup>n of the sum of twenty pound℥ ster<sup>l</sup> to be payd him in maner ℥ forme following by Thomas Gannett that is to say fve pounds in hand by sawing this winter w<sup>ch</sup> is already payd and fve pounds in wheate at Boston in Massachusetts Bay in March next at the price it goes at when it is merchantable and thother tenn pounds in December next to be deliuered in Braintrey at the water side by Plymouth measure ℥ at the price wheate is then sold at in Plymouth or e<sup>l</sup>s in Cattell Hath freely and absolutely bargained ℥ sold vnto the said Thomas Gannett all that his dwelling house oute houses and lotts of land containeing tenn acres of vpland be it more or lesse lying at Houndsditch in Duxborrow betweene the lands of Edward Hunt on the North side and John Tisdall on the South side and one acre of mcdow

lying at Blewfish Riuer next to the meddow of Mr John Alden on the west side w<sup>th</sup> all ℓ singuler thapp<sup>r</sup>teñℓ to the said p<sup>r</sup>miss̄s belonging ℓ eury of them and all his Right title and interest of and into the said p<sup>r</sup>miss̄s w<sup>th</sup> their app<sup>r</sup>teñℓ ℓ eury of them Tr haue and to hold the said house houseing vp-lands and meddow w<sup>th</sup> their app<sup>r</sup>teñℓ ℓ eury of them vnto the said Thomas Gannett his heires and assignes for euer to the onely pp use and behoofe of him the said Thomas Gannett his heires and Assignes foreū p<sup>r</sup>uided alwayes that it shalbe lawfull for the said Edward to sett one half of the lands (this springe) w<sup>th</sup> are broken vp and half the garden and to dwell in the said house vntill the xxvj<sup>th</sup> day of July next if he please p<sup>r</sup>uided also that the said Edward then haue the said house and fences about the grounds in as good condiçōn and as sufficient as they were the xxvj<sup>th</sup> of July last past when these p<sup>r</sup>miss̄s were bargained for./

\* BRADFORD Gou<sup>r</sup> 1642.

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The xxij<sup>th</sup> March 1642.

**M**EMORAND̄ That Whereas Wil<sup>m</sup> Dennis of Plymouth before his going into England about a yeare and a half since did authorize and assigne John Winslow of Plymouth afor<sup>d</sup> to receiue as such Debts and su<sup>m</sup>s of money as were due ℓ oweing vnto him here in New England And whereas also since by his tres beareing date the xij<sup>th</sup> of November 1642 directed to the said John Winslow and another of the same date directed to Wil<sup>m</sup> Dennis of Scittuate his Naturall father hath giuen further power that the said John Winslow should assigne and make ouer the said Debts vnto the said Wil<sup>m</sup> Dennis the father for such su<sup>m</sup>e as he should agree w<sup>th</sup> him for so that it was not vnder twenty markes Now the said John Winslow by vertue of the said tres hath assigned and made ouer the said Debtℓ unto the said Wil<sup>m</sup> Dennis the father for the su<sup>m</sup>e of sixteene poundℓ. And the said Wil<sup>m</sup> Dennis the father in consideraçōn that the said John Winslow shall pay the said sixteene pounds in Beaver to Wil<sup>m</sup> his sonn and pay him xj<sup>l</sup> more in manner ℓ forme following that is to say vj<sup>l</sup> by a Cowe xxx<sup>s</sup> by a Bill to Georg Lewis of Barnestable and ij<sup>l</sup> x<sup>s</sup> in corne or cattell the first of November next at Plymouth Hath reassigned and made ouer vnto the said John Winslow all ℓ singuler such said Debts and su<sup>m</sup>s of money as were or are due ℓ apptaincing vnto the said Wil<sup>m</sup> Dennis his sonn here in New England.

The vij<sup>th</sup> March 1642.

**M**EMORANĎ That John Allen for and in consideraċon of one Cowe to him in hand Payd by Samuell Eddy wherew<sup>th</sup> hee is fully satisfied & payd Hath freely and absolutely bargained and sold enfeoffed and confirmed vnto the said Samuell Eddy all that his house barnes & buildings w<sup>th</sup> the lands therevnto belonging lying at Willingsly and Woeberry playne w<sup>th</sup> all & singuler thapp<sup>r</sup>teñċ therevnto belonging and all his Right title & interest of and into the said p<sup>r</sup>miss̄s & euery of them To haue and to hold the said house barnes buildings & *and* land & w<sup>th</sup> all & singuler their app<sup>r</sup>teñċ vnto the said Samuell Eddy his heires and Assignes for euer to the onely p<sup>p</sup>er use and behoofe of him the said Samuell Eddy his heires & Assignes for eũ.

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\*BRADFORD Gou<sup>r</sup> 1642.

The x<sup>th</sup> March 1642.

**M**EMORANĎ That M<sup>r</sup> Edmond ffreeman doth acknowledg that for and on the behalf of M<sup>r</sup> John Beauchampe of London Merchant by vertue of a warrant of Attorney vnder the hand of the said John Beauchamp beareing date the tenth day of July Anno Dñi 1639 and by other frs also to him directed for the sale of certaine land & of his lying at Scittuate Hath for & in consideraċon of the sume of forty pounds absolutely bargained and sold vnto M<sup>r</sup> Tymothy Hatherley of Scittuate gen<sup>t</sup> All those lands vpland & meddow belonging or app<sup>r</sup>taineing vnto the said John Beauchamp w<sup>th</sup> all and singuler thapp<sup>r</sup>teñċ vnto them belonging and all his Right Title and interest of and into the said p<sup>r</sup>miss̄s w<sup>th</sup> their app<sup>r</sup>teñċ & euery of them To haue & to hold the sd land & p<sup>r</sup>miss̄s w<sup>th</sup> their app<sup>r</sup>teñċ vnto the said Tymothy Hatherley his heires & Assignes for eu<sup>r</sup> to the onely p<sup>p</sup> use and behoofe of him the said Tymothy Hatherley his heires and Assignes for eũ.

The wordes of M<sup>r</sup> Beauchamp his tre are these viz<sup>z</sup> ffor my ground at Scittuate sell it if you can although it be neuer so little) w<sup>ch</sup> concerne this bargaine & sale & subscribed thus

Yo<sup>r</sup> loueing brother

JOHN BEAUCHAMP.

I Edmond ffreeman do aeknowledg this Record abouesaid to M<sup>r</sup> Heath-erly to be my Ackt & Deede.



The xvij<sup>th</sup> day of March 1642.

**M**EMORAN<sup>D</sup> That John Dunhame the yeonger doth acknowledg that for and in considera<sup>o</sup>n of the sume of seauen pounds ʒ tenn shillings to be payd by Henry Wood in manner and forme following that is to say three pounds and tenn shillings at Indian Harvest next and tenn shillings more in Rye assoone as it is ripe and reaped at the prizes that corne is sold for at the tyme of the deliuey thereof at Plymouth and thother three pounds ʒ tenn shillinges in cotton cloth or such other com<sup>o</sup>dyties as are worth so much the cotton cloth to be xv teene yerd<sup>ʒ</sup> at ij<sup>s</sup> viij<sup>d</sup> p yard ʒ the rest of the 3<sup>ii</sup> 10<sup>s</sup> in other things that amount therevnto, but if the cotton cloth be refused in payment that then the said Henry shall pay in other com<sup>o</sup>dyties assoone as he cann to that value Hath freely and absolutely bargained ʒ sold vnto the said Henry Wood All that his house ʒ buildings and the land<sup>ʒ</sup> therevnto belonging lying in Plymouth betwixt the land<sup>ʒ</sup> of Gabriell ffallowell on the north side and the new field on the west side and the land<sup>ʒ</sup> of John Dunham the elder and Wiltm Pontus on the South and East sides containeing tenn acres or thereabout<sup>ʒ</sup> together w<sup>th</sup> his graunt of land<sup>ʒ</sup> and meddow lying at the Swanholt w<sup>th</sup> all ʒ singuler thapp<sup>r</sup>teñc<sup>ʒ</sup> therevnto belonging and all his Right title ʒ interest of and into the said p<sup>r</sup>miss<sup>s</sup> and euery of them w<sup>th</sup> their app<sup>r</sup>teñc<sup>ʒ</sup> To haue and to hold the said house houseing and vpland<sup>ʒ</sup> lying in Plymouth and the fence about the same together w<sup>th</sup> the graunt at Swanholt w<sup>th</sup> all and singuler thapp<sup>r</sup>teñc<sup>ʒ</sup> to the said p<sup>r</sup>miss<sup>s</sup> belonging vnto the said Henry Wood his heires and Assignes for eũ to the onely p<sup>p</sup>er vse and behoofe of him the said Henry Wood his heires ʒ As<sup>s</sup> foreũ.

\* BRADFORD Gou<sup>r</sup>. 1642.

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**M**EMORAN<sup>D</sup> the fift day of May 1643 That Edward Dotey doth acknowledge That for and in considera<sup>o</sup>n of the sum<sup>i</sup> of xvj<sup>li</sup> to be payd in manner ʒ forme following that is to say iij<sup>li</sup> x<sup>s</sup> in hand payd four pounds tenn shillings in December next and thother eight pounds in Decemb<sup>r</sup> w<sup>ch</sup> shalbe in the yeare of o<sup>r</sup> Lord 1644 all w<sup>ch</sup> said payment<sup>ʒ</sup> are to be made in Corne or cattell at such price as they will passe from man to man at the tyme of payment<sup>(.)</sup> Hath freely and absolutely sold vnto Stephen Bryan and John Shawe jun<sup>r</sup> all those Two lotts of vpland containeing forty acres lying at the heigh Cliffe betwixt the lands of Samuell King on the North side and Samuell Cutbert on the South side w<sup>th</sup> all and sin-

guler thapp<sup>r</sup>teñeç therevnto belonging and all his Right title and interest of and into the said p<sup>r</sup>miss̄s and euery pt ç pcell thereof To haue and to hold the said two lotts of vplands w<sup>th</sup> all and singuler thapp<sup>r</sup>teñeç therevnto belonging vnto them the said Steeven Bryan and John Shaw their heires and Assignes for euer to the onely pp vse and behoofe of them the said Steeven Bryan and John Shawe their heires and Assignes for euer./

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\* BRADFORD Gou<sup>r</sup> 1643.

A decde acknowledged and recorded the first  
day of June Anno Dñi 1643.

**T**O all Indian people to whome these p<sup>r</sup>ntç shall come James Cudworth of Barnestable w<sup>th</sup>in the Gouẽrment of New Plymouth in New England Gentleñ sendeth greeting ç Know yee that I the said James Cudworth for and in consideraçõn of the suñ of threescore and seaventeene pounds and tenn shillings to me in hand payd by Thomas Robinson of Scituate in the Gouẽment of New Plymouth aforesaid gen<sup>t</sup> wherew<sup>th</sup> I doe acknowledg my self fully satisfied and payd and thereof and of euery pt and pcell thereof do for my self my heires Execut<sup>r</sup>ç and Administrat<sup>r</sup>s and euery of them exonerate acquitt and discharge the said Thomas Robinson his heires Execut<sup>r</sup>ç and administrat<sup>r</sup>ç and euery of them for euer by these p<sup>r</sup>ntç Haue freely and absolutely giuen graunted barganed sold encoffed and confirmed and by these p<sup>r</sup>nts do giue graunt bargain sell encoffe and confirme vnto the said Thomàs Robinson his heires and Assignes for euer All that his dwelling house outhouses barnes and buildings w<sup>th</sup> twenty acres of vpland and tenn acres of Marsh meddow bee they more or lesse therevnto adjoyneing abutting vpon a pcell of Marsh of Wilm Roades towardç the East and towardç the lands of Manasseth Kempton towardç the North and towards the lands of Thomas Raulins in the west and South and the hering brook towards the South in Scituate aforesaid And also one pcell of vpland containeing fourescore and tenn acres and sixteenc acres of meddow adjoyneing therevnto abutting vpon the North Riuer towardç the south and east and to the Marsh lands of John Hewes Peter Collymer and John Harker towards the west and towards the Cofions towards the East and North w<sup>th</sup> all and singuler thapp<sup>r</sup>teñces to the said p<sup>r</sup>miss̄s belonging or any pt of them To haue and to hold All that dwelling house outhouses barnes and buildings twenty acres of vpland w<sup>th</sup> the tenn acres of Marsh meddow therevnto adjoyneing and fourescore and tenn acres of vpland w<sup>th</sup> the sixteenc acres of Marsh therevnto

adjoyneing w<sup>th</sup> all ℄ singuler thapp<sup>r</sup>teñ℄ therevnto belonging vnto the said Thomas Robinson his heires and Assignes foreuer and to the onely pper use and behoofe of him the said Thomas Robinson his heires and assignes for euer to be holden of his Ma<sup>ties</sup> as of his Mannor of East Greenwich in the County of Kent in the Realme of England in free and coñion Soccage and not in Capite nor by Knights service by the Rent℄ and servic℄ thereof due and of Right accustomed and w<sup>th</sup> warranties against all people whatsoever from by or vnder me the said James Cudworth myne heires execut<sup>r</sup>℄ or administrat<sup>r</sup>s or any of us claymeing any use right title or interest of or into the said p<sup>r</sup>misss or any pt or pcell thereof And I the said James Cudworth do also pmise couenant and graunt by these p<sup>r</sup>nt℄ That it shall and may be lawfull for the said Thomas Robinson his heires and Assignes by themselues or their Attorney to enroll these p<sup>r</sup>nt℄ or cause them to be enrolled in his said Ma<sup>ties</sup> Court at Plymouth aforesaid before the Goñnor for the tyme being according to the usuall manner and order of recording and enrolling euedenc℄ in such case puided In witnesse whereof I the said James Cudworth haue herevnto set my hand and Seale the tenth day of June in the Eighteenth yeare of the Raigne of our Soñaigne Lord Charles by the grace of God King of England Scotland ffraunce ℄ Ireland defender of the fayth ℄ Annoq̄ Dñi 1642.

p me JAMES CUDWORTH



Sealed and deliued in the p<sup>r</sup>sence of us.

Henry Coggen.

Samuell Hinckley

Thomas Hinckley.

Nathaniel Sowther

\*BRADFORD Gou<sup>r</sup> 1643.

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A deed acknowledged and recorded }  
the first day of May Anno Dñi 1643 }

**T**O all to whom these p<sup>r</sup>nt℄ shall come ffrañcis Billington of New Plymouth in America Planter sendeth greeting Know yee that the said ffrañcis Billington for and in consideraçõn of the sum of fiftene pounds sterl to him in hand payd by M<sup>r</sup> John Atwood of Plymouth aforesaid wherew<sup>th</sup> hee doth acknowledg himself fully satisfyed and payd and thereof and of euery pt and pcell thereof doth acquitt exoflate and acquitt the said John Atwood his heires execut<sup>r</sup>s and Administrat<sup>r</sup>s and euery of them foreuer by these p<sup>r</sup>nt℄ Hath freely and absolutely bargained and sold enseoffed and confirmed and by these p<sup>r</sup>nt℄ doth bargaine sell enseoffe and confirme vnto the said John Atwood his heires and Assignes for euer all those his three lotts of vpland

containeing three score acres or thereabouts w<sup>th</sup> the Marish meddow therevnto adjoyneing containeing three acres or thereaboutℓ lying at Playne Dealeing w<sup>th</sup>in the Township of Plymouth aforesaid ℓ betwixt the lands of the said John Atwood on the South and the Commons on the North the Sea on the East and the woods on the west w<sup>th</sup> all and singuler thaƿurteñces therevnto belonging and all his Right tittle and Interest of and into the said p<sup>r</sup>mis̄ss and every pt and pcell thereof To haue and to hold the said three lotts of vpland and pcell of Marish meddow w<sup>th</sup> all and singuler thapp<sup>r</sup>teñcℓ to the said p<sup>r</sup>mis̄ss belonginge and every pt and pcell thereof vnto the said John Atwood his heires and Assignes foreuer to be holden of our Soũaigne Lord the Kinge as of his Mannor of East Greenwich in the County of Kent w<sup>th</sup> in the Realme of England in free and common Soccage and not in Capite nor by Knights service by the Rentℓ and servicℓ thereof and thereout due and of Right accustomed To the onely pp use and behoofe of him the said John Atwood his heires and Assignes for euer and w<sup>th</sup> warrantee against all people for eũ by these p<sup>r</sup>ntℓ from by or vnder him his heires Execut<sup>r</sup>ℓ and Administrat<sup>r</sup>ℓ and euery of them claymeing any right title or Interest of or into the said p<sup>r</sup>mis̄ss w<sup>h</sup> their app<sup>r</sup>teñces or any pt or pcell thereof And the said ffrancis Billington doth by these p<sup>r</sup>nts authorize the said John Atwood either by himself or his Attorney to record and enroll these p<sup>r</sup>ntℓ or cause them to be recorded ℓ enrolled before the Goũnor of New Plymouth for the tyme being according to the usuall manner of recording and enrolling deeds and euedences in his said Ma<sup>ties</sup> Court of Plymouth aforesaid Prouided alwayes that it shall ℓ may be lawfull for Ellinor the wyfe of Gregory Armstrong and her Assignes to occupye and enjoy one of the three said lotts of vpland (viz<sup>t</sup>) that lott lying next to the lands of the said John Atwood w<sup>th</sup> one half of the said Marish meddow during her life tyme In witnes whereof the said ffrancis Billington hath herevnto set his hand and seale the second day of March in the Eighteenth yeaere of the Raigne of our Soũaigne Lord Charles by the grace of God King of England Scotland ffrance and Ireland Defendor of the fayth ℓ Anno Dñi 1642.

FRANCIS BILLINGTON

Scaled and Deliuẽd in the p<sup>r</sup>sence of us  
Constant Southworth Wilłm Bradford  
Nathaniel Sowther



And endorsed as ffolloweth: viz<sup>t</sup>. — memorand the third day of March Anno Dñi 1642 that quiet and peacable possession ℓ seisen of the w<sup>th</sup>in named p<sup>r</sup>mis̄ss was giuen and recciued by the within named ffrancis Billing-

ton vnto the w<sup>th</sup>in named John Atwood in their owne pp<sup>s</sup>ons in the p<sup>r</sup>sence of Thomas Willet John Winslow Ro<sup>b</sup>te Lee Hermon Atwood and Nathaniel Sowther.

\* BRADFORD Gou<sup>r</sup>

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The viij<sup>th</sup> of June 1643.

**M**EMORAN<sup>D</sup> That Abraham Pearse doth acknowledg that for ℥ in considera<sup>o</sup>n of the su<sup>m</sup> of seauen pounds ster<sup>t</sup> to him in hand payd by John Winslow for the use of Thomas King of Scittuate Plan<sup>t</sup> Hath freely and absolutely bargained and sold vnto the said John Winslow for the use of the said Thomas King his heires and Assignes All those his fourty acres of vpland w<sup>th</sup> the meddowing thereunto belonging lying on the South side of the North Riuer and betwixt the lands of Joseph Tilden on the East side and the lands of Henry Sampson on the West side w<sup>th</sup> all and euery the Appurte<sup>n</sup>ces therevnto belonging and all his Right title ℥ interest of and into the same and euery pt ℥ pcell thereof To haue and to hold the said fourty acres of vpland and meddowing w<sup>th</sup>all <sup>^</sup> euery their appurte<sup>n</sup>is therevnto belonging vnto the said Thomas King his heires and Assignes for euer to the onely pp<sup>s</sup> use and behoofe of him the said Thomas King his heires and Assignes for euer./

The vij<sup>th</sup> of Septemb<sup>r</sup> 1643.

**M**EMORAN<sup>D</sup> That Joyce Wallen Widdow doth acknowledg that for and in considera<sup>o</sup>n of the su<sup>m</sup> of eight pounds ster<sup>t</sup> to be payd by forty shillings p<sup>a</sup>n<sup>n</sup> by Edward Bangs of Ply<sup>m</sup> Hath freely and absolutely bargained and sold vnto the said Edward his heires and Assignes All that her house and message scituate and being at Hobs hole or Wellingsly w<sup>th</sup> the garden place and vplands therevnto adjoyneing w<sup>th</sup> all and singuler thapp<sup>r</sup>te<sup>n</sup>ces therevnto belonging and all her right title and interest of and into the said p<sup>r</sup>misses and euery pt thereof To haue and to hold the said house or message garden place and vpland<sup>℥</sup> w<sup>th</sup> all and singuler thapp<sup>r</sup>te<sup>n</sup>ces therevnto belonging vnto the said Edward Banges his heires ℥ Assignes for euer and to the onely pp<sup>r</sup> use and behoofe of him the said Edward Banges his heires and Assignes fore<sup>u</sup>.

The xvj<sup>th</sup> of Septemb<sup>r</sup> 1643.

**M**EMORAN<sup>D</sup> that Raph Hill of Wellingsly doth acknowledg That for and in considera<sup>o</sup>n of twelue pounds to him in hand payd by Steeven Wood of Plymouth planter hath freely and absol<sup>t</sup>ely bargained ℥ sold vnto the said Steeven Wood all his house out houses and garden places adjoyneing

w<sup>th</sup> the vpland℄ at Wobery therevnto belonging containeinge twelue acres or there about℄ w<sup>th</sup> all and singuler thapp<sup>r</sup>teñ℄ therevnto belonging and all his right title and interest of ℄ into the said p<sup>r</sup>miss̄s and euery pt thereof To haue and to hold the said house out houses gardens and the xij acres of vpland w<sup>th</sup> all and singuler thapp<sup>r</sup>tenc℄ to the said p<sup>r</sup>miss̄s belonging vnto the said Steeven Wood his heires and Assignes for euer to the onely p<sup>p</sup>er use and behoofe of him the said Steeven Wood his heires and Assignes for euer.

\*169            \*The xx<sup>th</sup> Septemb<sup>r</sup> 1643.

**M**EMORANĎ That Christopher Waddesworth doth acknowledg that for and in consideraĉōn of the su<sup>m</sup> of fiteene pound℄ ster<sup>t</sup> to him in hand payd by M<sup>r</sup> Raph Partrich of the same gen<sup>t</sup> hath freely and absolutely bargained and sold vnto the said Raph Partrich all those his vplands ℄ meddow therevnto adjoyneing scituate in Duxborrow aforesaid and betweene the land℄ of Job Cole on the Southerly side and the land℄ of        ^        on the northerly side and abutting vpon the Creeke called        ^        on the Easterly side and extending vp into wood℄ westerly the said vplands containeth        ^        acres and the said meddow        ^        acres w<sup>th</sup> all and singuler thapp<sup>r</sup>teñ℄ therevnto belonging and all his Right title and interest of and into the said p<sup>r</sup>miss̄s and euery pt ℄ pcell thereof To haue and to hold the said        ^        acres of vpland ℄        ^        acres of meddow w<sup>th</sup> all and euery their app<sup>r</sup>teñes vnto the said Raph Partrich his heires and Assignes for euer to the onely p<sup>p</sup>er use and behoofe of him the said Raph Partrich his heires and Assignes for euer.

\*170            \* 1643.

BRADFORD Gou<sup>r</sup>.

This ensuing deede was acknowledged and recorded the ix<sup>th</sup> of January Anno Dñi 1643.

**T**O all people to whom these p<sup>r</sup>nt℄ shall come John Cooper of Barnestable in the Go<sup>v</sup>ment of New Plymouth in New England in America Planter sendeth greeting Know yee That I the said John Cooper for ℄ in consideraĉōn of fieve pounds ster<sup>t</sup> to me in hand payd by Wil<sup>m</sup> Wills of Scituate in the Go<sup>v</sup>ment of New Plymouth aforesaid Planter wherew<sup>th</sup> I do acknowledg my self fully satisfied contented ℄ payd and thereof and of euery part and pcell thereof do exo<sup>n</sup>ate acquitt and discharge the said Wil<sup>m</sup> Wills his heires Execut<sup>r</sup>℄ ℄ Administrat<sup>r</sup>s for euer by these p<sup>r</sup>nts Haue freely and absolutely bargained ℄ sold enfeoffed and confirmed and by these p<sup>r</sup>nts doe bargaine sell enfeoffe and confirme vnto the said Wil<sup>m</sup> Wills his heires and Assignes for euer all that pcell of vpland co<sup>m</sup>only called or knowne by

the name of the Long Iland in Scittuate aforesaid together w<sup>th</sup> all that Marsh meddow or hey ground therevnto appertaineing lying betweene the Hering brook & the North Riner and bounded on the North side from the lands of m<sup>r</sup> Willm Vassell w<sup>th</sup> a smale obscure Creek Palke or Plash of water at the East or most Easterly part of w<sup>ch</sup> said Creek or Plash the said Marsh meddow doth passe w<sup>th</sup> a straight line to that part of the Hering brooke that is necrest to the said Palk or Plash of water w<sup>th</sup> all & singuler thapp<sup>r</sup>teñc<sup>l</sup> therevnto belonging or any wayes appertaineing and all my right title and interest of and into the said p<sup>r</sup>miss<sup>s</sup> and euery pt & pcell thereof To haue and to hold the said pcell of vpland called the long Iland w<sup>th</sup> the Marsh meddow therevnto appertaineing and all & euery thapp<sup>r</sup>teñces to the said p<sup>r</sup>misses belonging or any part of them vnto the said Willm Wills his heires and Assignes for euer to the onely proper use & behoofe of him the said Willm Wills his heires and Assignes for euer To be holden of our So<sup>l</sup>aigne Lord the King as of his Mannor of East Greenwich in the County of Kent in free & coñion Soccag and not in Capite nor by Knights service by the Rent & services thereof & thereby due and of Right accustomed and w<sup>th</sup> warranties against all people whatsoeü from by or vnder me the said John Cooper or by my Right or title claymeing any Right title or or Interrest of & into the said p<sup>r</sup>miss<sup>s</sup> or any part thereof And I the said John Coop do also couenant p<sup>r</sup>mise & graunt by these p<sup>r</sup>nt<sup>l</sup> that it shall & may be lawfull to and for the said Willm Wills either by himself or his Attorney to record & enroll these p<sup>r</sup>nt<sup>l</sup> or to cause them to be recorded & enrolled in his Ma<sup>ties</sup> Court at Plymouth aforesaid before the Go<sup>v</sup>nor for the tyme being according to the usual manner of recording & enrolling euedenc<sup>l</sup> in such <sup>^</sup> p<sup>r</sup>uided In witnes whereof I the said John Coop haue herevnto set my hand and Seale the xxvj<sup>th</sup> day of Decemb<sup>r</sup> in the xix<sup>th</sup> yeare of the raigne of o<sup>r</sup> So<sup>l</sup>aigne Lord Charles by the Grace of God Kinge of England Scotland ffrance & Ireland Defender of the fayth & 1643

Sealed & Deliu<sup>d</sup> in the p<sup>r</sup>sence of  
 Nathaniell Sowther  
 Austine Bears his **E** marke

John Coop



\*This ensuing Deed was acknowledged and recorded  
 the fift day of Aprill Anno Dñi 1644, 20<sup>o</sup> Car<sup>l</sup> R<sup>l</sup>.

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**T**O all people to whom these p<sup>r</sup>sents shall come Richard ffoxwell of Barne-  
 stable in the Go<sup>v</sup>ment of New Plymouth Taylor sendeth greeting  
 Know yee that the said Richard ffoxwell for and in considera<sup>o</sup>n of the suff<sup>r</sup>

of forty shillings of lawfull money of England and Twenty bushells of Indian Corne to him in hand payd by W<sup>m</sup> Wills of Scittuate wherew<sup>th</sup> he doth acknowledg himself fully satisfyed and payd and thereof and of every part and pcell thereof doth by these p<sup>nt</sup>ℓ exōnate acquite and discharge the s<sup>d</sup> Wil<sup>m</sup> Wills of Scittuate of Scittuate in the Go<sup>l</sup>ment of New Ply<sup>n</sup> afore-said Planter his heires execut<sup>r</sup>ℓ and Administrat<sup>r</sup>ℓ ℓ every of them for ever by these p<sup>nt</sup>ℓ Hath freely and absolutely bargained and sold enfeoffed and confirmed and by these p<sup>nt</sup>ℓ doth freely and absolutely bargain sell enfeoffe ℓ confirme vnto the said Wil<sup>m</sup> Wills his heires and Assignes for ever All those foure acres of arrable landℓ w<sup>th</sup> one acree and a half of Marsh meddow the neerest adjoyneing to the said vpland w<sup>th</sup> all and singuler thapp<sup>r</sup>teincℓ therevnto belonging or any wayes app<sup>r</sup>taineing w<sup>th</sup> all his Right title and interest of and into the said p<sup>r</sup>misss and every pt and pcell thereof To haue and to hold the said foure acres of vpland and the acree ℓ half of Marsh meddow w<sup>th</sup> all and every their app<sup>r</sup>teñces vnto the said Wil<sup>m</sup> Wills his heires and Assignes for ever to be holden of o<sup>r</sup> Sou<sup>a</sup>igne Lord the King as of his Mannor of East Greenwich in the County of Kent in the Realme of England in free and co<sup>m</sup>on Soccage and not in Capite nor by Knights service by the Rentℓ ℓ servicℓ thereof and thereout due and of right accustomed and w<sup>th</sup> warranties against all people for ever by these p<sup>nt</sup>ℓ from by or vnder him claymeing any Right title or interest of or into the said p<sup>r</sup>misss or any pt or pcell thereof And the said Richard ffoxwell doth couenant ℓ graunt by these p<sup>nt</sup>ℓ That it shall and may be lawfull to and for the said Wil<sup>m</sup> Wills his heires and Assignes either by themselues or their Attorney to Record or enroll these p<sup>nt</sup>ℓ or cause them to be recorded ℓ enrolled in his Ma<sup>t</sup>ies Court at Ply<sup>n</sup> before the Go<sup>l</sup>nor for the tyme being according to the usuall manner or order of recording or enrolling euedences in such case provided In witnesse whereof the said Richard ffoxwell hath herevnto set his hand and seale the Twelvt day of March in the Nineteenth yeare of the Raigne of o<sup>r</sup> Sou<sup>a</sup>igne Lord Charles by the grace of God King of England Scotland ffrence ℓ Ireland Defender of the fayth ℓ<sup>e</sup> Anno<sup>q</sup> D<sup>n</sup>i 1643.

Sealed and deliuered  
in the p<sup>r</sup>sence of  
Nathaniell Sowther  
Wil<sup>m</sup> Paddy  
John Smaley

RICHARD FOXWELL.





\*At a Court of Assistant℄ holden at Plym̄ Jannaũ  
vij<sup>th</sup> 1644 before M<sup>r</sup> Edward Winslow Gou<sup>r</sup> Wil̄m  
Bradford Thomas Prence and Wil̄m Collyer Gen-  
tlemen ℄ Assistant℄ ℄.

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**V**PON a Lre directed to the Goūnor from Captaine Miles Standish to  
giue the Court to vnderstand That Samuell Eaton was misconceiued  
in the recording of an acre of land to the heires of M<sup>r</sup> Wil̄m Brewster de-  
ceased The said Samuell Eaton came into the Court and deposeth that  
whereas the xxvij<sup>th</sup> of Aprill 1644 he recorded an acre of land formly  
bought by M<sup>r</sup> W<sup>m</sup> Brewster of Christian the said Samuells mother lying on  
Duxborrow side wherein the said M<sup>r</sup> Brewster hath erected a house and  
planted an orchard ℄ a garden And whereas it was confirmed by the said  
Samuell Eaton vnto the heires geñall of the said William Brewster as by the  
Record thereof it more playnely appeareth Now the said Samuell Eaton  
declareth and deposeth that his intent and meancing was and is to confirme  
the said acre of land w<sup>th</sup> the appurteñces onely vnto Loue Brewster and his  
heires who dwells vpon the same one of the sonnes of the said M<sup>r</sup> Wil̄m  
Brewster To haue and to hold to him and his heires foreuer.

And the said Loue Brewster p̄miseth that the said Samuell Eaton his  
heires and assignes shall haue liberty to make use of the water spring there  
if it fall w<sup>th</sup>in the lands of the said Loue Brewster. And the said Samuell  
Eaton also p̄miseth That *that* the said Loue Brewster his heires ℄ Assigns  
shall haue like liberty to make use of the said water spring there if it fall  
w<sup>th</sup>in the lands of the said Samuell Eaton.

\*BRADFORD Gou<sup>r</sup>.

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The vi<sup>th</sup> of March 1643.

**M**EMORAND̄ That Henry Bourne of Barnestable doth acknowledg  
That for and in consideraçõn of the suñ of three pound℄ to him in  
hand payd by Wil̄m Wills of Scittuate and for other good causes and con-  
sideraçõns him therevnto moucing Hath freely and absolutely bargained and  
sold vnto the said Wil̄m Wills all that his Marsh meddow lying in New  
Harbour marshes in Scittuate and neere adjoyneing vnto long Iland containe-  
ing by estimaçõn twelue acres be it more or lesse and bounding to the land℄  
of the s<sup>d</sup> M<sup>r</sup> Wil̄m Wills called to long Iland toward℄ the west and North  
and to the land℄ of m<sup>r</sup> Wil̄m Vassell toward℄ the South east and North  
w<sup>th</sup> free ingresse egress ℄ regress of and into the said p̄misss at all tymes

when he pleaseth and all his Right title and interest of and into the said p<sup>r</sup>misss and euery pt & pcell thereof To haue and to hold the said twelue acres of Marsh meddow bee it more or lesse vnto the said Wil<sup>m</sup> Wills his heires & Assignes w<sup>th</sup> all & singuler thapp<sup>r</sup>teñces thereto belonging for eū to his & their onely pp vse & behoofe for euer to be holden of o<sup>r</sup> Soūaigne Lord the King as of his Mannor of East Greenew<sup>ch</sup> in the County of Kent in the Realme of England in free & coūmon Socceage and not in Capite nor by Knight℄ seruice by the Rent℄ and servic℄ thereof due & of Right accustomed and w<sup>th</sup> warranties against all psons from by or vnder him the said Henry Bourne claymeing any Right title or interest of and into the said p<sup>r</sup>misss or any pt or pcell thereof.

The xxiiij<sup>th</sup> April 1644.

**M**EMORAND<sup>o</sup> That whereas M<sup>r</sup> Wil<sup>m</sup> Brewster did some tymes since for and in considera<sup>o</sup>n of the sūme of six pound℄ ster<sup>l</sup> bargaine buy and purchase of Christian late wyfe of ffrancis Eaton deceased but now wyfe to ffrancis Billington one acree of vpland be it more or lesse as it is now fenced in and bounded lying on Duxborrow side whereon the said Wil<sup>m</sup> Brewster hath built a house and made a garden place and an orchard Now Samuell Eaton eldest sonn and heire apparent vnto the said ffrancis Eaton deceased being of the age of twenty & foure yeares and vpwards came before the Gou<sup>n</sup>or and did for good and valuable considera<sup>o</sup>ns him therevnto especially moueing acknowledg the said bargaine and sale of the said acre of vpland and by these p<sup>r</sup>nt℄ doth further confirme and establish the same vnto the heires and assignes of the said Wil<sup>m</sup> Brewster and all his right title and interest of and into the p<sup>r</sup>misss w<sup>th</sup> their app<sup>r</sup>teñc℄ & euery part & pcell thereof To haue and to hold the said acre of vpland be it more or lesse fenced and bounded as aforesaid w<sup>th</sup> the app<sup>r</sup>teñces therevnto belonging vnto the heires and Assignes of the said Wil<sup>m</sup> Brewster for eū to the onely pp use and behoofe of them the said heires and Assignes of the said Wil<sup>m</sup> Brewster foreu<sup>r</sup>.

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\*BRADFORD GOU<sup>r</sup>.

This ensuing Deed was shewed and recorded the xx<sup>th</sup> of Aprill Anno D<sup>ni</sup> 1644.

**T**HIS Deed Pole witnesseth that I Samuell House of Cambridge in the Corpora<sup>o</sup>n of the Bay of Mattachusetts in New England in America Ship-carpentor, for and in Considera<sup>o</sup>n of eight pounds of Currant money

of England in hand payd before thensealeing hereof wherew<sup>th</sup> I do acknowledged myself fully satisfied contented and payd haue allienated bargained sold and enfeoffed and by these p<sup>nt</sup>℥ do bargain allienate sell and enfeoff vnto Joseph Tilden of Scittuate w<sup>th</sup>in the Goūment of New Plymouth in America and his heires for euer All my Lands both vpland and Marsh or meddow set lying and being nere vnto a certaine Riuer called the North Riuer w<sup>th</sup>in the Gouverment of New Plymouth aforesaid w<sup>ch</sup> pcells of land lyeth on this side of the said Riuer and containeth by estimacōn fifty acres of vpland more or lesse and Nine acres of Marsh land be it more or lesse w<sup>ch</sup> marsh Land joyneth to the said North Riuer at the South east end of it and haueing on the North west end a great Swamp w<sup>ch</sup> is Common and part of it against the vpland of M<sup>r</sup> Charles Chauncey of Scittuate and joyneth to the Marsh Land of the said M<sup>r</sup> Chauncey on the North East side ℥ boundeth on the South west side on the Marsh land of Thomas Clap of Scittuate aforesaid and the said pcell of vpland boundeth on the North west end on the Common land and on the North East side it boundeth to the land of the aforesaid M<sup>r</sup> Chauncey and on the Southwest side it boundeth on the land of Thomas Clap aforesaid and the South East end of yt bounding on the Marsh land of Walter Woodward of Scittuate aforesd To haue and to hold all the said lands both vpland and Marsh w<sup>th</sup> all the tymber and trees woods and vnderwoods w<sup>th</sup> all the app<sup>te</sup>nces therevnto belonging to him the said Joseph Tilden and his heires for euer warranting vnto the said Joseph Tilden quiett possession of of the aforesaid pcells of land against all opposers whatsoever. And I do hereby couenant to the said Joseph Tilden that Elizabeth my wyfe shall w<sup>th</sup>in six months next after the date hereof giue vp her Right in the said lands vnto the said Joseph Tilden and his heires before the Goūment of New Plymouth for the tyme being. In witne<sup>s</sup> whereof I haue herevnto set my hand ℥ Seale the thirteenth day of November in the Eighteenth yeare of the Raigne of our Soūaigne Lord Charles by the Grace of God of England Scotland ffraunce and Ireland King Defendor of the fayth ℥ 1643.

SAMUELL HOWSE.

Sealed and Delivered  
in the p<sup>r</sup>sence of us  
James Torrey 1643  
Samuell fuller  
Thomas Tilden  
James Tilt



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\*BRADFORD Gou<sup>r</sup>A Deed shewed and Recorded the xx<sup>th</sup> April Anno Dñi 1644.

**T**O all Christian people to whom these p<sup>nt</sup>℥ shall come greeting Know yee that John Emerson of Scittuate in America Planter hath for and in considera<sup>o</sup>n of forty shillings of good and lawfull money of England before hand payd haue enfeoffed bargained and sold vnto Nathaniell Tilden of Scittuate aforesaid Planter all my lands vpon the third Cliff and Marish land therevnto adjoyneing the bredth of the said lott w<sup>ch</sup> is in breadth twelue rods and fourteene foote containeing by estyma<sup>o</sup>n five acres whether there be of the same more or lesse as by the bounds may appeare adjoyneing to the land of John Stockbridg towards the South to the Sea towards the East to the lands of Thomas Byrd towards the North to the watercoast or greenefields towards the west all w<sup>ch</sup> said lands are by thaforsaid John Emerson absolutely sold and confirmed vnto the aforesaid Nathaniell Tilden and his heires for euer w<sup>th</sup> possession and scisine thereof deliuered All w<sup>ch</sup> said lands the aforesaid John Emerson doth warrant against him and his heires for euer In witne<sup>s</sup> whereof the aforesaid John Emerson hath set his hand and Seale Dated the second day of february in the twelvt Yeare of the Raigne of our So<sup>l</sup>aigne Lord King Charles 1636.

Scaled ℥ state Deliv<sup>d</sup>

JOHN EMERSON.

in the p<sup>s</sup>ence of

Thomas Laphame

T

his mark

George Sutton

Joseph Tilden



Another Deed shewed ℥ Recorded the same day.

**T**O all Christian people to whom these p<sup>nt</sup>℥ shall come greeting Know yee that John Emerson of Scittuate in America Planter hath for ℥ in considera<sup>o</sup>n of three pounds of good and lawfull money of England before hand payd and for one bushell of mault before hand also payd and for diuers other good causes and considera<sup>o</sup>ns him therevnto moueing haue enfeoffed giuen bargained and sold vnto Nathaniell Tilden of Scittuate aforesaid Planter all my Marsh land in New harbour Marshes layd out to me and to my vse by Edward ffoster by the Townes appoyntment and is now in myne owne occupa<sup>o</sup>n or appoyntment being nine acres more or lesse by a late admeasurment bounding as followeth viz vnto the lands of Humphrey Turner towards the North to the land of Thomas Chambers towards the East to the

Riuer called the North Riuer towards the South to the lands of Nathaniell Tilden towards the west all w<sup>ch</sup> land w<sup>th</sup> the way and wayes now or heretofore therevnto had or vsed haue giuen and sold vnto the aforesaid Nathaniell Tilden & his heires foreuer, and do the same warrant against all men for euer In witnes whereof the aforesaid John Emerson hath herevnto set his hand and seale Dated the tenth day of October in the fifteenth yeare of the Raigne of our Soueraigne Lord King Charles Anno Dñi 1639.

JOHN EMERSON.


Sealed and state deliued  
in the presence of  
Thomas Chambers  
Abraham Preble  
Joseph Tilden

\*BRADFORD Gou<sup>r</sup>


\*180

The xx<sup>th</sup> day of Aprill 1644. A deed acknowledged & recorded &c.

**T**O all Christian people to whom these p<sup>nt</sup>& shall come greeting Know yee that I Henry Merritt of Scittuate in America Planter haue in considera<sup>o</sup>n of Twenty shillings before hand payd by Nathaniell Tilden of Scittuate Planter in considera<sup>o</sup>n thereof I the aforesaid Henry Merritt haue giuen bargained and sold vnto the aforesaid Nathaniell Tilden and his heires foreuer all that land w<sup>ch</sup> I had of Goodman Byrd lying w<sup>th</sup>in the fence at the North end of the third Cliff vnto the land of the aforesaid Nathaniell Tilden In witne<sup>s</sup> whereof I the aforesaid Henry Meritt haue herevnto set my hand and Seale Dated the this tenth of Aprill 1628.

HENRY MERITT  his marke.

Sealed & deliued in  
the p<sup>r</sup>sence of

Thomas Hayward  
Thomas  Lapham  
his marke.



Another Deed acknowledg and recorded the same day.


**T**O all Christian people to whom these p<sup>nt</sup>& shall come greeting Know yee that William Crocker of Scittuate in America Planter Hath for and in considera<sup>o</sup>n of fifty and fve shillings of good and lawfull money of Eng-

land satisfyed and payd haue enfeoffed giuen bargained and sold vnto Nathaniell Tilden of Scittuate aforesaid Planter two acres of Marsh land more or lesse lying and bounding as followeth to the lands of Thomas Chittington towards the North to the lands of the aforesaid Nathaniell Tilden towards the East to the lands of Thomas Besbeeche towards the South to the lands of William Crocker and Georg Bower towards the West vnto a water course or Creeke below the third Cliffe and land called Greenefields All w<sup>ch</sup> land William Crocker hath sould vnto the aforesaid Nathaniell Tilden and his heires for euer w<sup>th</sup> a sufficient way of thirty foote broad from the heigh way beside Greenfeild stile vnto the Marsh land aboue written sould and bounden lying betweene the landℓ of Thomas Besbeeche and the pallasadoes going from Greenfeild stile to the Creeke aboue mençoned w<sup>ch</sup> way of thirty foote is sould vnto Nathaniell Tilden his heires execut<sup>r</sup>ℓ and Assignes foreuer to goe ride leade driue carry and recarry at all tymes for euer In witnes whereof the aforesaid William Crocker hath herevnto set his hand ℓ Seale Dated the sixteenth day of May Anno Dñi 1638.

Scaled and state Delified

WILLIAM CROCKER

in the p<sup>r</sup>sence of

Thomas  Lampham his mark

Joseph Tilden

Edward Ginkins



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\* WINSLOW Gou<sup>r</sup>

The xxviii<sup>th</sup> of Octobr 1644.

1644

**M**EMORANÐ That Caleb Hopkins sonn and heire vnto M<sup>r</sup> Steephen Hopkins of Plymouth deccased hath freely and absolutely giuen graunted enfeoffed and confirmed vnto Gyles Hopkins of Yarmouth Planter one hundred acres of those lands taken up for the Purchasors of Satuckquett w<sup>ch</sup> said landℓ do acruc vnto the said Steephen as a Purchasor To haue and to hold the said hundred acres of lands w<sup>th</sup> all and singuler thapp<sup>r</sup>teñçℓ therevnto belonging vnto the said Gyles Hopkins his heires and Assignes foreuer to the onely p<sup>p</sup>er vse and behoofe of him the said Giles Hopkins his heires and Assignes foreu<sup>r</sup> ℓc.

## \* WINSLOW GOÜNOR

\*184

This ensuing Deed was shewed and recorded the eight of Aprill 1645.

**T**O all people to whom these p<sup>r</sup>nt℄ shall come Manassetth Kempton of New Plymouth in New England in America Planter sendeth greeting Know yee that the said Manassetth Kempton for and in consideraçõn of the sũm of Tenn pounds sterl part whereof is in hand payd and the rest secured to be payd at dayes and tymes agreed vpon wherew<sup>th</sup> the said Manassetth Kempton is fully satisfcyed and contented Hath freely ℄ absolutely bargained sold enfeoffed and confirmed and by these p<sup>r</sup>nt℄ doth bargaine sell enfeoffe and confirme vnto Joseph Tilden of Scittuate in the Goũment of New Plymouth aforesaid yeoman All that Iland scittuate and being in the Marshes on the South side of the Towne of Scittuate and next to the mouth of the North Riuer harbour and coũnly knowne or called by the name of Coopers Iland and lying on the South side of the said North Riuer containeing by estimaçõn eighteene acres of vpland be it more or lesse together w<sup>th</sup> the Marsh meddow therevnto adjoyneing ℄ belonging containeing by estimaçõn eighteene acres be it more or lesse and lying to the said vpland betwixt two Creeks both yssuing forth of the said North Riuer one extending it self Southerly on the South side of the said Iland and thother Creek extending it self Northerly and trending about southerly and afterward℄ meeting thaforesaid Creek w<sup>th</sup>in some eight or tenn pole or there about℄ w<sup>th</sup> all and singuler thapp<sup>r</sup>teñ℄ to the said p<sup>r</sup>misss belonging or in any wise appertaineing and euery part and pcell thereof and all his Right title and interest of and into the said p<sup>r</sup>misss with their app<sup>r</sup>teñ℄ and euery part and pcell thereof To haue and to hold the said Iland containeing by estimaçõn eighteene acres of vpland and eighteene acres of Marsh meddow thereto belonging bee they more or lesse w<sup>th</sup> all and euery their app<sup>r</sup>teñces vnto the said Joseph Tilden his heires and Assignes for euer to the onely pper use and behoofe of him the said Joseph Tilden his heires and Assignes for euer to bee holden of our Soũaigne Lord the King as of his Mannor of East Greenwich in the County of Kent w<sup>th</sup>in the Realme of England in free and Coũion Soccage and not in Capite nor by Knights service by the Rent℄ and servic℄ thereof and thereout due and of Right accustomed and w<sup>th</sup> warranties against all people for euer by these p<sup>r</sup>nt℄ from by or vnder him claymeing any Right title or interest of and into the said p<sup>r</sup>misss or any pt or pcell thereof And the said Manassetth Kempton doth further couenant and graunt by these p<sup>r</sup>nt℄ that it shall ℄ may be lawfull for the said Joseph Tilden his heires and Assignes either by themselues or their Attorney to

record or enroll these p<sup>r</sup>nts or cause them to be recorded and enrolled in his Ma<sup>ties</sup> Court at Plymouth before the Go<sup>v</sup>n<sup>r</sup> for the tyme being according to the vsuall manner and order of recording and enrolling euedences in such case p<sup>r</sup>uided In witnes whereof the said Manaseth Kempton hath herevnto set his hand & seale the twenty eight day of January in the xx<sup>th</sup> yeare of the Raigne of o<sup>r</sup> So<sup>v</sup>aigne Lord Charles by the grace of God King of England Scotland ffraunce & Ireland defendor of the fayth &c. Annoq; D<sup>ni</sup> 1644.

MANASETH *W* KEMPTON.

Sealed and Dolified in the p<sup>r</sup>sence of  
Nathaniell Sowther  
Nathaniell Morton



And it was further vnderwritten as followeth in the p<sup>r</sup>sence of the said Nathaniell Sowther & Nathaniell Morton viz<sup>s</sup>. And I do authorise hereby Wil<sup>m</sup> Brookes for me & in my name & stead into any pt of the said p<sup>r</sup>misss to enter and peaceable & quiet possession thereof for me & in my stead to deliuer in name of the whole vnto the said Joseph Tilden according to the true intent purport & meancing of these p<sup>r</sup>nt<sup>s</sup>.

MENASETH *W* KEMPTON.

And endorsed as followeth viz<sup>s</sup>. Deliuery of seisin and possession was giuen by the said Wil<sup>m</sup> Brookes w<sup>th</sup> in named to the w<sup>th</sup> in named Joseph Tilden in their pp<sup>r</sup> psons according to the intent of the deede w<sup>th</sup>in written and by the appoyntment of the w<sup>th</sup>in named Manaseth Kempton the third of March 1644 in the p<sup>r</sup>sence of Nathaniell Byam Thomas Tilden John Williams *T* Gilbert *B* Brooke.

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\* WINSLOW GO<sup>v</sup>.

The third of March 1644.

**M**EMORAN<sup>D</sup> That Joyce Wallen widdow doth acknowledg that for and in considera<sup>o</sup>n that Gyles Rickett sen<sup>r</sup> shall winter her a cowe so long as shee liueth in Plymouth or elsewhere hath freely and absolutely bargained and sold vnto the said Gyles Rickett one acree of meddow land bee it more or lesse lying at Hobbs hole w<sup>th</sup>all and singuler thapp<sup>r</sup>teñces therevnto belonging and all her right title and interest of and into the same and eury pt thereof To haue and to hold the said acree of meddow land



vnto the said Gyles Rickett his heires and Assignes for eũ to the onely pp use and behoofe of him the said Gyles Rickett his heires and Assignes for euer./

**M**EMORANÐ the same day That Richard Higgens doth acknowledg that for and in consideraçõn of the suñi of fourty shillings. Tenn shillings whereof is in hand payd and thother thirty shillings to be payd by the said Gyles Rickett in October next hath freely and absolutely bargained and sold vnto the said Gyles Rickett half an acree of marsh meddow be it more or lesse lying at Hobbs hole and adjoyneing vnto the foresaid acree (bought of Joyce Wallen) and all his Right title and interest of and into the same To haue and to hold the said half acree of marsh meddow be it more or lesse w<sup>th</sup> all ʒ singuler thapp<sup>r</sup>teñcʒ therevnto belonging vnto the said Gyles Rickett his heires ʒ Assignes for eũ and to the onely pper use and behoofe of him the said Gyles Rickett his heires and Assignes for euer.

**M**EMORANÐ the same day That Josias Cooke doth acknowledg That for ʒ in consideraçõn of the suñi of fiue pounds to be payd him in Cowe Cattell or swyne at Plymouth in October next by Gyles Rickett sen<sup>r</sup> hath freely and absolutely bargained and sold vnto the sayd Gyles Rickett his heires and Assignes All that his barne ʒ garden place and fence about the same adjoyneing to the house and garden place of the said Gyles Rickett on the north side and all his Right title and interest of and into the said p<sup>r</sup>miss̄s euery pt thereof w<sup>th</sup> their app<sup>r</sup>teñcʒ To haue and to hold the said Barne and garden place w<sup>th</sup> the fenc about the same w<sup>th</sup> all and euery thapp<sup>r</sup>teñcʒ therevnto belonging vnto the said Gyles Rickett his heires and Assignes for euer to the onely pp use and behoofe of him the said Gyles Rickett his heires and Assignes for euer.

guided That the said Gyles Rickett shall not enter vpon the p<sup>r</sup>miss̄s vntill the said Josias Cooke haue reaped the corne w<sup>ch</sup> he shall sowe this spring vpon the said garden place./

A deed recorded the 4<sup>th</sup> march 1644 as followeth


October the 25<sup>th</sup> 1642.

**T**HIS witnesseth That I Peter Collymore of Sittuate in the Corporaçõn of New Plymouth in New England haue fully sold and bargained for my whole parte and share of my house and land w<sup>ch</sup> I haue in ptnership w<sup>th</sup> John Hearer vnto Wilłm Wills of Scittuate aforesaid and haue fully and

absolutely sold the halfe of the houseing and the half of the land both of the vpland as also of the Marsh land together w<sup>th</sup> all the appurtenances therevnto belonging to the said William Wills and his heires foreuer and haue and do by these p<sup>s</sup>ents giue him absolute Right and title and all Interest that I haue in the said house & lands free from my self & my heires execut<sup>r</sup> or successors for euer and do make full surrender hereof vpon the xxv<sup>th</sup> day of october in the yeare An<sup>o</sup> Dñi 1642. wherevnto I Peter Collymore do set my hand and seale vpon the day of the date hereof.

Witnesses

PETER COLLYMER

*PC*  Seal.

Elisha Bisbe

Walter Woodworth

*M*

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\* The xxj<sup>th</sup> of March 1644.

**M**EMORAND<sup>o</sup> That John Smalley doth acknowledg That for and in considera<sup>o</sup>n of the sum of Nynne pounds and tenn shillings ster<sup>t</sup> foure pound<sup>l</sup> whereof is in hand payd by Edmond Tilson and the residue is to be payd by him in twenty bushells of wheate and cleauen bushells of Rye the tenth day of October next good and merchantable corne Hath freely and absolutely bargained and sold vnto the said Edmond Tilson All that his house and houseing & garden place at Wellingsly w<sup>th</sup> the vpland<sup>l</sup> therevnto belonging at Wooberry w<sup>th</sup> all his meddow lying at Warrens Wells and at Colebrook meddows in the woods and all his Right title and interest of and into the said p<sup>r</sup>miss<sup>s</sup> and euey part and pcell thereof To haue and to hold the messuge buildings garden place w<sup>th</sup> the Vplands at Wooberry the meddowing at Warrens Wells and at Colebrook meddowes w<sup>th</sup> all and singuler thapp<sup>t</sup>eñices to the said p<sup>r</sup>miss<sup>s</sup> belonging and euey pt and pcell thereof vnto the said Edmond Tilson his heires and Assignes for euer and to the onely proper vse and behoofe of him the said Edmond Tilson his heires and Assignes for euer.

It is agreed that the Corne shall be deliued at Plymouth by the old measure.

Edmond Tillson hath fully satisfyed and payed mee John Smaley for the house land and meddow and their appurtenances aboue written Witnes my hand this sixte of Nouember 1650

JOHN SMALY

The last of february 1644.

**R**OGER CHAUNDLER of Duxborrow acknowledgeth the sale of five and twenty acres of land to ffrancis Godfrey of the same lying on the Northerne side of the ffreshett that ruñeth into Greenes harbour where the way to Sittuate crosseth the same being on the vpper side the said payth and butting on the lands of the said ffrancis on the other side the said payth, and adjoyneing to sixteene acres w<sup>ch</sup> was giuen out to John Phillips to the Norward of it which said pcell of land the said Roger hath sold for and in the consideraçõn of forty shillings to be payd thone half in March following and the other half in March come Twelue months. The said Roger bynding himself and his heires to make good the same to the said ffrancis and his heires for euer.

passed before Edward Winslow Gou<sup>r</sup>  
the day and yeare aboue mençõned.

\*BRADFORD Gou<sup>r</sup>.

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**M**EMORANÐ That M<sup>r</sup> John Holmes of Plymouth Messenger doth acknowledge that for and in consideraçõn of the suñ of twelue bushells of Corne or there abouts to him payd by Experience Michell of Duxborrow hath freely and absolutely bargained and sold vnto the said Experience all those his two acres of Marsh meddowing lying next vnto the medow of experienc Michell aforsaid with all his Right title and Interest of and into the same vnto the onely proper vse of him the said exsperienc Michell his heaires and asynes for euer.

The xiiij<sup>th</sup> of June 1645.

**M**EMORANÐ That Wilłm Hiller of Duxborrow Carpenter doth acknowledge that for and in consideraçõn of the suñ of forty shillings to him in hand payd by Wilłm ffoard of the same Miller wherew<sup>th</sup> he doth acknowledge himself fully satisfyed & payd Hath freely and absolutely bargained and sold vnto the said Wilłm ffoard all that pcell of vpland lying on Duxborrow side on the west side of the heigh way leading from Plymouth to Duxborrow mill pcell of the lands lately purchased of Robert Mendame contayneing by estimaçõn nine acres be it more or lesse all his Right title and interest of and into the said p<sup>r</sup>miss<sup>s</sup> w<sup>th</sup> all and singular thapp<sup>t</sup>ences therevnto belonging To haue and to hold the said nine acres of vpland be it

more or lesse w<sup>th</sup> thapp<sup>r</sup>teñc℥ vnto the said Wilm<sup>m</sup> ffoard his heires and Assing<sup>cs</sup> for euer to the onely pp use and behoofe of him the said Wilm<sup>m</sup> ffoard his heires and Assign<sup>cs</sup> for euer.

The vij<sup>th</sup> July 1645.

Released.

**M**EMORAN<sup>D</sup> That Edmond Tilson doth acknowledg That for and in considera<sup>co</sup>n that John Dunham ju<sup>n</sup> shall pay him thirteene bushells of Indian Corne and five bushells of Wheate at Major Sedgweeks in Charles Towne in the Massachusets Bay before the end of March next and three pounds more in Countrey pay by that tyme twelve months hath freely and absolutely bargained and sold vnto the said John Dunhame all that his house and garden place lying at Wellingsley lately purchased of Henry Wad w<sup>th</sup> all and singular thapp<sup>r</sup>teñc℥ therevnto belonging and all his Right title and interest of and into the same and every pt ℥ pcell thereof To haue and to hold the said house and garden place w<sup>th</sup> all ℥ singular thapp<sup>r</sup>teñces therevnto belonging vnto the said John Dūhame his heires ℥ Assignes foreuer and to the onely pper vse and behoofe of him the said John Dunhame his heires and Assignes foreuer.

This bargaine and sale was released before the Go<sup>v</sup>nor w<sup>th</sup> consent of both pties the ix<sup>th</sup> October following the date abouesaid.

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\*The 27<sup>th</sup> of Octob<sup>r</sup> 1647./.

**M**EMORAN<sup>D</sup> that Samuell Cutbert doth acknowledge that for and in considera<sup>co</sup>n of y<sup>e</sup> sum<sup>m</sup> of Eight shillings x<sup>d</sup> in hand paid hath freely and absolutely bargained and sold vnto Giles Ricard se<sup>n</sup> one acre of vpland lying nexte Wellingsly brooke on the north side thereof being p<sup>te</sup> and pcell of an allottm<sup>t</sup> of land of iiij acres there lying abutting on y<sup>e</sup> Sea three acres whereof I formerly sold y<sup>e</sup> said Giles as vpon the Record thereof app<sup>r</sup>s. with all and singular the app<sup>r</sup>teñc℥ therevnto belonging and all his right title ℥ interest of and in the same ℥ e<sup>v</sup>ry pte ℥ pcell thereof to haue ℥ to hold the said one acre of vpland w<sup>th</sup> all ℥ singular the app<sup>r</sup>teñces therevnto belonging vnto ye said Giles Rickard his heires ℥ assignes for e<sup>v</sup> ℥ to y<sup>e</sup> only pp vse ℥ behoofe of him y<sup>e</sup> said Giles Rickard his heires ℥ assignes for euer./.

\* BRADFORD GOŪ    xxj<sup>th</sup> Caŕli Rĕ.

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xvij<sup>th</sup> of July 1645.

**M**EMORANĎ that John Shawe junior doth acknowledg That for and in consideraċōn of the suġm of *of the sum of foure pounds and tenn shillings* to be payd him by Samuēll Stertevaunt in good merchantable Beaver at or before the last day of October next ensueing the date hereof Hath freely and absolutely bargained and sold vnto the said Samuēll Stertevaunt all that his lott of land lately purchased of Edward Dotey containeing twenty acres lying at the heigh cliff betwixt the lands of Samuēll Cutbert on the Southside and the lands of John Shawe senior on the Northside and all his right title and interest of and into the said p<sup>r</sup>misss w<sup>th</sup> their appu<sup>r</sup>teñces and euery part and pcell thereof To haue and to hold the said lott of land containeing twenty acres w<sup>th</sup> all and singuler thapp<sup>r</sup>teñcĕ therevnto belonging vnto the said Samuēll Stertevaunt his heires and Assignes for euer and to the ouely pp vse and behoofe of him the said Samuēll Stertevaunt his heires and Assignes for euer/

The xv<sup>th</sup> of August 1645.

**M**EMORANĎ That Samuēll Cutbert doth acknowledg that for and in consideraċōn of the sum of thirty shillinges to be payd vnto the said Samuēll by Giles Rickett señ some pt thereof in linnen cloth and the rest otherwise hath freely and absolutely bargained and sold vnto the said Giles Rickett señ all those his three acres of vpland lying next Wellingsly brook on the North side thereof and butting vpon the Sea w<sup>th</sup> all and singer thapp<sup>r</sup>teñces therevnto belonging and all his Right title and interrest of and into the same and euery pt and pcell thereof To haue and to hold the said three acres of vpland w<sup>th</sup> all and singuler thapp<sup>r</sup>teñces therevnto belonging vnto the said Gyles Rickett his heires and Assignes for euer and to the ouely pp use and behoofe of him the said Gyles Rickett his heires and Assignes for euer/

The xvij<sup>th</sup> of August 1645.

**M**EMORANĎ That Richard Higgens doth acknowledg That for and in consideraċōn of the suġm of twelue pounds to be payd in manner and forme following by John Churchwell That is to say five pounds the first of March next fourty shillings that tyme twelue months and fourty shillings the first of March 1647 and the remayneing three poundĕ the first of March in the yeare of our Lord 1648 all w<sup>ch</sup> paymentĕ are to bee made in Corne or cattell or other current payment of the Countrey as they will then passe from

man to man at the said tymes of payment Hath freely and absolutely bargained and sold vnto the said John Churchwell all that his dwelling house outhouses and buildings w<sup>th</sup> the garden and orchard scituatē neere Browne Rock together w<sup>th</sup> the vplands therevnto adjoyneing And all his lands at Wooberry together w<sup>th</sup> his meddow at South ponds and at Colebrook meddowes towards Aggawam and all the fenceing now in and about any part of the p<sup>r</sup>miss<sup>s</sup> and all his Right title and Interrest of and into the said p<sup>r</sup>miss<sup>s</sup> w<sup>th</sup> their app<sup>r</sup>teñc<sup>℥</sup> and euery pt and pcell thereof To haue and to hold the said house outhouses orchard and garden w<sup>th</sup> all and singuler the vplands ℥ meddowes therevnto belonging or in any wise appertaineing w<sup>th</sup> all and singuler thapp<sup>r</sup>teñces to the said p<sup>r</sup>miss<sup>s</sup> or any part of them belonging or in any wise appertaineing vnto the said John Churchwell his heires and Assignes for eū to the onely pp use and behoofe of him the said John Churchwell his heires and Assignes foreuer p<sup>r</sup>uided that it shalbe lawfull for the said Richard Higgens to take away the boards that lyne an innward roome and the bed stead and board℥ ouer head and some fruit trees in the Orchard so that he leaue the said John thirty good fruit trees in the s<sup>d</sup> orchard And the foresaid payments to be made at Plym.

October the 29 1649.

Receiued by mee Richard Higgins full Satisfaction from John Churchill vpon all accoumpts from the begining of the world to this p<sup>r</sup>sent.

RICHARD HIGGINS

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\*BRADFORD Gou<sup>r</sup> 1645.

The xxv<sup>th</sup> August 1645.

**M**EMORAN<sup>Ḃ</sup> That Anthony Snow doth acknowledg that for and in considera<sup>Ḃ</sup>on of the su<sup>m</sup> of six pounds eighteene shillings to be payd by Thomas Dunhame in manner ℥ forme following That is to say thirty bushells of Indian Corne assoone as Corne is merchantable and sixteene bushells more of Indian Corne in Nouember 1647 to be payd at Plymouth at whose house the said Anthony shall appoynt yt Hath freely and absolutely bargained and sold vnto the said Thomas Dunhame All that his house and eight acres of enclosed vpland be it more or lesse adjoyneing to the said house w<sup>th</sup> the lands lying at the head thereof vntaken in and all ℥ singuler thapp<sup>r</sup>teñc<sup>℥</sup> therevnto belonging And all his right title and interest of and into the said p<sup>r</sup>miss<sup>s</sup> and euery part and pcell thereof To haue and to hold the said house and lands w<sup>th</sup> all and singuler thapp<sup>r</sup>teñces therevnto belong-

ing vnto the said Thomas Dunhame his heires & Assignes for euer and to the onely pp use and behoofe of him the said Thomas Dunhame his heires and Assignes for euer./

The xvj<sup>th</sup> Septemb<sup>r</sup> 1645.

**M**EMORANÐ That Morris Truant and Solomon Lenner of Duxborrow came before the Goſinor and acknowledged That they haue mutually exchanged their now Dwelling houses and vplands and meddowes w<sup>ch</sup> now they haue in possession or any graunt of The one w<sup>th</sup> the other So that the said Morris Truant shall haue and enjoy the house vplands and meddow of the said Solomon Lenners w<sup>ch</sup> he lately bought of Edward Bumpas and all the pcell of Coſmon land w<sup>ch</sup> the Towne of Duxborrow graunted the said Solomon lying betwixt the said house & land℄ purchased of Edward Bumpas as aforesaid and m<sup>r</sup> Aldens. To haue and to hold the said house vpland℄ meddow land℄ and Coſmon land graunted as aforesaid w<sup>th</sup> all and singuler thapp<sup>r</sup>teñc℄ vnto the said Morris Truant his heires and Assignes for eū and to his & their onely p use and behoofe for eū And likewise That the said Solomon Lenner shall haue and enjoy the house garden & buildings and vplands and meddow w<sup>ch</sup> apptained to the said Morris Truant at Blew ffish Riuer w<sup>th</sup> all and singuler the app<sup>r</sup>teñc℄ to the said p<sup>r</sup>miſſs belonging To haue and to hold the said house housing garden vpland℄ and meddow at Blew ffish Riuer w<sup>th</sup> all and every thapp<sup>r</sup>teñc℄ to the said p<sup>r</sup>miſſs beloinging vnto the said Solomon Lenner his heires and Assignes for eū and to their onely pper use and behoofe foreū.

The xxiiij<sup>th</sup> Septemb<sup>r</sup> 1645.

**M**EMORANÐ That whereas Edward Holman and Amy his wyfe by their deede beareing date the xvij<sup>th</sup> of Aprill 1644 in consideraçõn of the sum of xix<sup>s</sup> vj<sup>d</sup> to them in hand payd by Wilłm Browne haue freely & absolutely bargained and sold vnto the said Wilłm Browne all those their six acres of vpland lying in the New feild on the west side the land℄ of Andrew Ring. And the said Wilłm Browne by his deede beareing date the xxiiij<sup>th</sup> of Aprill 1644 in consideraçõn of the sum of fifty shillings payd vnto the said W<sup>m</sup> by John Harmon hath freely and absolutely bargained and sold the foresaid six acres of vpland vnto the said John Harmon And now the said John Harmon doth acknowledg that for and in consideraçõn of the sum of thirty shillings whereof Twenty shillings is in hand payd by Webb Adey and thother tenn shillings to be shortly payd Hath freely and absolutely bargained and

sold vnto the said Webb Adey all the foresaid six acres of vpland w<sup>th</sup> all and singular thapp<sup>r</sup>teñc̄ therevnto belonging w<sup>th</sup> the fenceing in and aboute the same and all his Right title and Interest of and into the said p<sup>r</sup>miss̄s & euery pt and pcell thereof To haue & to hold the said six acres of vpland and fenceing about it w<sup>th</sup> all and euery thapp<sup>r</sup>teñc̄ therevnto belonging vnto the said Webb Adey his heires & Assignes for eñ and to the onely pp vse and behoofe of him the said Webb Adey his heires and As̄s for euer./

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\* BRADFORD Gou<sup>r</sup>.The xxvj<sup>th</sup> Septemb<sup>r</sup> 1645.

**M**EMORAN<sup>ḏ</sup> That Josias Cooke doth acknowledg That for and in considera<sup>ḡ</sup>on of one heiffer to him in hand payd and deliued by Gyles Rickett Señ of Plym<sup>ṡ</sup> weaver whereof he doth acknowledg him self fully satisfied and payd hath freely and absolutely bargained and sold vnto the said Gyles Rickett All those his nine acres of vpland lying at Taughtacanteist hill on the south side Plymouth brooke six acres whereof was lately purchased of m<sup>r</sup> Steeven Hopkins and thother three acres of Samuell fuller w<sup>th</sup> all and euery thapp<sup>r</sup>teñc̄ thprevnto belonging and all his Right title & interest of and into the same and euery pt & pcell thereof To haue and to hold the said Nine acres of vpland w<sup>th</sup> all and singular thapp<sup>r</sup>teñc̄ therevnto belonging vnto the said Giles Rickett his heires and Assignes for eñ and to the onely pper use & behoofe of him the said Gyles Rickett his heires and Assignes for euer/

The xxv<sup>th</sup> Septemb<sup>r</sup> 1645.

**M**EMORAN<sup>ḏ</sup> That Nathaniell Sowther doth acknowledg That for and in considera<sup>ḡ</sup>on of the sum̄ of fve pound<sup>ḡ</sup> ster<sup>t</sup> (and one Goat Kid in hand) to be payd by John Dunham jun<sup>r</sup> in Corne or Cattell but not aboue a third pt in Indian Corne as the prises are at the tyme of payment that is to say fifty shillings the first of October come twelues months and thother fifty shillings that tyme twelue months after at the said Nathaniells house in Plymouth or where he shall appoynt yt Hath freely and absolutely bargained & sold vnto the said John Dūhame all those his tenn acres of vpland be it more or lesse and the fence about the same and the garden place lying ā Wellingsly w<sup>th</sup> all and singular thapp<sup>r</sup>teñces therevnto belonging w<sup>th</sup> all his right title and interest of and into the same and euery pt thereof To haue and to hold the said tenn acres of vpland be it more or lesse and the garden place w<sup>h</sup> all and euery their app<sup>r</sup>teñc̄ vnto the said John Dunhame his heires and Assignes for eñ and to their onely pper vse & behoofe for euer./



The ix<sup>th</sup> October 1645.

**M**EMORAND<sup>Ÿ</sup> That m<sup>r</sup> Robte Hicks doth acknowledg That for and in consideraçõn of the su<sup>m</sup> of foure pound<sup>ç</sup> to be p<sup>r</sup>sently payd by Georg Partrich in two hoggs and the rest in Corne Hath freely and absolutely bargained and sold vnto the said George Partrich all that pcell of Marsh meddow lying from a little brook behynd a pcell of land sold to m<sup>r</sup> Raph Partrich to the Marsh meddow of m<sup>r</sup> John Howland containeing two acres be it more or lesse and all his right title and interest of and into the said p<sup>r</sup>mis<sup>s</sup> w<sup>th</sup> their app<sup>r</sup>teñç To haue and to hold the said two acres of Marsh Meddow be it more or lesse bounded as afore<sup>r</sup>sd w<sup>th</sup> thapp<sup>r</sup>teñces therevnto belonging vnto the said Georg Partrich his heires and Assignes fore<sup>r</sup> and to the onely p<sup>p</sup>er use and behoofe of him the said George Partrich his heires and Assignes for e<sup>ũ</sup>. Prouided That the said George Partrich his heires and Assignes shall make and continue a fence on the Creek side next to m<sup>r</sup> Hicks sufficient to keep out Cattell.

The said m<sup>r</sup> Robte Hicks hath also graunted a swampe running from the Marsh to a well towards John Handmores house vnto the said Georg Partrich for tenn yeares from the first day of Octob<sup>r</sup> last to be used for graseing and mowing (if vpon improuement it will make meddow: And at thend of the said terme of tenn yeares to leaue it to the said Robte Hicks his heires ç Ass<sup>s</sup>.

\* BRADFORD Gou<sup>r</sup>.

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**W**HEREAS William Brewster late of Ply<sup>m</sup> gen<sup>t</sup> deceased left onely two sonnes surviucing viz<sup>t</sup> Jonathan the eldest and Loue the yeonger And whereas the said William died intestate for ought can to this day appeare The said Jonathan and Loue his sonnes when they returned from the buriall of their father to the house of M<sup>r</sup> Wil<sup>m</sup> Bradford of Plymouth in the p<sup>r</sup>sence of M<sup>r</sup> Raph Partrich Pastor of Duxborrow M<sup>r</sup> John Reynor Teacher of the Church at Plymouth and M<sup>r</sup> Edward Buckley Pastor of the Church at Marshfeild and many others being exhorted to honor their Re<sup>ũ</sup>end father w<sup>th</sup> a peaceable p<sup>p</sup>eeding about the diuision of his estate between them. The said Jonathan first answered for his part that although hee were the elder yet was willing to deuide lands and goods equally betweene himself and brother. And if in case any difference should arrise betweene them that it might be soone suppressed said he heere are four of my fathers deere and auncient frends viz<sup>ç</sup> M<sup>r</sup> Wil<sup>m</sup> Bradford then Go<sup>ũ</sup>nor of Plymouth M<sup>r</sup> Edward Winslow of Marshfeild M<sup>r</sup> Thomas Prence of Plymouth aforesaid and Captaine

Miles Standish of Duxborrow. And if my brother please to accept my motion whereinsoever we shall differ we will stand to their award w<sup>ch</sup> shalbe as firme as if it had beene done by our father ¶ To all w<sup>ch</sup> the said Loue Brewster condiscended to the greate satisfaccōn of the whole Assembly the said freinds of his father being there also p<sup>r</sup>sent who willingly engaged themselves therein to the vtmost of their power. And whereas afterward difference arose betweene the said brethren Jonathan and Loue in diuers pticulers about the late dwelling house of their said father at Duxborrow wherein the said Loue dwelt and had donn from his marriage to that instant also about certaine accompt wherein Jonathan was made debtor to the estate in a large sume ¶ Herevpon according to promise they referring themselves to the said speciall and most intimate frends of their said father the said Edward Winslow afterwards Goūnor of Plymouth M<sup>r</sup> Wilłm Bradford M<sup>r</sup> Thomas Prence and Captaine Miles Standish aforesaid haueing heard diuers thinges alleadged on Loues behalf to proue that the said House and half the Lands of the said Wilłm belonging therevnto aswell as any other the lands of the said Wilłm devided or to be devided w<sup>th</sup> an entire half part of the estate of the said Wilłm was giuen to the said Loue and Sarah his wyfe vpon a Couenant of Contract of marriage to be due at the death of the said Wilłm Brewster now deceased. All w<sup>ch</sup> was offered to be proued legally if neede require by solemne promise though not in writing The said Jonathan also offering to take off vpon oath the greatest pt of the said debt ¶ also ¶ The said Edward Winslow Wilłm Bradford Thomas Prence ¶ Captaine Miles Standish being well acquainted w<sup>th</sup> their said case aswell by diuers thinges heard from their reūd father in his life as by the evedence now offered to be p<sup>r</sup>duced on both sides determyned as followeth And first of all for the said debts w<sup>ch</sup> were alleadged against the said Jonathan the elder brother by the said Loue the yonger as aforesaid we conceiue that if their father had not acquitted them before his death yet hee would neū haue charged his eldest sonn w<sup>th</sup> them in regard of his greate charge of children and so beleueing it was donn actually or intentiuely or both we discharged Jonathan of all the said debt his brother made him debtor to the estate aforesaid except foure pounds sterling w<sup>ch</sup> wee award him to pay his brother Loue in consideraōn of the wintering of some cattell w<sup>ch</sup> the said Jonathan had the sommering vpon the diuision and for the dyett of Isaack Allerton a grandchild of the said Wilłm w<sup>ch</sup> he had placed w<sup>th</sup> his sonn Loue to table And because hee was the first borne of his father we gaue him his fathers Armes and also a two yeare old heiffer ouer and aboute his part of the deuideables of the said estate. And for the Dwelling house aforesaid of the said Wilłm wherein the said Loue Brewster resided we were so

well acquainted w<sup>th</sup> the purpose of the s<sup>d</sup> Wil<sup>m</sup> now deceased and the evidence offerred for prooffe seemed to us so strong as wee beleueing the said Wil<sup>m</sup> had actually or intentiuely or both giuen the said house to his sonn Loue and Sarah his wyfe and their heires (c<sup>t</sup> Wee the <sup>^</sup> Edward William Thomas and Myles awarded the said dwelling house to the said Loue and Sarah his wyfe and their heires (c<sup>t</sup> together w<sup>th</sup> half the said Estate of Lands goods and cattells except before excepted and aswell such other lands as are not yet diuided blonging to the said Wil<sup>m</sup> as a Purchaser of the Patent (c<sup>t</sup> Plantaçõn of New Plymouth aforesaid as that at Duxborrow whereon hee liued And whereas some difference might haue arrisen about the diuision of the said Lands at Duxborrow M<sup>r</sup> Wil<sup>m</sup> Vassell being requested to survey the said Lands he made a diuision of yt in two parts being an hundred (c<sup>t</sup> eleauen acres of vpland or thereabout (viz<sup>t</sup>) to Jonathan Brewster an sixtie eight acres or thereabouts w<sup>ch</sup> lay entire together next a dwelling house w<sup>ch</sup> the said Jonathan had built on the said land by the leaue of his said father and all the meddow on that side a creeke (w<sup>ch</sup> diuideth the greatest part of the said land) below a Bridg on the way betweene the houses of Jonathan and Loue his brother And to Loue Brewster fourty three acres of vpland or there abouts adjoyneing to his dwelling house whereof thirty acres was cleered land and almost all in tillage the other thirteene being woodland as it was deuided in the said Plott drawne by the said Surveighor and marked out and allowed by us except a pcell of land about three quarters of an acree pte in the garden of the said Jonathan and pt in a Swamp adjoyneing wherein onely the \*said Jonathan had Water to his house as it was marked and staked by us \*199 Also we gaue vnto Loue Brewster all the meddow on that side the Creek adjoyneing to his land where he liueth and also that smale pcell w<sup>ch</sup> lyeth about the Bridg betweene their two houses before expressed And the reason wherefore we gaue Loue the lesse quantitie was and is because the quallity of Loues land in goodnes is equall to the quantitie of Jonathans as we iudg And that this is the full determinaçõn of vs the said Edward Wil<sup>m</sup> Thomas and Myles vpon the referrence aforesaid of the said Jonathan and Loue as wee are pswaded in our consciences to be equall and just haucing to our best abillities faythfully discharged our duties towards God their deceased father ou former worthy frend and towards Jonathan and Loue his onely children remayneing In Witnes thereof we haue put to our hands and ordered it to be put vpon the Records of the Gouerment. finished at Plymouth the xx<sup>th</sup> August 1645.

WILLIAM BRADFORD  
THO: PRENCE

EDW: WINSLOW  
MYLES STANDISH.

\*200 \* A deed acknowledged and recorded the vj<sup>th</sup> of January 1645 in these word℄ following

**T**O all people to whom these p<sup>r</sup>nts shall come Richard Chadwell of Sandwich in the Goũment of New Plymouth in New England in America Ship Carpenter sendeth greeting Know yee That the said Richard Chadwell for and in consideraçõn of the suũ of thirty and fũe pounds and fũe shillings ster℄ to him in hand payd by Edmond ffreeman thelder of the same Gentleũ whereof and wherewith he doth acknowledg himself fully satisfied and payd and thereof and of euery part ℄ pcell thereof doth exofiate acquit and discharge the said Edmond ffreeman his heires Execut<sup>r</sup>℄ and Administrat<sup>r</sup>s and euery of them for euer by these p<sup>r</sup>nts Hath freely fully and absolutely bargained sold enfeoffed and confirmed and by these p<sup>r</sup>nts doth bargaine sell enfeoff and confirme vnto the said Edmond ffreeman his heires and Assignes for euer All that his dwelling house scituate ℄ being in Sandwich aforesaid w<sup>th</sup> one Barne and stalls for cattell adjoyneing therevnto and all the stauncheons for cattell and all other edifices and buildings whatsoever to the same belonging w<sup>th</sup> all the doores locks dressors benches glasse and glasse windowes w<sup>th</sup> the wooden shut℄ to them belonging and the bedstead matt and bedcord in the said house together w<sup>h</sup> all lands to the said house belonging or any other lands to him appertaining in Sandwich aforesaid whether vpland or meddowing tilled or vntilled fenced or vnfenced w<sup>th</sup> all and euery thapp<sup>r</sup>teũces to the said p<sup>r</sup>misss or any pt of them belonging lying ℄ being in Sandwich aforesaid and also all the dong or manure already made or to be made before thend of May next whilst the said Richard Chadwell occupyeth the said p<sup>r</sup>misss or any part of them and also all the apple trees standing or groweing in ℄ vpon the p<sup>r</sup>misss together w<sup>th</sup> all woods vnderwoods trees and tymber whatsoever lying growing and being vpon the said p<sup>r</sup>misss together w<sup>th</sup> all his Right title and interest of and into the said p<sup>r</sup>misss and their appurteũces and euery part and p<sup>r</sup>cell of them And also all the Right title and Interest clayme and demaund That the said Richard Chadwell hath or may or ought to haue in any lands in Sandwich aforesaid or otherwise by reason of his Committeeship or any suũ or sufũs of money therefore due vnto him either in regard of charges disbursed by him or any paynes taken for the setling of the said plantaçõn of Sandwich in the beginning thereof and all such lands whether vplands or meddowing or both as shalbe at any tyme hereafter further added and graunted to the said dwelling house by the Committees or Townesmen of Sandwich aforesaid To haue and to hold the said Dwelling house barne stalls adjoyneing w<sup>th</sup> the stauncheons for cattell edifices buildings w<sup>th</sup> all doores

locks windowes glasse and glasse windowes w<sup>th</sup> their shutts and all benches dressors bedstead matt and bedcord in the house together w<sup>th</sup> all lands vplands and meddowing whether fenced or vnfenced tilled or vntilled together w<sup>th</sup> all appletrees woods vnderwoods trees and tymber lying being and groweing in and vpon the bargained p<sup>r</sup>misses and the pprietie in them w<sup>th</sup> all and eury thapp<sup>r</sup>teñces to the said p<sup>r</sup>misss or any of them belonging or any wayes appertaining vnto the said Edmond ffreeman thelder his heires and Assignes for euer and to the onely proper use and behoofe of him the said Edmond ffreeman his heires and Assignes for euer to be holden of our Souaigne Lord the King as of his Mannor of East Greenwich in the County of Kent w<sup>hin</sup> the Realme of England in free and common Soccage and not in capite nor by knights service by the Rent<sup>l</sup> and service thereof and thereout due and of right accustomed And w<sup>th</sup> warranties against all peole whatsoeu<sup>r</sup> from by or vnder the said Richard Chadwell or by his title claymeing any right title or interest of and into the said bargained p<sup>r</sup>misss or any pt or pcell of them w<sup>th</sup> their app<sup>r</sup>teñces whatsoeuer And the said Richard Chadwell doth further couenant and graunt by these p<sup>r</sup>nts that hee the said Richard Chadwell at the tyme of the bargaine & sale making of thabouesaid p<sup>r</sup>misss is and was the Right and lawfull owner of thaboue bargained p<sup>r</sup>misss And doth lastly couenant and graunt by these p<sup>r</sup>nts That it shall and may be lawfull to and for the said Edmond ffreeman either by himself or his Attorney to record and enroll or cause to be recorded and enrolled the title and tenor of these p<sup>r</sup>nts in his said Ma<sup>t</sup>l Court at Plymouth aforesaid before the Gouvernor for the tyme being according to the usuall manner and custome of recording & enrolling Deeds and euedences in such case made and p<sup>r</sup>uided. In witnes whereof the said Richard Chadwell hath to these p<sup>r</sup>nt<sup>l</sup> set his hand and seale the sixt day of January in the one and twentyeth yeare of the Raigne of our said Souaigne Lord Charles by the grace of God King of England Scotland ffrance & Ireland Defendor of the fayth &c Annoq<sup>3</sup> Dñi 1645.

Sealed and deliued in  
the p<sup>r</sup>sence of

Nathaniel Sowther  
Thomas Willet  
Wilkm Paddy

RICHARD CHADWELL his seale



Endorsed as followeth

Memorand that quiet and full possession and seasin of the house and p<sup>r</sup>misss w<sup>hin</sup> named w<sup>th</sup> their appurtenanc<sup>l</sup> was giuen and receiued by the w<sup>hin</sup> named Richard Chadwell and Edmond ffreeman in their owne p<sup>r</sup>per persons according to the true intent and tenor of the w<sup>hin</sup> written deed the <sup>^</sup> day of January 1645 in the p<sup>r</sup>sence of

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\*The vj<sup>th</sup> of January 1645 this ensuing acquittance vnder hand and seale was shewed and ordered to be recorded in these words following viz<sup>o</sup>.

**B**EE it knowne vnto all men by these p<sup>nt</sup>s That I Thomas Taylor of London merchant haue remised released exonerated acquitted discharged and for euer quite claymed And by these p<sup>nt</sup>s do for me my heires executors and administrat<sup>r</sup>s and assignes remise release exonerate acquit discharge and for euer quite clayme vnto Richard Chadwell & Thomas Chadwell of Sandwich in New England Shiprights All and all manner of actions cause and causes of actions suits debts accounts reckonings bonds bills specialties judgment & executiōns condemnaōns trespasses controuersies differences claymes and demaunds whatsoever which I the said Thomas Taylor heretofore haue had now haue or hereafter may or might haue against the said Richard Chadwell and Thomas Chadwell their execut<sup>r</sup> administrator & Assignes for any matter cause or thing whatsoever from the beginning of the world vntill the day of the date hereof In witnes whereof I haue herevnto put my hand and seale the second day of June Anno D<sup>ni</sup> 1645 A<sup>ño</sup>q<sup>3</sup> Reg<sup>n</sup> D<sup>ni</sup> n<sup>ri</sup> Caroli Dei gra<sup>e</sup> Ang<sup>l</sup> Sco<sup>t</sup> fran<sup>c</sup> & Hib<sup>n</sup>ie Reg<sup>e</sup> fidei defensor 13<sup>o</sup> vicesimo primo.

Sealed and deliuered  
in the presence of

William Moore Sc<sup>r</sup>  
Daniell Crofford

THOMAS TAYLOR



\*202

\*BRADFORD Gou<sup>r</sup>

The vj<sup>th</sup> day of January 1645.

**W**HEREAS there was a Debt of 54<sup>li</sup> or ther about & oweing vnto M<sup>r</sup> Arthur Mansfeild of London Haberdasher by M<sup>r</sup> Edmond ffreeman sen<sup>r</sup> of Sandwich about fiue yeares since for w<sup>ch</sup> Debt the said M<sup>r</sup> ffreeman gaue his bill to the said M<sup>r</sup> Mansfeild the w<sup>ch</sup> vpon payment was not deliuered but p<sup>m</sup>ised to be cancelled onely a cobby thereof sent vnder publike notaries hands and a t<sup>r</sup>e of Attorney to M<sup>r</sup> John Evance of Quillpeock for receipt thereof and diuers other t<sup>r</sup>es written about the same and least the said principall should be sued against the said Edmond ffreeman his Execut<sup>r</sup> & administrator & all the t<sup>r</sup>es and writings were ordered to be recorded that they might euedence the payment thereof if any suite or trouble should hereafter arise about the same.

The copy of the originall bill.

**M**EMORAND I Edmond ffreeman of New England do acknowledg to  
 owe and to be endebted to Arthur Mansfeild cittizen and Haber-  
 dasher of London the suñie of two and fifty pounds foure shillings and eight  
 pence and is for a pcell of hatts w<sup>ch</sup> hee hath put for me aboard into the  
 Planter w<sup>ch</sup> I Edmond ffreeman do acknowledg to be endebted to him And  
 for w<sup>ch</sup> payment I Edmond ffreeman do bynd mee my execut<sup>r</sup>ℓ and adminis-  
 trat<sup>r</sup>ℓ or assignes to be payd to the said Arthur Mansfeild his execut<sup>r</sup>ℓ adminis-  
 trat<sup>r</sup>ℓ or assignes six months after the said hatts shall safely be landed in  
 New England. In wisse whereof I Edmond ffreeman haue set my hand ℓ  
 seale this p<sup>s</sup>ent twentieth day of July ffifteene yeare of the Raigne of our  
 So<sup>u</sup>aigne Lord King Charles.

Scaled and deliued in the p<sup>s</sup>ence of

Edmond ffreeman.

John Ward

John Morley

Henry Rashlegghe

This is a true copy of the originall  
 examined by me

HENRY RASHLEGGHE

FRAN: NELMES.

And this copy was thus endorsed on the backside

Juñ the 12<sup>th</sup> 1644.

Reç of M<sup>r</sup> William Paddy the suñ of twelue pounds in full  
 of his bill for the vse of M<sup>r</sup> Arthur Mansfeild of London by or-  
 der of his tre of Attorney made to M<sup>r</sup> John Evance of Quillpiock }  
 I say Reç p<sup>r</sup> me ffra. Norton.  
 41<sup>li</sup>. 0<sup>s</sup>. 0<sup>d</sup> was payd before and  
 now receiued more 2<sup>li</sup>. 11<sup>s</sup>. 3<sup>d</sup> for  
 charges.

And I pmise for my self my heires ℓ execut<sup>r</sup>ℓ ℓ administrat<sup>r</sup>ℓ to make  
 good any damage that sh<sup>al</sup> come to M<sup>r</sup> ffreeman in England about this bill.

These receiptℓ ℓ pmise was written and subscribed the day and yeare  
 aboue written in the p<sup>s</sup>ence of me Wiltm Collyer and Wiltm Paddy.

And further endorsed thus. viz<sup>s</sup> the true copy of M<sup>r</sup> ffreemans bill  
 witnessed by M<sup>r</sup> Colleborne and his man that was wites here his mans name  
 is Henry Rashley the other two wites are in New England.

## The Ire of Attorney.

**K**NOW all men by these p<sup>r</sup>sent℥ That I Arthur Mansfeild cityzen and Haberdasher of London haue assigned ordayned made deputed authorized and in my place and stead by these p<sup>r</sup>sent℥ do put and constitute John Evans of Quinipiacke in New England merchant my true and lawfull Attorney for mee and in my name and to my use to ask levy sue for recouer and receive all such debt℥ duties and summes of money as now are and w<sup>ch</sup> hereafter shalbe due oweing or belonging vnto me by or from any person or persons whatsoeuer in New England aforesaid by bill bond booke contract account reckoning specialty promise or otherwise howsoeuer Giueing and by these p<sup>r</sup>nt℥ granting vnto my said Attorney my full power and lawfull authority touching the p<sup>r</sup>mis<sup>s</sup>s and for me and in my name to doe say answere follow p<sup>r</sup>ceede defend and execute in all and singuler the p<sup>r</sup>mis<sup>s</sup>s And the debtors and detayners of the p<sup>r</sup>mis<sup>s</sup>s or any of them or any pt thereof for none payment of the said debts duties and summs of money or any of them or any part thereof to p<sup>r</sup>secute by all such lawfull wayes and meanes as fully as law will p<sup>r</sup>mitt And vpon receipt thereof or any pt thereof acquittanc℥ or any other discharges therefore for mee and in my name to make seale and deliuer And one Attorney or more vnder him to make and substitute and at his pleasure to reuoake the same againe And further to do execute affect and follow all and euery other act and acts thing and things needfull in and about the p<sup>r</sup>mis<sup>s</sup>s or any pt thereof as fully and effectually to all intent℥ and purposes as I my self might doe if I were p<sup>r</sup>sonally p<sup>r</sup>sent And I doe ℥ will at all tymes hereafter ratyfy allow and confirme all and whatsoe<sup>u</sup> my said Attorney shall do or cause to be donn needfull in or about the p<sup>r</sup>mis<sup>s</sup>s or any part thereof by these p<sup>r</sup>nt℥ In witnes whereof herevnto I the said Arthur Mansfeild haue set my hand and seale yeouen the nine and twentieth day of october Anno Dñi 1639 and in the fifteenth yeare of the Raigne of our So<sup>u</sup>aigne Lord Charles of England ℥<sup>3</sup>.

Sealed ℥ deliued in the p<sup>r</sup>sence of

Henry Colbron

Fran: Nelmes

ARTHUR MANSFEILD



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\*The se<sup>u</sup>all tres: as followeth.

M<sup>r</sup> ffreeman I haue assigned yo<sup>r</sup> bill ℥ debt over vnto my brother Evance w<sup>ch</sup> was for the beucers and hat℥ you bought of me a little before yo<sup>r</sup> going hence now my request vnto you is that y<sup>u</sup> wilbe pleased to pay the



suñ due to me by bill vnto my brother Evance the bill is 52<sup>l</sup> j<sup>s</sup>. 2<sup>d</sup> the charges w<sup>th</sup> I disbursed afterwards was 2: 11: 3<sup>d</sup> which is in all 54<sup>l</sup>. 12<sup>s</sup>. 2<sup>d</sup>. I suppose my brother wilbe contented to receiue the money here, if you will take care it shalbe currently payd, my man when he tooke the bill of you, did not know what the charges was, but you shall fynd that the charges is not included in the bill of pcells you had when you signed the bill, I haue sent you the ptculars in a note what the charges were, my brother Evance discharg shall acquitt you if you pay him there, or if you appoynt payment here, then I shall deliũ up the bond to him that makes payment heere, I pray good S<sup>r</sup> fayle not of makeing satisfacõn And if you can do any good w<sup>th</sup> our comodities I pray you giue order for another pcell, And so w<sup>th</sup> my love remembered to you I rest

London this 26<sup>th</sup> of  
febr: 1639.

Yo<sup>r</sup> loueing frend  
ARTHUR MANSFEILD

and supscribed thus  
To his very loueing frend  
M<sup>r</sup> ffreeman att  
in New England this dđ  
I pray

Another Fre

Loucing frend

I wrote to you by the first ship and so also by a ship from Bristol to pay the money you owe me vnto my brother in law M<sup>r</sup> John Evance who hath power from me to give you a discharge and hath a true copy of your bond I haue assigned the same ouer vnto him for money that I owe vnto him, the money is to be payd heere by yo<sup>r</sup> promise, and I know brother Evance had rather haue it payd to one M<sup>r</sup> Mayer a hosier his brother in law, at whose house hee lodged when he was last heere, and M<sup>r</sup> Strang I conceiue will pay it, if you order him to do it, but then I hope you wilbe vpon certainties, that he shall haue wherew<sup>th</sup> to do it and so w<sup>th</sup> my loue remembered to you expecting yo<sup>r</sup> carefull pformance thereof I rest

London this 2<sup>d</sup> of Aprill 1640.  
ĸ supscribed thus

yo<sup>r</sup> loueing frend  
ARTHUR MANSFEILD.

To his very loueing frend  
M<sup>r</sup> ffreeman in New  
England this be dđ  
I pray.

Another tre

M<sup>r</sup> ffreeman

I haue assigned yo<sup>r</sup> bill and debt of vnto my brother Evance w<sup>ch</sup> was for the beaurs ƥ hatts you bought of me a little before your going hence now my request to you is that you wilbe pleased to pay the su<sup>m</sup> due to me by bill vnto my brother Evance the bill is 52<sup>l</sup>. 01. 02<sup>d</sup>. the charges w<sup>ch</sup> I disbursed after was 2<sup>l</sup>. 11<sup>s</sup>. 3<sup>d</sup>. w<sup>ch</sup> is in all 54<sup>l</sup>. 12. 2<sup>d</sup>, I suppose my brother wilbe contented to receiue the money heere if you take care it shalbe currently payd, my man when he tooke the bill of you knew not what the charges were, but you shall fynd that the charges is not included in the bill of pcells you had when you signed the bill I haue sent you the p<sup>t</sup>iculers in a note w<sup>th</sup> what the charges came to, my brother Evance discharge shall acquitt you fully, if you pay him there, or if you appoint payment here, then I shall deli<sup>u</sup> up the bill to him that makes payment here, I pray (good S<sup>r</sup>) fayle not of making satisfac<sup>o</sup>n, and if you can do any good w<sup>th</sup> our co<sup>m</sup>odities I pray you giue order for another pcell ƥ so w<sup>th</sup> my loue remembered I rest

London this 17<sup>th</sup> Aprill 1640.

Yo<sup>r</sup> loueing frend

I sent a cobby hereof by M<sup>r</sup> Cutting ARTHUR MANSFEILD  
y<sup>e</sup> bill payable to Barnabas Meayre Hosiere L<sup>o</sup>.

And subscribed thus

To his very loueing frend M<sup>r</sup>  
ffreeman in New England passenger  
the last yeare in the Champion.

A tre of M<sup>r</sup> Evance.

Quillipiacke this 23<sup>o</sup> of Junij 1640.

M<sup>r</sup> ffreeman Saluta<sup>o</sup>ns p<sup>r</sup>mised as vnknowne ƥ S<sup>r</sup> these serue onely to request y<sup>r</sup> payment of 54<sup>l</sup>. 12<sup>s</sup>. 5 due to my brother Mansfeild to M<sup>rs</sup> Marye Nortonn of Charlestowne according to my brother his tre, w<sup>ch</sup> is to request the payment of it to mee or my assignes, I haue therefore my occasions being vrgent here assigned my sister Norton to receiue it for me whose discharge I shall entreate you w<sup>ch</sup> is my order to serue as amply in full of the bill w<sup>ch</sup> remaynes in my assigne his hand as if were p<sup>r</sup>sent my self to giue you it, thus relying on y<sup>r</sup> complying w<sup>th</sup> my brother his order for the payment of it either in money or by bill of exch for England to my sister Norton I take leaue and rest

and subscribed thus

Yo<sup>rs</sup> JOHN EVANCE

To M<sup>r</sup> ffreeman at Sandwich d<sup>dd</sup> }  
In  
Mattachusetts Bay }

## \* BRADFORD GOVĒ.

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Another tre.

Charlestowne the 5<sup>th</sup> Aug<sup>o</sup> 1640.

M<sup>r</sup> ffreeman This day fynd me w<sup>th</sup> yo<sup>s</sup> of 28<sup>o</sup> last or rather yo<sup>r</sup> frend<sup>l</sup>  
 M<sup>r</sup> Wiltm Paddy intimating Yo<sup>r</sup> care to complye w<sup>th</sup> the payment of the  
 moñes, and therefore your care hath beene to p<sup>u</sup>ide a good bill of 33<sup>l</sup> onn my  
 brother Mansfeild due from him to M<sup>r</sup> Kemp of Duxbridg w<sup>ch</sup> shall not  
 accept of not knoweing how it can proue good being charged on one whoe is  
 fayled already, and therefore shall expect the payment of the whole 54<sup>l</sup>:12:4<sup>d</sup>  
 from you whereas you advize of but 52<sup>l</sup> due the rest as by him you will  
 p<sup>er</sup>ceive to bee for charges. S<sup>r</sup> I should be loath to trouble you or my self  
 w<sup>th</sup> further lynes if may bee avoyded, but if bee not to bee p<sup>er</sup>cured w<sup>th</sup>out it  
 must be enforced to it, and shall expect satisfac<sup>o</sup>n for the tyme if am kept  
 w<sup>th</sup>out it, if here bee to bee p<sup>er</sup>cured but desire may not bee forced to it so  
 expecting yo<sup>r</sup> suddaine payment of the whole to my brother Norton who can  
 shew a further order of my brother Mansfeild I rest

And was supscribed  
 To his Lo: ffrend M<sup>r</sup>  
 William Paddy at  
 Plymouth this  
 bee dd

Yo<sup>rs</sup> JNO EVANCE

## \* BRADFORD GOVĒ.

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**M**EMORAN<sup>D</sup> the xxvj<sup>th</sup> day of ffbruary Anno Dñi 1645 Whereas  
 Manasseth Kempton of Plym<sup>n</sup> at the speciall instance and request  
 of Ephraim Kempton of Scittuate by his bond or obligac<sup>o</sup>n beareing date the  
 thirtieth of Octob<sup>r</sup> Anno Dñi 1645 standeth joyntly and se<sup>u</sup>rally bound together  
 w<sup>th</sup> the said Ephraim in the sum<sup>m</sup> of fourty pounds to the Gov<sup>n</sup>r of New  
 Plym<sup>n</sup> for the tyme being to make a true and just account and to pay all such  
 debts as Ephraim Kempton se<sup>n</sup> late of Scittuate aforesaid deceased was  
 endebted at the tyme of his decease so farr as the estate he left would amount  
 vnto w<sup>ch</sup> vpon f<sup>r</sup>es of Administra<sup>o</sup>n graunted by the Court appeared to be  
 the sum<sup>m</sup> of twenty six pound<sup>l</sup> or thereabout<sup>l</sup> And whereas also the said  
 Ephraim Kempton hath had and receiued the said estate into his owne hands  
 Now Know yee That the said Ephraim Kempton for the secureing saueing  
 harmelesse and vndampnyfied the said Manasseth Kempton his heires Execut<sup>s</sup>  
 and Administrat<sup>s</sup> and euery of them for euer hereafter of from <sup>l</sup> concerneing

the said obligacōn and the condiçōn thereof and every thing therein contayned hath by these p<sup>r</sup>nt<sup>l</sup> made assigned and set ouer vnto M<sup>r</sup> Willm Paddy of Plym<sup>th</sup> afores<sup>d</sup> Merchant All his land<sup>l</sup> goods and cattells whatsoever in New England to be and remayne from tyme to tyme & at all tymes hereafter for the secureing saueing harmelesse and vndampnyfyed the said Manasseh Kempton his heires Execut<sup>r</sup> & Administrat<sup>r</sup> & euery of them from any losse hindrance detryment or damage w<sup>ch</sup> may or shall arise or happen vnto them or any of them by reason or concerning the said obligacōn and the condiçōn thereof or any thing therein contayned and hath deliuered vnto the said Willm Paddy in name of full possession and seizin of the said land<sup>l</sup> good<sup>l</sup> cattells & p<sup>r</sup>mis<sup>ss</sup> aforesaid p<sup>r</sup>uided that when the said Ephraim shall p<sup>r</sup>euere a quietus & from the Court or other sufficient discharg or acquittance that then the said land<sup>l</sup> good<sup>l</sup> & cattells to returne vnto him the said Ephraim as in his for<sup>m</sup> estate notwithstanding these p<sup>r</sup>nt<sup>l</sup> In wittnesse whereof the said Ephraim Kempton hath acknowledged these p<sup>r</sup>nt<sup>l</sup> before the Gou<sup>n</sup>or to remayne vpon Record the day and yeare abouesaid.

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
\*BRADFORD GOU<sup>r</sup>

This deed was acknowledged in the gen<sup>l</sup>all Court the third March 1645 by both pties.

An agreement made the xx<sup>th</sup> January 1645 betweene Robert Barker and Raph Chapman both of Marshfeild viz<sup>t</sup>.

**W**HEREAS Robert Barker is bound to attend and mayntaine the fferry at New Harbor in Marshfeild the aforesaid Raph Chapman doth take vpon him and bynd himself his heires execut<sup>rs</sup> or Assignes to attend this fferry and wholly to discharg Rob<sup>te</sup> Barker and all men els of it, And in consideraçōn hereof the aforesaid Rob<sup>te</sup> Barker doth freely giue him a horsboate and *and* a skiff and the fferry house and barne and two acres of planting ground adjoyneing to the house onely Rob<sup>te</sup> Barker is to haue liberty to take off his donge and the inward fenceing about the garden and the house till the last of March next ensuing come twelue months and for this ground w<sup>ch</sup> the said Rob<sup>te</sup> Barker doth giue him it is to be fenced in p<sup>r</sup>ticuler, one of them to make the one half and thother of them to make thother half, to make and mayntaine this a sufficient fence w<sup>th</sup> palyzadoes or post & rayles sufficient for to keepe out all kynd of Cattell; and the said Rob<sup>te</sup> Barker is to haue the use of the horseboate for the carrying of his fence for his marsh and his thatch for his house and barne and hee is to leaue the horse boate and skiff sufficiently fitt and serviceable for the p<sup>r</sup>sent use of carrying ouer men and

cattell, and the said Raph Chapman is to set ouer Thomas Howell John Barker and Robte Barker both them and theires freely w<sup>th</sup>out paying ferryage for euer or so long as the ferry is kept in that place and the said Robte Barker is to haue the use of the ferry house till the last of October next ensuing, but Raph Chapman is to haue the use of the barne the next haruest, and the said Raph Chapman is to take vpon him and attend the ferry two or three dayes after the next March Court, and also to enter the land at the next March: and for witnes hereof they both set downe their hand℄.

The marke of  ROBT<sup>E</sup> BARKER.

The marke of  RAPH CHAPMAN.

Witnesses hands

Thomas Howell

John Barker

Nathaniell Byam.

\* BRADFORD Gou<sup>r</sup>

1645.

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**B**EE it knowne vnto all men by these p<sup>r</sup>nt℄ That I John Beauchamp of London Merchant for diuers good causes and considera<sup>o</sup>ns me mooueing haue made ordayned and in my stead ℄ place put and constituted and by these p<sup>r</sup>nts do make ordaine and in my place and steede put ℄ constitute Edmond ffreeman of New England Gen<sup>r</sup> my true and lawfull Attorney and Assignee for me and in my name and to my use To ask demaund levey recouer and receiue by all lawfull wayes and meanes whatsoeu<sup>r</sup> of and from all and euery pson ℄ psons in New England whom it doth or shall concerne all such some and so<sup>m</sup>ies of money debt℄ duties and demaund℄ as are or shalbe to me due or payable by or from them or any of them by any wayes or meanes whatsoever Giueing and by these p<sup>r</sup>nt℄ graunting vnto my said Attorney all my full power and lawfull authoritie concerneing the p<sup>r</sup>miss<sup>s</sup> All and euery pson and psons whatsoever whom it doth shall or may concerne their Execut<sup>s</sup> Administrat<sup>s</sup> and goods if neede shalbe to sue arrest attach seize sequester ympleade imprison and condemne and out of prison againe to deliuer and to appeare before all and all manner of Judges Justices ℄ ministers of the law And vpon recouery or receipt of the p<sup>r</sup>miss<sup>s</sup> acquittances or any other discharges in my name for and concerneing the same to make scale and as my deed to deliuer And one Attorney or more vnder him to make substitute and reuoake and ge<sup>n</sup>ally to doe execute prosecute and p<sup>r</sup>forme all and euery other act ℄ act℄ thing and things whatsoever w<sup>ch</sup> in and about the p<sup>r</sup>miss<sup>s</sup> shalbe needfull necessary or conveyent as fully and effectually as I myself might or

could doe psonally Holding and allowing for firme ℥ effectuall all and whatsoever my said Attorney his substitutes or Assignes shall lawfull doe or cause to be donn in or about the p'miss by vertue hereof In witnes whereof I the said John Beauchamp haue herevnto put my hand and seale yeouen the eleauenth day of July 1639 and in the fifteenth yeare of the Raigne of o<sup>r</sup> Soulaigne Lord King Charles ℥<sup>3</sup>.

JOHN BEAUCHAMP

Sealed and deliued in  
the pñce of

John Rolfe Sc<sup>r</sup>

Rich: Harris his serv<sup>t</sup>.



And the said Edmond ffreeman doth acknowledg by these p<sup>r</sup>nt℥ That by vertue of the said l<sup>r</sup>e of Attorney hee hath had and receiued in lands according to their sefall valuations of them two hundred ninetie and one pounds and tenn shillings ℥ security by specialty for the payment of the remaynder of the said sum of foure hundred pounds: Twenty pounds being allowed and abated by the said Edmond ffreeman w<sup>ch</sup> in all doth amount vnto the said sum of foure hundred pounds In consideraçõn whereof the said Edmond ffreeman hath deliued them the said W<sup>m</sup> Bradford Edward Winslow Thomas Prence Miles Standish John Alden and John Howland the generall Release or acquittance of the said M<sup>r</sup> John Beauchamp being date the twenty eight day of Aprill Anno Dñi one thousand six hundred fourty ℥ three and in the Nineteenth yeare of his said Ma<sup>t</sup>℥ now Raigne of England ℥<sup>3</sup>.

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\* BRADFORD GO<sup>r</sup>

The seaventh day of March Anno Dñi 1645. xxj<sup>o</sup> Caroli R℥

**V**PON the ending of all the differences vpon a demaund of foure hundred pounds betwixt M<sup>r</sup> John Beauchamp of London merchant on the one pt And M<sup>r</sup> Wil<sup>m</sup> Bradford M<sup>r</sup> Edward Winslowe M<sup>r</sup> Thomas Prence M<sup>r</sup> Miles Standish M<sup>r</sup> John Alden M<sup>r</sup> John Howland ℥ M<sup>r</sup> Isaack Alerton and the heires of M<sup>r</sup> Wil<sup>m</sup> Brewster deceased of thother pte these lands ensuing were sefallly acknowledged the xvij<sup>th</sup> day of March Anno Dñi 1645 aforesd to M<sup>r</sup> Edmond ffreeman as Attorney for the said M<sup>r</sup> Beauchamp by vertue of a l<sup>r</sup>e of Attorney beareing date the eleauenth day of July Anno Dñi 1639 in the xv<sup>th</sup> yeare of his said Ma<sup>ties</sup> now Raigne made by the said John Beauchamp vnto the said Edmond ffreeman as also another l<sup>r</sup>e dated the fourth of June Anno Dñi 1645 to take receiue satisfacçõn in lands or any thing els.

**M**EMORAND<sup>Ń</sup> the same day M<sup>r</sup> Wiltm Bradford doth acknowledg That for and in considera<sup>õ</sup>n of the su<sup>m</sup> of twenty and seaven pounds to him allowed vpon the said account in payment to M<sup>r</sup> John Beauchamp Hath freely and absolutely bargained and sould vnto M<sup>r</sup> Edmond Freeman All that his house scituat in Rehoboth (als) Seacunck w<sup>th</sup> six acrees and seauen acrees of meddow w<sup>th</sup> about fourty acrees of vpland w<sup>th</sup> all such ppor<sup>õ</sup>ns as shalbe added therevnto w<sup>th</sup> all  $\ell$  euery thapp<sup>r</sup>teices therevnto belonging and all his Right title and interest of and into the said p<sup>r</sup>mis<sup>s</sup>s and euery pt and pcell thereof To haue and to hold the said six acrees more or lesse and seauen acrees of meddow w<sup>th</sup> about fourty acrees of vpland and such ppor<sup>õ</sup>ns as shalbe therevnto added w<sup>th</sup> all  $\ell$  euery their appurte<sup>n</sup>c<sup>l</sup> vnto the said Edmond ffreeman his heires and Assignes for euer to the onely pper use and behoofe of him the said Edmond ffreeman his heires and Assignes for euer.

**M**EMORAND<sup>Ń</sup> the same day M<sup>r</sup> Edward Winslow doth acknowledg That for and in considera<sup>õ</sup>n of the su<sup>m</sup> of thirty  $\ell$  eight pounds allowed vpon the said account in payment to M<sup>r</sup> John Beauchamp Hath freely and absolutely bargained and sold vnto M<sup>r</sup> Edmond ffreeman All that his house scittuate in Plymouth w<sup>th</sup> the garden Backhouse doores locks bolts Wainscote glasse and Wainscote bedstead in the parlor w<sup>th</sup> the truckle bed a chaire in the studdy and all the shelues as now the are in eich roome w<sup>th</sup> the yeard roomth and fences about the same and all  $\ell$  euery their app<sup>r</sup>teic<sup>l</sup> w<sup>th</sup> all his right title and interest of and into the said p<sup>r</sup>mis<sup>s</sup>s and euery pt and pcell thereof To haue and to hold the said house  $\ell$  garden place backhouse doores lock $\ell$  bolts wainscoate and wainscoate bedstead w<sup>th</sup> truckle bed chaire glasse and shelues and yeard roomth w<sup>th</sup> all and singuler their app<sup>r</sup>teices vnto the said Edmond ffreeman his heires and Assignes for euer to the onely pper use and behoofe of him the said Edmond ffreeman his heires and Assignes for euer.

**M**EMORAND<sup>Ń</sup> the same day That M<sup>r</sup> Thomas Prence doth acknowledg That for  $\ell$  in considera<sup>õ</sup>n of the su<sup>m</sup> of one hundred fourty  $\ell$  five pound $\ell$  allowed him in payment to M<sup>r</sup> John Be<sup>a</sup>champ vpon the said account Hath freely and absolutely bargained and sold vnto m<sup>r</sup> Edmond ffreeman All that his house and garden place and barne in Plymouth w<sup>th</sup> the doores locks glasse and all the shelues in eich roome as now they are  $\ell$  tenn acrees of vpland in the woods and about five acrees at the second brooke eleauen acrees or there about $\ell$  by John Barnes land $\ell$  One farme at Joanes Riuer w<sup>th</sup>

the house doores locks glasse shelues as now they are wainscot table board two bedsteads w<sup>th</sup> all the outhouseing and fenc℥ w<sup>th</sup> the additions of vpland adjoyneing and six acres of meddow at the great meddow w<sup>th</sup> all and euery their app<sup>r</sup>teñces and all his Right title and interrest of and into the said p<sup>r</sup>misss and euery pt and pcell thereof w<sup>th</sup> their appurteñc℥ To haue and to hold the said house ℥ garden place barne tenn acres of land℥ in the wood℥ eleauen acres or there about℥ by John Barnes land five acres or thereabouts at the second brook one farme at Joanes Riuer w<sup>th</sup> the houses outhouses fences and additions of land together w<sup>th</sup> the six acres of meddow at the great meddow and all the aforesaid p<sup>r</sup>misses w<sup>th</sup> all and euery their appurtenances vnto the said Edmond ffreeman his heires and Assignes foreuer to the onely p<sup>p</sup>er use and behoofe of him the said Edmond ffreeman his heires and assignes foreuer/

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\* BRADFORD Gou<sup>r</sup> xxj<sup>o</sup> Caroli R℥

The seaunteenth day of March 1645.

**M**EMORAN<sup>D</sup> the same day That M<sup>r</sup> Myles Standish and M<sup>r</sup> John Alden do acknowledged joyntly and se<sup>u</sup>ally That for and iu consid<sup>r</sup>ac<sup>o</sup>n of the sum<sup>m</sup> of three score and eleauen pound℥ and tenn shillings to them allowed in payment of the said account to M<sup>r</sup> John Beauchamp Haue freely and absolutely bargained and sold vnto M<sup>r</sup> Edmond ffreeman All those their three hundred acres of vpland℥ w<sup>th</sup> the meddowing therevnto belonging lying on the North side of the South Riuer w<sup>th</sup>in the Township of Marshfield to them for<sup>m</sup>ly joyntly graunted by the Court the second day of July in the fourteenth yeare of his said Ma<sup>ties</sup> now Raigue of England ℥<sup>c</sup> and all their Right title and interest joyntly or se<sup>u</sup>ally of and into the said p<sup>r</sup>misss w<sup>th</sup> their app<sup>r</sup>teñc℥ ℥ euery part and pcell thereof To haue ℥ to hold the said three hundred acres of vpland w<sup>th</sup> the meddowes therevnto belo<sup>u</sup>nging w<sup>th</sup> all ℥ euery their app<sup>r</sup>teñces vnto the said Edmond ffreeman his heires and Assignes for euer to the onely p<sup>p</sup>er use and behoofe of him the said Edmond ffreeman his heires ℥ Asss foreuer.

**M**EMORAN<sup>D</sup> the same day That whereas M<sup>r</sup> Isaack Allerton for<sup>m</sup>ly sold vnto M<sup>r</sup> Wilm<sup>m</sup> Bradford M<sup>r</sup> Edward Winslow M<sup>r</sup> Thomas Prence ℥<sup>c</sup> one house and garden place scituate on the South side of the heigh streete in Plymouth in pt of payment of certaine account℥ betwixt them now valued at tenn pound℥ and is allowed the said W<sup>m</sup> Bradford Edward Winslow Thomas Prence and the rest of their p<sup>t</sup>ners in pt of payment



of the said account vnto the said M<sup>r</sup> John Beauchamp Now they the said W<sup>m</sup> Bradford Edward Winslow Thomas Prence Miles Standish John Alden and John Howland &c do acknowledg they haue joyntly & seſially freely and absolutely bargained and sold the said house and garden place w<sup>th</sup> their app<sup>r</sup>teñeç vnto M<sup>r</sup> Edmond ffreeman and all their Right title and interest of ç into the said p<sup>r</sup>miſſs ç every pt thereof To haue and to hold the said house and garden place w<sup>th</sup> all and euery their app<sup>r</sup>teñees vnto the said Edmond ffreeman his heires ç Assignes for euer to the onely use and behoofe of him the said Edmond ffreeman his heires and Assignes for euer.

**M**EMORAN<sup>D</sup> also the said Wiltm Bradford Edward Winslow Thomas Prence Miles Standish John Alden and John Howland do also seuerally and respectiuey for themselues their heires Execut<sup>r</sup>ç and Administrat<sup>r</sup>ç pmise ç graunt by these p<sup>r</sup>nts vnto the said Edmond ffreeman his heires and Assignes to pçure a sufficient euedence or decde vnder the hand and seale of the said M<sup>r</sup> Isaack Allerton for the further confirmeing and establishing the Estate of the fores<sup>d</sup> M<sup>r</sup> Prences ffarme at Joanes Riuer and the fore<sup>d</sup> house in the Towne of Plimouth prized at Tenn poundç And in the meane season to defend the title of the said p<sup>r</sup>miſſs w<sup>th</sup> their app<sup>r</sup>teñees vnto the said Edmond ffreeman his heires and Assignes foreuer Or els in default of pçuring such said Evedence or decde from the said Isaack Allerton Then to giue the said Edmond ffreeman such further or other assurance as shalbe thought fitt by M<sup>r</sup> John Winthrope or any others according to law And the said Wiltm Bradford Edward Winslow Thomas Prence Miles Standish John Alden ç John Howland do enter into an assumpsit of one hundred and seauenteene poundç vnto the said Edmond ffreeman his heires and Assignes for the p<sup>r</sup>formance thereof w<sup>th</sup>in the space of twelue months next ensuing the date hereof And do also seſially further pmise to seale and deli<sup>u</sup> p<sup>r</sup>ticuler deeds of the p<sup>r</sup>ticuler p<sup>r</sup>cells of landç before acknowledged to be bargained ç sold when they shalbe therevnto required but at the p<sup>r</sup>per costç and charges of the said Edmond ffreeman his heires or Assignes. And shall also cause their wiues respectiuey to acknowledg the s<sup>d</sup> sales seſially.

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\*BRADFORD Gou<sup>r</sup>.

1645.

The seauentcenth day of March Anno Dñi 1645.

**W**HEREAS diuers differrences haue arisen vpon a partnership betweene James Sherley John Beauchamp and Richard Andrewes merchant℥ and cityzens of London on thone pte And Wil<sup>m</sup> Bradford Edward Winslow Thomas Prence Miles Standish John Alden ℥ John Howland ℥ on thother pte vpon a ptnership in the Beauer Trade in New England in America as also for and concerneing the account℥ of two shippis viz<sup>s</sup> the White Angell late of Bristol and a voyage in the ffrendship of Barnestable as appeares vpon pticuler Accounts And whereas by the Agitation of John Atwood late of Plymouth in New England decessed Articlees of agreement were made the <sup>^</sup> day of <sup>^</sup> Anno Dñi <sup>^</sup> The said John Beauchamp being then to receiue vpon the said agreement of the said Wil<sup>m</sup> Bradford Thomas Prence Miles Standish and the rest of the ptners the su<sup>m</sup> of foure hundred pound℥ ster<sup>t</sup> ffor w<sup>ch</sup> end the said John Beauchamp haucing made his brother in law M<sup>r</sup> Edmond ffrecman of Sandwich in New England gen<sup>t</sup> his Attorney to demaund receiue and acquitt the said ptners w<sup>th</sup> speciall order to take it in land℥ or any thing he cann gett of them to the end that the said Edmond ffrecman his attorney may by sale thereof returne the same to his use And for that end hath sent vnto his said Attorney a generall Release for them sealed and to be deliuered vpon such receipt and agreement Now know all men that whereas I the said Edmond ffrecman haue taken and receiued diuers pcells of lands for and in considera<sup>o</sup>n of seuerall su<sup>m</sup>s by the mutuall consent of me the said Edmond and the said Wil<sup>m</sup> Bradford Edward Winslow Thomas Prence ℥ the rest of the ptners as appeares vpon publicke record beareing date w<sup>th</sup> these p<sup>r</sup>nt℥ w<sup>ch</sup> estate and estates of lands are absolutely made ouer to me the said Edmond ffrecman my heires and Assignes forc<sup>u</sup> doe hereby acknowledg my self to be accountable to the said John Beauchamp his heires execut<sup>r</sup>℥ ℥ Administr<sup>r</sup>'s for so much as I shall receiue for the said lands goods houses ℥ or any part thereof vpon the sale thereof and am and shalbe ready to giue him his heires execut<sup>r</sup>'s Administrat<sup>r</sup>'s or Assignes a faire account thereof.

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\*ffebrewary the third 1648.

**K**NOW all men by these p<sup>r</sup>sents that wee William Paddy and Thomas Willit doe acknowledg our selues Endebted vnto M<sup>r</sup> Edmond ffrecman sen<sup>r</sup> the Sum of threescore and fiftene pound sterling to bee payed the one halfe

therof by the third of february 1649 and the Remaying halfe to bee payed by the same day tweluemonth foloing to him the s<sup>d</sup> M<sup>r</sup> Edmond freeman or his assynes in Corn or Cattell.

1648.

\* M<sup>r</sup> BRADFORD GOUERNER

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**M**EMORANDUM the third of february 1648 that M<sup>r</sup> Edmond freeman sen<sup>r</sup> of the towne of Sandwidg in the Coliny of Newplymouth in New England in america gen<sup>t</sup> doth acknowldg that for and in Consideration of the full Sum of threescore and fiteene pound sterling to him alre dy payed by M<sup>r</sup> Thomas Willit and M<sup>r</sup> William Paddy of the towne of plymouth in the Coliny aforesaid marchants hath freely and absolutly barganed and sould an house and land at Joaneses Riuer somtimes apertaineing vnto M<sup>r</sup> Isaack Allerton being bounded with the lands of m<sup>rs</sup> fuller on the one side and with the lands of Clement briggs and Christopher winter on the other side the nether end buting vpon Joaneses Riuer aforesaid and so extending it selfe in length vp into the woods with all the out houses or housing ffence or ffencing and meadow land whether marsh or vpland with all the aditions and Enlargments of land formerly or laterly aded or graunted therunto of any kind further of or nearer hand and all the afor<sup>s</sup>d p<sup>r</sup>miss<sup>s</sup> with all and euery thair apurtenances in as full maner in euery Respect as the house and land aforesaid was made ouer and confermed vnto the said M<sup>r</sup> Edmond freeman to haue and to hold vnto the s<sup>d</sup> M<sup>r</sup> Thomas willit and M<sup>r</sup> William paddy to them and thair heaires & assignes for euer vnto the onely p<sup>r</sup>per vse and behoofe of them the s<sup>d</sup> M<sup>r</sup> Thomas Willite and M<sup>r</sup> William paddy to them and thaire heaires & assignes for euer.

\*The xix<sup>th</sup> of february 1645.

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**M**EMORAND<sup>Ÿ</sup> That M<sup>r</sup> John Done doth acknowldg that for and in considera<sup>ç</sup>õn of the sum<sup>m</sup> of tenn pounds stert to be payd by M<sup>r</sup> Wil<sup>m</sup> Hanbury of Plymouth w<sup>th</sup>in the space of one whole yeare now next ensuing hath freely and absolutely bargained and sold vnto the said Wil<sup>m</sup> Hanbury all that his dwelling house and garden places barne & buildings in and vpon the same w<sup>th</sup> all the fruit trees now growing thereon scituate in Plymouth aforesaid w<sup>th</sup> all and singuler thapp<sup>r</sup>te<sup>n</sup>c<sup>e</sup> therevnto belonging and all his Right title and Interest of and into the said p<sup>r</sup>miss<sup>s</sup> and euery part and pcell thereof w<sup>th</sup> the fences about the same To haue and to hold the said House and garden places barne & buildings w<sup>th</sup> all the fruite trees and all and singuler thapp<sup>r</sup>te<sup>n</sup>c<sup>e</sup> therevnto belonging vnto the said Wil<sup>m</sup> Hanbury

his heires and Assignēs for euer to the onely pper vse and behoofe of him the said Wilłam Hanbury his heires and Assignes for euer.

The corne now groweing in the garden is excepted w<sup>th</sup> some half a dosen of smale fruite trees w<sup>ch</sup> the said Wilłm Hanbury shall giue the said John Done at the fall or spring.

The third of March 1645.

**M**EMORANĎ That Samuell Eddy doth acknowledg That for and in consideraċōn of the suřm of foure poundċ three pounds whereof is to be paid by John Tompson in November next and thother twenty shillings that tyme tweluemonths in goods as they will passe from man to man Hath freely and absolutely bargained and sold vnto the said John Tompson all that his house scituate at the spring Hill in Plymouth w<sup>th</sup> the garden place adjoyneing and three acres of vpland be it more or lesse lying in the Newfeild w<sup>th</sup> all and singuler thapp<sup>r</sup>teñċ therevnto belonging and all his Right title and Interest of and into the said p<sup>r</sup>misss w<sup>th</sup> their app<sup>r</sup>teñċ and euery part ċ pcell thereof To haue and to hold the said house and garden place w<sup>th</sup> the three acres of vpland bee it more or lesse w<sup>th</sup> all and singuler their app<sup>r</sup>teñċ vnto the said John Tompson his heires ċ Assignes for euer and to the onely pper use and behoofe of him the said John Tompson his heires ċ Assignes for euer.

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\*BRADFORD Gou<sup>r</sup>.

**M**EMORANĎ That Nicholas Snow doth acknowledg That for and in consideraċōn of the suřm of twelue pounds sterċ six pounds whereof is in hand paid by Thomas Morton ċ thother six pounds is to be paid the next Harvest in good merchantable Corne or cattell wherew<sup>h</sup> the said Nicholas Snow is fully contented Hath freely and absolutely bargained and sold vnto the said Thomas Morton All that his house and buildings and the vpland therevnto belonging and adjoyneing w<sup>th</sup> two aeres of meddow of meddow lying at the heigh pines and tenn acres of vpland meddow lying at Colebrook meddowes containeing in all fifty and two acres be it more or lesse w<sup>th</sup> all and singuler thapp<sup>r</sup>teñċ therevnto belonging and all his Right title and interest of and into the said p<sup>r</sup>misss and euery pt thereof w<sup>th</sup> the fenceing in and about the same To haue and to hold the said House and houscing w<sup>th</sup> the vpland adjoyneing two aeres of Marsh meddow and tenn acres of vpland meddow aforesaid w<sup>th</sup> all and singuler their app<sup>r</sup>teñċ and cuery pt and pcell thereof vnto the said Thomas Morton his heires and Assignes for euer to the onely pp use ċ behoofe of him the said Thomas Morton his heires and Assignes for euer.

The x<sup>th</sup> March 1645.

**M**EMORANĎ that Nicholas Snow doth acknowledg That for and in consideraĉon of the suġ of tenn shillings to be payd in merchantable corne the next Haruest by Nathaniell Morton Hath freely and absolutely bargained and sold vnto the said Nathaniell Morton one acree of vpland lying at or neere Wellingsley brook w<sup>th</sup> all ĉ singuler thapp<sup>r</sup>teñces therevnto belonging and all his Right Title ĉ Interest of and into the same and every pt ĉ pcell thereof To haue and to hold the said acre of vpland w<sup>th</sup> thapp<sup>r</sup>teñĉ vnto the said Nathaniell Morton his heires and Assignes foreuer and to the onely pper use and behoofe of him the said Nathaniell Morton his heires and Assignes for euer./

The second day of June 1646.

**M**EMORANĎ That Georg Partrich doth acknowledg that for and in consideraĉon of the suġ of fūe pounds to him to be paid by John Lewes of Scittuate Hath freely and absolutely bargained and sold vnto the said John Lewes All that his farm being thirty acres of vpland or there about ĉ w<sup>th</sup> about three acres of marsh meddow lying before the said vpland lying on the South side of the North Riuer and betweene the lands of Joseph Biddle on the south side and Stecuen Tracy or W<sup>m</sup> Wetherell on the westerly side w<sup>th</sup> all and every the app<sup>r</sup>teñĉ to the said landĉ belonging And all his Right title and interest of and into the p<sup>r</sup>mis̄s and every pt ĉ pcell thereof To haue and to hold the said thirty acres of vpland and six acres of marsh be it more lesse lying vpon the North Riuer betwixt the Creeke coġonly called m<sup>r</sup> Vassells Creek on the South East side and the landĉ of John Bryan on the South West side, w<sup>th</sup> all and every thapp<sup>r</sup>teñĉ to the said p<sup>r</sup>mis̄s belonging and every pt ĉ pcell thereof vnto the said John Lewes his heires and Assignēs foreū and to the onely pp use and behoofe of him the said John Lewes his heires and Assignes for euer.

\*The last day of July 1646.

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**M**EMORANĎ That whereas Leiftennant Wilġm Holmes the twenty sixt day of Decemb<sup>r</sup> 1638 by his deed acknowledged as appears vpon Record sould vnto m<sup>r</sup> John Howland one lott of Land lying on Duxborrow side containeing thirty acres be it more or lesse lying betweene the landĉ of Joseph Biddle and Constant Southworth w<sup>th</sup> three acres of marsh meddow And whereas the said John Howland hath since exchanged the said lott of

Land w<sup>th</sup> Joseph Rogers of Duxborrow afores<sup>d</sup> for a lott of land of twenty acres bee it more or lesse and three acres of marsh meddow lying at Joanes Riuer Bridge and on the north side of the said Riuer the coñion heigh way lying on the West side thereof And whereas the said Joseph Rogers hath the day of the date hereof exchanged the said lott of land (first sold by the said Wil<sup>m</sup> Holmes) w<sup>th</sup> Abraham Pearse for his lotts of Land w<sup>th</sup> the additions layd therevnto lying at Stony Brook next on the Southerly side of the lands of m<sup>r</sup> Wil<sup>m</sup> Bradford and to Joanes Riuer Easterly and to the lands of m<sup>r</sup> Thomas Willett Northerly. Now the said Joseph Rogers Doth acknowledg that for and in considera<sup>õ</sup>n of the su<sup>m</sup> of Tenn pounds ster<sup>l</sup> to be payd him by m<sup>r</sup> Wil<sup>m</sup> Bradford in Countrey pay the last day of March next ensuing the date hereof Hath freely and absolutely bargained and sold enfeoffed and confirmed the said last recited lotts of lands w<sup>th</sup> the additions exchanged w<sup>th</sup> Abraham Pearse aforesaid w<sup>th</sup> two acres of Marsh meddow lying betweene the said lands Jones Riuer and Stony brook vnto the said Wil<sup>m</sup> Bradford his heires and Assignes for euer w<sup>th</sup> all ʒ singuler thapp<sup>t</sup>ēces therevnto belonging And all his Right title and interrest of and into the said p<sup>r</sup>miss<sup>s</sup> w<sup>th</sup> their app<sup>t</sup>ēces and euery part and pcell thereof and all the fenc<sup>l</sup> in and about the said p<sup>r</sup>miss<sup>s</sup> To haue and to hold the said Lotts of land ʒ w<sup>th</sup> the additions and the two acres of meddow w<sup>th</sup> all and singuler thapp<sup>t</sup>ēc<sup>l</sup> to the same belonging and euery pt and pcell thereof vnto the said Wil<sup>m</sup> Bradford his heires and Assignes for euer to the onely pp use and behoofe of him the said Wil<sup>m</sup> Bradford his heires and Assignes for euer./

**M**EMORAN<sup>D</sup> it is agreed betweene and among the aboue recited pties That whereas the said Abraham Pearse hath letten the said two acres of meddow vnto W<sup>m</sup> Merick for two yeares one whereof is now expired ʒ thother wilbe when he hath gotten the hey therevpon growing the next yeare, the said Abraham is to haue the rent thereof for this p<sup>r</sup>sent yeare and that to come ʒ no more And whereas the said Abraham hath also letten the said vplānd vnto Steeven Bryan and Samuell Stertevaunt for the terme of three yeares for fifty shillings p an<sup>n</sup> (this being the first yeare w<sup>ch</sup> said first yeares Rent the said Abraham is to receiue And the said Wil<sup>m</sup> Bradford is to receiue the two last yeares Rent of them, they being to pay them half in wheate and the rest in other grayne.

And it is likewise agreed betwixt the said Abraham Pearse and the said Joseph Rogers that the said Joseph Rogers shall sow or plant the vpper feild on the westerly of the heigh way this next yeare and no more.

\*.1646. The .15. of October William Spooner came before the Gou<sup>r</sup> and vnderooke to saue the towne harmeles from any charge that might befall by reason of a child that M<sup>rs</sup> Coombs left with him when she wente for England, and which he vnderooke to keepe £ proud for.

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\*THE .17. of y<sup>e</sup> .7. month .1646. Phineas Prate came before y<sup>e</sup> Gou<sup>r</sup> and acknowledged the sale of his house & land, with all y<sup>e</sup> appurtenances thertoo belonging; to John Cooke, according to a deed then exhibited which they desired might be recorded Also his wife came before y<sup>e</sup> Gou<sup>r</sup> and gaue her consente to y<sup>e</sup> same sale.

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Allso Samuell Cudberte did y<sup>e</sup> same day & year aboue writen, freely relinquish all y<sup>e</sup> claime, title, or Intrest, that he euer had, or might pretend to haue, to any parte, or parcell of y<sup>e</sup> lands afforsaid, And did freely giue, grante, and make ouer all y<sup>e</sup> right, and Intreste that he euer had, or hereafter should haue, or at any time might pretend to haue, to any parte or parcell of y<sup>e</sup> lands aforesaid, and those mentioned in y<sup>e</sup> deede Insuuing; to Phineas Prate, & his heires, & assignes for euer; for his, & their onely proper vse & behoofe.

WILLIAM BRADFORD Gou<sup>r</sup>:

The .26. of August .1646.

These presents doe witnes that Phineas Prate of Plimoth Joyner, for £ in consideration of y<sup>e</sup> sume of twenty pounds sterl: to be payed by John Cooke Jun<sup>r</sup> of plimoth afforesaid planter, in maner & forme following, that is to say fiue pounds to be payed in cloathing within one month nexte after y<sup>e</sup> date hearof, fiue pounds in March next, either in wheat, or comodities, fiue pounds in a milch Cowe as shee shall be prised by .2. Indifferent men chosen by either party one, and y<sup>e</sup> last .5<sup>th</sup>. this time twelfe months. Hath freely and absolutly bargained and sould, & by these presents doth bargaine & sell vnto the said John Cooke, all y<sup>e</sup> his house, & howsing, and gardine place and orchard (excepting y<sup>e</sup> fruite trees now growing therin, or so many of them to be deliuered to the said Phineas, or his assignes when he shall demande them, so it be in due time) and fiftie acres of vpland tow acres of meadow at Joanes riuer, and all and singuler the appurtenances thervnto belonging, and all his right, title, & Interest of & into y<sup>e</sup> same, & euery parte, & parcell thereof; to haue & to hold the said house housing, garden, and orchard (excepting before

excepted) the fiftie Acres of vpland, and y<sup>e</sup> .2. Acres of meadow at Joans riuer, with the sixe Acres of vpland meadow, at the great meadow, with all, & euery their appurtenances, vnto the said John Cooke, his heirs, & assignes, for euer, and to the only proper vse, & behofe of him the said John Cooke, his heires and assignes for euer, and with warranties against all people, from, by or vnder him, claiming any righte, title, or Interest of, & into the said premises or any parte or parcell therof, and espetically against Samuell Cudberte his heirs, & assignes for euer by these presents; And the said Phineas Prate doth further Couenante and grant by these presents, that it shall & may be lawfull too, & for the said John Cooke either by him selfe, or his Attorney to enrolle or recorde the title or tenure of these before the Gouvernour for y<sup>e</sup> time being, according to y<sup>e</sup> vsuall order & manor of enrolling & recording deeds, & euidences in his Ma<sup>ties</sup> Court at plimoth in shuch case made, & prouided. In witnes wherof the said Phineas Prate hath herevnto sett his hand & seale the day & year first aboue writen.

In y<sup>e</sup> presence of  
 Ralfe Whoory  
 William Pady  
 Thomas Willett  
 Nathanell Sowther

PHINEAS PRATE

And in consideration of y<sup>e</sup> sume of .2<sup>l</sup>. 6<sup>s</sup>. to y<sup>e</sup> said Phineas Prate in hand paid hath freely, & absolutely bargained & sould vnto y<sup>e</sup> said John Cooke all his right title & Interest, of & into any lands lying at the head or ende of y<sup>e</sup> aforesaid bargained premises before the sealing and delivery of these presents.

PHINEAS PRATE



\*225

\*Aprile the first Año 1644.

Sprague  
 to  
 Laurence.

**K**NOW all men that I ffrancis Sprague of Duxborough in the Pattent of Plimouth doe by these p<sup>r</sup>sents sell infeoffe and confirme vnto Wil<sup>m</sup> Laurence my sonne in law of the same towne him his heires Executors or Ass<sup>s</sup> ffifty acres of land be it more or lesse lying <sup>^</sup> the South Riuer betwixt John Mino's land and John Barkers land, the w<sup>ch</sup> land I the aforesaid ffrancis Spragge do binde my selfe my heires or Ass<sup>s</sup> to make good vnto him his heires or Ass<sup>s</sup> w<sup>th</sup> all the app<sup>r</sup>teñces conveniencs and accomodaçõs app<sup>r</sup>taining therevnto: and further doe binde my selfe myne heires & to giue to the aforesaid William six bushells of Indian Corne at y<sup>e</sup> end of two yeres, in the yere 1646. and is for three yeres service y<sup>t</sup> he hath and is to serue me, In witnesse whereof I set to my hand seale.

Witnesse John Willis

the marke of   
 ffrancis Sprague. 



\*Anno 1646.

**T**HE .10. of Nouember William Hillier of Duxburie Carpēter came before the Gou<sup>r</sup> and acknowledged y<sup>e</sup> sale of his house & lands and all y<sup>e</sup> purtenances belonging to all, or any parte of y<sup>e</sup> same. And his halfe of y<sup>e</sup> mille at Duxburie with all y<sup>e</sup> appurtenances thervnto belonging, or any way appertaining to y<sup>e</sup> same, and his parte of all those lands and meadows, that any way belongs to y<sup>e</sup> same being in partnership betweene Georg Pollerd, and him; To Constant Southworth of Duxburie aforesaid to him & his heires for euer, as appears more at large in the writing following.

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**These presents** doe witnes that William Hillier of Duxburie Carpenter, for & in consideration of y<sup>e</sup> sume of threeskore pounds sterling to be payed by Constante Southworth of Duxburie planter in maner & forme following, that is to say thirtie pounds in hand twenty pounds of y<sup>e</sup> said thirtie in money this 30<sup>th</sup> is paid. or beauer, and the other tenn pound in Cattle. And the other thirtie pounds in wheat by ten pounds a year, in three seuerall payments, viz. tenn pounds the twenty of october .1647. And ten pounds y<sup>e</sup> .20. of y<sup>e</sup> afforsaid month Anno .1648. and the other .10<sup>th</sup>. at y<sup>e</sup> same day An<sup>o</sup>: 1649. All which three payments are to be made at Boston in y<sup>e</sup> Massachusetts Bay, as the price goes commonly betweene man & man. Hath freely and absolutly bargained & sould, and by these presents doth bargaine and sell vnto the said Constante Southworth all that right and title which he hath vnto the mille at Duxburie standing vpon Stonie riuer being in partnership betweene him and Georg Pollerd late of Duxbury affore said, that is to say the on halfe therof, and all & all maner of things thervnto belonging, with all the rights, & Interests which he hath, or euer had, or may haue vnto the same and all that parcell of land wher the mille stands being thre or foure acres or ther abouts, with tow aeres of meadow be it more or less, lying betweene Rowland leighorns and Edmond Chanlers march, with fortie acres of land be it more or less, abutting vpon Stonie broke in Duxburie, & lying on y<sup>e</sup> north side thereof, thus bounded, viz. lying on the south side of a swampe, aboue y<sup>e</sup> home steads on x y brooke, or the mill brook, from a marked tree on y<sup>e</sup> north side of x said swampe to an other marked tree west sowthwest, runing to x parcell of land granted to John Washburne y<sup>e</sup> elder on y<sup>e</sup> one side of, x land and on y<sup>e</sup> other side to rune all along by the said swampe as xked trees are marked on y<sup>e</sup> north side therof, runing to the head \* of y<sup>e</sup> said swampe, and then from other marked trees to an arme of greens harbor brooke, and also all y<sup>e</sup> meadowe lands that lyeth before y<sup>e</sup> said land vpon y<sup>e</sup> said Stony brooke, on y<sup>e</sup> side the brooke.

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Allso ten acres of vpland lying on y<sup>e</sup> north side of Stony brooke, and on y<sup>e</sup> east side of y<sup>e</sup> lands of y<sup>e</sup> said William Hillier & georg Pollarde, with tow acers of march meadow adjoyning to y<sup>e</sup> said vpland, with all & singuler the appurtenances ther vnto belonging. And also ten acres of vpland, & one acre of meadow (which the said William & Georg bought of Rowland Leighorne) as it stands bounded vpon recorde, To haue and to hold the said halfe of the mill, and the halfe of all y<sup>e</sup> afforesaid vpland & meadows, and all housing, fences, and all & all maner of appurtenances belonging to any part & parcell therof. vnto the said Constant Southworth his heires and asignes for euer, and to the only proper vse & behoofe of him the said Constante Southworth his heirs and asignes for euer, and with warranties against all people from, by, or vnder him claiming any right, title or Interest of and into the said premisses, or any part therof. Also the said Constante is to be freed from all accouts, reckonings, or charges, aboute y<sup>e</sup> mille or any of the premises, in partnership betweene y<sup>e</sup> said William Hilleir and Georg Pollard, by the said William, any way acrewing before the day of date herof; provided notwithstanding it shall be free and lawfull for y<sup>e</sup> said William to demande satisfaction of the said Georg Pollerd or his Assignes for any charg he hath been at before the making of this bargane about y<sup>e</sup> mille, so as y<sup>e</sup> said Constante be no way charged, or molested aboute y<sup>e</sup> same. Also one dwelling house with a barne & all other out housing and three acres of land, with garden fences & all, and all maner of appurtenances ther vnto belonging, and also a parcell of vpland lying on y<sup>e</sup> east side of y<sup>e</sup> coffone hige way and .2. acers of meadow thervnto belonging be it more or less, which y<sup>e</sup> said William bougte, belonging some time to Robart Mendam. All which dwelling house, barne, out-housing lands fences and y<sup>e</sup> apurtenances being his owne proper, and no way belonging to y<sup>e</sup> afforsaid partnership, he for y<sup>e</sup> afforsaid consideration before expressed, hath freely, and absolutly bargained & sould, and by these presents doth bargaine and sell vnto y<sup>e</sup> said Constante Southworth, all that his dwelling house barne garden & lands afforsaid with all & singuler y<sup>e</sup> premises, & & apurtenances, to haue and to hold, to the only behofe & proper vse of him, his heires and assignes for euer, with warrenty as aboue said. In witnes wherof the said William Hilliard hath put too his hand to these presents, before y<sup>e</sup> Gou<sup>r</sup> this .10. of Nouember An<sup>o</sup>: Dom. 1646.

In y<sup>e</sup> presence of  
Wittneꝛ hereof  
Myles Standish  
Thomas Southworth

And Captaine Standish gaue in a certificate at y<sup>e</sup> same time, y<sup>t</sup> the wife of y<sup>e</sup> said William Hillier, before him gaue her free consent to y<sup>e</sup> sale of all y<sup>e</sup> premises aboue said.

WILLIAM HILLAR.

\*The second of Feb: Anno .1646.

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**C**ONSTANT SOUTHWORTH acknowledgeth to haue sould vnto William Bradford of Plimoth all his lands & meadows lying at the Iland creeke with all & all maner of apurtenances thervnto belonging for y<sup>e</sup> sume of .12. pounds, ten pounds wherof is to be payd to William Hillier for his vse the twentieth of October Anno .1628. To haue and to hold y<sup>e</sup> said lands, & meadows with all y<sup>e</sup> appurtenances to his owne proper vse, to him & heires for euer. As may more at larg apear in a writing made therof.

\*BRADFORD Gou<sup>r</sup>.

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The 2<sup>cond</sup> of aprell 1647.

**T**HESSE p<sup>r</sup>sents doe wittnes That Thomas Besbeeche of Sudbery of New England for and in consideration of the Sum of thirty pound ; to be payed by M<sup>r</sup> John Reiner of Plymouth in New England in maner and form folowing ; that is to say fifteen pound in Cattell or Corn goats excepted to be payed the first of May 1648 and the other fifteen pound in Corn and Cattell goats exceptd to be payd the first of May 1649 hath freely and absolutly barganed and sould and by these p<sup>r</sup>sents doe bargan and sell vnto the s<sup>d</sup> M<sup>r</sup> John Reyner all y<sup>t</sup> his house and housing and sixty acars of vpland bee it more or les excepting one acar sould vnto Edmond Chander of Duxbery three acars of meadow more or les adjacent and all and singular the apurtenances therunto belonging and all his Right title and Enterest of and into the same and euery part and parcell therof with all the ffencing To haue and to hould the s<sup>d</sup> house sixty acars of vpland y<sup>t</sup> one acar excepted with the three acars of meadow and all the ffencing with all and euery the apurtenances vnto the s<sup>d</sup> m<sup>r</sup> John Reyner his heaires and asynes for euer and to the onely p<sup>p</sup>er vse and behoof of him the s<sup>d</sup> m<sup>r</sup> John Reyner heairs and asynes for euer and with warrantise from him his heaires and assynes in wittnes wherof the s<sup>d</sup> Thomas Besbeeche hath heerunto set his hand the day and yeare aboue written.

Wittnes

THOMAS BESBEECH

Edmond ffreeman

William Paddy

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\* M<sup>r</sup> BRADFORD GOŪ.The fite of y<sup>e</sup> last moneth 1645.

**T**HESSE are to cōfirme the Hono<sup>r</sup>able Courte holden at Pli<sup>m</sup> the first tewsday in March 1645 that we Nicolas Simpkins and Isabell the wife of y<sup>e</sup> said Nicolas now inhabiting in Bāstable doe acknowledge the sale of the vpland and marsh to y<sup>e</sup> quantity of fiftie ℥ fue acres more or lesse lying w<sup>th</sup>in the plantaçōn of Yarmouth vnto Thomas Bordman of Yarmouth and do by these p<sup>r</sup>sents passe oū and confirme vnto the said Thomas Bordman his heires ℥ Assignes all y<sup>e</sup> right ℥ interest into y<sup>e</sup> same that eū we had or might haue ℥ we do humbly intreat m<sup>r</sup> ffreeman of Sandwich being one of y<sup>e</sup> Assistants to cōfirme y<sup>e</sup> Courte or whom it may cōcōue that this is o<sup>r</sup> free act ℥ acknowledgm<sup>t</sup>. in wisse herevnto we haue set to o<sup>r</sup> hands ℥ seales y<sup>e</sup> day ℥ yere aboue written.

sealed ℥ deliūed to y<sup>e</sup> vse abouemençōned in y<sup>e</sup> p<sup>r</sup>sence of

John Mayo.

Samuell Mayo.

NICOLAS

SYMPKINS

ISABELL SYMPKINS

I S

her marke

**T**HE bounds of Richard Tayler sen<sup>r</sup>s land lying Neare Nobscusett in Yarmouth; viued and settled this 2i day of January i679, and first beginning att the North westerly Corner att a pyne tree marked on four sids and a stone sett in the Ground by the Roote, of the said tree, on the south side which said tree stands about three Pole southerly from the Marsh, thence Ranging on a straight line south a little westerly eighty Poles, where the Corner bound Marke is two Pine trees about three foot asunder, betwixt them, is two stones sett into the Ground; both the trees are Marked on foure sides, thence turning on a square East a little southerly six score, ℥ fourteen Pole, to the Corner bounds which is to two pyne trees standing about four foot a part; both marked on four sides; and to stones in the ground betwixt them as att the other corner; thence Tvrning on a square North, a little Eastly the line or range extends about eighty Pole to the Marsh, and in this range about six poles from the Marsh is a stone sett part of it into the Ground, by the ffence which is a bound marke bounded all alonge on the Northside with the Meddowes to the first Mencioned Pine tree, this Tract of vpland containeing threescore and six acres more or lesse) alsoe the said Richard Tayler his heires and assignes is alwayes for euer to allow the present or as Convenient a Cart way

for p<sup>r</sup>sons to passe through his Land to their meddows to worke to ffech home there hay ; Theire is alsoe belonging To the said Tayler three Ilands of Creeke thach or sedge that were formerly Giuen vnto him his heires and assignes foreuer lying in Nobscusett Riuer or Creeke the Westermost of the four Mensioned Ilands is of Late yeers a little Joyned to John Hall Juniers Marsh ther is alsoe two acres of Meddow ; Giuen and Graunted to the said Tayler his heires and assignes for euer lying and being att the south syde, or sea in the Meddow att the Doctors warre (so called) this said two acres of Marsh Meddow lyeth adjoining, to six acres of Meddow in the possession of Thomas ffolon

Bounded as abouesaid by vs

M<sup>r</sup> JOHN THACHER.

EDMOND HAWES ;

This 2i day of January i679.

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[This is the original receipt, pasted on the leaf and recorded below on the same page.

D. P.]

<p>* RECD of m<sup>r</sup> Edmund ffreeman for the Cuntry acompt          fourteene pound w<sup>ch</sup> I layd out for the prisson and          tenn pound w<sup>ch</sup> I payd to John Minar vppon the prisson          acompt and six pound w<sup>ch</sup> I payd to m<sup>r</sup> Thomas vppon the          bridg acompt          In the year _____ by me WILĒ PADDY          w<sup>ch</sup> is In payment for the Necke of land at Sandwich.          witnes Ant: Thacher.</p>	<p>} 30 — 0 — 0</p>
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June 3. 1647.

A record of y<sup>e</sup> lands of M<sup>r</sup> Edmond ffreeman graunted unto him by his dwelling house at Sandwich viz<sup>s</sup> fourescore acres of vpland and twenty acres of meadow also six acres lying on the Beach to the North and by west side of his said house ( adjoining to a peece of land cald Cussett.

An Acquittance acknoleged and recorded June 4<sup>th</sup> 1647.

<p>REC of M<sup>r</sup> Edmond ffreeman for the Country account          fourteene pound w<sup>ch</sup> I laid out for the prison. and          tenne pound w<sup>ch</sup> I paid to John Minor vpon the prison ac-          count and six pound w<sup>ch</sup> I paid to M<sup>r</sup> Thomas vpon the          bridge account.          in the yere _____ by me WILĒ PADDY.          w<sup>ch</sup> is in payment for the necke cf land at Sandwich.          witnesse Ant: Thacher.</p>	<p>} 30 — 0 — 0</p>
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\*1647.

M<sup>r</sup> BRADFORD GOŪNO<sup>r</sup>.Kempton  
to  
Church.

**J**UNE 3<sup>d</sup> 1647. It is agreed vpon betweene Richard Church and Manaseth Kempton both of the towne of Pli<sup>m</sup>outh in New England the said Manaseth Kempton hath exchanged a parcell of land w<sup>th</sup> the said Richard Church in Considera<sup>o</sup>n of fforty acres of land lying att the head and on the South side of y<sup>e</sup> Eale riu<sup>e</sup>r Swampe & now in the hands of the said Richard given and granted by the Court in the yere of o<sup>r</sup> Lord 1637. as by the Court booke will app<sup>e</sup>re to the said Richard Church his heires and Assignes for ever. And in considera<sup>o</sup>n hereof the said Manaseth Kempton hath assigned and set over for him his heires & assignes vnto the said Richard Church his heires and assignes for e<sup>n</sup> a parcell of land nexte adioyning vnto the said Richard Church his lott from y<sup>e</sup> out bounds of the said Richard vntill it stop at a bounde marke tree w<sup>th</sup>in the fenced meadow there adioyning of the said Manaseth Kemptons: w<sup>h</sup> said marke tree was now bounded to the true intent of the bounds betweene the said Manaseth and Richard theire heires Executo<sup>r</sup>s administrato<sup>r</sup>s & assignes for time to come. p<sup>ro</sup>vided that the said Manaseth Kempton reserveth to himselfe his heires and Ass<sup>s</sup> for euer a free way and passage for egress & regress for carriage or othwise w<sup>th</sup>out the fence vpon the vpland that adioynes next vnto y<sup>e</sup> aforesaid fenced meadow. And further the said Manaseth having a smale pcell of meadow adioyning vnto anoth pcell of y<sup>e</sup> said Richard at or neere the place of y<sup>e</sup> bound marke afore men<sup>o</sup>ned from the meadow of Richard Church to a little Creeke where Manaseth Kemptons fence stands butting on y<sup>e</sup> Rivers side: he doth also vpon the former considera<sup>o</sup>n of Exchange of y<sup>e</sup> forty acres afore men<sup>o</sup>ned giue & graunt the said smale pcell of Meadow vnto y<sup>e</sup> said Richard his heires & Assignes for e<sup>n</sup>. The said land of y<sup>e</sup> afore men<sup>o</sup>ned Manaseth now exchanged w<sup>th</sup> the said Richard is to runne vp fr<sup>o</sup>m the bound markt tree vp into the woods as farre as the other lotts adioyning do runne and according to y<sup>e</sup> poynt of Compasse as now they runne vpon.

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\*M<sup>r</sup>. BRADFORD GOŪNO<sup>r</sup>.



1647.

June 3. 1647.

Eaton  
to  
Lo: Brewster.

**K**NOW all men by these p<sup>re</sup>sents that whereas Samuell Eaton of Duxborough w<sup>th</sup>in the go<sup>u</sup>rn<sup>t</sup> of New Pli<sup>m</sup>outh in America in New England hath bargained sould remised & enfeofed vnto loue Brewster of Duxborough aforesaid for a valewable considera<sup>o</sup>n all that third p<sup>te</sup> of land sometime belonging vnto Christian Billington wife of ffrancis Billington formerly wife of ffrancis Eaton and father of the said Samuell Eaton: to haue & to hold to him the foresaid Loue Bruster his heires and Assignes for ever w<sup>th</sup> all the app<sup>re</sup>te<sup>n</sup>ces I<sup>n</sup>munities and hereditam<sup>t</sup> whatsoever belonging and

accreeing to the said third p<sup>te</sup> of land. now know ye that the said Samuell Eaton by these p<sup>resents</sup> doth remise quit claime and discharge him selfe his heires Executors administrato<sup>r</sup>s or Assignes of any right title or interest for ever to any p<sup>te</sup> pcell or Imūnity to the fore said third p<sup>te</sup> of land, also the said Samuell Eaton bindeth him selfe by these p<sup>resents</sup> his heires & assignes & to giue vnto the said Loue Brewster at his request such further Assurance as shalbe required from time to time as shalbe according to y<sup>e</sup> lawes customes or orders of this Goūm<sup>t</sup> of New Plimouth to all the said p<sup>remises</sup> according to the true intent of the same The said Samuell Eaton bindeth himselfe as aforesaid vnder his hand & scale this 10<sup>th</sup> of march 1646.

the marke of  SAMUELL EATON  y<sup>e</sup> scale  
this bargaine and sale as aboue is acknowledged by Elizabeth Eaton before y<sup>e</sup> ensealing of y<sup>e</sup> same y<sup>e</sup> day & yere aboue written before me.

MYLES STANDISH.

\* 1647.

M<sup>r</sup> W<sup>m</sup>. BRADFORD Goūno<sup>r</sup>.

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The xxvij<sup>th</sup> octob<sup>r</sup> .1647.

**T**HIESE p<sup>resents</sup> witnesse in considera<sup>cion</sup> of Tenne pounds paide to me William Handbury in hand p Christopher winter in one yoake of Steeres, and sefall bills to the valew of 110<sup>li</sup> to be paid yerely as p sefall bills may app<sup>e</sup> I the said William Handbury haue sold to the abouesaid Christopher winter his heires and Assignes for ever all that said farme now being in my hand at p<sup>resent</sup> lately bought of m<sup>r</sup> Browne both vpland and meadow housing and all other accomōda<sup>cion</sup>s therevnto belonging w<sup>th</sup> that meadow of my fathers w<sup>ch</sup> is about 6 acres be it more or lesse lying about 3 miles frō my farme. Also I giue vnto him my right vnto that 6 acres of meadow grānted me & 4 acres of vpland neere y<sup>e</sup> towne w<sup>ch</sup> sefall parcells I doe freely resigne vp to Christopher Winter his heires and Assignes for ever from me Williā Handbury my heires and Assignes for ever. And doe pmise to send the Deede thereof w<sup>ch</sup> I had frō m<sup>r</sup> Browne w<sup>th</sup> an Assignm<sup>t</sup> thereof to the said Winter & also the consent of my wife for the sale thereof and Deede frō my father for his 6 acres of meadow. vnto all these p<sup>remises</sup> I haue set to my hand this 26<sup>th</sup> of Octob<sup>r</sup> 1647.

Handbury  
to  
Winter.

Sigñd & Delivd

in the p<sup>resence</sup> of

WILLIAM HANDBURY

*Anthony Tupper*  
*A. N. Tupper*

Thomas Tupper.

Octob<sup>r</sup> xxvij<sup>th</sup>. 1647.

Hanbury  
to  
Browne.

**M**EMORAN<sup>D</sup> that m<sup>r</sup> William Hanbury doth acknowledge that for and in considera<sup>ç</sup>õn of the su<sup>m</sup> of Tenne pounds: viz<sup>t</sup>; v<sup>ti</sup> in hand, ℥ v<sup>ti</sup> in marchantable fish at Currant price the first of Septemb<sup>r</sup> next 1648 hath freely and absolutely bargained and sold vnto wil<sup>m</sup> Browne all that his dwelling house and gardeine places barne ℥ buildings in and vpon the same w<sup>th</sup> étaine fruite trees growing thereon. scituate in Pli<sup>m</sup>outh w<sup>th</sup> all and singular the app<sup>r</sup>teñces therevnto belonging and all his Right ℥ title of and into the said p<sup>r</sup>misses and e<sup>u</sup>y p<sup>te</sup> and parcell thereof, w<sup>th</sup> the fences about the same. To haue ℥ to hold the said house ℥ gardeine places barne and buildings w<sup>th</sup> the fruite trees and all and singular thapp<sup>r</sup>teñces therevnto belonging vnto the said william Browne his heires and Assignes for ever to y<sup>e</sup> only pp v<sup>e</sup> and behoofe of him the said William Browne his heires and Assignes for ever witnes his hand the day ℥ yere first aboue said./.

Witnesse Antony Thacher.

WILLIAM HANBURY.

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\* M<sup>r</sup> BRADFORD GOÜNO<sup>r</sup>.

1647.

October 27<sup>th</sup> 1647.

Tinkham  
to  
Sampson.

**M**EMORAN<sup>D</sup> that Ephraim Tinkeham and mary his wife doth acknowledge that for and in considera<sup>ç</sup>õn of the su<sup>m</sup> of seven pound℥ in hand paid by Henry Sampson of Duxborough hath freely and absolutely bargained and solde vnto Henry Sampson afore said all that Third p<sup>te</sup> of that Lott w<sup>ch</sup> was for<sup>m</sup>ly the land of Peter Browne deceased. dwelling house and buildings in and vpon the same w<sup>th</sup> all and singular the app<sup>r</sup>teñce℥ therevnto belonging (Except the third p<sup>te</sup> of the whole meadow) the said third of y<sup>e</sup> vpland lying and being next adioyning vnto the land of the said Henry Sampson in Duxborough aforemen<sup>ç</sup>õned, and all his Right title ℥ interest of and into the said Third p<sup>te</sup> of vpland ℥ p<sup>r</sup>misses and e<sup>u</sup>y p<sup>te</sup> and pcell thereof. To haue and to holde all that third p<sup>te</sup> of allotm<sup>t</sup> of vpland housings and all and singular the app<sup>r</sup>teñces there vnto belonging (except before excepted) vnto the said Henry Sampson his heires and Assignes for ever to the only pp v<sup>e</sup> and behoofe of him the said Henry Sampson his heires ℥ Ass<sup>s</sup> for ever p<sup>r</sup>vided the said Ephraim Tinkh<sup>a</sup> is doth reserue to his owne vse all the fruite trees and lib<sup>ty</sup> to remoue them in convenient time, as also the vse of all the housing for this winter./.



Octobr 27<sup>th</sup> 1647.

**T**HIESE witnesse whereas Comfort Star by Guifte gaue vnto his son in law John Maynard one peell of meadow & vpland conteining by estimaçõn 22 acres lying & being in Duxborough betweene the land of George Partrich & y<sup>e</sup> lande of y<sup>e</sup> heire of m<sup>r</sup> Kempe, the said Comfort doth hereby acquit and disclaime any right title or interest y<sup>t</sup> he or any other by him, shall or may, by any p<sup>t</sup>ence lay claime vnto the same otherwise then aboue mençõned. In witnes of w<sup>ch</sup> release & discharge frõ or by the said Comfort the said Comfort hath subscribed his hand this 26<sup>th</sup> day of October 1647.

Star  
to  
Maynard.

p me COMFORT STARRE.

**T**HIESE witnes that I John Maynard of Boston in New England haue alienated & sould vnto George Partrich of Duxborough in the Pattent of New Pli<sup>m</sup> in new England all my vpland and meadow lying & being in Duxborough aforesaid, adioyning vnto the abouesaid George conteining by estimaçõn .20 acres for him & his heires for ever to inioy. and I doe hereby acquit release and disclaime all right title or interest that either I or my heires may any way lay claime vnto the same in witnesse whereof I haue set to my hand this 20<sup>th</sup> day of August 1647.

Maynard  
to  
Partrich.

witnesse Comfort Starre.

JOHN MAYNARD.

These witnesse that Mary Maynard of Boston doe hereby manifest my free and full consent & willingnes to y<sup>e</sup> sale of all the land and meadow made by my husband vnto George Partrich in New England. In witnes of this my free and full consent I haue subscribed my hand this 20<sup>th</sup> of August 1647.

MARY *M* MAYNARD.

JOB *H* HAKENS.

\*1647. M<sup>r</sup> BRADFORD GOVERNOR.

\*241

The fife of DesseMBER 1647.

**M**<sup>R</sup> EDMOND FREEMAN senior of Sandwidg in the colliny of New plimouth gen<sup>t</sup> doeth acknowlidg y<sup>t</sup> for and in consideration of twelue pound sterling to be payed in manner and forme folõing by Ephraim hickes of plimouth aforesaid planter that is to say six pound therof to bee payed on the last of october next folõing the date heerof and the other six pound to

bee payed on the last of october next folōing the first payment in the ordinary pay of the Country viz<sup>s</sup> corn and cattell hee hath fully freely and absolutely barganed and sould vnto the said Ephraim Hicke a parsell of land contayneing eleuen acres or therabouts bee it more or lesse lying on the south side of the towne of plimouth aforesaid next adjoyneing vnto gorg watsson and John barnes on the one side and vnto m<sup>rs</sup> fuller on the other side with all and singular the apurtenances therunto belonging with all his Right title and Interest of and into the said premeses to haue and to hold the said eleuen acres of vpland with all and singular the apurtenances thereunto belonging vnto the said Ephraim hicke his heires and asynnes for euer to the only pper vse and behoofe of him the said Ephraim hicke his heairs and asynnes for euer.

\*242 1647.

\*M<sup>r</sup> BRADFORD Gouen

A Record of certaine articles of ageement between Richard Chadweell and Thomas Dexter senior as folows.

**M**EMORANDOW y<sup>t</sup> I Thomas Dexter of Linn in the Massachusits Bay doe aquit and discharge Richard Chadweell of Sandwidge of actions debts dewes and demands from the begining of the world vnto this present day being the fite of January 1638.

p me THOMAS DEXTER.

November 29 Anno 1647.

**These presents** may satisfy such as it may Conssern y<sup>t</sup> whereas wee whose names are vnderwriten were made Choise of by ffarmer Dexter and Richard Chadweell to Arbtrate certaine differences depending between them and thay binding them selues in the som of twenty  $\frac{1}{2}$  a peece to stand to y<sup>t</sup> end w<sup>h</sup> wee vpon the hearing and dew Consideration of ther defferences and evidences should make or in Casse wee should not agree between ourselves to make Choisse of a third man ; haue seen Cawsse to order things repented to vs as folows.

Imprimis for a debt Required by a bill Assyned to ffarmer Dexter by Richard Chadweell wee have found it payable by M<sup>r</sup> Willis in Casse hee Canot otherwise Cleare the payment of it a debt I say of 24<sup>s</sup> Richard Chadweell Cleered of it.

Item for a debt required by an other bill wee order Richard Chadweell to pay 4<sup>s</sup> to the farmer 5<sup>s</sup> more remayning to bee payd by Hugh Burt of Linn.

Item for an other debt of 20<sup>s</sup> required of Richard Chadweell wee have

found it Cutt off by a generall aquitane dated after the time of the promise wherupon this debt should ARisse was made vnto the farmer.

WILLIAM LEVERIDG  
RICHARD BOURNE.

ffinally ther being a differene Referred to us Conserring the exchange of an horsse and a mare and not Agreeing aboute it made Choisse of M<sup>r</sup> Dillingam as the third man have ordered Richard Chadweell to pay farmer Dexter 3<sup>l</sup> and tenn shillings w<sup>h</sup> som together with the former 4<sup>s</sup> is to be payed in a Cow valued at 4<sup>l</sup> out of which 4<sup>l</sup> the farmer is to pay six shill. backe again to Richard Chadweell vpon the Rescipt of the said Cow.

WILLIAM LEVERIDG  
EDWARD DILLINGHAM  
RICHARD BOURNE.

\*January the 19<sup>th</sup> i647.

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**K**NOW all men by these p<sup>r</sup>sents y<sup>t</sup> i John Dunham of New plimouth weauer doe acknowlidg that I haue frely and absolutly giuen vnto my soon Samuell Dunham six acars of vpland ground being bounded by my naighbor William pontus on the North side and with the cofion hyway on the south side and nex adJoyning vnto the Rest of my land and the land of my naighbor William pontus on the easte side p<sup>r</sup>vided y<sup>t</sup> the said Samuell Dunham doe alow vnto mee a sutfitent cartway into the woods through the said six acares of land going out at the pertition between my naighbor pontus and my selfe and so the convenientest way into the comon and further y<sup>t</sup> the said Samuell Dunham is to permit mee to haue free vse of the timber both for fierwood and other vse and also y<sup>t</sup> the said Samuell Dunham is to maintayn and continew a constant and sutfitent fence about the said six acares of land and y<sup>t</sup> whosoouer heerafter shall purchase the said six acars of land be InJoynd to maintayn and continew the said fence these things p<sup>r</sup>uided I the said John Dunham as aforsaid have and doe freely and absolutly giue vnto my soon Samuell Dunham the aforsaid six acars of vpland bee it more or lesse vnto the only p<sup>r</sup>per vse of him the said Samuell Dunham his heirs and asynnes for cuer in witnes whereof I haue heervnto set my hand

in the pressenc of  
Nathaneell Morton  
James Glasse.

JOHN DUNHAM.

\*244

\*1647.

M<sup>r</sup>. BRADFORD GOVERNOR.

January 19<sup>th</sup>. SAMUELL DUNHAM of new plymouth planter for and in consideration of five pound sterling to be payed in maner and form folōing y<sup>t</sup> is to say thirty five shill to bee payed the last of Nouember next folōing the date heerof and other thirty five shillings to bee payed the last of Nouember next folōing the first payment and the remaying thirtys to be payed the laste of Nouember next folōing the 2<sup>cond</sup> payment in the ordinary pay of the country viz corn or catell by James Glasse of plimouth aforesaid planter hath freely barganed and sould vnto the said James Glasse six acars of vpland ground next adJoyneing vnto the land of John Dunham senior and of William pontus being bounded by a part of the land of the said william pontus on the north side and on the South side with a cōfion hyeway.

and wheras the said six acars of vpland or therabouts be it more or lese was by way of giuste formerly bestowed on Samuell Dunham aforesaid by his father John Dunham aforesaid the said John Dunham reseruing vnto himselfe the vse and ppriety of the timber of the said six acares of land both for fierwood and other vses.

These p<sup>r</sup>sents are to signify vnto all whom it shall for the futuer consern y<sup>t</sup> the said John Dunham of plimouth aforesaid weauer hath and doeth freely surrender vp all his Right titell and Interest of and into the said timber whether for fierwood or other vse vnto the aforesaid James Glasse in leue of a smalle moyety of land belonging vnto William pontus aforesaid being estemated at about halfe an acare be it more or lese the norwest side therof being bounded with Thomas Dunhams land and on the southeast side with a little pond which smale moiety of land the said william pontus by way of exchange in the behalfe of his soon in law James glasse aforesaid for the aforesaid timber on the aforesaid six acars of vpland doeth by these presents freely surrender vp all his right title and Interest of and into the said moiety of land with all and singuler the apurtenances therunto belonging vnto the aforesaid John Dunham his heirs and asynnes for euer.

furthermore James glasse aforesaid doeth by these p<sup>r</sup>sents couenant and condition to alow vnto the aforesayed John Dunham a sutfient cartway throw the aforesaid six acares of land going out at the pertition between william pontus and the said John Dunham and so the conuenientest way into the comon as allso the said James glasse is to maintain a constant and sutfient fence about the said six acars of vpland and y<sup>t</sup> whosocuer shall for the futuer purchase the aforesaid six acars of vpland bee inJoynd to contineu the said fence

These things beeing premised the aforesaid John Dunham and Samuell Dunham his soon doe by these presents freely and fuly make ouer all their

Right title and Interest of and Into the said six acres of land vnto James Glasse aforsaid with all and singuler the apurtenances thervnto belonging vnto the onely pper vse of the said James Glasse his heairs and asynes for euer with all and singuler the premises therunto belonging vnto the onely pper vse and behoofe of the said James Glasse his heairs and asynes for euer.

March the 20<sup>th</sup> 1647.

**S**AMUELL EEDY for and in consideration of thirty shillings or therabouts allredy payed by Experienc Michell of Duksbery hath barganed and sould vnto the said experienc Michell one acar of marsh medow liing next vnto the medow of experienc Michell aforsaid on the one side and vnto a smale parsell belonging vnto James Cole on the other syed with all his Right title and Interest of and into the same vnto the said experienc Michell his heairs and asynes for euer.

\*1647. BRADFORD GOUERNER

\*245

**M**EMORANDUM the twentyeth of January y<sup>t</sup> m<sup>r</sup> William Paddy of New Ply<sup>^</sup> marchant in the behalfe of m<sup>r</sup> Edmond ffreeman seni<sup>^</sup> of Sandwidg gen<sup>t</sup> doth acknowledg y<sup>t</sup> for and in consideration of twentyone pound sterling to bee payed in maner and forme folōing by m<sup>r</sup> Arther howland of the towne of Marshfeild in the Coliny of New Plymouth aforsaid planter viclecet fue pound to bee payed on the fifteenth day of ffebruary 1648 and eight pound mor to bee payed on the fifteenth day of ffebruary next after the first payment and the other eight pound to bee payed the fifteenth day of ffebruary next after the 2<sup>cond</sup> payment in the ordenary pay of the Cuntry viz<sup>z</sup> Corn and Cattell hath freely and absolutly barganed and sould vnto the said M<sup>r</sup> Arther howland the one halfe of a Certaine tract of vpland and mersh meadow being estimated at about three hundred acars or thereabouts bee it more or les the w<sup>b</sup> was formerly graunted vnto Captaine Miles Standish and M<sup>r</sup> John Alden lying on the north side of the south Riuer the breadth of the said whole tracte begining at the easterly side of the beauer pond the said pond being Encluded vnto the westerly side of the litle brooke next settuaat path over the south Riuer and so to Rang in length vpon a North linne on both sids vp into the Land; y<sup>t</sup> halfe being vnderstood y<sup>t</sup> lyeth next vnto the bridge; with all the said m<sup>r</sup> Edmond ffreeman his Right title and Enterest of and into the said halfe of the aforsaid tract of vpland and *and* marsh meadow belonging therunto with all and singular the apurtenances thereunto belonging vnto the said

M<sup>r</sup> Arthur howland to haue and to hold all and singular the premises with all and singulare the apurtenances therunto belonging vnto the said M<sup>r</sup> Arther howland his heaires and assignes for euer vnto the onely proper vse and behoofe of him the said M<sup>r</sup> Arther howland his heairs and assignes for euer.

**M**EMORAND<sup>ũ</sup> the 7<sup>th</sup> of March 1647 that John Rogers of Duxbery doth acknowlidg y<sup>t</sup> for and in Concideration of thirty six shillings to bee payed vnto him by Gyels Rickard seni of Plymouth hee hath barganed and sould vnto the said Gyels Rickard a smale pcell of marsh meadow being Estimated at an acare or therabouts be it more or les lying at Joanses Riuier between M<sup>r</sup> howlands ffence and the Causway with twenty foot Square of vp-land lying between the hieway and m<sup>r</sup> howlands ffence aforsaid against the said meadow with timber to ffence it for the present as acording to these conditions the said John Rogers bought it of M<sup>r</sup> William hanbery in the year 1646 the w<sup>h</sup> Bargan was acknowlidged by the said M<sup>r</sup> William hanbery before William Colyar gen<sup>tl</sup> Assistant now sould both the vpland and meadow as aforsaid vnto Gyels Rickard by John Rogers with all his Right title and Enterest of and into the said premises to haue and to hould vnto the said Gyels Rickard his heaires and assignes for euer vnto the only proper vse and behoofe of him the said Gyels Rickard his heairs and assignes for euer.

\*246 1647

\*M<sup>r</sup> BRADFORD Gouer.

March the 7<sup>th</sup> 1647.

**M**<sup>R</sup> CHANSY pastor of the church of Christ at Seteaat dezired to haue his house and lands recorded in the court booke.

Impri. the house y<sup>t</sup> M<sup>r</sup> Hatherly bought of M<sup>r</sup> Varsall with the Inlargments therof. **Gy** a new biulding and barne and other out houses.

I<sup>t</sup> all the ground lying about the house being about six acars.

I<sup>t</sup> a Stony feild inclosed buting to therby vpon the marsh aforsaid.

I<sup>t</sup> an orchyard behind the house.

I<sup>t</sup> the barne close compasing the ground on all sydes but on the Sowth syde.

I<sup>t</sup> twenty acars of vpland tenn acars wherof are inclosed and comonly called the new feild.

I<sup>t</sup> twelue acares of conahaset marsh.

I<sup>t</sup> twenty acars of land at the plase called the hoop pole necke with the other lands not yet deuided belonging to him for his part among the purchasers of Conahaset. P. 260.

March 21: 1647:

**M**<sup>R</sup> WILLIAM PADY James Hust and John cooke deacons of the church of Christ at plimouth in the behalfe of the said church doe acknowledg y<sup>t</sup> for and in consideration of the Som of five pound Sterling to be payed in the ordinary pay of the cuntry viz corn or catell fifty shill. therof to bee payed on the last of Nouember next foloing the date herof and the other fifty shilli to be payed on the last of Nouember next foloing the first payment by Nathaneel Morton of plimouth haue barganed and sould vnto the said Nathaneel Morton a house and 4 acars of land bee it more or lesse lyeing at Weelingsla beeing bounded by a persell of land belonging vnto M<sup>r</sup> William bradford gouener on the north side and with a sertayne persell of land belonging vnto Samuell Jeny on the south side and buting vpon Weelingsla creeke with all thayer or the aforesaid churches Right title or Interest of and in to the same with all and Singuler the apurtinances therunto belonging vnto the said Nathaneel Morton to haue and to hould with all and singuler the premises therunto belonging vnto the onely proper vse and behoofe of him the said Nathaneel Morton his heairs and asynes for euer.

These seuerall payments have bin since fully payed to the church by Nathaniel Morton.

\* 1647. BRADFORD GOV<sup>N</sup>.

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A Deed appointed to bee Recorded.


March the 4<sup>th</sup> 1647.

**B**EE it Knowne vnto all men by these p<sup>r</sup>sents That I Moris Truante Inhabitant of the Towne of Duxborrow and Jaane my wife haue for diuers Reasons and vpon good Concliderations sould to John Washburne Inhabitant of the same Towne to him and To his heaires for euer all the Right title & Euterest wee the aforesaid pties haue in our lands housses out housses as in manor & form following.

**I**mprimis all the planting land lying between John Irishes & John Aldens Inhabitants of the same Towne which quantity of land is twenty acars bee it more or les; Together with another pcell of planting land as is supposed to bee about the sum of eight acars bee it more or les; The same land likewise adioyning to the lands of the aforesaid John Alden a hieway parting them at the Corners of their land next a swampe;

Wee doe likewise sell all our Right & Euterest to the aforesaid John Washburne To him and to his heaires for euer, in our meadow lands which lyeth in two pcells the one pcell adioyning to the lands of Phillipe Delanoy Constant

Southworth John Irish The other peell lying at a place vsually Called Duke hill ℓ adioyning to the same The said Moris Truent doth promise his wife Jaane shall acknowlidg according to order the sale of the said lands ℓ ℓ y<sup>t</sup> the said Moris ℓ Jaane shall at any time giue vnto the said John Washburne or his heaires ℓ further ℓ more ample assurance of the said land being Required ; in Wittnes wherof wee have set to our hands the day ℓ yeare aboue written.

The mark of  MORIS TRUANT.  
before mee Miles Standish the  
day ℓ yeare aboue written.

\*250

\* i648.

M<sup>r</sup> BRADFORD GOVERNOR.October the 4<sup>th</sup> i648.

**M**<sup>R</sup> EDMOND FREEMAN seni of the towne of Sandwidg in the colynie of New plymouth gen<sup>t</sup> acknowlidgeth y<sup>t</sup> for and in concideration of six and twenty pounds sterling<sup>e</sup> to bee payed vnto him in maner and form folowing: viz at three payments: the first in September next folowing the date heerof: the 2<sup>ond</sup> in September i650 and the third and laste payment in September i65i in the ordynary pay of the Cuntry viz corn or cattell by Thomas Chillingsworth of Marshfeild in the coliny aforsaid Shoemaker hath freely and absolutly barganed and Sould vnto the said Thomas Chillingsworth the one halfe of a certaine tracte of vpland and marsh meadow being estimated at aboute three hundred acars or theerabouts bee it more or les which was formerly graunted vnto Captaine Myles Standish and M<sup>r</sup> John Alldin lying on the north side of the south Riuer the bredth of the s<sup>d</sup> whole tracte begining at the easterly side of the beauer pond the said pond being included vnto the westerle side of the litle brooke next Seteaat path ouer the south Riuer and so to Rang in length vpon a norwest lynne on both sides vp into the Cuntry ; M<sup>r</sup> Arthur howland haueing formerly purchased that halfe of the aforsaid tracte lying next vnto the bridge the Remayning halfe is to bee vnderstood: with all the s<sup>d</sup> m<sup>r</sup> Edmond ffreeman his Right title and intereste of and into the s<sup>d</sup> halfe of the aforsaid tracte of vpland and marsh meadow belonging therunto with all and singuler the apurtenances therunto belonging vnto the s<sup>d</sup> Thomas Chillingsworth to haue and to hould with all and singuler the premises therunto belonging vnto the onely proper vse and behoofe of him the said Thomas Chillingsworth his heaires and asynes for euer.

M<sup>r</sup> Edmond Frecman seni<sup>r</sup> acknowlidged before M<sup>r</sup> John ffreeman Assistant that hee hath Receiued full satisfaction in



Reference to the seuerall payments expressed to be due to him for the abouesaid land sold by him the said Edmond ffreeman to Thomas Chillingsworth deceased.

\* 1648.

M<sup>r</sup> BRADFORD GOUERNER.

\*252

October the 23. i648.

**J**OHN DUNHAM Junier acknowledeth y<sup>t</sup> for and in Conconsideration of twelue pound sterling to be payed vnto him in maner and forme folowing viz<sup>t</sup> three pound therof to bee payed out of hand in cloth and comodities and fwe pound therof to bee payed by the fifteenth day of aprill next folowing the date heerof in corn and cattell and the Remaying four pound to bee payed on the last of october i649 in Rye and Indian corn by Nathaneel Masterson hath sould vnto the s<sup>d</sup> Nathaneel Masterson tenn acars of vpland ground or therabouts bee it more or les being and lying at Weelingsla with all the housing vpon the s<sup>d</sup> land with the orchyard and the Rye now growing vpon the s<sup>d</sup> land and all the ffence or ffences therunto belonging vnto the s<sup>d</sup> Nathaneel Masterson to haue and to hold to him the said Nathaneel Masterson his heaires and asynes for euer with all and singuler the apurtenances apertaining vnto the aforesaid land vnto the only proper vse and behoofe of him the said Nathaneell Masterson his heaires and asynes for euer: prouided y<sup>t</sup> the s<sup>d</sup> John Dunham is to dwell in and make vse of the aforesaid houses or howsing vntell the fifteenth day of aprell next folowing the date heerof in wittnes of the aforesaid premeses they haue set to thayer hands.

JOHN DUNHAM  
NATHANEELL MASTERSON.

\* i648.

M<sup>r</sup> BRADFORD GOUERNER.

\*253

January the 23<sup>d</sup> i648.

**M**EMORANDUM That John Rogers of Duxbery hath bought of Ephraim hicks of plymouth all the Rent of the lands now Improued the which m<sup>r</sup> Robert hickes now deseased did lett to Georg Partridg Christofer Wadsworth M<sup>r</sup> Stare John Washburn and Thomas heward for which John Rogers bindeth himselfe to pay to Ephraim hicks afores<sup>d</sup> the Just Sum of fwe pound sterling in marchantable corn Sutch as hee doth Receaue of the p<sup>r</sup>sons to whom those lands are let; at his house the next Nouember Com twelue-month and the s<sup>d</sup> John Rogers is to fulfill and make good the bargan of Robert hicks deseased concerning the land so let as aforesaid and to discharg

the s̄d Ephraim of all Damages whatsocuer w<sup>h</sup> may fale by the s̄d bargan in wites heerof the parties aboue mensioned haue heerunto Set their hands in the p<sup>r</sup>sence of

John Morton.

JOHN ROGERS

EPHRAIM HICKS

\*254 \*i648.

M<sup>r</sup> BRADFORD GOUERNER.

**M**EMORANDUM the 23<sup>d</sup> of January i648 That Ephraim hicks of New plymouth yeaman acknowledgeth y<sup>t</sup> for and in concideration of the Som of eightenne pounds ster<sup>li</sup> to bee payed in maner and form foloing viz the first payment being nine pound therof to bee payed in Marchantable corn and catell by the 15<sup>th</sup> of Nouember i650 and the Remander to bee payed by the 15<sup>th</sup> of Nouember i65i in marchantable corn and cattell as afor-said each payment to bee payed in corn the one halfe therof and the other halfe in catell; the cattell to bee valleued at the deliuey of them according as two Indifferent men Shall Judg of them the corn to bee wheat Rye and Indian corn of each a licke quantity by John Rogers of Duxbery yeaman hath fireely and absolutly barganed and Sould vnto the said John Rogers a p<sup>r</sup>sell of vpland ground being about threescore acars or therabouts bee it more lese lyeing at the Illand creek at Duxbery afor-said next vnto the land on w<sup>h</sup> the s̄d John Rogers now liueth the length to begin at the water side wher the ffence on the s̄d land now Standeth and so to extend it selfe vp into the woods with all the ffence now vpon the s̄d threescore acars of vpland afor-said with all his Right title and Enterest of and into the s̄d p<sup>r</sup>mises with all and singuler the apurtances vnto the s̄d p<sup>r</sup>mises belonging vnto the s̄d John Rogers his heaires and asynes for euer vnto the onely p<sup>r</sup>per vse and be-hoofe of him the s̄d John Rogers his heaires and asynes for euer p<sup>r</sup>vided y<sup>t</sup> the s̄d John Rogers is by this p<sup>r</sup>sent bargan and couenant to maintaine the one halfe of the fence vpon the vpland afor-said against the meadow of the s̄d Ephraim hicks and the s̄d Ephraim hicks the other halfe for euer and the said Ephraim hicks is to haue so many trees as long as thay are on the ground afor-said as wilbee needfull to mayntaine his half of the said fence; and further y<sup>t</sup> the s̄d John Rogers is to deliuer the corn aboue mensioned and the seuerall psells therof vnto Ephraim hicks at his house at Ileland creek afor-said.

John Rogers hath fully paied the seuerall paiments due vnto Ephraim hickes for the abouesaid Land vnto Samuell hickes as the heire and Successer of the said Ephraim hickes deceased and accordingly by consent of the said Samuell hickes these p<sup>r</sup>sents were entered January the 19<sup>th</sup> i652.

\*i648.

M<sup>r</sup> BRADFORD GOUERNER.

\*256

January the 24<sup>th</sup>

**A**N agreement made betwext Gyles Rickard seni of Plymouth on the one part and Edward holman of Plymouth aforſd as foloeth viz y<sup>t</sup> the ſd Gyles Rickard Couenanteth to take Richard Willis the soon in law of Edward aforſd aged about seauen yeares after the maner of an apprentice and to teach and Instruct him in the trade or art of a weauer according to the maner of weauing the ſd Gyles Rickard now Imployeth himselfe in and to shew and Instruct him to his best abillity in whatsoever himselfe can doe in the trade or arte aforſaid ; and that the ſd Richard Willis shall continew with Gyles Rickard aforſd after the maner of an apprentice as aforſd vntell hee bee of the age of twenty one yeares duering which time the ſd Gyles Rickard Shall provid for Richard Willis aforſd competent and convenient meat drinke aparell washing and lodging and all other nessesaryes befitting one of his Degree and Ranke and in the terme of time aforſd to giue and provide for him two sutes of aparrell one for best aud an other for his dayly wearing ; and in Case the ſd Gyles Rickard should bee taken away by Death before the time aforſd bee expired y<sup>t</sup> the ſd Richard Willis shall continew notwithstanding after the maner of an apprentice as aforſaid vnto Judith Rickard the wife of the ſd Gyles Rickard or his heaires or excecuters and thay to perform that w<sup>h</sup> conserneth Gyles Rickard on his part towards the ſd Richard willis as acording to the conditions aforſd furthermore y<sup>t</sup> the ſd Richard Willis shall Cary and behaue himselfe in all truth and faithfulness towards the ſd Gyles Rickard as a trew and faithfull aprentice ought to doe nether Imbezeling nor stealing any of his goods nor Revealing his seacrets nor contracting himselfe in mariage to any during the tearm of yeares aforſaid but behaueing himselfe in euery Respect as becometh one in his condition in wittnes of the premises aforſd that thay shallbe trewly and faithfully performed the ſd Gyles Rickard and Edward holman in the behalfe of Richard Willis aforſaid haue heerunto Set thaire hands in the p<sup>s</sup>ence of Nathaneell Morton.

EDWARD HOLMAN  
GYLES RICKARD

\*258 \*i648.

M<sup>r</sup> BRADFORD GOUERNER.

Recorded february the sixt.

**T**O All peopell to whom these p<sup>r</sup>sents shall come Timothy Hatherly of Seteaat in the gouernment of New plymouth in New England in America gen<sup>t</sup> sendeth Greeting ; know yea that wheras a sertaine tract or parsell of land lying on the norwest syde of Seteaat brooke w<sup>h</sup> was giuen and granted by M<sup>r</sup> William Bradford and his asoiates in the gouernment afor<sup>s</sup>d vnto M<sup>r</sup> Richard Andrews M<sup>r</sup> John Beachamp M<sup>r</sup> James Sherly Settesens of London vnto mee the afor<sup>s</sup>d Timothy Hatherlee equally to be deuided between vs into fouer equall parts or Shares w<sup>h</sup> <sup>s</sup>d land is bounded with a brook of water lying south<sup>th</sup>erlee of the harbor at Seteaat and from hywater marke in y<sup>t</sup> brook to run threemyles west into the woods and from the mouth of the <sup>s</sup>d brook to run east to the Sea haueing Seteaat land on the south border and the north border being att a little neck of land formerly Called and knowne by the Indians or natines by the name of Conahaset allies Cohaset and is neare a great fall of water and from hywater mark at the <sup>s</sup>d neck to run three myles on a west lynne vp into the woods  $\ell$  from the vtmost extent of the <sup>s</sup>d threemyle west lynn in the woods to run a directe lynn for the west border vnto the vtmost extent of the threemyle west lynn y<sup>t</sup> Runes from the foresaid Seteaat brook into the woods vntell it meets ; hauing the common on the west border and the Sea on the East border of the <sup>s</sup>d land of all w<sup>h</sup> <sup>s</sup>d foure parts I the s<sup>d</sup> Timothy Hatherle am lawfully possessed of three of the w<sup>h</sup> <sup>s</sup>d foure parts y<sup>t</sup> is to say M<sup>r</sup> Richard Andrews part M<sup>r</sup> John Beacham his part and M<sup>r</sup> James Sherle his part being deuided into thirty equall parts or shares I the <sup>s</sup>d Timothy Hatherle for and in concideration of one hundred and eight pound currant New England pay to mee in hand payed by Charles Chansy pastor of the church of Seteaat Thomas Chambers planter John Williams seni farmer James Cudworth salter Joseph Tilldin yeaman Henery Merett planter Thomas Raullins seni planter Thomas Tarte planter John Hoare farmer Richard Sillis planter Thomas Insyne planter Thomas Chittenton weauer John Stockbridg wheelwright John Allin planter Thomas Hyland planter John Whetcom planter John Woodfeild planter Edward Jenkins planter John Hollet planter Ann Vinall Spinster William Holmes planter John Wheston planter Gowin White planter John Damman planter Redulfus Elmes planter Richard Man planter all and every one of them of Seteaat afor<sup>s</sup>d in the gouernment afor<sup>s</sup>d with which afor<sup>s</sup>d Sum I the <sup>s</sup>d Timothy Hatherle doe acknowledg my selfe Suffitiently satisfied contented and fully payed and therof

and of euery part and persell therof doe exownerate aquit and discharg the  
 aforsaid Charles Chansy Thomas Chambers John Williams James Cudworth  
 Joseph Tilldin (c) thay and euery of them their heaires Excecuters Admin-  
 istraters and Asynes for ever by these p<sup>r</sup>sents haue ffreely and absoletly  
 barganed and Sould Enffefed and confermed and by these p<sup>r</sup>sents doe bargan  
 sell Enfesse and conferm from mee the s<sup>d</sup> Timothy Hatherle and my heaires to  
 them the said Charles Chansy Thomas Chambers John Williams James Cud-  
 worth Joseph Tilldin Henery Merit (c). \*To them and either of them thay  
 thaire heaires and asynes for euer twenty seuen parts or Shares of the afor<sup>s</sup>d  
 thirty parts or Shares that is to say to Charles Chansy one thirtyeth part or  
 Share to him his heaires and asynes for euer To Thomas Chambers one  
 thirtieth part to him his heaires and asynes for euer to the s<sup>d</sup> John Williams  
 one thirtyeth part to him his heaires and asynes for euer to James Cudworth  
 one thirtieth part or share to him his heaires and asynes foreuer to the said  
 Joseph Tillden two thirtieth parts or Shares to him his heaires and asynes  
 foreuer to Henery Meret one thirtieth part or Share to him his heairs and  
 asynes for euer To Thomas Raullins one thirtieth part or Share to him his  
 heaires and asynes for euer to Thomas Tart one thirtieth part or Share to him  
 his heaires and asynes foreuer to John Hoare one thirtieth part or Share to  
 him his heaires and asynes foreuer to Richard Sillis one thirtieth part or Share  
 to him his heaires and asynes for euer to Thomas Ensyne one thirtieth part  
 or Share to him his heaires and asynes foreuer to Thomas Chittenton one  
 thirtieth part or Share to him his heaires and asynes for euer To John Stok-  
 bridg one thirtieth part or Share to him his heaires and asynes for euer to  
 John Allin one thirtieth part or Share to him his heairs and asynes for euer  
 to Thomas Hyland one thirtieth part or Share to him his heaires and asynes  
 for euer to John Whitcom one thirtieth part or Share to him his heaires and  
 asynes for euer to John Woodfeild one thirtieth part or Share to him his heaires  
 and asynes for euer to Edward Jenkins one thirtieth part or Share to him his  
 heaires and asynes for euer to John Hollet one thirtieth part or Share to him  
 his heaires and asynes for euer to Ann Vinall one thirtieth part or Share to  
 Shee her heaires and asynes for euer to William Holmes one thirtieth part or  
 Share to him his heairs and asynes for euer to John Wheston one thirtieth  
 part or Share to him his heairs and asynes foreuer to Gowin White one  
 thirtieth part or Share to him his heaires and asynes for euer to John Dam-  
 man one thirtieth part or Share to him his heaires and asynes foreuer to Re-  
 dulfus Elmes one thirtieth part or Share to him his heaires and asynes for  
 euer to Richard Man one thirtieth part or Share to him his heaires and asynes  
 foreuer with all and singular the priviliges and apurtenances therunto belonging

or any way apertaining to all or any one of the s<sup>d</sup> twenty seauen thirty parts or Shares or any part or parsell of them to haue and to hould to them the s<sup>d</sup> Charles Chansy Thomas Chambers ℥ and either of them and their and either of their heaires and asynes to them and thayer pper vse and behoofe for euer to bee holden of our Souerain lord the King as of his maner of East greenwidg in the County of Kent in ffree and comon Soccage and not in capety nor by knight seruis by the Rents and seruises therof and therby due and of Right acustomed and warranting the salle against all people whatsoever as shall any way claime any Right of or in the s<sup>d</sup> twenty seauen thirty parts or Shares of the s<sup>d</sup> land or any part or parsell therof And I the s<sup>d</sup> Timothy Hatherle doe also further couenant p<sup>r</sup>mise and graunt by this p<sup>r</sup>sent y<sup>t</sup> it Shall and may bee lawfull to and for the s<sup>d</sup> Charles Chansy Thomas Chambers John Williams ℥ \*Thay or either of them or thair aturny to Record or Enrole these p<sup>r</sup>sents or to Cause them to bee Recorded or Enroled in his Ma<sup>ties</sup> Court at Newplymouth or in any other court of Iudecatuer or in any other place in y<sup>t</sup> Case p<sup>r</sup>uided before the gouerner for y<sup>t</sup> time being or any other magistrat or offecer in y<sup>t</sup> Case p<sup>r</sup>uided according to the vssual maner of Recording or Enroleing Euedences in wittnes wherof I the aforesaid Timothy Hatherle haue heerunto set my hand and Seall the first day of December in the two and twenty yeare of the Raigh of our Souerain lord Charles by the grace of God of England Scotland ffrance Ireland and New England King Deffender of the ℥ and in the yeare of our Lord God i646.

\*261

TIMOTHY HATHERLE

his



Syned Sealled and Deliuered  
with possession and seasing  
in the p<sup>r</sup>sence of

John Bowers  
John Safin  
Robert Hammon  
Richard Garett.

\*1648.

M<sup>r</sup> BRADFORD GOUERNER.

\*263

Recorded the sixt of ffebruary

**K** NOW all men whom this may concerne ſc̄.  
Whereas Nathaneel Tilden of Seteaat in America deſſeaced by his laſt will and Teſtament bearing date the twenty five day of May 1641 did giue vnto mee Thomas Tilden ſecond ſonn now liueing of the aforſd Nathaneell Tilden deſſeaced ſertain legacies of land and goods and of his ſd laſt will and Teſtament Did make Joſeph Tilden my brother his Excecuter ſc̄.

I the ſaid Thomas Tilden Doe heer by theſe p<sup>r</sup>ſents acknowledg my ſelfe to haue Receaued and am fully ſatisfyed for all and euery part and p<sup>r</sup>ſell that was dew vnto mee by the aforſaid will ; and I the ſaid Thomas Tilden doe by theſe p<sup>r</sup>ſents Release aquit and diſcharg the aforſd Joſeph Tilden my brother together with his heaires excecutors adminestrators for ener and I doe further graunt the ſd Joſeph Tilden or any for him full power to Record this Release and Receait of myne in his Ma<sup>t</sup>ies court at plymouth and y<sup>t</sup> for his further ſecurity in wittnes wherof

I haue heerunto ſet my hand and Seale this twenty ſeauenth day of July 1648.

THOMAS TILDEN,

ſyned Sealed & Deliuered in  
the p<sup>r</sup>ſence of

Humfry Turner  
Richard Sillis  
Richard Garrett.

his 

\* 1648.

M<sup>r</sup> BRADFORD GOUERNER.

\*264

Recorded ffebruary the ſixt.

**W**HERAS Richard Sillis humfry Turner Thomas Pinchin of Seteaat in New England weer by henery Meret and Joſeph Tilden of Seteaat aforſaid vpon the 4<sup>th</sup> of July in the year 1648 Chosen arbetraters Indifferently by the aforſd henery Merit and Joſeph Tilden to arbtrate and Determine of a Difference about a perſell of fence lyeing on the North ſyde of the third Clift which ſtandeth between henery Meret and Joſeph Tildens land from the Sea eaſt and being to the marſh weſt now we the aforſaid Richard Sillis humfry Turner Thomas Pinchin hauing frely heard both their determinations and differences ; doe order and determin that the aforſd Joſeph


Tildin make and maintaine halfe of the ffence being from the sea westward and further wee determine y<sup>t</sup> the afor<sup>sd</sup> Henery Merit shall make and maintaine the other halfe lyeing from the marsh Eastward and so to Joyne vnto the said Joseph Tildens ffence in the midst in wittnes wherof wee haue heervnto

Subscribed our hands this twenty seauenth day of  
July 1648.

RICHARD SILLIS

HUMFRY TURNER

THOMAS PINCHIN

The marke of 

\*265

\*1648.

M<sup>r</sup> BRADFORD GOUERNER.

Recorded ffebrewary the sixt.

**K** NOW all men whom this may concern y<sup>t</sup> whereas Nathaneell Tilden late of Setaat in america desseased by his last will and Testament bearing date the twenty fve day of May 1641 did giue vnto mee lidia Tilden his yongest daughter now wife unto Richard Garrett sertaine legacies of land & goods and of his <sup>sd</sup> last will and Testament did make Joseph Tilden my brother his executer wee the <sup>sd</sup> Richard Garrett and Lidia Garrett my wife doe heer by these p<sup>r</sup>sents acknowlidg our selues to haue Receaued and are fully satisfied for all and euery part and parsell y<sup>t</sup> was due vnto vs by the aforesaid will and wee the said Richard Garrett and Lidia his wife doe by these p<sup>r</sup>sents Release aquite and Discharg the aforesaid Joseph Tilden our brother together with his heaires executers adminstraters for euer and wee doe further graunt the said Joseph Tilden or any for him full power to Record this Release and Receite of ours in his Ma<sup>ties</sup> court at plymouth and y<sup>t</sup> for his further security in wittnes wherof wee haue heervnto set our hands and Sealls this twentieth of July 1648.

syned Sealled and Deliuered in the

p<sup>r</sup>sence of Gorg Suttun

Simon Suttun

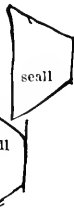
Steuen Tilden

RICHARD GARRETT his

LIDIA GARRETT her

seall

seall





\*1648.

BRADFORD Gouer.

\*266

June the 19<sup>th</sup> 1648.


**T**HE agreement made between John Phillips and John Barker Robert Barker and Ralph Chapman.

Impri the aboue said p<sup>t</sup>ies are agreed y<sup>t</sup> the sowth syde of John Barkers brooke shalbee the bounds of the abouesaid John Phillips for his meadow to hould for euer as his owne p<sup>r</sup>per Right to him and his heaires for euer and to the Sowth Riuer and so for the vpland vpon the Same Rang which m<sup>r</sup> Staars land Runes acording to the Court Roule and y<sup>t</sup> this is our Joynt acte and agreement wee Set to our hands in wittnes hecrof the day and yeare  
about written

Wittnes John Allden  
Experience Michell

JOHN BARKER

the marke of  of ROBERT  
BARKER

The mark of  JOHN PHILLIPS

The mark of  RALPH  
CHAPMAN

\*1648.

M<sup>r</sup> BRADFORD GOUERNER.

\*267

ffebrewary the twenty sixt.

**M**EMORANDUM that Constant Sowthworth of Duxbery and Thomas Sowthworth of Plymouth his brother in the Coliny of New plymouth in New England in America yeamen doe acknowlidg y<sup>t</sup> for and in concideration of the full Som of sixteene pound sterling to them alredy payed by ffrancis Godfray of the towne of Duxbery in the Coliny afor<sup>s</sup>d Carpenter haue ffreely and absolutely barganed and sould vnto the said ffrancis Godfray a certaine parsell of vpland ground Containeing an hundred acars or thereabouts bee it more or les lyeing at the north Riuer from M<sup>r</sup> Vassels Range in breadth east and by north along the <sup>s</sup>d north Riuer to a marked tree vpon the <sup>s</sup>d Range with all the Meadow ground belonging therunto to haue and to hould with all their Right title and Enterest of and into the said premises with all and singular the apurtenances belonging vnto the <sup>s</sup>d premises vnto the said ffrancis Godfray to him and his heires  $\ell$  assignes for euer vnto the onely p<sup>r</sup>er vse and behoofe of him the <sup>s</sup>d ffrancis Godfray to him and his heaires  $\ell$  assignes for euer.

**M**EMORANDUM the 16<sup>th</sup> of March y<sup>t</sup> Samuell fuller of Plymouth with the concent of his mother M<sup>is</sup> Bridget fuller doth by these p<sup>r</sup>sents make ouer vnto Leiuetennat Matthew fuller of Plymouth afor<sup>s</sup>d all their Right title and Enterest of and into a Small pcell of vpland ground liing at Strawbery hill neare Plymouth Somtims belonging vnto Edward Burcher being about two acars or therabouts bee it more or lese being bounded with the Marsh at goose point on the one syde and M<sup>r</sup> Jeningses land on the other syde the nether end butting vpon the bay vnto the said Matthew fuller to haue and to hould to him and his heaires for euer vnto the onely p<sup>r</sup>per vse and behoofe of him the <sup>s</sup>d Matthew fuller vnto him and his heaires for euer.

\*268 \*1648.

BRADFORD GOUER.

**T**HESE p<sup>r</sup>sents wittneseth y<sup>t</sup> John Balden hath Couenanted with m<sup>r</sup> William Colliar of Duxburow to doe him honest and faithfull servis in Sutch work and Imployment as the said M<sup>r</sup> William Colliar shall haue Ocation to Employ him the said John Balden in and about from the twentieth day of December 1648 the full tearm of fve yeares; and the <sup>s</sup>d M<sup>r</sup> William Coliar Couenanteth to giue the said John Balden meat Drinke and Cloathing lodging and washing and at the end of fouer yeares servis to giue the said John Balden a heaiffer of two years old

beffore mee MILES STANDISH.

\*269 \*1648.

BRADFORD gouerner.

New plymouth.

**M**EMORANDUM the 8<sup>th</sup> of March y<sup>t</sup> M<sup>r</sup> William Bradford Gouverner doth acknowlidg y<sup>t</sup> for and in concideration of fifty pounds to him alreedy payed in Cattell and worke by M<sup>r</sup> John howland of plymouth afor<sup>s</sup>aid and his asignes hath freely and absoleutly barganed and Sould vnto the said M<sup>r</sup> John howland a certaine tract of land lying within the limits of Marshfeild Comonly called the great yland with all the marsh meadow lyeing before the s<sup>d</sup> yland lying on the weast syde from the Ceader tree to the weast point therof containing about thirteene acars be<sup>e</sup> it more or lese with all the <sup>s</sup>d M<sup>r</sup> William Bradford his Right title and Enterest of and into the <sup>s</sup>d premises with all the apurtenances apertaning vnto the said premises to haue and to hold vnto the said M<sup>r</sup> John howland his heaires and asynes for euer vnto the onely p<sup>r</sup>per vse and behoof of him the said m<sup>r</sup> John howland his heaires and asynes for euer.

And I the said John howland seni the day and year aboue written doe acknowledg y<sup>t</sup> for and in concideration of the sum of twenty fue pound sterling to mee all Redy payed haue ffreely and absoletly barganed and Sould vnto my sooninlaw John Gorum the one halfe of the aforesaid yland and marsh meadow belonging therunto to bee equally deided betwixt my selfe and him the one halfe of the afor<sup>s</sup>d yland and marsh meadow to belong vnto the said John Gorum his heaires and asynes for euer vnto the onely p<sup>r</sup>per vse and behoofe of him the <sup>s</sup>d John Gorum his heaires and asynes for euer.

\*i649.

M<sup>r</sup> BRADFORD GOUER<sup>r</sup> .

\*271

**M**EMORANDUM the 9<sup>th</sup> of Aprell i649 y<sup>t</sup> Richard Church senier the day and yeare afor<sup>s</sup>d before the Gouverner did acknowledg y<sup>t</sup> for and in concideration of twenty fue pounds sterling to bee paid by Robert Bartlet of New plymouth hath ffreely and absoletly barganed and sould vnto the <sup>s</sup>d Robert bartlet an house and land lyeng at the Eel Riuer near plymouth aforesaid with all the meadow land of any kind at any time graunted or any way apertaining vnto the said Richard Church vnto this p<sup>r</sup>sent day within the limits of plimeuth afor<sup>s</sup>d with all the seuerall apurtenances belonging vnto the <sup>s</sup>d house and land acording to a wrighting vnderneath entered

In the yeare of our Lord i649 Aprell the 9<sup>th</sup>

Bee it knowne vnto all men by these p<sup>r</sup>sents y<sup>t</sup> I Richard Church haue sould vnto Robert Bartlet all the Right and title y<sup>t</sup> I the <sup>s</sup>d Richard Church hath in house and houseing and land with all the meadow ground with the addition y<sup>t</sup> hee had of goodman Kemton at the Eel Riuer and hee is to leaue a Cubbert and a bime<sup>l</sup> and all the shelues and benches y<sup>t</sup> are in the house and all the ladders y<sup>t</sup> are about the house and the <sup>s</sup>d Richard Church doth bind himselfe his heaires and asynes to Ensure all y<sup>t</sup> the <sup>s</sup>d Richard Church hath sould to Robert Bartlet y<sup>t</sup> no man shall *not* truble him for it but the said Richard Church is to take his Corn of from the ground and to thresh it in the barn in fourteen days and hee is to leaue the plancks y<sup>t</sup> are in the barne.

And the said Robert Bartlet is to giue vnto the <sup>s</sup>d Richard Church for his house and land the full Sum of twenty fue pound in maner and form foloing a Rid oxe y<sup>t</sup> they Call his name Mouse for eight pound and ten shi. and six pound to bee payed at M<sup>r</sup> Paddies in Comodities and the Resedew to bee paid the next yeare foloing in the last of September either in Catell or in Corn or in Marchants pay if in Cattell thay must be prised if in Corn it must be at the prise Currant if in Marchants pay hee must take it as

[<sup>l</sup> i. e. binne.  
D. P.]

hee Receveth it; and the marchants pay is to bee paid in linnen and woollen and shoos and stockens heere at plymouth if they be there to bee had if not hee is to take it in the other pay.

And Elizabeth the wife of Richard Church afor̄sd the day and yeare aboue written did acording to order giue her free and full Conccent vnto the salle of the house and land and theire seuerall apurtenances afor̄said acording to the tearmes and Conditions aboue mensioned.

\*272

\* i649.

M<sup>r</sup> BRADFORD GOUER<sup>r</sup>Aprell the 16<sup>th</sup> i649.

**M**EMORANDUM that I John Barnes Doe acquite Release and discharge Gorg Bonham of all debts dewes and demaunds from the beginning of the world to this p<sup>r</sup>sent day being the i6<sup>th</sup> of aprell in wittnes wherof I haue heerunto set my hand.

JOHN BARNES <sup>his</sup>  mark.

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\* i649.

BRADFORD GOUE<sup>r</sup>

**M**EMORAN<sup>d</sup> the eighteenth of aprell that John Barnes of New Plymouth doth acknowledg that for and in Conccideration of the Som of three pound sterling to bee payed by Gorg Bonum of Plymouth afor̄said husbandman; y<sup>t</sup> is to say twenty shilling therof to bee payed on the fiteenth of october in the yeare i650 and the Remynder therof to bee payed by twenty shillings a year the two foloing yeares in Corn as it goes at a Currant prise at the times of payment; that hee hath freely and absolutly barganed and sould a p<sup>r</sup>cell of Land lyeing at the ffishing point at the mouth of the Eel Riuer formerly bought of Mark Mendum next adioyning vnto the other Land belonging vnto the said Gorg Bonum to haue and to hold the said pcell of Land with all and singular the apurtenances and Inlargments any way belonging therunto vnto the said Gorg Bonum his heaires and assignes for euer vnto the only proper vse and behoofe of him the said Gorg Bonum his heaires and assignes for euer.

\*1649.

BRADFORD GOVERNER.


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**T**O all to whom these p<sup>r</sup>sents shall Com Thomas Ricard of Scittuaat in the gouernment of New Plymouth in New England in america Sendeth Greeting.

**Know** yee that I the aforsaid Thomas Ricard for and in Conideration of eight pound of Currant New England pay to mee in hand payed by Joseph Tilden of Scittuaat aforsaid in the gouernment aforsaid yeaman ; wherwith I the aforsaid Thomas Ricard doe acknowledg my selfe Suffisiently satisfied Contented and fully payed and therof and of euery part and pcell therof doe Exownarate aquit and discharge the aforsaid Joseph Tilden hee his heaires Executers adminnestrators and assignes for euer by these p<sup>r</sup>sents haue ffreely and absolutly barganed and Sould Enfeafed and Confermed and by these p<sup>r</sup>sents doe bargan Sell Enfeafe and Conferme from mee the said Thomas Ricard and my heaires to him the said Joseph Tilden and his heaires and assignes for euer my Lot at the Clift Comonly knowne by the name of the third Clift lying and being in Scettuate aforsaid and is bounded towards the East to the Sea towards the West to the marsh land of the aforsaid Joseph Tilden towards the north to the Land of Thomas Chambers and towards the south to the Land of Thomas Pincin ; the which said land is by Computation seauen acars more or les, **to haue and to hold** the aforsaid seauen acars of vpland with all and singular the apurtenances therunto belonging or any way apertayning to all or any part or pcell of the aforsaid land vnto the aforsaid Joseph Tilden hee his heaires exequetors adminestrators and assignes for euer To the p<sup>r</sup>per vse & behoofe of him the said Joseph Tilden hee his heaires and assignes for euer **To bee holden** of our Soueraign Lord the King as of his manor of East greenwidg in the County of Kent in ffree and Comon Sockage and not in Capete nor by Knights seruice by the Rents and seruices therof and therby dew and of Right acustumed and with warrantice against all peopell whatsoeuer from by or vnder mee the said Thomas Ricard or by my Right or title Claiming any Right title or Enterest of or in the said p<sup>r</sup>misses or any part or pcell therof **And** I the said Thomas Ricard doe also Couenant promise and graunt by These p<sup>r</sup>sents y<sup>t</sup> it shall and may bee lawfull to & for the said Joseph Tilden either by himselfe or his attorney to Record or Enrowle these p<sup>r</sup>sents or to Cause them to bee Recorded or Enrowled in his Ma<sup>ties</sup> Court at Plymouth aforsaid or in any other place in y<sup>t</sup> Case p<sup>r</sup>uided before the Gouernor for y<sup>t</sup> time being or any other Maiestrait in y<sup>t</sup> Case p<sup>r</sup>uided according to the vsuall manor of Recording or inrowling Euidences in Wittnes wherof I the said Thomas Ricard haue heerunto set my hand and Seale the tenth day

of October in the four and twentieth yeare of the Raigne of our Soueraigne Charles of England Scotland ffraunce and Ireland and New England King and in the yeare of our Lord God i648 one thousand six hundred forty and eight.

Signed Sealled seasing and possession  
and deliuered in the p<sup>r</sup>sence  
of Richard Garret  
Wilham Hatch.

The signe of  
THOMAS RICARD his 

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\*i649.

BRADFORD GOUERNER.

**T**O all peopell to whom these p<sup>r</sup>sents shall Com John hanmore of Scettuaat in the gouerment of New Plymouth in New England in america sendeth Greet ^

Know yee that I the aforsaid John hanmore for and in Concideration of fiteene pounds of Currant New England pay to mee in hand payed by Joseph Tilden of Scettuaat aforsaid in the gouerment aforsaid yeaman; wherwith I doe acknowlidg my selfe Suffissiently satisfyed Contented and fully payed and therof and of euery part and pcell doe Exownarate acquite and discharg the aforsaid Joseph Tilden hee his heaires exequetors adminestrators and assignes for euer; by these p<sup>r</sup>sents haue ffreely and absolutly barganed and sould Enffeaed and Confermed and by these p<sup>r</sup>sents doe bargan Sell and Enffeafe and Conferme vnto the said Joseph Tilden hee his heaires Exequetors adminestrators and assignes for euer fue acares of vpland lying and becing in Scettuaat aforsaid on the Clift Comonly Called and knowne by the name of the third Clift and is bounded to the Sea towards the East; towards the west to the Mersh land of the said John hanmore; to the Land of M<sup>r</sup> foot y<sup>t</sup> was somtims the land of Daniell Pryor Toward the south and to the Lands of henary Merit toward the North; as also two acars more or les of marsh meadow lying adioyning to the aforsaid vpland and is bounded towards the east to the Land of the aforsaid henary Merrit vnto the aforsaid vpland towards the west to the hieway Toward the North to the marsh land of the aforsaid Joseph Tilden and Towards the south to the swamp of Thomas Pincin; lickwise fue acars more or les of vpland lying ouer against the aforsaid marsh land on the other side the hieway and is bounded towards the East to the hieway tovars the west to the Comon toward the north to the Land of Gorg Pitcoke tovars the South to the lands of Thomas Pincin all

which said too pcells of vpland and two acars of mersh weer somtimes the Land of Gorg Kenrick somtimes of Scettuaat to haue and to hold the aforsaid vpland and mersh with all and singular the apurtenances therunto belonging or any way apertaining to all or any part or pcell of the aforsaid land from mee the said John hanmore and my heaires to him the said Joseph Tilden and hee his heaires and assignes for euer to the pper vse and behoof of him the said Joseph Tilden hee his heaires and assignes for euer.

**To be holde**<sup>u</sup> of our Souaraine Lord the King as of his maner of east greenwidge in the County of Kent in ffree and Common Sockage and not in capite nor by Knights seruis by the Rents and seruises therof and therby dew and of Right acustomed and with warrantice against all peopell whatsoever from by and vnder mee the said John hanmore or by my Right or title claiming any Right title or Enterrest of or in the premises or any p<sup>t</sup> or pcell therof.

\* i649  
BRADFORD  
Gouernr.  
\*277

**And I the said** John hanmore Doe also Couenant and promise Ann hanmore my wife Shall Resigne vp vnto the aforsaid Joseph Tildine all her Right and Enterest in the aforsaid land and y<sup>t</sup> in sutch maner as the law hath apointed in sutch Resignations of Rights of the thirds; and this to be done within one month after the date heerof **And I** the said John hanmore doe further Couenant promise and graunt by these p<sup>r</sup>sents y<sup>t</sup> it Shall and may bee lawfull to and for the said Joseph Tildine either by himself or his aturny to Record or inrowle these p<sup>r</sup>sents or to cause them to bee Recorded and Inrowlled in his Maties Court at New Plymouth aforsaid before the Gouvern<sup>r</sup> for y<sup>t</sup> time being or any other offecer in y<sup>t</sup> Case provided **In witness** Wherof I the said John hanmore haue heerunto set my hand and seale twelfth day of Agust in the twentyfourth yeare of the Raygne of our Soueraine Lord Charles of England Scotland ffrance and Ireland and New England King and in the yeare of our lord God i648.

Signed Sealled and Deluered in the p<sup>r</sup>sence

of vs Together withe the Possession and Deliury of the land by

Turfe and Twigg

Richard Garrett    francis Crooker

John Saffin

  
JOHN HANMORE



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1649

\*BRADFORD Gouverner

Recorded according To Order the thirtieth of Aprell.

**To all to whom** these p<sup>r</sup>sents shall come William Hatch the Elder of Settuat in the gouernment New plymouth in new England in america Youman sendeth greeting **know yee that** I the aforsaid William Hatch for and in consideration of twenty pound of Currant New England pay to mee in hand payed by Joseph Tildine of Settuat aforsaid in the gouernment aforsaid yeaman wherwith I the said William hatch doe acknowlidg my selfe fulliy satisfiyed contented and fully paid and therof and of euery part and parsell therof doth exownerate aquite and discharg the afforsaid Joseph Tildine hee his heaires Exeqetors adminestrators and assignes for euer by these p<sup>r</sup>sents **haue freely** and absolutly barganed and sould Enseaffed and Confermed and by these presents doe bargan sell Enseaffe and conferme from mee the said William hatch and my heaires to him the said Joseph Tildine and hee his heaires and assignes for euer one Iland of vpland containing by Computation Twenty acres more or les together with all the mersh meadow therunto adioyning lyeng and being by the Riuer Comonly Called the North Riuer w<sup>h</sup> said Land is knowne by the name of Old Iland, and is bounded toward the east to the afforsaid North Riuer oposite overagaint the Clift comonly called and knowne by the name of the ffourth or ffowe Clift and toward the East there is a Creeke w<sup>h</sup> prosedes from the North Riuer between the afforsaid Iland and mersh and the Iland Comonly Called and known by the name of Coopers Iland and so Trencheth about westerle and on the north side it is bouned with a Creeke y<sup>t</sup> prosedes out of the afforsaid North Riuer and Trencheth about Southerly neare to the afforsaid Creeke there being but a Smale distance between the said Creeks towards there vpper ends, with all and singular the apurtenances therunto belonging or any way apertaining to all the said vpland and mersh or any p<sup>t</sup> or parsell therof **To haue and to hold** the afforsaid vpland and mersh vnto the said Joseph Tilden hee his heaires and assignes for euer to the prop vse and behoofe of him the said Joseph Tilden hee his heaires and assignes for euer **To bee holden** of our Soueraine Lord the King as of his mannor of East Greenwidge in the County of Kent in ffree and Common Sockage and not in Capete nor by Knights Seruis by the Rents and Seruices therof and therby dew and of Right acustumed and with warrantice against all peopell whatsoever from by or vnder mee the said William hatch or by my Right or title claiming any Right title or Enterest of or in the aforsaid premises or any p<sup>t</sup> or parell therof.



\*i649

BRADFORD Gouverner

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And **I the said** William hatch doe also Couenant and promise p these p'sents y<sup>t</sup> Jaane hatch my wife shall within one month next after the date herof yeald vp and Resigne ouer her Right of the thirdes of the aforsaid lands vnto the aforsaid Joseph Tilden according to the Custome of the Cuntry and as law Requires in sutch a Case **And I the said** William hatch doe further Couenant and promise and graunt p these p'sents that it shall and may bee lawfull to and for the said Joseph Tilden either by himselfe or his atorney to Record or Inrowle these p'sents or to cause them to be Recorded or InRowled in his Ma<sup>ties</sup> Court at New Plymouth afforsaid or in any other place in y<sup>t</sup> Case provided beefore the Gouverner for y<sup>t</sup> time being or any other Maiestrait in that case provided according to the vsuall mannor of Recording and Inrowing Euidences **In witnes wherof** I the said William hatch haue heerunto set my hand and seale the fourth day of October in the four and twentieth yeare of the Raigne of our Soueraine Lord Charles of England Scotland france Ireland and New England King and in the yeare of our Lord God one Thousand Six hundred ffourty and eight.

WILLIAM HATCH

Signed Sealed and Deliuered  
in the presence of Richard Garrett  
Steven Tildine



\*i649

M<sup>r</sup> BRADFORD Gouvern<sup>r</sup>

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**M**EMORANDUM the 24<sup>th</sup> of Aprell i649 y<sup>t</sup> M<sup>is</sup> Ann Atwood doth acknowlidg y<sup>t</sup> for and in Conideration of the som of eight pound sterling to bee paid by John Shawe the younger this p'sent yeare in June next at Boston in the Massachusets Bay in Such Comodities as the said M<sup>is</sup> Atwood shall send for shee hath freely and absolutly barganed and Sould vnto the said John Shawe all y<sup>t</sup> parsell of Marsh Medow lyeing in Greens harbor Marsh neare the Cut being estemated at about eight acares bee it more or les which was formerly graunted vnto M<sup>r</sup> John Atwood her husband deseased to haue and to hould vnto the said John Shawe his heaires and assignes for euer vnto the onely proper vse and behoofe of him the said John Shawe his heairs and assignes for euer

**R**ICHARD CHADWELL in regard of diuers ocations of traouelling to and fro Lest hee should loose these aquitances heer vnder written desired thay might be entered and Recorded and accordingly weer the 17<sup>th</sup> of May i649.

Bee it knowne vnto all men by these p<sup>r</sup>sents y<sup>t</sup> I Thomas Mayhew of Meadford Marchant doe acclaime acquitt and discharg Richard Chadwell of Sagus shipwright of all debts Reconings debt and accompts betwixt, from the begining of the world vnto this p<sup>r</sup>sent witnes my hand this 12<sup>th</sup> of august in the yeare of our Lord God one Thousand six hundred thirty and fiue i635.

p MATHEW CRADOCCK.

p THOMAS MAIHEW.

Receaued 14<sup>th</sup>—5<sup>s</sup> in full Satisfaction of all accounts between Richard Chadwell and my selfe

RICHARD BELLINGHAM.

the 29<sup>th</sup> of the 2<sup>cond</sup> month. }

**T**HE bargan of Meddow ground abouemencioned sould by M<sup>is</sup> Ann Atwood vnto John Shaw Juni was sence sould by the said John Shaw vnto his Brother in law Steuen Bryant and acknowledged before Captaine Standish in the words following

I John Shaw doe acknowledge that I haue sould all my Right and title that I haue in the meddow ground aboue mencioned to my brother Steuen Bryant to him his heires and assignes for euer.

JOHN SHAW.

This Bargan and sale acknowledged the ninth day of June i65i.

before mee MILES STANDISH.

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\*i649

BRADFORD Gouverner.

**To all people to whom** the p<sup>r</sup>sent writing shall Com Samuella house of Scettuaate in the Gouvernment of New Plymouth in New England in america Shipcarpenter sendeth greeting

**Know ye that** I the aforsaid Samuella house for and Consideration of a valluable som to mee in hand payed p Thomas Rawlins seni of Scettuaate aforsaid in the gouernment aforsd Planter wherwith I doe acknowledge my selfe suffissiently sattisfied Contented and fully Payed and

therof and of every pt & pcell therof doe Exownerate aquite and discharg  
 the aforsaid Thomas Rawlins hee his heaires Exequetors adminestraters  
 and assignes for euer p these p'sents **haue freely and** absolutly barganed  
 and sould infeafed and Confermed and p these p'sents doe bargain sell  
 infeafe and Conferme vnto the said Thomas Rawlins hee his heaires and  
 assignes for euer **one small** pcell of land lyeing and being in Setuaat aforsaid  
 and was somtims pt of y<sup>t</sup> land y<sup>t</sup> was Christofer Winters and is p Com-  
 putation twelue Rodds more or les and is bounded toward the north to the  
 land of the aforsaid Thomas Rawlins toward the South to the land of the  
 aforsaid Samuell house ; Towards the east to the hyeway towards the west to  
 the land of the aforsaid Samwell house with all and singular the apurtenances  
 therunto belonging or any way apertaining to any pt or pcell of the aforsaid  
 land and all my Right title and Interest into the said premises or any p<sup>t</sup> or  
 pcell therof **to haue and to hold** the aforsaid twelue Rodds of vpland vnto  
 the aforsaid Thomas Rawlins hee his heaires and assignes for euer to the pper  
 vse and behoofe of him The said Thomas Rawlins hee his heaires and  
 assignes for euer **To be holden** of our Soueraigne Lord the King as of his  
 Maner of East greenwidge in the County of Kent in free and Comon Sockage  
 and not in Cappaty nor by Knightes Seruis by the Rents and seruisses therof  
 and therby dew and of Right accustumed, and with warrantix against all  
 peopell whatsoever from by or vnder mee the said Samuell house or by my  
 Right or title claiming any Right title or Interest of or in the premises or any  
 part therof **And I** the said Samuell house doe also Couenant promise and  
 graunt p these p'sents y<sup>t</sup> it shall and may bee lawfull to and for the said  
 Thomas Rawlins either by himselfe or his attorney to Record these p'sents or  
 to cause them to bee Recored or Inrowled in his Ma<sup>ties</sup> Court at New Plymouth  
 aforsaid or any other place in y<sup>t</sup> case prouided before the Gouverner for y<sup>t</sup>  
 time being or any other offecer in y<sup>t</sup> Case prouided according to the vsuall  
 maner of Recording and InRowling Euidences In that Case prouided in wittnes  
 wherof I the said Samuell house haue heervnto set my hand and Seale the  
 first day of January in the two and twentieth yeare of the Raigne of our  
 Soueraigne Lord Charles of England Scotland ffrance Ireland and New Eng-  
 land King and in the yeare of our Lord God one thousand six hundred forty  
 and six 1646

Scaled and deliuered  
 in the p'sence of vs  
 James Cudworth  
 Isaack Chittenden

SAMUELL HOUSE

his



\*1649.  
 BRADFORD  
 Gouverner.  
 \*284

\*285

\*i649.

BRADFORD GOUERNER

**T**HIS Date made in the tweluth day of May Anno Domini i645 betwene John Whetherden of Settuaate in the Coliny of New Plymouth in New England in america miller and Thomas Rawlins of Setuaat aforsaid yeaman witnesseth y<sup>t</sup> the aforsaid John Whetherden for and In Conideration of eight pounds p mee alrely Receaued haue giuen barganed and sould and p these p<sup>r</sup>sents doe giue bargan and sell frée from all Intaillments of mee and my heaires vnto the aforsaid Thomas Rawlins and hee his heaires for euer ; a Portion of vpland marsh Containing twenty acars more or les lying on the North side of the 2<sup>cond</sup> Clift it being bouned on the Sowth with the land of francis Rawlins on the east with the Sea, on the west and north Rounded with the Creeks ; and Conidering y<sup>t</sup> the said land was formerly the ffree Simple of Christofer Winter Purchased of Thomas Tart Purchased of Anthony Annable I the said John Whetherden doe by these p<sup>r</sup>sents bind mee my heaires Exequetors Adminestrators to suffer and permit the said Thomas Rawlins hee his heaires Exquetors Administrators and assignes peacably to Inioy and hould the aforsaid land for euer ; and lickwise doe secuer him the said Land ;   against the formencioned pties or any other y<sup>t</sup> shall opose him in Through or vnder mee ; and lickwise doe giue him full power to Inrowle the tenor of the aforsaid land at his Ma<sup>ties</sup> Court at New Plymouth according as it is in y<sup>t</sup> Case prouided in wittnes wherof I have heerunto set my hand and Seale the day and yeare aboute written i645

Scalled and deliuered

in the presence of vs

Thomas Tart

John Whiston

JOHN WHETHERDEN

his

Seale.

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\*i649

BRADFORD GOUERNER

At the generall Court holden at New Plymouth the 8<sup>th</sup> of June befor M<sup>r</sup> William Bradford Gou<sup>r</sup> M<sup>r</sup> Prence M<sup>r</sup> William Coliar Captaine Miles Standifh M<sup>r</sup> Timothy Hatherle M<sup>r</sup> John Browne and M<sup>r</sup> William Thomas gent. affistants :

**M**<sup>R</sup> EDMOUND HAWES of Yarmouth Came into the said Court and acknowledged y<sup>t</sup> hee hath freely and absolutely barganed and sould vnto M<sup>r</sup> Thomas Burne of Marshfeild a Certaine pcell of vpland being in Marshfeild aforsaid lying on the North side of the south Riuer estecmated at about thirty acares bee it more or les bounded also with the lands of Daniell Cole

on the one side and M<sup>r</sup> John Aldins on the other side with all his meadow land belonging therunto with all his Right title and Interest of and into the said Premises and the apurtenances apertaining vnto vnto the said premises to haue And to hold the aforsaid pcell of vpland and meadow with their apurtenances vnto the said M<sup>r</sup> Thomas Burne his heairs and assignes for euer vnto the onely pper vse and behoofe of him the said M<sup>r</sup> Thomas Burne his heairs and assignes for euer; and the said M<sup>r</sup> Hawes did also acknowldg before the Court abouesaid y<sup>t</sup> hee was fully satisfied by the said M<sup>r</sup> Thomas Burne for the aforsaid Lands.

**T**HE day and yeare abouesaid before the Court abouesaid Daniell Cole of Nawset did acknowldg y<sup>t</sup> hee hath giuen vp all his Right title and interest into his land in Marshfeild being about fifty aceres bee it more or les with all the meadow land belonging therunto vnto Edmond Weston the administrator of the estate of Thomas howell Desseased; as also all and singular the apurtenances any way apertaining vnto the said premises and y<sup>t</sup> hee the said Daniell Cole is fully satisfied for the said Lands.

\*i649.

BRADFORD GOUERNER.

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**M**EMORAND the 11<sup>th</sup> of July i649 y<sup>t</sup> M<sup>r</sup> Thomas Prence of the towne of Nawset in the Coliny of New Plymouth in New England in america gen<sup>t</sup>: doth acknowldg y<sup>t</sup> for and in concideration of twenty one pound and tenn shillings hee hath freely and absolutly barganed and sould vnto Jakob Cooke of the towne of Plymouth in the Coliny of New Plymouth planter a percell of vpland being estemated at about forty acars bee it more or les lying in Rocky noocke near Plymouth aforsaid being bounded with the lands of M<sup>r</sup> John Combe on the one syde and of ffrancis Cooke on the other side abuting vpon the bay and so extending itselfe vp into the woods with the Inlargment at the vper end therof as is expressed in the Record of the Inlargment aforsaid entered in the Court booke with three acars of Mersh medow or therabouts bee it more les aioyning vnto the vpland aforsaid; all and singular the premises with all and singular the apurtenances apertaining vnto the said premises. to haue and to hold viclecett the aforsaid forty acars of vpland more or les with the Inlargment aded therunto and the three acars of meadow with thaire seuerall apurtenances vnto the said Jakob Cooke his heaires and assignes for euer vnto the only proper vse and behoofe of him the said Jakob Cook his heaires and assignes for euer.

ffurthermore the said M<sup>r</sup> Thomas Prence Couenanteth by these p<sup>r</sup>sents

to deffend the propriety and title of the lands aforesaid from time to time and at all times from any p<sup>r</sup>son or p<sup>r</sup>sons y<sup>t</sup> shall or may lay any Claime or title from by or vnder him or any before him vnto the whole or any part or pcell of the lands and thaire seuerall apurtenances aforesaid and shall warrantice the salle therof against any y<sup>t</sup> shall opose the same vnto the said Jakob Cook his heaires and assignes for euer.

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\*i649

BRADFORD GOUCNER.

**M**EMORAND the 13<sup>th</sup> of July that M<sup>r</sup> Thomas Prence of the towne of Nawset in the Coliny of New Plymouth in New England in america gen<sup>r</sup> doth acknowledg y<sup>t</sup> for and in consideration of forty five pound sterling hee hath freely and absolutly barganed alianated and sould vnto Richard Church of the towne of Nawset in the Coliny aforesaid Carpenter and vnto Anthony Snow of the towne of Marshfeild in the Coliny aforesaid felt maker a Certaine tract of vpland and mersh meadow lying in the limits of greens harbor allies Marshfeild aforesaid; videlicet all his both vpland and meadow lying betwixt M<sup>r</sup> Burns and a little Creeke lying on the west side of the said tracte of land towards M<sup>r</sup> Buckles and forty acars of vpland on the other side of the said Creeke or els a pcell of land lying by the south side of the south Riuer and Invironed with Swamps on the sowthwest side and the said south Riuer on the north side as is expresed in the Record of the graunt of the said lands vnto the aforesaid M<sup>r</sup> Thomas Prenc bearing date the fift of ffebruary i647 with all the said M<sup>r</sup> Thomas Prence his Right title and Enterest of and vnto the said premises with all the apurtenances belonging or any way apertaining to the said premises to haue and to hold the said tract of vpland and mersh meadow in euery Respect as is aboue mensioned vnto the said Richard Church and Anthony Snow to them and their heaires and assignes for euer vnto the only proper vse and behoof of them the said Richard Church and Anthony Snow to them their heaires and assignes foreuer.

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\*i649.

BRADFORD GOUCNER.

A deed appointed to bee Recorded.

**B**EE it known vnto all Men that I Mary Smith somtimes the wife of Richard Masterson desseased doe by these p<sup>r</sup>sents acknowledg y<sup>t</sup> I haue ffreely and absolutly giuen and made ouer and doe by this my deed ffreely giue and Resigne vnto my soon Nathaneel Masterson and vnto my daughter Sara the wife of John Wood all my Right title and Interest of and into an

house in Leyden in Holland sometimes apertaining vnto my desseed husband Richard Masterson aforesaid the said house to haue and to hold vnto the said Nathaneel Masterson and Sara Wood to them thaire heaires and assignes for euer vnto the onely p<sup>r</sup>per vse and behoofe of them the said Nathaneel Masterson and Sara Wood vnto them and their heairs and assignes for euer.

The 20<sup>th</sup> of the 10<sup>th</sup> month 1645 a Record of Land purchased from The towne of Rehoboth with an agreement of what other lands are to be aded for John Browne.

**W**HEREAS there was a 2<sup>cond</sup> agreement made with the Indians for their full Conccent in their Remoueing from Wanomoycet and the vallew of fiftene pounds sterling to bee payed them or theireabouts in seuerall Comodities ; it was in seuerall Town meetings ppounded y<sup>t</sup> if any one man would pay y<sup>t</sup> p<sup>t</sup>iculler Purchase thay should haue y<sup>t</sup> Land with twelue acres lying at Watchemoquit Coue & so mutch more land at Wanomoycet as should be thought worth the payment of the same ; afterward Richard Bowin Robert Martin and Steven Paine by the apointment of the Rest of the Townsmen viewed & layed out y<sup>t</sup> necke of Land called & knowne by the name of Wanomoycet necke from the salt water wher the Indians had formerly made a hedge Rainging vnto the Northerly end of the Indian ffeild & so Round about the said Indian ffeild vnto the salt water wher vpon the 29<sup>th</sup> of the tenth month 1645 M<sup>r</sup> John Browne in a towne meeting did promise & vndertake to pay the said Purchase in Consideration y<sup>t</sup> the said lands to belong to him & his heaires or assignes for euer ; and ffurther it was agreed in the said Towne meeting y<sup>t</sup> in all deuissions of Lands y<sup>t</sup> was or y<sup>t</sup> heerafter should bee made y<sup>t</sup> what p<sup>o</sup>rtion should fall to his Share after the rate of 308 estate should bee layed forth for him adioyning to the aforesaid lands on the ffurther side from the Towne or towards the salt marsh or so as may bee both lest p<sup>r</sup>inditiiall to the Towne or to himselfe saueing y<sup>t</sup> fourty fouer acres vpon Watchemoquet necke allredy alloted him to bee part of the same ; and hee doth ffurther agree to accept of tenn acres of salt marsh wher hee mowed this yeare ; formerly alloted to him in full of all meadow land belonging to the Towne & doth further promise y<sup>t</sup> when the Rest of the Townsmen shall ffence their Land allredy alloted vpon Wachemoquit Necke hee to ffence his part with them & to bear his part in Town Charges after the aforesaid som of three hundred pounds Estate ; & hee doth further p<sup>r</sup>mise not to make any sutch ffence so fare into the salt water vpon the westerly side of Wanomoycet Neck as shall bare out hoggs

from Claming nor from the south point of the said neck ; a quarter of a mile on the East part of the said neck.

p me EDWARD SMITH  
Towne Clarke.

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\*i649.

BRADFORD gouerner.

**M**EMORANDUM the twentyeight of July i649 y<sup>t</sup> Gorg Partridg of the towne of Duxbery in the Coliny of New Plymouth in New England in america Tayler doth acknowlidg y<sup>t</sup> for and in Concideration of the Som of fouer pound sterling to him alredy payed by Sergeant William Mericke and John Vobes of the towne aforsaid in the Coliny aforsaid Tayler hee hath freely and absolutly barganed alianated and Sould vnto the said William Mericke and John Vobes a smale pcell of vpland ground being esteemed at about fiue acars or therabouts bee it more or les being in Duxbery aforsaid at poulder point betwixt the lands of Gorg Soule on the one side and Solomon Lenerson on the other side with all the said Gorg Partridg his Right title and Enterest of and into the said premises with all and singular the apurtenances belonging therunto **to haue and to hold** vnto the said William Mericke and John Vobes to them their heaires and assignes for euer vnto the onely proper vse and behoofe of them the said William Merick and John Vobes to them their heaires and assignes for euer.

**M**EMORAND<sup>Ń</sup> the day and yeare abouewritten that wheras Sergiant William Mericke abouesaid hath formerly been in partnership with John Vobes abouesaid in an house and parcell of vpland Containing about fiteene acars bee it more or les being in the towne of Duxbery aforsaid at poulder point aforsaid being bounded with the lands of Gorg soule and Solomon Lenerson with a pcell of meadow apertaining thervnto These are therefore to Signify vnto all whom for the futuer it shall Concern y<sup>t</sup> the said William Mericke doth by these p<sup>s</sup>ents acknowlidg y<sup>t</sup> for and in Concideration of the full som of twelue pound sterling to him alredy payed by John Vobes aforsaid y<sup>t</sup> hee hath ffreely and absolutly barganed alianated and sould vnto the said John Vobes the one halfe of the aforsaid house and fiteene acars of vpland and the meadow land apertaining therunto w<sup>h</sup> said house and lands they had formery in Joynt partnership betwixt them together with his part of a Smale pcell of vpland purchased Joyntly by the said pties of M<sup>r</sup> John Alden of Duxbery aforsaid which said Smale pcell being about two acars bee it more or les the said M<sup>r</sup> John Alden the day and yeare aboue



written did acknowlidg y<sup>t</sup> hee hath formerly sould vnto the said William Merieke and John Vobes when thay weer in partnership together and y<sup>t</sup> hee is fully satisfied for it ; The said William Merieke his said halfe part of the aforsaid house fifteen acares of vpland and his halfe of the meadow apertaining therunto with his halfe part of the s<sup>d</sup> two acars of vpland purchased of M<sup>r</sup> John Alden the said premises with all and singular the apurtenances belonging vnto the said premises **to haue and to hold** vnto the said John Vobes his heaires and assignes for euer vnto the onely p<sup>r</sup>per vse and behoofe of him the s<sup>d</sup> John Vobes his heaires and assignes for euer.

\*i649

BRADFORD Gouverner

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**M**EMORANDUM the sixteenth of September y<sup>t</sup> Thurston Clarke the elder doth acknowlidg y<sup>t</sup> for and in Concideration of the som of ten pound sterling wherof fiue pound is already payed by John Dunham Juni of Plymouth ; and the Remaying fiue pound to bee payed by the fifteenth day of September i650 by John Dunham aforsaid hee hath freely fully and absolutely barganed and sould vnto the said John Dunham an house and tenn acars of vpland bee it more or les beeing in the townshipe of New Plymouth aforsaid lyeing aboue the hieway goeing to Joanses Riuer abuting vpon the vper ends of the lots of Samuell Cutbert & Edward Doty with all the houses and housing ffences and ffencing now in and vpon the said Land with all the boards and shelues dōres and locks now in vse in the aforsaid house or housing with the orchyard and all the frute trees of any kind in the same ; the said house and tenn acars of land bee it more or les with the orchyard and all and singular the apurtenances **to haue and to hold** vnto the said John Dunham his heaires and assignes for euer vnto the onely p<sup>r</sup>per vse and behoofe of him the said John Dunham his heaires and assignes for euer.

And Faith Clarke the wife of the aforsaid Thurston Clarke the day and year aboue written did according to order giue her free and full Conccent vnto the Saile of of the aforsaid house Land and Orchyard and there seucrall apurtenances.

December the 13<sup>th</sup> i649.

**M**EMORAND<sup>ũ</sup> that M<sup>r</sup> Edmond ffreeman seni doth acknowlidg y<sup>t</sup> on the eight of June last past for and In Concideration of the som of twelue pound sterling to him already payed & fully satisfied by Steuen Payne of Rehoboth hee hath ffreely fully & absolutly barganed & sould vnto the said Steuen Payne all y<sup>t</sup> his house situate in Rehoboth aforsaid with six acars and

seauen acars of meadow with about fourty acars of vpland with all such pportions as either haue been aded therunto sence the time that the said M<sup>r</sup> Edmond ffreeman Purchased the said house and lands of M<sup>r</sup> Wiltam Bradford or shallbee; with all ℄ euery the apurtenances thereunto belonging ℄ all his Right title ℄ Interest of ℄ Into the said premises ℄ euery p<sup>t</sup> ℄ pcell therof To haue and to hold; the said six acars more or lese ℄ seauen acars of meadow with about fourty acars of vpland ℄ such pportions as haue or shalbee added thervnto accordingly in euery Respect as it was sould vnto the said M<sup>r</sup> Edmond ffreeman by m<sup>r</sup> Wiltam Bradford aforsaid vnto the said Steuen Payne his heaires ℄ assignes for euer to the onely pper vse ℄ behoofe of him the said Steuen Payne his heaires ℄ assignes for euer.

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\* i649.

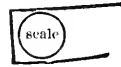
BRADFORD Goue<sup>r</sup>.

Primo die Juni i649.

**K** NOW all men by these p<sup>r</sup>sents y<sup>t</sup> I Edward fittsrandulph of Barnstable in the Coliny of New Plymouth haue the day ℄ yeare aboue named in and for the Consideration of ten pounds in hand payed before the Ensealling and Deliuary heerof to mee the said Edward by John Chipman of Barnstable aforsaid wherof ℄ of euery pt and pcell therof I acknowlidg my selfe fully Satisfyed ℄ payed ℄ therof ℄ of euery p<sup>t</sup> ℄ pcell therof I doe freely ℄ fully acquite ℄ discharge the said John Chipman his Executors ℄ administrators fermly by these p<sup>r</sup>sents; for euer barganed sould assigned ℄ set ouer and by these p<sup>r</sup>sents doe bargan sell assigne and set ouer vnto John Chipman of Barnstable aforsaid one dwelling house with eight acars of vpland aioyning therunto and standing lying and being next the house and Land of Gorg Lewis of Barnstable aforsaid on the one side and the hieway on the other side therof as also two acars of marsh lying neare the end of the said vpland together with a barne ℄ whatsoever other out houses are vpon the said land ℄ whatsoever Orchyard or garden plot is vpon the said vpland and thervnto apertaineth; and also fve acars of vpland lying in the feild Comonly Called the Comon feild three acars wherof is next aioyning to the land of Isaack Wells ℄ the other two acars next aioyning to the Land of John Scudder as also halfe an acare ℄ twelue Rode of vpland lying in the feild called the Calues pasture and being next the land of <sup>^</sup> to haue and to hold the said dwelling house vpland marsh barne outhouses orchyard gardenplot Comonfeild lot Calues pasture and all ℄ euery the premises aforsaid to him the said John Chipman his heaires and assignes for euer I say to the onely proper vse

℥ behoofe of him the said John Chipman his heires and assignes for euer ; in wittnes wherof I the said Edward ffitzrandulph haue heerunto Set my hand and Seale Euen the 2<sup>cond</sup> day of June Anno Domini one Thousand six hundred forty nine.

Edward ffitzrandolph his



Signed Sealled and Deliuered

in p<sup>r</sup>sence of Wiltam Caseley

Henery Cob

The signe **R** of Richard Church

\* 1649.

BRADFORD Goue<sup>r</sup>.

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apointed to bee Recorded.

New Plym

**M**EMORAND y<sup>t</sup> M<sup>is</sup> Ann Atwood doth acknowledg the eleuenth of July in the yeare aforsaid y<sup>t</sup> shee hath freely and absolutly barganed alianated ℥ sould vnto M<sup>r</sup> Beniamin ffermayes an house and garden Place settuate in Plymouth aforsaid being in the lower end of the North street with all the dores locks glase ℥ shelues in eich Rome as thay now are in the house aforsaid ℥ a pcell of shingles now in the seller of the said house with all the fence or fencing in or about the garden place aforsaid and all the frute trees of any kind now growing in the said garden place ; for and in Concideration of the som of thirty fue pound sterling to bee *to bee* payed at three seuerall payments videlicet ten pound therof in Cattell or English Comodities in October next folowing the date heerof ℥ ten pound therof in october i650 and the Remaying fiteene pound in October i65i to haue ℥ to hold the said house garden place fence ℥ fencing with all ℥ singulare their apurtenances aformensioned or any way apertaining vnto the said premises vnto the said M<sup>r</sup> Beniamin Fermayes his heaires ℥ assignes for euer vnto the onely p<sup>p</sup>er vse ℥ behoof of him the said m<sup>r</sup> Beniamin Fermayes his heaires ℥ assignes for euer.

January the thirtyeth i649.

**A**N agreement made betwixt Tho: Whitney of New Plym ℥ Winnefrute his wife on the one part ; ℥ John Smith of Plymouth aforsaid ℥ Bennit his wife on the other pt as followeth

Videleset y<sup>t</sup> Tho: Whitney aforsaid doth by these p<sup>r</sup>sents Couenant to take from this p<sup>r</sup>sent day Jeremiah Smith the sonne of the said John Smith aged foure yeares or therabouts to liue ℥ bce with him as his

owne Child & to haue the full & sole disposing of him the said Jeremiah without anoyance or disturbance from the said John Smith or Bennit his wife or any by from or vnder them; & the said Tho: Whitney doth by these p'sents further Couenant & promise to prouid for the said Jeremiah Smith Competent & Convenient meat drinke apparrell Washing & lodging fit for one of his Degree & Rank And the sd John Smith & Bennit his wife doth by these p'sents Confer & make ouer all theire Right title & Enterest w<sup>h</sup> they haue in the said Jeremiah Smith vnto the aforsaid Tho: Whitney to haue the full & sole disposing of him as aforsaid all due Respects from sonne to parents being excepted the said Tho: Whitney doing & dealing with the said Jeremiah Smith as his owne Child as aforsaid; And incase the said Tho: Whitney depart this life before Winnefrut his wife shee the said Winnefrute doth by these p'sents Couenant & promise to make good on her part whatsoeuer the said Tho: Whitney hath by these presents Couenanted to doe vnto the said Jeremiah Smith & is also to haue the said Jeremiah during the tearme of her life to bee at her owne pticular disposing without molestation from the said John Smith or Bennit his wife or any other shee dealing with the said Jeremiah as if hee were her owne Child in Witnes of the p'mises y<sup>t</sup> they shalbee faithfully p'formed wee haue heerunto set our hands.

THO: WHITNEYS  mark.

I Nathaneell Morton am witnes  
to this agreement abouemensioned

WINEFRUT   
JOHN SMITHS  mark

BENNET SMITHS  mark.

\*303

\*1649

BRADFORD Gou<sup>r</sup>.

March the sixt 1649.

**K**NOW all men by these p'sents y<sup>t</sup> I Wilſam Colliar haue made ouer vnto my kinsman Wilſam Clark all my Right title & Enterest of & into a pcell of vpland ground lying att North hill in the Townſhip of Duxburrow being Esteemated at about ten acars bee it more or less lying on the south east side of the said North hill; being bounded on the south with the hieway & otherwise bounded as it is now Inclosed The said ten acers of vpland bee it more or les with all & singular the appurtenances. To haue & to hold vnto the said Wilſam Clark to him & his heaires for euer vnto the onely proper vse & behoofe of him the said Wilſam Clark his heaires & assignes for euer.

by mee WILſAM COLLIAR.

**M**EMORAND<sup>Ń</sup> the seauenth of March i649 That wheras Ephraim hicks late desceased in the yeare i647 Purchased a pcell of land of M<sup>r</sup> Edmond ffreeman seni lying on the south side of the Towne of Plymouth; and y<sup>t</sup> it doth appeere y<sup>t</sup> there is seauen pound ƥ sixteen shillings Remaying due vnto the said M<sup>r</sup> Edmond ffreeman in y<sup>t</sup> behalfe These p<sup>r</sup>sents wittneseth y<sup>t</sup> M<sup>rs</sup> Margeret hicks Couenanteth to make payment of the said seauen pound ƥ sixteen shillings and to Cleare the Estate of Ephraim hicks aforesaid of the said debt; in Conideration wherof M<sup>r</sup> John howland in the behalfe of Elizabeth hicks wife of the said Ephraim hicks doth by the p<sup>r</sup>sents also Relinkuish ƥ Renounce all her Right title ƥ Enterest of ƥ into the said pcell of land vnto the said M<sup>rs</sup> Margeret hicks her heaires ƥ assignes for euer vnto the only proper vse ƥ behoofe of her the said M<sup>rs</sup> Margeret hicks her heaires ƥ assignes for euer provided the said Elizabeth hicks is to haue the thirds of the Corn now vppon the land aforesaid.

**M**EMORAND<sup>Ń</sup> The 14<sup>th</sup> of March i649 M<sup>r</sup> John howland doth acknowledge y<sup>t</sup> hee hath barganed and sould vnto Georg Partridg of Duxburrow Tayler three acars of meadow ground or therabouts lying at Muskeeto hole in Duxborrow aforesaid And That the said Gorg Partridg hath fully satisfied him for the same according to a wrighting vnderneath entered; Wherin M<sup>rs</sup> Elizabeth howland his wife hath according to Order giuen her free Conccent vnto the sale therof; the said three acars of meadow bee it more or les to haue and to hold vnto the said Gorg Partridg his heaires and assignes for euer.

M<sup>r</sup> howland and his wife haue both acknowledged the sale of three acars of meadow land or therabouts bee it more or lese att Muskeeto hole before mee Miles Standish September the third i649.

\* i649.

BRADFORD Gouer<sup>r</sup>.

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A Deed appointed to be Recorded.

**K**NOW all men by these p<sup>r</sup>sents That I Edward ffoster of Scittuaat in the Corporation of New Plymouth in New England; haue fully ƥ absolutly sould vnto George Russell of hingham within the Gouverment of the Massachusits Bay; my lott of Land both marsh land ƥ vpland lying in Scittuaat at the first hearring brooke bounded on the westerly part with the land of Isaake Stedman vntill it cometh to the marsh South<sup>th</sup>erley on the south<sup>th</sup>erly part with a Creeke which Runeth Easterly and turneth about Northerly into the said hearring brooke; bounded on the Northerly part with

the said herring brooke vtell it meeteth with the marsh land of Goodman Kemton & then bounded with the said marsh land of Goodman Kemton ; But at the Easterley end of Goodman Kemtons Marsh it is deuided from y<sup>t</sup> with a stoke or stumpe of a tree standing on the vpland & a straight linne drawne from the same to the neerest place of the said herringe brooke ; as also from the westerly part of Goodman Kemtons marsh it stretcheth along to the aforesaid Isaak Stedmans ground ; Excepting the hieway or land y<sup>t</sup> is designed & appointed to goe throw it ; The Marsh at the southwest part therof is deuided with a straight linne from the other marsh som three or foure pole westward on the passage way This I say thus bounded and described both vpland bee it sixteene eighteene or twenty acars more or les And marsh land bee it ten acars more or les This & this onely & thus onely ; I the said Edward ffoster haue sould to the said Gorg Russell with all the wood & Timber both standing & fallen downe with all other appurtenances therunto belonging free from all Intailment to mee or my heaires or Successers for euer To him I say & his heaires and Successers for euer ; These and all of these I the said Edward ffoster haue sould for & in Conideration of twenty pounds sterling to bee payed to mee for the same ; excepting ten shillings which I haue vpon som conditions sence been perswaded to abate of the said sum ; The whole sum to bee payed at three seuerall payments the one third downe ; the other third at midsummer following the date heerof And the last third part of payment by the latter end of august next Insuing the date heerof ; To bee payed in such things as the said Edward ffoster liketh & hath need of at home at his house at Scittuaat and at such prisses as they shall agree vpon ; And I doe by these p<sup>r</sup>sents giue full power to the said Gorg Russell by himselfe or his assignes to Inrowle or Cause to be Inrowled the title and tenor of the said lands ; To himselfe his heaires & Successers for euer in his Ma<sup>ties</sup> Court att Plymouth before the Right wor<sup>sh</sup> Gouer<sup>r</sup> and assistance according to the Order of Court in that Case made and prouided ; In Wittnes to the premisses I Edward ffoster doe Set to my hand & Scale this p<sup>r</sup>sent June day the 2<sup>cond</sup> in the yeare Anno Dom: i643.

humphry Turner  
Isaak } Stedmans marke

Edward ffosters



\* 1650

BRADFORD GOUER<sup>r</sup>

\* 307

**M**EMORAN<sup>d</sup> That on the 9<sup>th</sup> of aprell 1650 ffrancis Cooke did com before the Gouer and acknowledge y<sup>t</sup> hee hath freely giuen & made ouer vnto his sonne Jacob Cook all his Right title and Enterest of & into a Certaine Tract of vpland & meadow being esteemed att an hundred acars bec it more or lesse; lying att the North Riuer accordingly as it was graunted vnto him the said ffrancis Cooke as appeers by the Record of the said graunt bearing date the fift of October 1640 The said Tract of vpland & meadow with all & singulare the apurtenances & priuiledges therunto belonging to haue & to hold to him the said Jacob Cooke his heaires & assignes for euer vnto the only proper vse & behoofe of him the said Jacob Cooke his heaires and assignes for euer;

**M**EMORAN<sup>d</sup> the 9<sup>th</sup> of Aprell 1650 That Jacob Cooke of Plymouth doth acknowledg y<sup>t</sup> for and in Concideration of the som of sixteene pound sterling to him allredy payed by Moris Truant of Marshfeild in the Colonie of New Plym. aforsaid hee hath freely & absolutly barganed & sould vnto the said Moris Truant a Certaine Tract or percell of vpland & meadow lying att North Riuer the said vpland being esteimated att about an hundred acars or therabouts bec it more or lesse beeing the one halfe of a Certaine Tract of Land formerly graunted vnto ffrancis Cooke & John Cooke his sonne; being bounded with the lands of Leiuetenant Holmes on the one side and the lands of Constant Southworth & Tho: Southworth Joseph Rogers & John Rogers on the other side; & abutting vppon the said North Riuer; The said halfe of the aforsaid Tract being vnderstood which appertained formerly vnto ffrancis Cooke which hee hath freely giuen & made ouer with all & singulare the apurtenances vnto his sonn Jacob Cooke aforsaid with all the meadow land apertaining therunto w<sup>h</sup> meadow land is the one halfe of all the meadow lying against the end of the whole Tract Concidered together as it was graunted to ffrancis Cooke & John Cooke as aforsaid; With the one halfe of whatsoeuer meadow belongeth vnto the aforsaid Tract lying before or somway bounding vppon the land of John Rogers aforsaid; And wheras the said meadow is not yet equally deuided betwixt the said Jacob Cooke & John Cooke nor their assignes it is to be equally deuided according to the goodnes thereof betwixt the said Moris Truant and Tho: Tilden who hath also Purchased the other halfe of the aforsaid Tract both of vpland & meadow of John Cooke to whom it formerly belonged as aforsaid; The said halfe part of the aforsaid

Tract both of vpland & meadow formerly belonging vnto ffrancis Cooke and sence giuen and made ouer by him vnto his sonne Jacob Cooke To haue and to hold vnto the said Moris Truant his heaires & assignes for euer ; The said premises with all the said Jacob Cooke his Right title & Enterest of & into the said premises with all & singular the apurtenances belonging therunto ; To belonge vnto the said Moris Truant his heaires & and assignes for euer vnto the onely proper vse & behoofe of him the said Moris Truant his heaires & assignes for euer.

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\*i650

BRADFORD Gouer<sup>r</sup>

**M**EMORANÐ the 8<sup>th</sup> of June That Wiltam Nelson of Plym: doth acknowledge y<sup>t</sup> hee hath freely and absolutly barganed and sould vnto Tho: Burd of Scittuate a sertaine pcell of Land lying att the North Riuer next aboute the land of Edmond Chanderler with the meadow against the said land Ranging to the lott of John Daman; for and In Concideration of four pound sterling to bee paid in a young heifer forthwith as they the said pties shall agree ffurthermore The said Wiltam Nelson doth by these p<sup>s</sup>ents Couenant and promise both for himselfe his heaires executors and adminestraters to defend the proprietie and title of the land aforsaid with all and singulare the apurtenances thervnto belonging or any way apertaining therunto; from time to time and at all times from any p<sup>r</sup>son or p<sup>r</sup>sons y<sup>t</sup> shall or may lay any Claime or title therunto from by or vnder him or any before him and shall warrantice the sale therof against any that shall opose the same; vnto the said Tho: Burd his heaires and assignes for euer vnto the onely proper vse and behoofe of him the said Tho: Burd his heaires and assignes for euer.

This is paid by Thomas Burd to Willam Nelson and soe acknowledged by him and acquitted.

apointed to bee Recorded the 8<sup>th</sup> of June i650.

**M**EMORANÐ That Wiltam Allin of the Towne of Sandwidg in the Colonie of New Plym: doth acknowledge y<sup>t</sup> for and in Concideration of the sum of fiue pound to him allredy paied by John Browne of Duxburrow in the Colonie aforsaid weauer; hee hath freely and absolutly barganed and sould vnto the said John Browne a pcell of vpland becing about thirty acars bee it more or lesse Lyinge and being in Duxburrow aforsaid next aioyning on the one side vnto the land of M<sup>r</sup> John Reainer being the one part of three of the land which appertained vnto the Children of Peeter Browne brother vnto John Browne aforsaid; the said thirty acars of vpland with all and singular the apurtenances thervnto belonging To haue and to hold vnto

This sale was made about the last of January i649.



the said John Browne his heaires and assignes for euer vnto the onely proper vse and behoof of him the said John Browne his heaires and assignes for euer.

And Presilla the wife of the said Wiltam Allin did giue her free Concent vnto the sale of the aforsaid pcell of land before M<sup>r</sup> Wiltam Collyar asistant. with all the apurtenances therunto belonging.

**M**EMORAND<sup>o</sup> The 8<sup>th</sup> of June 1650 That Edmond Chandelers of Duxburrow doth acknowledg That hee hath freely and absolutly barganed and sould vnto John Browne of Duxburrow aforsaid Weauer an house Scittuate in Duxburrow aforsaid and an acare of land on w<sup>h</sup> the said house standeth next aioyning vnto the house and land of M<sup>r</sup> John Rener aboute the path; and the said Edmond Chandelers doth acknowledge himselfe fully satisfied for the same; The said house and acar of land on which the house now standeth, with all the boards shelues dores locks and windows beclonging vnto the said house with all the fenceing stufe and all other apurtenances now standing vpon the aforsaid acar of land on which the house now standeth; to haue and to hold vnto the said John Browne his heaires and assignes for euer vnto the onely proper vse and behoofe of him the said John Browne his heaires and assignes for euer.

\* 1650.

BRADFORD Gouern<sup>r</sup>

\*311

June the 9<sup>th</sup> 1650.

**M**EMORANDUM That Whereas Daniell Cole of the Towne of Nawsett in the Colonie of New Plym: in New England Tayler; hath ffreely and absolutly made ouer all his Right title and Enterest of and into a Certaine Tract of Land in the bounds of Marshfeild in the Colonie aforsaid beyand the South Riuer being about fifty acars bee it more or lesse; vnto Edmond Weston of the Towne of Duxburrow in the Colonie aforsaid Planter; With all his Right title and Enterest of and into whatsoeuer meadow ground apertaineth vnto the said land with all and singulare the apurtenances and priuiledges apertaining vnto the said land vnto the said Edmond Weston as administrator vpon the estate of Tho: howell Bricklayer deseased as apeereth by a deed enrowled bearing date the 8<sup>th</sup> of June 1649 These p<sup>r</sup>sents therfore Witnesseth That Whatsoeuer Right title and Enterest the said Edmond Weston hath in and vnto the said Lands and Meaddowes with all and singular the apurtenances and priuiledges belonging therunto as administrator vpon the estate of Tho: howell aforsaid deseased according to the deed aforsaid hee hath and doth ffreely and absolutly with the Courts Concent make ouer and Relinquish vnto

five acres in  
breadth.

John Barker of the Towne of Marshfeild in the Colonie aforsaid Bricklayer to him and his heaires and assignes for euer being bounded as apeereth by the Originall graunt of the said Land bearing date the sixt of aprell i640 as foloweth Videlect from the marked tree of Wiltam Bassetts the Iland or necke of Land lying in the mersh on the south side of the said tree ; and the Meaddow Land lying before the said Iland beginning att the homack Wher Wiltam Bassett leaues ; to the head of a Coue on the west side of the said Iland To haue and to hold vnto the said John Barker his heaires and assignes for euer the fifty acars of vpland bee it more or lesse with whatsoeuer Meaddow ground apertaineth therunto allso with Whatsoeuer other apurtenances and priuilidges therunto belongeth ; vnto the onely proper vse and behoof of him the said John Barker his heaires and assignes for euer ; And allso the said Edmond Weston doth further by these p<sup>r</sup>sents acknowlidg that the said John Barker hath fully satisfyed and payed him for the said Lands and all and singular the apurtenances and priuilidges aforsaid belonging therunto.

**M**EMORANDUM the tenth of June i650 That Tho: Tupper of the Towne of Sandwidge in the Colonie of New Plym: in New England shoemaker, with the Concent of his wife doth acknowlidg That for and In Conclideracion of the som of seauen pound sterling to him allredy satisfyed and fully payed by M<sup>r</sup> Edmond ffreeman seni of the Towne of Sandwidg aforsaid in the Colonie aforsaid gent:) hee hath freely and absolutly barganed and sould vnto the said M<sup>r</sup> Edmond ffreeman a pcell of meaddow ground being about two acars and an halfe bee it more or lesse lying and being on the other side of Skussett River vpon Skussett necke by John Ellises house ; the said two acars and an halfe of meaddow bee it more or lesse ; To haue and hold vnto the said Edmond ffreeman his heaires and assignes for euer vnto the onely proper vse and behoof of him the said Edmond ffreeman his heaires and assignes for euer.

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\*i650

BRADFORD Gouer<sup>r</sup>June the 10<sup>th</sup> i650.

**M**EMORAND: That M<sup>r</sup> Edmond ffreeman of the Towne of Sandwidge in the Coloni of New Plym: in New England gent: doth acknowlidg with the Townes Concent that for and in Consideration of the som of fiue pound to him allredy fully paied by Tho: Tupper of the Towne of Sandwidge shoemaker ; hee hath barganed and sould vnto the said Tho: Tupper a pcell

of land being betweene Jonathan fishes Land vpon one side and Skussett Riuer on the other side ; a Riuer parting Mr ffreemans and that ; and the mersh Creeke on the south side of it ; all this Land excepte a pcell of Creek weed belonging to Benjamin Nye y<sup>t</sup> lyeth against Skussett Riuer ; To haue and to hold the said pcell of land so bounded as aforesaid vnto the said Tho: Tupper his heaires and assignes for euer ; vnto the onely proper vse and behoof of him the said Tho: Tupper his heaires and assignes for euer.

June the 10<sup>th</sup> 1650.

**M**EMORANDUM That Mr Edmond ffreeman Seni of Sandwidge with the Concent of the said Towne doth acknowledge that for and in Consideration of the som of six pound sterli to him allredy payed by Tho: Tupper and Edmond ffreeman the younger both of Sandwidge aforesaid ; hee hath barganed and sould vnto the said Tho: Tupper and Edmond ffreeman six acars of vpland ground where they shall make Choise of it ; and a pcell of meadow lying at Lawrances hole vpon the north side of a fresh Creeke henery Sanders land now in vse by him lying vpon the other side of the said Creeke To haue and to hold the said vpland and meadow as allredy specified vnto the said Tho: Tupper and Edmond ffreeman the younger to them their heaires and assignes for euer vnto the onely proper vse and behoofe of them the said Tho: Tupper and Edmond ffreeman the younger their heaires and assignes for euer :

**M**EMORAND<sup>o</sup> The first of July 1650 That Andrew Ringe of Plym: doth acknowledge That for and in Consideration of the sum of three pound to him allredy fully Satisfyed and payed by Experience Michell of Duxburrow ; hee hath freely and absolutly barganed and sould vnto the said Experience Michell two acars of Marsh Meddow lying in Duxburrow aforesaid att Blewfish Riuer next aiouning on the one side vnto other meddow land belonging vnto the said Experience Michell the one end thereof abutting vpon the mouth of Blewfish Riuer aforesaid and the other end bounded with the vpland ; the said two acars of meddow to haue and to hold vnto vnto the said Experience Michell his heaires and assignes for euer vnto the onely proper vse and behoofe of him the said Experience Michell his heaires and assignes for euer.

And Debora the wife of the said Andrew Ringe hath giuen her full Concent vnto the sale of the said two acars of meddow vnto the said Experience Michell as aforesaid.

\*315

\*i649.

BRADFORD Gouer<sup>r</sup>

**These presents witnesseth** That Whereas there is a Certain tract or peell of Land giuen and graunted p Mr Wiltam Bradford and his asociates in the gouernment of **New Plym:** in New England in America vnto Mr Richard Andrewes Mr John Beachamp Mr James Sherly and Mr Timothy Hatherley Which said land was equally to bee deuided between the aforsaid flour men ; which said land is bounded with a brooke of Water Comonly Called Scittuate brooke and is p Sittuate harbor, and from high water marke in y<sup>t</sup> brooke to Runn Three mile on a West linne into the Woods ; and from the mouth of y<sup>t</sup> brooke to Runn East to the Sea ; haueing Sittuate on the South border ; the North border begineth at a Little necke of Land Comonly called and knowen by the Indians or Natives Conihassett alis Cohasset ; and is neare a great fall of water, from heighwatermarke att y<sup>t</sup> necke to Runn three mile on a West linne into the Woods ; and from the outermost extent of y<sup>t</sup> three mile linne in the Woods to runn a direct Line for the West border to the outermost extent of y<sup>t</sup> three mile line att Scittuate brooke in the Woods vntell it meete ; haueing the Woods on the West border and the Sea for the east border **the** aforsaid Timothy Hatherley bought Mr Richard Andrewes pt or share Mr John Beachams p<sup>t</sup> or share and Mr James Sherlys p<sup>t</sup> or share ; And sould vnto Certaine men of the Inhabitants of Scittuate aforsaid of which Companie Thomas Rawlins Sen: was one ; Twenty and seauen Thirty parts or shares of the aforsaid three p<sup>ts</sup> or shares onely excepted out of the aforsaid three p<sup>ts</sup> or shares and the said Timothy Hatherleys p<sup>t</sup> or share of land Certaine Land y<sup>t</sup> was som giuen som sould before the sale of the aforsaid Twenty and seauen thirty p<sup>ts</sup> or shares which said land is fully specified in the Records of this Land ; **These are to** Certifye all men whom this may concerne That I the aforsaid Thomas Rawlins sen. of Scittuate aforsaid in the Gouerment of **New Plym:** in **New England** Planter for and in Concideration of twenty pounds Corrant New England pay to mee in hand payed p John Williams Junier of Scittuate aforsaid in the Gouerment aforsaid Planter ; Wherwith I the said Thomas Rawlins doe acknowledge my selfe fully satisfied Contented and paied and therof and of euery p<sup>t</sup> and peell therof doe exonerate aquite and discharge the aforsaid John Williams hee his heaires exequitors adminestrators and assignes for euer p these p<sup>r</sup>sents **Haue freely and** absolutely barganed and sould and by these p<sup>r</sup>sents doe bargain sell in feafe and Conferme from mee the aforsaid Thomas Rawlins and my heaires to him the said John Williams and his

This deed was  
enrowled the  
22<sup>nd</sup> of July  
1650.

heaires and assignes for euer **All that my** Iland of vpland lying and being in Scittuate by the harbor comonly called and knowne by the name of Conihassett harbor being bounded toward the west and north to the aforesaid Conihassett harbor toward the south and east to the Mersh y<sup>t</sup> lyeth yet undeuided which said Iland is p<sup>t</sup> Computation seauen acars more or lesse; Likewise eighteene acars of vpland to bee layed out on the Westerly end of the great necke neare to the glade to bee layed out as the said John Williams shall see fitt; Likwise six acars and halfe more or lesse of mersh meddow lying in the great mersh by the great necke and is bounded towards the East to the Mersh land of John Whetcome towards the west to the mersh land of Thomas Chambers towards the north to the aforesaid great necke and toward the south to the hoop pole necke; \*As also six  $\frac{1}{2}$  acars more or lesse of mersh meddow lying and being by the said great necke and is bounded towards the East to the mersh land of Goyne White towards the West to the mersh land of John Whestone towards the North to the aforesaid great necke; and towards the South to a great Creek **Together** With all the Remynder of my thirtieth p<sup>t</sup> or share of Conihassett land as aforesaid Likwise one thirtieth p<sup>t</sup> or share of M<sup>r</sup> Timothyes Hatherlyes quarter; p<sup>t</sup> of vpland w<sup>h</sup> is not yet layed out; That is to say a thirtieth p<sup>t</sup> of y<sup>t</sup> Land on the Southeast side of accord pond line y<sup>t</sup> Runeth to bound brooke and Crosseth the Weste border line with all and singular the apurtenances therunto belonging or any way appertaining to all or any p<sup>t</sup> or pcell of the aforesaid Iland of vpland eighteen acars of vpland six acars  $\frac{1}{2}$  of mersh six acars and halfe of mersh; Together with the Residew of the thirtieth p<sup>t</sup> or share of land And the thirtieth p<sup>t</sup> or share of y<sup>t</sup> Land which was M<sup>r</sup> Timothy Hatherlyes Remynder p<sup>t</sup> of his quarter p<sup>t</sup> of y<sup>t</sup> vpland on the southeast side of accord pond line which is not yet layed out and all my said Right title and Enterest to all and euery p<sup>t</sup> or pcell thereof **To haue and** to hold the aforesaid Iland of vpland eighteene acars of vpland six acars and halfe of Mersh six acars and halfe of mersh; Residew of thirtieth p<sup>t</sup> of Land and thirtieth p<sup>t</sup> of Remynder of M<sup>r</sup> Hatherlyes quarter p<sup>t</sup> of vpland on the southeast side of accord Pond line as yet vnlayed out; vnto the said John Williams hee his heaires and assignes for euer To the p<sup>p</sup>er vse and behoofe of him the said John Williams hee his heaires and assignes for euer **To be holden** according to the mannor of East Greenwidge in the County of Kent in ffree and common Soccage and not in Cappite nor by Knights seruice by the Rents and Seruices therof and therby due and of Right accustomed and with Warrant against all People Whatsoeuer from by or vnder mee the said Thomas Rawlins or by my Right or title Claiming any Right or title or Enterest of or in the premisies or any p<sup>t</sup> or pcell thereof

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**And I the said** Thomas Rawlins doe also Couenant Promise and graunt y<sup>t</sup> it shall and may bee lawfull to and for the said John Williams either by himselfe or his attorney to Record or Inrowle these p<sup>r</sup>sents or to Cause them to bee Reccorded or Inrowled in the Court of New Plym: aforsaid or in any other place of Recordes before the Gouer<sup>r</sup> for y<sup>t</sup> time being or any offerer in y<sup>t</sup> case provided according to the vsuall mannor of Recording or Enrowling euidences **In witnes** Wherof I the aforsaid Thomas Rawlins haue heerunto set my hand and Seale this twentieth day of ffebruary in the yeare of our Lord God one Thousand six hundred forty and Nine.

Signed sealed and  
deliuered in the p<sup>r</sup>sence  
of ffrancis Crooker  
Richard Garrett

THOMAS RAWLINS his



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\*i650

BRADFORD GOUER<sup>r</sup>

**To all people** To whom these Presents shall Com M<sup>r</sup> Nicolas Simpkins of Scittuate in the Gouverment of New Plym: in New England gentleman Sendeth Greeting; Know yea That I the aforsaid Nicolas Simpkins for and in Concoideration of thirty pounds of currant New England pay to mee in hand payed by John Williams Junier of Scituate in the Gouverment aforsaid husbandman; Wherwith I the aforsaid Nicolas Simpkins doe acknowledge my selfe sufficiently satisfied Contented and fully payed and therof and of euery part and pcell therof doe exownarate aquite and discharg the aforsaid John Williams hee his heaires exequitors adminestrators and assignes for euer by these p<sup>r</sup>sents haue ffreely and absolutly bargained and sould Infefed and Confermed and by these presents doe bargain sell Infefe and Conferme from mee the said Nicolas Simpkins and my heaires to him the said John Williams and his heaires and assignes for euer All my dwelling house wherin I now liue with my barne and all other housing whatsoeuer att this time being; together with thirty acars of vpland more or lesse Lying and being in Scituate aforsaid and was somtimes the Land of M<sup>r</sup> John Laytrope and Samuell house; and is bounded toward the East to the Lands of John Williams Jni; and the hieway towards the West to the Lands of Leiuetenant Hewes; towards the north to the Lands of John Williams Junier and the Common towards the South to the aforsaid hieway; as also thirty acars of mersh meadow Lying before the aforsaid dwelling house and is bounded as towards the North to the hieway towards the south to the herring Riuer; towards the East to the Marsh Meddow of Widdow Lapham; and towards the Weste to the Marsh

This Deed was  
Enrowled the  
22<sup>o</sup>nd of July  
i650.

meddow of Lciuetenant hewes with all and singulare the apurtenances therunto belonging or any way apertaining to all or any p<sup>t</sup> or pcell of the said house & barne and any of the other houses with all the Land abouesaid bounded And all my said Right title and Enterest to all the said premises and any pt or pcell therof; To haue and to hold the aforsaid houses Barne and thirty acars of vpland as also thirty acars of mersh vnto the aforsaid John Williams hee his heaires and assignes for euer To the proper vse and behoofe of him the said John Williams hee his heaires and assignes for euer; To bee holden of our Soueraine Lord the King as of his Mannor of East Greenwidg in the County of Kent in ffree and Common Soccage and not in Capitie nor by Knights service by the Rents and services therof and therby due and of Right acostomed and with Warrants against all people whatsoever from by or vnder mee the said Nicolas Simpkins or by my Right or title Claiming any Right or title or Enterest of or in the premises or any pt or pcell therof, \*And I the said Nicolas Simpkins doe promise Couenant and graunt That Esbell Simpkins my wife shall within one full month next after and Enseuing the date heerof yeild vpp all her Right in the thirds of the said Land before a Maiestraite according to the vsuall Custom in such Case puided And I the said Nicolas Simpkins doe also further Couenant promise and graunt by these p<sup>s</sup>ents That it shall and may bee Lawfull to and for the said John Williams either by himselfe or his attorney to Record or Enrowle these p<sup>s</sup>ents or to Cause them to be Recorded or Enrowled in his Ma<sup>ties</sup> Court att New Plym: or in any other place in y<sup>t</sup> case prouided before the Gouer<sup>r</sup> for the time beinge or any other Maiestraite according to the vsuall mannor of Recording or Enrowling euidences In Wittnes Wherof I the said Nicolas Simpkins haue heerunto Sett my hand and Seale this first of March in the four and twentieth yeare of the Raigne of our Soueraine Lord Charles by the Grace of God of England Scotland ffrance Ireland and New England King; and in the yeare of our Lord God one Thousand six hundred fourty and eight 1648.

Signed Sealled and deliuered  
in the p<sup>s</sup>ence of vs Viz.

John Barker  
Wiltam Pabes  
Tho: Hiland

NICOLAS  
SIMPKINS



his scale.

\*1649.

BRADFORD  
GOUCHER.

\*321

**T**O all People to whomsoever these p<sup>s</sup>ents shall Com Know yea That I Esbell Simpkins the Wife of M<sup>r</sup> Nicolas Simpkins doe ffreely giue vpp all my said Right in the thirds of the house and Lands with all the apurtenances therto belonging which this deed mensions; with all Rights

whatsoever belonging or any way apertaining to any pt or peell of the said premises doe ffreely Resine vpp all my Right in the p'sence of M<sup>r</sup> Timothy Hatherley maiestrait for the vse of the afornamed John Williams and his assignes for euer.

Aprell the fourth and in the yeare i649.

TIMOTHY HATHERLEY.

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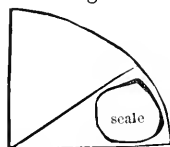
\*i650.

BRADFORD Gouer<sup>r</sup>.

The eight of febreuary i638.

**M**EMORAN<sup>D</sup> That Wiltam Betts of Scittuate within the Pattent of Plym: in america; doth acknowledge That for and in Conideration of the sum of fiue pound to him in hand fully payed by Tho: Ensigne of Scittuate planter; hath freely and absolutly barganed and sold vnto the said Thomas Ensigne fouer acars of vpland more or lesse lying in Scittuate as aforsaid vnto the Land of Wiltam Perie to the North; to the Lands of M<sup>r</sup> Timothy hatherley east; and to the land of Robert Shelly and Wiltam holmes to the South; to the Kings hieway to the west; with all and singular the apurtenances therunto belonging with all his Right title and Enterest of and into the same & euery part and peell therof; To haue and to hold the said Land with the apurtenances to the said premises belonging vnto the said Thomas Ensigne his heaires and assignes for euer to the onely proper vse and behoof of him the said Thomas Ensigne his heaires and assignes for euer.

Signed Sealled and deliuered  
in the p'sence of Richard Seallis  
Wiltam Holmes



WILIAM BETTS.

**T**HIS 22<sup>cond</sup> of June 1650 Mary Lapham Widdow did freely acknowledge the sale of a little house and about halfe an acar of land in Tenterden in old England near to Sir Edward Hales his land near a place called Bures Ile; which house and about halfe an acar of land her husband Thomas Lapham in his life time did sell to Thomas Hiland for the sum of twelue pound; for which I the abouesaid Mary Lapham doe acknowledg my selfe fully satisfied.

This the said Mary did acknowledge before mee Timothy Hatherley one of the assistants for the Gouverment of New Plym: the day and year aboue written.

TIMOTHY HATHERLEY.



\*i650

BRADFORD Gouer<sup>r</sup>

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**M**EMORAND<sup>d</sup> the 2<sup>nd</sup> of October i650

That Jobe Cole of the Towne of Nawsett in the Colonic of Plym: in New England Doth acknowledg That for and in Consideration of a Cow and a Calfe and twenty shillings in Mony to him allreddy satisfied and fully payed by Tho: Chillingsworth of the Towne of Marshfeild in the Colonic aforsaid shoemaker hee hath freely and absolutely barganed allianated and sould vnto the said Thomas Chillingsworth a pcell of vpland ground being fourty acars or therabouts bee it more or lesse lying and being in the Townshipe of Marshfeild aforsaid neare vnto a pcell of meddow belonging vnto M<sup>r</sup> Ralph Partridge being bounded from a great White Oake on the North West side of it over the breadth of it to a dead tree neare the said M<sup>r</sup> Partridges Rayles ; as also a pcell of meddow being esteemed at about six acars or therabouts bee it more or lesse belonging vnto the aforsaid vpland abuting from the end therof vnto the Riuer The said fourty acars of vpland ƥ six acars of meddow bee it more or lesse so bounded as aforsaid with all and singular the appurtenances belonging therunto To haue and to hold vnto the said Thomas Chillingsworth his heires and assignes for euer ; The said p<sup>r</sup>emeses with all and singular the p<sup>r</sup>uiledges belonging therunto ; To belong and appertaine vnto the onely p<sup>r</sup>per vse and behoofe of him the said Thomas Chillingsworth his heires and assignes for euer.

**M**EMORANDUM the third day of December i650

That Mary Padduk of New Plym: widdow doth acknowledg y<sup>t</sup> for and in Consideration of the sum of nine pound and ten shillings to be paid in manor and form following by Steuen Wood of Plym: aforsaid Smith ; shee hath freely and absolutely barganed allianated and sould vnto the said Steuen Wood ; all that her house shop and garden plot on which the said house and shop doe now stand Scituate in Plym: aforsaid in the south street ; Together with all the shelues and boards in and about the said house and shope wailed and loose with all the doores locks and windows and glase in and about the said house and shop with all other appurtenances any way belonging vnto the hou

of this see  
more the 9<sup>th</sup>  
page forward  
of this book.

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\*i650

BRADFORD Goue<sup>r</sup>.

MEMORAND the third of October i650

That John Cook Juni of the Towne of Plym: in the Colonie of New Plym: in New England in america yeaman doth acknowldg y<sup>t</sup> for and in Conideration of the full sum of twenty three pound sterling to him allreddy satisfied Contented and fully payed by Thomas Tilden of the Towne of Marshfeild in the Colonie aforsaid yeaman; hee hath freely and absolutly barganed allianated and sould vnto the said Thomas Tilden the one halfe of a Certaine Tract or pcell of vpland lying and being at the North riuer; Videleceet the one halfe of all the land lying betwixt the Land which was Leiuetenant Wiltam holmes his land and the land which belonged to John Rogers the whole said Tract Containing two hundred and twelue acars bee it more or lesse with the one halfe of the meddow belonging to the said whole Tract which lyeth before it; as also the one halfe of the halfe of the meddow lying before or any way bounding vppon the vpland of John Rogers aforsaid with the one halfe of the meddow belonging to the said Tract lying betwixt the said Leiuetenant Wiltam Holmes his meddow or mersh ground and the said North Riuer; according to the tenor of the graunt of the said vpland and meddow vnto ffrancis Cook and John Cook aforsaid bearing date the fift of October i640 The one halfe of the aforsaid Tract of vpland and meddow and euery pt and pcell therof with all and singular the appurtenances belonging therunto; to haue and to hold vnto the said Thomas Tilden his heires and assignes for euer; The said p<sup>r</sup>mises with all the said John Cook his Right title and Interest of and into the said p<sup>r</sup>mises and euery p<sup>t</sup> and pcell therof with all and singular the p<sup>r</sup>uiledges and emunities any way appertaining therunto; To belonge vnto the onely p<sup>r</sup>per vse and behoofe of him the said Thomas Tilden his heires and assignes for euer.

furthermore Sara the Wife of the said John Cook hath according to order giuen her free and full Concent vnto the sale of the aforsaid halfe p<sup>t</sup> of the aforsaid Tract of vpland and meddow and the appurtenances belonging therunto.

\*1650.

BRADFORD GOUCE<sup>r</sup>

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**M**EMORAND<sup>o</sup> the 22<sup>nd</sup> of October 1650 That Richard Church sometimes of the towne of Nawsett in the Colonie of Plym: in New England in america Carpenter doth acknowledge That for and in Consideration of the sum of twenty two pound and fifteene Shillings Wherof sixteene pound and fifteen shillings is allredy fully payed and the Remaying six pound to bee payed vpon demaund by John Dingley of the towne of Marshfeild in the Colonie aforsaid Smith; hee hath fully and absolutly barganed allianated and sould vnto the said John Dingley the one halfe of a Certaine pcell of vpland and mersh meddow lying and beeing in the Townshipe of Mershfeild allies Greensharbor aforsaid; which said Tract or pcell of vpland and meddow the said Richard Church hath formerly bought in Joynt ptenershipes with Anthony Snow of the Towne of Marshfeild aforsaid felt maker; of M<sup>r</sup> Tho: Prence of the Towne of Nawsett aforsaid gent: as apeereth by a deed bearing date the 13<sup>th</sup> of July anno 1649 The said tract or pcell of vpland and meddow being bounded as followeth Videleceet lying betwixt M<sup>r</sup> Burnes and *and* a little Creek Runing on the west side of the said tract of land Towards M<sup>r</sup> Buckleys and fourty acars of vpland on the other side of the said Creek or els a pcell of land lying by the south side of the south Riuer and Invironed with swamps on the south west side and the said south Riuer on the North side; as is expressed in the Record of the graunt of the said lands vnto the said M<sup>r</sup> Tho: Prence bearing date the fift of february 1639 The one halfe of the aforsaid Tract of vpland and meddow so bounded as aforsaid with all and singular the apurtenances thereunto belonging to haue and to hold vnto the said John Dingley his heaires and assignes for euer the said p<sup>r</sup>meses with all and singular the p<sup>r</sup>uidiges therunto belonging vnto the onely p<sup>r</sup>per vse and behoefe of him the said John Dingley his heaires and assignes for euer.

John Dingley hath paied fully whatsoever was due from him to the said Richard Church vnto M<sup>r</sup> Prence as the assigne of the said Church.

**M**EMORANDUM the 24<sup>th</sup> of October 1650

That M<sup>r</sup> Thomas Prenc of the Towne of Nawsett in the Colonie of New Plym: doth acknowledg y<sup>t</sup> for and in Consideration of the sum of  
 ^  
 to him allredy payed by John Cook Juni of Plym: aforsaid; hee hath freely and absolutly barganed allianated and sould vnto the said John Cook two acars of Mersh meddow bee it more or lesse lying before the house and land of the Elder Cushman at Joaneses Riuer next vnto a pcell of meddow which was samtimes Phenias Prats; The said two acars of mersh meddow with all the said M<sup>r</sup> Tho: Prence his

Right title and Enterest of and into the same and euery pt and pcell therof  
To haue and to hold vnto the said John Cook his heires and assignes for  
euer vnto the onely pper vse and behoof of him the said John Cook his  
heires and assignes for euer.

\*331 \* 1650.

BRADFORD Gouer<sup>r</sup>.

November the 19<sup>th</sup>

**W**HERAS Robert Padduk of Plym: lately deseased did on his death  
bed giue and dispose his sonn John Padduk aged about fue yeares  
vnto Captaine Tho: Willet to bee att his desposing and vnder his guidance as  
his owne Child; These p'sents doe therefore Wittnes That Mary Padduk the  
wife of the said Robert Padduk doth Condecend vnto and allow of the said  
acte of her said husband in the desposing of her said sonn John to Captain  
Willet as aforesaid; In Wittnes of the p'meses shee the said Mary hath heer-  
unto sett her hand and given way to haue this p'sent writting entered vpon  
publick Record.

MARY PADDUKS  mark

Wittnes heerunto

NATHANIELL MORTON Clarke

**M**EMORANĎ the twentieth of Nouember i650 That Wiltam Paybody  
of the towne of Duxburrow in the Colonie of Plym: in New Eng-  
land planter doth acknowledg That for and in Consideration of the sum of  
fourteen pound sterling to him allreddy satisfyed Contented and fully payed  
by Experience Michell of the towne of Duxburrow in the Colonie aforesaid  
Planter; hee hath freely and absolutely barganed allianated and sould vnto the  
said Experience Michell an house and land in Duxburrow aforesaid att blew-  
fish riuer next ajoyning on the one side vnto the land the said Experienc  
Michell now Inhabyteth and on the other side vnto the land of Wiltam Tubbs;  
with a pcell of meddow land belonging vnto the aforesaid house and land and  
lyeing att the one end therof being esteemated att about fue acars bee it more  
or lesse; with whatsoeuer Right title or enterest the said Wiltam Paybody  
hath in or vnto any land or meddows att blewfish riuer aforesaid To haue and  
to hold the said house and vpland being esteemated att about ten acars bee it  
more or lesse with the said fue acars of meddow bee it more or lesse with  
whatsoeuer Right title or Enterest the said Wiltam Paybody hath in and  
vnto any land or meddows att blewfishriuer aforesaid; vnto the said Experience  
Michell his heaires and assignes for euer the said p'meses with all and sin-

gular the appurtenances and priviledges apertaining therunto ; To belonge vnto the onely pper vse and behoofe of him the said Experience Michell his heaires and assignes for euer.

\* 1650.

BRADFORD Gouer<sup>r</sup>.

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MEMORAN<sup>d</sup> the third day of December 1650

That Mary Padduk of Plym: in the Colonie of New Plym: Widlow doth acknowlidg y<sup>t</sup> for and in Concideration of the sum of nine pound and ten shillings to bee paied in mannor and form folowing Videlectet foure pounnd and ten shillings therof to bee paied by the first of March next following the date heerof ; and the Remaining fiue pound to bee paied by y<sup>t</sup> time tweluemonth in Cattle by Steuen Wood of the towne of Plym: aforsaid in the Colonie aforsaid Smith shee hath freely & absolutly baganed allianated and sold vnto the said Steuen Wood all y<sup>t</sup> her house garden plot and shop Scittuate in Plym: aforsaid in the south street ; Together with all the shelues and boards both loose and nailed in or about the house shop or garden place aforsaid with all the dores locks winddows and glase in and about the house and shop aforsaid as also three acars or therabouts bee it more or lesse of vpland ground lying in the Newfeild being bounded with the land of Richard Sparrow on the one side & the land of John Tompson on the other side With all and singular the appurtenances belonging vnto the said house shop garden place and three acars of vpland aforsaid ; To haue and to hold vnto the said Steuen Wood his heires and assignes for euer ; The said p<sup>r</sup>mises with all and singular the p<sup>r</sup>uiledges appertaining therunto ; To belong vnto the onely pper vse and behoof of him the said Steuen Wood his heires and assignes foreuer.

It is further agreed vppon by the said pties That the said Mary Padduk shall dwell and Remaine in the aforsaid house vntell the first of March next following the date heerof and then shee is to leaue the said house vnto Steuen Wood aforsaid.

\* 1650.

BRADFORD Gouer<sup>r</sup>

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The sixt of December 1650.

MEMORAN<sup>d</sup> That M<sup>r</sup> Wilham Paddy of the Towne of Plym: in the Colonie of New Plym: in New England in america marchant doth acknowlidg y<sup>t</sup> for and in Concideration of the sum of three score pound sterling to him allreddy satisfied and paid by Robert ffinney of the towne of

Plym: in the Colonie aforsaid Planter ; hee hath freely and absolutly barganed allianated and sold Enfeaffed and Confermed and by these p<sup>r</sup>sents doth bargan sell Enfeafe and Conferme vnto the said Robert ffinney all That his house and land at the mouth of the Eelriuer formerly Called and knowne by the name of broken Wharfe ; the said land Containing six score acars being bounded on the North side with the land of Tho: Morton ; and on the south side with the land of Gorg Bonum and abuting vppon the bay or mouth of the Eelriuer aforsaid and so extending it selfe in length vppon a southwest linne vpp into the Woods ; Together with the out houses barnes and ffences and all other appurtenances standing vppon and belonging vnto the said Tract or pcell of Land Together with a smale pcell of fresh meddow lying att the head of the Eelriuer aforsaid Containing by Esteemation two acars bee it more or lesse as Also all Enlargments and aditions of land att any time graunted and added vnto the house and Land aforsaid ; The said house and six score acars of vpland Together with the outhouses barnes and fences on the said land with all other appurtenances belonging therunto with the two acars of fresh meddow att the head of the Eelriuer aforsaid with all other aditions and Enlargments att any time added vnto the said house & land &c To haue and to hold vnto the said Robert ffinney his heires and assignes for euer The said p<sup>r</sup>mises with all and singular the appurtenances pruilidges and Emunities appertaining therunto ; with all the said m<sup>r</sup> Wilłam Paddy his Right title and Enterest of and into the said p<sup>r</sup>mises and their appurtenances and euery pt and pcell therof ; To beclonge and appertaine vnto the onely pper vse and behoofe of him the said Robert ffinney his heires and assignes for euer.

\*338

\* i650.

BRADFORD Gouc<sup>r</sup>.

A deed apointed To bee Recorded.

**To all people to whom** these p<sup>r</sup>sents shall Com humphery Johnson of Scittuate in the Gou<sup>r</sup>ment of New Plym: in New England in america Planter sendeth greeting

**Know** ye that I the aforsaid Humphery Johnson for and in Consideration of sixteen poundes of Corrant New England pay to mee in hand paied p John Hewes seni of Scittuate aforsaid in the gouerment aforsaid Planter ; wherwith I the said humphery Johnson doe acknowlidg my selfe suffisiently satisfied Contented and fully paied and therof and of euery p<sup>t</sup> and pcell therof doe exonarate aquit and discharge the aforsaid John hewes hee his

heires exequitors adminestrators and assignes for euer p these p<sup>s</sup>ents **Haue freely and** absolutly barganed and solde infeafed and Confermed and p these p<sup>s</sup>ents doe bargan sell infeafe and Conferme from mee the said Humphrey Johnson and my heires to him the said John Hewes hee his heires and assignes for euer all That my dwelling house and barne together with twenty acars more or lesse of vpland on which the said house and Barne standeth ; which said house and Land was somtimes the land and house of John Williames Juni of Scittuate ; and is bounded toward the east and south to the high way y<sup>t</sup> lyeth by the first herring brook mershes ; Toward the West to the land of M<sup>r</sup> ffoot and toward the North to the land of the said Humphery Johnson which was sometime the land of John Winter and p<sup>t</sup> to the Common with all and singular the appurtenances therunto belonging or any way appertaining to all or any pt or pcell of the said twenty acars of vpland house and Barne except the priuiledg of Commoning which the said Humphery Johnson doth Reserue for himselfe and his heires and assignes for euer **To haue and to** hold the aforsaid dwelling house and Barne and twenty acars more or lesse of vpland with all the Right title and Interest therunto belonging or any way appertaining to all or any p<sup>t</sup> or pcell thereof vnto the aforsaid John Hewes hee his heires and assignes for euer to the pp vse and behoof of him the said John Hewes hee his heirs and assignes for euer except as before excepted the priuiledge of the Common To bee holden according to the mannor of East greenwidge in the County of Kent in free and Common Soccage and not in Capite nor by Knightes Seruice by the Rents and seruices therof and therby due and of Right acustomed and warrant against all people Whatsoeuer from by or vnder mee the said Humphery Johnson or by my Right or title Claiming any Right or title of or into the p<sup>m</sup>eses or any p<sup>t</sup> or pcell thereof **And the said** Humphery Johnson doth also Couenant and promise y<sup>t</sup> Elnor Johnson wife of the aforsaid Humphery Johnson shall within one month next Ensewing the date heerof Resigne and yeald vp vnto the said John hewes all her Right and Interest y<sup>t</sup> shee hath in the thirdes of the said dwelling house and barne and twenty acars of vpland and y<sup>t</sup> before a Magestraite according to the vsuall Manner and Custom in such Case p<sup>ro</sup>vided \* **And I the said** Humphery Johnson doe also further Couenant promise and graunt y<sup>t</sup> it shall and may bee Lawfull to and for the said John Hewes either p himselfe or his attorney to Record or inRowle these p<sup>s</sup>ents or to Cause them to bee Recorded or inrowled in the Court of  $\wedge$  att New Plym: or in any other place of Records before the Goue<sup>r</sup> for that time being or any other Magestrait in y<sup>t</sup> Case p<sup>ro</sup>vided according to the vsuall mannor of Recording or inrowling euidences **In witnes** Wherof

Which said land John Hewes desires it may bee known for the future by the name and team of his land.

I the said Humphery Johnson haue hecrunto sett my hand and seale this ffourth day of august in the yeare of our Lord God one Thousand six hundred and ffifty i650

Signed Sealed and Deliuered

HUMPHERY

in the p<sup>r</sup>sence of vs

JOHNSON

Humphry Turner

Richard Garrett



This ffourth of September i650

Elnor Johnson the wife of Humphery Johnson did freely Resigne vp her Right of the within mentioned house and Land before mee Timothy Hatherley one of the asistants of this Gouerment

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\*i650

BRADFORD Gou<sup>r</sup>

**R**ECEIUED of Humphery Johnson of Scittuate in the gouerment of New Plym: planter the full and whole sum of ffifteen pounds and fife shillings and is in full for a bill due to mee to bee payed the 24<sup>th</sup> day of June last past ; I say Receiued of humphery Johnson in full pay for the aforsaid bill the sum of ffifteene pounds and fife shillings and I John Williams doe also promise and ingage my selfe to Inrowle or Cause to bee Inrowled this recite in the Court of New Plym: and in the Records of the Towne of Scittuate at or before the tenth day of March next Insuing ; In wittnes Wherof I haue heervnto sett my hand and seale this first day of December i650.

Signed Sealed

and deliuered in the

p<sup>r</sup>sence of Richard Garrett

John Saffin

\*343

\*The 18<sup>th</sup> of february i650.

**M**EMORANĎ that John Donham Juni of New Plym: doth acknowldig that for and in Consideration of the sume of six pounds and ten shillings to him allreddy satisfied Contented and fully payed by Samuell Donham of the Towne of Plym: aforsaid ; hee hath freely and absolutly barganed and sold vnto the said Samuell Donham a pcell of vpland ground being esteemated att about twelue acars bee it more or lesse lying at Wellingsla neare Plym: aforsaid ; being bounded on the east with an highway betwixt



the vper end of M<sup>r</sup> Bradfords and Nathaniell Mortons land att Wellingsla aforsaid and the said land and headed with the land of Henery Wood ; as allso a smale pcell of vpland meddow lying in the woods being esteemated at about halfe an acar more or lesse ; to haue and to hold the said pcells of vpland and meddow with all and singular the appertenances therunto belonging vnto the said Samuell Donham his heires and assignes for euer the said p̄mises with all the said John Donham his Right title and enterest of and into the said p̄mises and euery p<sup>t</sup> and pcell therof to belong and appertaine vnto the onely p̄per vse and behoof of him the said Samuell Donham his heires and assignes for euer.

\*i650.

BRADFORD Gou<sup>r</sup>

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The 18<sup>th</sup> of february i650.

**M**EMORAND<sup>o</sup> That Samuell Donham of the Towne of New Plym: in the Colonie of New Plym: Planter doth acknowldg that for and in Consideration of the sume of thirteene pounds sterling to him allreddy satisfied Contented and fully payed by John Donham senior of the Towne aforsaid in the Colonie aforsaid Weauer ; hee hath freely and absolutly barganed allianated and sold vnto the said John Donham an house and land ; next aioyning vnto the land the said John Donham now Inhabyteth being esteemated att about twelue acars bee it more or lesse being bounded on the norwest with the land of Gabryell ffallowell and John Wood and with the Comon on the southwest and on the southeast with the land of Willam Pontus and other land of the said John Donham as allso a smale pcell of meddow lying att the Watering place being esteemated at about half an acar bee it more or lesse ; as allso a pcell of vpland ground at Wellingsla being about ten or twelue acars bee it more or lesse ; being bounded on the cast with an highway which lyeth betwixt the vper ends of M<sup>r</sup> Bradfords and Nathaniell Mortons lands and the pcell of vpland aforsaid and at the head with the land of henery Wood on the south ; To haue and to hold the said house and land and orchyard and all other appurtenances belonging therunto with the smale pcell of meddow at the Watering place with the pcell of vpland at Wellingsla and all and singular the appurtenances belonging therunto vnto the said John Donham his heires and assignes for euer the said p̄mises with all the said Samuell Donham his Right title and enterest of and into the said p̄mises and euery part and pcell therof to belong and appertaine vnto the onely p̄per vse and behoofe of him the said John Donham his heires and assignes for euer.

\*346

\*1650.

BRADFOR GOV<sup>r</sup>February the 22<sup>cond</sup> 1650.

**K**NOW all men by these p<sup>r</sup>sents that I Mannasses Kemton of Plym: in New England Planter doe acknowledg that I haue freely and absolutely giuen vnto my sonn in law Ephraim Morton of the Towne aforsaid in the Colonie aforsaid Planter all that pcell of Land on which the said Ephraim now liveth being bounded on the norwest side therof with the smale brook Runing by the said side therof and on the southeast side with the land of Thomas Morton ; abutting with the neather end vpon the bay and so extending it selfe in the length vp into the woods together with all the houses out houses fences Timber and all other appurtenances therunto belonging ; And also a pcell of meddow at Sagaquas viz all that is there ; as also my part and Right in the land belonging to the Purchasers att Satuket or therabout ; provided that in Case there shallbee a Plantation there or therabouts and my other sonns viz Nathaniell Morton or John Morton shall think meet to goe thether and to make vse of any of the said lands that then my said lands shalbee equally deuided into three parts vnto euery of my said sonns an equall part therof together with all and singular the appurtenances therunto belonging. To haue and to hold the said pcell of vpland at Plym: aforsaid bounded as aforsaid with all the houses fences and all other appurtenances therunto belonging with all the Meddow at Sagaquas with my part of the purchasers land at Satukett with all and singular the appurtenances therunto belonging the puiso abouemencioned obserued, vnto the onely pper vse of the said Ephraim Morton his heires and assignes for euer ; the said p<sup>r</sup>mises with all my said Right title and Enterest of and into the said p<sup>r</sup>mises and euery p<sup>t</sup> and pcell therof (the puiso aforsaid obserued) to belong vnto the onely pper vse and behoofe of him the said Ephraim Morton his heires and assignes for euer in Wittnes wherof I haue heerunto sett my hand.

KEMTONS

MANNASSES  marke.

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\*1650.

BRADFORD GOV<sup>r</sup>

**M**EMORAND<sup>o</sup> The sixt of March  
That M<sup>r</sup> Timothy Hatherley of the Towne of Scittuate in the Colonie of New Plym: in New England in america gen<sup>t</sup> doth acknowledg that in the year 1645 for and in Consideration of the sum of one and thirty

pounds sterling to him allredly satisfied Contented and fully payed by M<sup>r</sup> John Floyde of the Towne of Scittuate aforsaid in the Colonie aforsaid marchand; hee hath freely and absolutely barganed allianated sold Infeafed and Confeirmed and doth by these p<sup>r</sup>sents bargan sell Infeafe and Confeirm vnto the said M<sup>r</sup> John Floyd; all that his house barne orchyard and home lott in Scittuate aforsaid with the marsh meddow belonging therunto together with the great lott vp the North Riuer both vpland and meddow videleceet all the housing and lands both vpland and meddow which formerly belonged and was the p<sup>r</sup>per Right of Samuell hinckley in Scittuat somtimes Inhabitant of the said Towne of Scittuate; excepting twenty four acars which the said M<sup>r</sup> Timothy Hatherley in the yeare 1645 aforsaid sold vnto Thomas Clapp of Scittuate aforsaid; The said house barne orchyard home lott together with the great lott vp the North Riuer Videleceet all the Right title and enterest that Samuell hinckly hath formerly had in any houses out houses barns orchyards lands or meddows in Scittuate aforsaid; excepting 24 acars of land sold by M<sup>r</sup> hatherley aforsaid vnto Thomas Clapp as aforsaid; to haue and to hold vnto the said M<sup>r</sup> John Floyd his heires and assignes for euer; the said p<sup>r</sup>mises with all and singular the p<sup>r</sup>uiledges Imunities and appurtenances belonging vnto the said p<sup>r</sup>mises with all the said M<sup>r</sup> Timothy hatherley his Right title and enterest of and into the said p<sup>r</sup>mises and the seuerall appurtenances belonging therunto; To belonge and appertaine vnto the onely p<sup>r</sup>per vse and behoofe of him the said M<sup>r</sup> John Floyd hee his heires and assignes for euer.

**W**HERAS Loue Brewster late deseassed in his life time did make sale of three acars of Marsh meddow bee it more or lesse vnto Samuell Eaton of Duxburrow in the Collonie of New Plym: laborer; for and in Consideration of the sum of seauen pounds to him allredly fully satisfied and paid; which said Meddow lyeth against the neather end of the land of Henery Howland in Duxburrow aforsaid; These p<sup>r</sup>sents doth therefore Wittnes that Sara the late Wife of Loue Brewster executrix of his last will and Testament doth heerby acknowlidg and Consent vnto her said husbands acte in the aforsaid p<sup>r</sup>mises Videlicet That hee the said Samuell Eaton shall haue and enioy x x x three acars of Meddow with all the appurtenances belonging therunto as his x x x p<sup>r</sup>per Right to him his heires and assignes for euer To haue and to x x x the onely p<sup>r</sup>per vse and behoofe of him the said Samuell E x x heires and assignes for euer.

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\*i650

BRADFORD Gouer<sup>r</sup>

**A** RECORD of the bounds of a Certaine adition of land graunted vnto John Cook Juni at Rocky nooke in the yeare i64i and sence viewed and layed forth according to order by M<sup>r</sup> John Howland Joshua Prat and Samuell Sturtivant as followeth

From a Cleft Rock by the waterside about nine pole lying on the north side of the way by a linne southwest and northeast to the Common highway to the smelt riuer is agreed to bee the southerly bounds of, the lands graunted to John Cook Junier from the south side to the vper way that leads to the smelt riuer and from a Remarkable Rocke a little about the said smelt riuer way two pole on the one side of the Rock and two pole on the other side a perpetuall highway vp into the woods on the south side of the land graunted to John Cook Junier lying on the north side of the said hieghway which land and highway are to Rang on the same point of the Compase with the Rest of the lots adioyning which the said John Cook hath bought of Phenias Prat ; Agreed by the psons deputed and heerunder named.

JOHN HOWLAND

JOSHUA PRAT

SAMUELL STURTIUANT

The abouesaid addition of land soe bounded as aforesaid to belong and appertaine vnto the said John Cooke as his pper Right to him and his heires and assignes for euer vnto the onely pper vse and behoof of him the said John Cook his heires and assignes foreuer.

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\*i65i.

BRADFORD Gou<sup>r</sup>.

**K** NOW all men by these p<sup>s</sup>ents that I ffancis Godfry of Marshfeild in the Collonie of New Plym: in america Carpenter for and in Consideracion of foure score pound secured to mee by bill ; haue barganed vnto Anthony Eames and Mark Eames the son of the said Anthony both of them of Hingham in the County of Suffolke in the Massachusetts in america a Certaine psell of land Containing one hundred acars bee it more or less together with one dwelling house vpon it with all the appurtenances belonging therunto lying vppon the North Riuer in the Collony of New Plym: from M<sup>r</sup> Varsells Rang east and by North along by the said North Riuer to a marked tree vpon the said Rang with all the meddow ground belonging

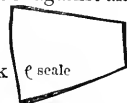
therunto ; To haue and to hold with all the Right title and enterest of and Into the said p̄mises to the onely p̄per vse and behoofe of the aforsaid Anthony Eames and Marke Eames them and their heires for euer ; And the aforsaid ffancis Godfry doe warrantice the true sale therof and bind my selfe my heires executors and assignes to maintaine the Right and title therof against any p̄son or p̄sons that shall lay Claime therunto In Wittnes Wherof I haue set to my hand and Scale this tenth day of December in the year of our Lord i650.

Wheras It is expressed that ffancis Godfry is to maintaine the Right and title against any p̄son or p̄sons that shall lay Claim therunto it is explained and agreed vpon before the sealling that it is against all p̄sons except the Indians.

ffancis Godfry.

In the p̄sence of vs  
Moses Payne  
Thomas Hammond

his  mark



Acknowledged before mee MILES STANDISH.  
June the 3<sup>rd</sup> i65i.

\*i65i.

BRADFORD Gou<sup>r</sup>

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The 7<sup>th</sup> of June i65i

**M**EMORAN<sup>D</sup> That Edmond Chandeler of Duxburrow in the Collonie of New Plym: in New England doth acknowledg that for and in Consideracion of the full som of ten pounds to him allreddy secured by bill by Thomas Byrd of Scittuate in the Jurisdiction of New Plym: aforsaid yeaman hee hath fully freely and absolutly barganed allianated and sold vnto the said Thomas Byrd a Certaine p̄cell or Tract of vpland ground being about fifty acars bee it more or lesse lying at the North Riuer in the Collonie of Plym: aforsaid being bounded on the west with the North Riuer aforsaid and soe extending it selfe vp into the woods and on the north with the lands of Richard Silvester and on the south with the land the said Thomas Byrd bought of Wiltam Nelson and is now Possessed of ; with all the meddow land or mersh abuting vpon the aforsaid fifty acars of vpland bounded as aforsaid To haue and to hold the said fifty acars of vpland with all the mersh meddow abuting against the same with all and singular the appurtenances belonging vnto the said vpland and mersh vnto the said Thomas Byrd to him his heires and assignes for euer to bee holden according to the mannor of East Greenwidge in the County of Kent in free and Comon Scokage and not in Capite nor by Knights seruis by the Rents and seruices therof and therby due and of Right accustomed ; With warrantice against any or all peopell that shall any

The money is  
sence paid by  
Thomas Byrd  
and the bill  
Returned.

way oppose the sale therof The said p<sup>r</sup>mises with all and singular the appurtenances appertaining vnto the said p<sup>r</sup>mises so bounded as aforsaid to bee holden in mannor as aforsaid; and to belong vnto the onely p<sup>p</sup>er vse and behoof of him the said Thomas Byrd his heires and assignes for euer.

\*356

\*i65i.

BRADFORD Gouern<sup>r</sup>

**M**EMORAND<sup>o</sup> the 7<sup>th</sup> of June i651.

That Thomas Chillingsworth of the Towne of Marshfeild in the Colonie of New Plym: in New England in america shoemaker; doth acknowledg that for and in Consideracion of the sum of fiftene pounds and fifteen shilling to bee payed in Corn and Cattell; by Robert Carver and John Russell of the towne of Marfeild aforsaid in the Collonie aforsaid Planters; hee hath fully freely and absolutely barganed allianated and sold vnto the said Robert Carver and John Russell a Certaine pcell or tract of land which the said Thomas Chillingsworth bought of Jobe Cole of the Towne of Nawsett in the Collonie aforsaid the said land lying and being in the bounds and lymets of Marshfeild aforsaid being about fourty acars bee it more or lesse; lying neare vnto a pcell of meddow belonging vnto M<sup>r</sup> Ralph Partridg being bounded from a great white oake on the Norwest sid of it; to a dead tree neare the said M<sup>r</sup> Partridges Rayles as also a pcell of meddow being esteemed at about six acars bee it more or lesse belonging vnto the aforsaid vpland abuting from the end therof vnto the Riuer; To haue and to hold the said fourty acars of vpland more or lesse with the six acars of meddow more or lesse vnto the said Robert Caruer and John Russell to them and their heires and assignes for euer the said p<sup>r</sup>mises with all and singular the appurtenances and priuillidges any belonging therunto or vnto any p<sup>r</sup> or pcell therof to beelonge and appertaine vnto the onely p<sup>p</sup>er vse and behoofe of them the said Robert Carver and John Russell vnto them and their heires and assignes for euer.

The 22<sup>cond</sup> of June i65i

**M**EMORANDUM That Edward Banges of Eastham in the Collonie of New Plym: in New England doth acknowldge that for and in Considera<sup>o</sup>n of the sum of three pounds and ten shillings to him allreddy paid by Samuell hickes of the towne of Plym: in the Collonie of New Plym: aforsaid; hee hath freely and absolutely barganed and sould vnto the said Samuell hickes a pcell of Marsh meddow lying at the high pynes on the salthouse beach; viz

all the meddow the said Edward Banges hath there lying in one Intire peece or psell on that side the point or mersh which is toward the Gurnets nose The said pcell of Mersh Meddow lying on the salthouse beach as aforesaid To haue and to hold vnto the said Samuell hicks his heires and assignes for euer the said p̄mises with all and singulare the appurtenances belonging vnto the said p̄mises to beelonge vnto the onely p̄por vse and behoofe of him the said Samuell hickes his heires and assignes for euer.

\*165i.

BRADFORD Gouer<sup>r</sup>.

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**M**EMORAND<sup>ũ</sup> The 22<sup>cond</sup> of June 165i.  
That Edward Banges of the Towne of Nawset allies Eastham in the Collonie of New Plym: in New England in america yeamen doth acknowledge that for and in Considera<sup>õ</sup>n of the sum of thirteene pounds to him allreddy satisfied Contented and fully payed by Mannasses Kemton of the towne of Plym: in the Jurisdiction of New Plym: aforesaid yeamen: hee hath freely fully and absolutly barganed allianated and sold forty acars of vpland ground lying and being in the Townshipe of Plym: aforesaid neare Brownes Rock lying ten acars in breadth by the water side and extending it selfe in the length therof vp into the woods being bounded on the onside with the other lands of the said Mannasses Kemton which hee hath giuen and made ouer vnto his sonn in law Ephraim Morton on which the said Ephraim is now seated and doth dwell; and on theother side with the lands of Thomas Morton as also a pcell of mersh meddow videlect all the meddow or mersh that is on the Iland or spott of land Comonly Called and knowne by the name of Sagaquas To haue and to hold the forty acars of vpland bounded as aforesaid with all the mersh meddow lying and being at Sagaquas aforesaid with all and singulare the p̄vilidges and appurtenances belonging vnto the said vpland and mersh land vnto the said Mannasses Kemton to him his heires and assignes for euer to bee holden according to the Mannor of East Greenwidge in the County of Kent in free and Common Sockage and not in Capety nor by Knights service by the Rents and seruices therof and therby due and of Right acostomed; The said p̄mises with all and singular the appurtenances belonging vnto the said p̄mises being bounded as aforesaid to bee holden in mannor as aforesaid to belonge vnto the onely p̄por vse and behoofe of him the said Mannasses Kemton to him his heires and assignes for euer.

furthermore Rebeckah the Wife of the said Edward Banges doth by these p̄sents according to order giue her free Consent vnto the sale of the said lands vnto the said Mannasses Kemton in forme and mannor aboue mencioned.

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\*ffor the preventing of further trouble that may Come ;  
Att the generall Court holden att Plymouth the sixt of March  
i655 the following writing was ordered to bee heer vnder  
entered.

**W**EE whose names are heer vnder written doe giue our full and free  
consent that Thomas Dexter the younger shall haue those two  
Ilands of vpland that lye in his Mersh neer John ffreemans house witnes our  
hands this twentieth of September i647.

EDMOND FREEMAN  
EDWARD DILLINGHAM  
WILĒAM WOOD  
GORG KNOT  
THOMAS DEXTER  
THOMAS TUPPER

I doe acknowldg my selfe freely  
willing heerunto ; THOMAS PRENCE.

This aboue written was entered  
verbatim according to the originall.

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\*i65i

BRADFORD Gour<sup>r</sup>

A Resignaçon or sale made by the said Gouer<sup>r</sup> as followeth.

**W**HERAS about tenn yeares past the within named WilĒam Bradford  
Gouernor and the Rest of his parteners within written being of the  
old Companie have Purchased the Towne of Sandwidge of the Indians and  
paied to them for the said purchase the vallew of sixteene pound nineteen  
shillings in Comodities ; Now know yee that I the said WilĒam Bradford for  
my selfe and in the behoofe of my parteners for ʒ in consideraçon of the sum  
of sixteene pound nineteen shillings to mee in hand payed by Edmond ffreeman  
of Sandwidge ; I the said William Bradford haue assigned sould and  
sett ouer all my Right and title that either my selfe or my parteners haue to  
the said Towne of Sandwidge by Reason of the said Purchase to haue and to  
hold to him the said Edmond ffreeman his heires and assignes for euer  
in wittnes wherof I haue sett to my hand this 24<sup>th</sup> of January 1647.

WitĒes

Tho: Willett  
WilĒam Paddy

WILĒAM BRADFORD



**A**RTICLES made Concluded and agreed vpon betweene the six men deputed by the towne to agitate things betwixt the Comitties and the Towne Videlect Gorge Allen John Vincent Wilſam Newland Robert Botfish Anthony Wright and Richard Bourne this 26<sup>t</sup> of february 1647.

Imprim<sup>o</sup> The said Gorge Allen John Vincent Wilſam Newland Robert Botfish Anthony Wright and Richard Bourne; doe Couenant and agree to and with the said Edmond ffreeman to satisfy y<sup>e</sup> Just demaunds of the Comitties and their assignes of the said Towne by Reason of their Charges for the vse of the Towne and likewise to satisfy the said Edmond ffreeman seauenteen pounds laid out for the Purchase; and also to saue and keepe harmles the said Edmond ffreeman in any damages that shall Com vpon him by Reason of his buying of the Purchase.

I The said Edmond ffreeman doe Couenant and agree to and with the said Gorg Allen John Vincent Wilſam Newland Robert Botfish Anthony Wright and Richard Bourne that I the said Edmond ffreeman vpon the Condiçõn of the pformance of the Condiçõns of the first article abouesaid to make and assigne ouer the said purchase to the said Gorge Allen John Vincent Wilſam Newland Robert Botfish Anthony Wright and Richard Bourne in as good manner as I had it from the said Gouer<sup>r</sup> Witness our hands

GORG ALLEN

ANTHONY WRIGHT

JOHN VINCENT

ROBERT BOTFISH

WILſAM NEWLAND

RICHARD BOURNE.

i65i august the 20<sup>th</sup>

**T**HE pties heerunder written videlect John Vincent Wilſam Newland Anthony Wright Robert Botfish and Richard Bourne being deputed by the towne of Sandwidge in the behalfe of the said Towne; to sell and dispose of lands vnto the vndertakers of the said towne; and to satisfy their Just demaunds for their paines and Charges in the townes behalfe; They the said pties haue desposed vnto M<sup>r</sup> Edmond Freeman seni as one of the aforsaid vndertakers a Certaine pcell of land adioyning vnto the ffence of the aforsaid M<sup>r</sup> Edmond ffreeman and x x x it selfe vnto the boggs and alsoe to the lands of Miles Black \*leaving a drift way of foure pole wide to haue passage vnto the said boggs and twenty acars of land adioyning vnto the lands of John Ellis by the beach if it bee there to bee had; and six acars more now possessed by Thomas Butler at the head of the spring or Cove; These seuerall pcells of land soe bounded as aforsaid to bee and Remayne vnto the

said M<sup>r</sup> Edmond ffreeman in the aforsaid Consideraçon, to him his heires and assignes for euer To haue and to hold the said pcells of land with all and singular the appurtenances and pruilidges belonging therunto vnto the onely pper vse and behoof of him the said M<sup>r</sup> Edmond ffreeman senior his heires and assignes for euer.

And Wheras the Towne of Sandwidge were engaged to pay vnto the said M<sup>r</sup> Edmond ffreeman senior the sum of seauenteen pounds in the Consideraçon of the purchase of the lands from the Indians; Wee the aforsaid pties videlect John Vincent Wiltam Newland Anthony Wright Robert Botfish and Richard Bourne; doe despose vnto the said M<sup>r</sup> Edmond ffreeman (in lue of 9 pound of the said seauenteen pounds) a Certaine pcell of Meddow ground now in the possession of M<sup>r</sup> John ffreeman adioyning vnto a pcell of land Called the plowed Neck being esteemed at about ten acars bee it more or lesse; To haue and to hold the said pcell of Meddow ground with all and singular the appurtenances vnto the said M<sup>r</sup> Edmond ffreeman his heires and assignes for euer; and 4 pounds more of the said seauenteen pounds was payed by M<sup>r</sup> Edmond ffreeman Junier for land sould to him; and the Remayning 4 pounds of the said seauenteene pound was payed by M<sup>rs</sup> Joane Swift.

The 20<sup>th</sup> of august 1651.

**T**HAT Wheras by a Writting made ouer to mee by Wiltam Bradford Gouvernor of Plym: bearing date the 14<sup>th</sup> of January 1647 as is aboue specified Concerning the purchase of the lands of the Indians for the towne of Sandwidge which Came to seauenteene pound sterling and the towne of Sandwidg by their assignes, haue now fully satisfied the said sum of seauenteen pound and performed such other Condiçõs as they were engaged in by a mutuall writing vnder our hands which being now performed I doe heerby (according to my p<sup>r</sup>mise therin) Resigne and make ouer vnto the towne of Sandwidge and their heires and Sucsessors all that Right and title that I haue or might any way ptend to haue by vertue of the aforsaid writting; onely Reseruing what Right I haue to all such lands as I haue in p<sup>t</sup>icular and am Justly possessed of with their appurtenances as that pcell Comonly called Plym Neck and the Rest to mee and my heires and assignes foreuer; It is also to bee vnderstood that all such as now haue lands in the said Townshipe and are Rightfully possessed of the same are Comprehended heerin though at p<sup>r</sup>sent they liue elsewhere Wittnes my hand

Plym: august the 20<sup>th</sup> 1651.

EDMOND FREEMAN SEN.

Wittnes WILEAM BRADFORD  
NATHANIEL MORTON.

\* 165i

BRADFORD Goucr.

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MEMORANDUM the 7<sup>th</sup> of October 1651.

That Gorge Russell of Scittuate doth acknowledg that for and in Consideracion of the sum of five pounds and ten shillings to bee paied vnto him by Gyles Rickard senior of the towne of Plym: in the Jurisdiction of New Plym: Weauer ; hee hath freely and absolutely barganed allianated and sould vnto the said Gyles Rickard his house and land att Wellingslay neare Plym: aforesaid ; videlect the said house with all the Romes therof with all the boards shelues dores and lockes in about or belonging to the same ; with two acars of land bee it more or lesse on which the said house now standeth with seauen acars of vpland more or lesse lying at Wobery playne ; bounded with the land of henery Wood on the one side and with the land of Edward Tilson on the other side together with all the ffence or ffences vpon or any way belonging to the said house and lands ; as allsoe all other appurtenances ; and Whereas there are Certaine fruit trees on the aforesaid two acares of land neare the house ; which said trees were planted by ffrancis Goulder the late Inhabitant of the said house and lands ; The said Gyles Rickard is to giue and make payment of fiteene shillings vnto the said ffrancis Goulder for the said trees ; as allsoe the said Gyles Rickard is to pay vnto the said ffrancis Goulder forty shillings of the aboue said five pound and ten shillings by order from Gorge Russell aforesaid ; and the said Gyles Rickard is to haue and enioy a smale addicion of swampe lying by the said two acares which the said ffrancis Goulder Purchased of Samuell Dunham ; To haue and hold the said house and all the boards shelues dores and locks belonging therunto ; with the two acares of (land bee it more or lesse) on the which the said house now standeth ; with the seauen acares of vpland bee it more or lesse) at Wobery plaine with all and singular the ffence or ffences and all other appurtenances belonging thervnto ; vnto the said Gyles Rickard to him his heires and assignes for euer The said p̄mises with all and singulare the appurtenances belonging vnto the said p̄mises with all the said Gorg Russell his Right title or enterest of and into the said p̄mises or any part or pcell therof ; with whatsoever Right or enterest the said ffrancis Goulder hath in the said fruit trees or smale pcell of Swampe to belong and appertaine vnto the said Gyles Rickard his heires and assignes for euer vnto the onely proper vse and behoofe of him the said Gyles Rickard to him his heires and assignes for euer.

\*366

\*1651

BRADFORD GOUER<sup>r</sup>of this see  
more overleafe

**K**NOW all men by these p<sup>s</sup>ents that I John Barnes of Plym: in the Jurisdiction of New Plym: vpon speciall Considera<sup>o</sup>n moueing mee thervnto doe think meet to bestow som part of my Cattell vpon my Children in manor and forme following I giue and make ouer by these p<sup>s</sup>ents vnto my deare Children videlect Jonathan Mary Hanna and Lidia two mares with their two Coultts of this yeare one of the said mares being at Eastham and the other at Plym:; as also fouer ewe sheepe which said sheepe are put forth to the halfe their encrease vnto Wiltam Nelson; the said mares and sheepe with all their encrease that shall through Gods blessing arise of them from this day forward to bee and Remyne as a stocke for my said Children and incase my said Children shall decease before they bee of age or bee married my mind is the said Cattell shall equally belong vnto those of them that shall survive; and if any of them at the time of their marriage shall Require their part of the said Cattell and their encrease that then they shalbee deuided equally and the Remainder to goe on as before; And in case I shall see Reason to make sale of any of the horse Coultts; I doe Retaine liberty vnto my selfe soe to doe prouided allwaies that I Convert them into other Cattell which may probably Conduce to the vphoulding and encreasing of the stock afsaid; and I doe heerby bind my selfe to bee acountable vnto the p<sup>t</sup>ies heerunder written whom I entrust to bee ouerseers for the desposing of the said stocke vpon their demaund how I have desposed of such part of the Cattell by sale or exchange as afsaid; and to see that I make good vnto the stock what I take from the same; and I doe heerby promise and Couenant to vse my best dilligence and Care I Can for the p<sup>r</sup>seivacion of the said stock of Cattell and their encrease that soe they may Conduce to the ends afsaid; promising allsoe not to require any thing for my dilligence and Care in that behalfe nor to deminish the said stock in way of Recompence for any such dilligence or Care; furthermore I do by these p<sup>s</sup>ents envest my trusty and welbeloued frinds Constant Southworth of Duxburrow leiuetenant Tho: Southworth of Plym: and Josiah Cook of Eastham with full power & authoritie to ouersee and despose of the afsaid Cattell & their encrease soe as in their best wisdoms may Conduce to the good of my said Children according to the tenor of my mind in this writting allredy expressed; and incase any of the three men shall decease that an other bee appointed in his stead by the aduise of the gouernor; and to haue full power to acte in the afsaid behalfe as any of the other and for such Charges as they or any of them shalbee at in the said busines that they bee satisfied out of the said





\* **T**O all people to whome these presents shall come Thomas Simõns of Scituate in y<sup>e</sup> Gouverment of New Plymouth in New England in America Planter sendeth Greeting &c Know ye that I the said Thomas Simõns for and in Consideration of fifteene pounds & ten shillings of Currant New England pay to me in hand paid by Gilbert Brookes of Scituate afor̄sd in y<sup>e</sup> Government aforesaid Planter wherewith I the aforesaid Thomas Simõns do acknowledge my self sufficiently satisfied Contented & fully paid And thereof & of every part & parcel thereof do exonerate acquit & discharge The aforesaid Gilbert Brookes he his heirs Executors Administrators & Assignes for Ever p<sup>r</sup> these presents Haue freely & Absolutely Bargained & sold Enfeoffed & Confirmed And p<sup>r</sup> these presents Do Bargaine sell Enfeoffe & confirme from me the said Thomas Simõns & my heirs to him the s̄d Gilbert Brookes his heirs & Assigns for euer All that my Dwelling House Barne outhouses Garden orchard & yards Together with nine Acres more or less of upland on which the s̄d Dwelling house & Barne standeth And is lying & Being in Scituate aforesaid And is Bounded towards y<sup>e</sup> north to y<sup>e</sup> land of William Hatch jun<sup>r</sup> towards y<sup>e</sup> south to y<sup>e</sup> lands of Thomas Hick towards the East it Buts to y<sup>e</sup> high way that Leads to y<sup>e</sup> first Herring Brooke And towards the west to the swamp Likewise ten Acres more or less of vpland lying & being in Scituate aforesaid on that Hill commonly called Brushey hill And is Bounded towards y<sup>e</sup> east to the land of Thomas Chittenden Towards the west part to the herring Brooke aforesaid and part to the marsh of John Dammon Towards the north to the Common and towards y<sup>e</sup> south to y<sup>e</sup> land of Thomas Inguñ being one hundred & sixty Rods in length with all & singular the Appurtenances priviledges & Immunities thereunto belonging or any way appertaining to all or any part or parcell of the aforesaid dwelling house Barne out houses orchard yards nine acres more or less of upland & ten acres more or less of upland To Have and to hold the aforesaid Dwelling House Barne outhouses Garden Orchard yards nine Acres more or less of upland & Ten acres more or less of upland unto the aforesaid Gilbert Brooks he his heirs & Assigns for ever to y<sup>e</sup> proper use & behoofe of him the said Gilbert Brookes he his heirs & Assigns for ever To be holden according to y<sup>e</sup> manour of East Greenwich in y<sup>e</sup> County of Kent in free & common soccage & not in Capite nor p<sup>r</sup> Knights Service by the Rents & Services thereof & thereby due & of Right accustomed & warranting y<sup>e</sup> sale hereof Against all people whatsoever from by or under me y<sup>e</sup> aforesaid Thomas Simõns or p<sup>r</sup> my Right or title Clayming any Right or Title of or in the premisses or any part or parcel thereof And I

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the said Thō Simōns do also Covenant promise & Grant That it shall & may be lawfull to & for the aforesaid Gilbert Brookes or his Attorney to Record or Enroll these presents or to Cause them to be Recorded or Enrolled in the Court at New Plimouth aforesaid or in any other place of Record before y<sup>e</sup> Governour for that time being or any other magistrate or officer in that Case provided according to y<sup>e</sup> usuall manner of Recording or Enrolling Evidences in such case provided In witness whereof I the s<sup>d</sup> Thomas Simōns Have heerunto set my hand & seal this Twenty sixth day of January In the year of our Lord God one thousand six hundred forty & nine.

THOMAS SIMONS

seal.

Signed Sealed & Delivered

in y<sup>e</sup> presence of us

Viz<sup>t</sup> Joseph Tilden

Richard Standlake

Richard Garrett

\*375½ \***T**O all people to whome these presents shall come Robert Crossman of Taunton in y<sup>e</sup> County of Bristoll in New England Sendeth Greeting & Know ye that Whereas Gilbert Brookes late of Scituate Did formerly purchase of Thomas Simōns also late of Scituate A certaine tract of vpland containing nine acres more or less lying in Scituate aforesaid and bounded towards y<sup>e</sup> north to y<sup>e</sup> land of William Hatch jun<sup>r</sup> Towards y<sup>e</sup> South to y<sup>e</sup> land of Thomas Hick Towards y<sup>e</sup> East Butting on the high way & towards the west to a Swamp as by the within written deed under y<sup>e</sup> hand & seal of the said Thomas Simōns more fully doth & may appear Wherefore now further Know yee That I the above said Robart Crossman in consideration of Thirty shillings in money to me in hand already paid by Joseph Otis of Scituate in y<sup>e</sup> County of plimouth in New England and by vertue of Letter of Attourney under the hand & seal of the said Gilbert Brookes Dated the twentyeth day of March 169½ to me Given & by vertue of y<sup>e</sup> power to me therefrom derived Have Granted and do hereby Grant Sell Assign & sett over to the said Joseph Otis his heirs & Assignes the within written And above recited Deed Together with all the said Brookes his Right and Interest in and unto the said Nine acres of Land within specified and contained And as the same is within and above Butted and Bounded as fully to all Intents Constructions and Purposes as in the same, y<sup>e</sup> said Land is confirmed to the said Gilbert Brookes To Have and to hold The said and within written Deed and the said nine acres more or less of Land with the Appurtenances excepting onely what said Brookes for-



merly sold to John Hanmore deceased unto him the said Joseph Otis his heirs & Assignes To his & their proper use & behoofe for euer In Witness whereof I the sd Robert Crossman Attourney as abovesaid have hereunto set my hand and seal. This nineteenth day of Aprill Anno Domini one thousand six hundred ninety and fve: i695:

Signed Sealed & Delivered

in presence of

Sam<sup>l</sup> Sprague

Samuel Sprague Jun<sup>r</sup>

ROBERT CROSSMAN.



Memorand that on y<sup>e</sup> 22<sup>th</sup> day of March Annoq<sup>y</sup> Domini i698 The above named Robert Crossman came before me the subscriber one of his Ma<sup>ties</sup> Justices & acknowledged the aboue written Instrument to be his act & deed.

NATHANAEL THOMAS.

Entered & Recorded

March y<sup>e</sup> 27<sup>th</sup> i699.

p<sup>r</sup> SAM<sup>l</sup> SPRAGUE Record<sup>r</sup>.

\* **K** NOW all men by these presents that I Gilbert Brookes of the Town of Rehoboth in y<sup>e</sup> County of Bristoll in their Ma<sup>ties</sup> Province of the Massachusetts Bay in New England Have Assigned ordaining made and in my stead and Place by these presents put & constituted my well beloved friend And Son in Law Robert Crossman of the Town of Taunton in y<sup>e</sup> County of Bristoll & Province aforesaid to be my true & Lawfull Attorney in my name to seek after enter upon and Possess any land or lands of what kind or nature soever that is mine or belonging to me the said Gilbert Brookes or that ought to be mine & belong unto me within y<sup>e</sup> Township of Situate in y<sup>e</sup> County of Plimouth in the province aforesaid or any part thereof Also I do further give full power & lawfull Authority to my said Attorney to make sale of any part or parcel or all of said lands as he my said Attorney doth or may se cause And to give Deeds of y<sup>e</sup> same in his own name or otherways to Act as he my sd Attorney doth se cause And in my name to do execute & performe as fully amply effectually to all intents constructions & purposes whatsoever as I my self might or could do if I were personally present Giving & by these presents Granting unto my sd Attorney my full & whole power & Authority in and about y<sup>e</sup> premises Ratifying & holding firm & stable whatsoever my said Attorney shall do in and about y<sup>e</sup> Premises. In witness whereof I the said Gilbert Brookes have

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hereunto set my hand & Affixed my seal This twentieth day of March 169 $\frac{1}{2}$   
In the seventh year of his Ma<sup>ties</sup> Reign.

Signed Sealed & delivered

In presence of

Stephen Paine

Samuell Paine

GILBERT BROOKES

his *B* mark



Memorandum that on the 29<sup>th</sup>  
of March 1695 Gilbert Brookes  
Acknowledged this Instrument  
to be his voluntary act and  
Deed Before

NICHOLAS PECK one of  
theire Ma<sup>ties</sup> Justices.

Entered & recorded

March 27<sup>th</sup> 1699.

p<sup>r</sup> SAM<sup>L</sup> SPRAGUE Record<sup>r</sup>.

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\***T**HE forme of Oath which x x x x x which  
liue in this Colonie x x x x x x the  
Oth of alegance to his maj<sup>x</sup> x x fidelity to the same.

**Y**OU shall swear by the name of the Great God x x x x & earth,  
& in his holy fear, & presence that you shall not speake, or doe, deuise,  
or aduise, any thing or things, acte or acts, directly, or indirectly, By land, or  
water, that doth, shall, or may, tend to the destruction or ouerthrowe of this  
present plantation, Colonie, or Corporation of this towne Plimoth in New  
England.

Neither shall you suffer the same to be spoken, or done, but shall hinder,  
& oppose the same, by all due means you can.

You shall not enter into any league, treaty, Confedera<sup>ẽ</sup> or combination,  
with any, within the said Colonie or without the same that shall plote, or  
contriue any thing to the hurte, & ruine of the growth, and good of the said  
plantation.

You shall not consente to any such confederation, nor conceale the  
same any known vnto you certainly, or by conje<sup>x</sup> but shall forthwith mani-  
fest & make knowne the same, to the Gouvernours of this said towne for the  
time being.

And this you promise, & swear, simply, & truly, & faith<sup>x</sup> to performe  
as a true Christian as you hope for help x x God, the God of truth & pun-  
isher of falshoodc.

\*THE forme of the Oath which × × × × × × × × \*384  
 of the Gouvernour, & Counsell at euery Election of  
 any of them.

**Y**OU shall swear, according to that wisdom, and measure of discerning  
 giuen vnto you ; faithfully, equally, & indifrently without respect of  
 persons ; to adminster Justice, in all causes coming before you. And shall  
 labor, to aduance, & furdur the good of this Colony, & plantation, to the  
 vtmost of your power ; and oppose any thing that may hinder the same.

So help you God.



BOOK OF  
INDIAN RECORDS  
FOR THEIR LANDS.



# BOOK OF INDIAN RECORDS

## FOR THEIR LANDS.

[The manuscript of the Book of Indian Records is, with the exception of two pages, in the handwriting of Nathaniel Morton and Samuel Sprague. Pages 1, 2, 3, 5, 10, 11, 20, 21, 23, 24, 26, 28, and 30 are in the handwriting of Nathaniel Morton. Pages 13, 15, 16, 17, 19, 33, and 34 are in the handwriting of Samuel Sprague. Pages 7 and 9 are in an unknown hand. The title-page is bound in the volume of Laws, as also the order in relation to David Hunter, on page 242 of the printed copy. — D. P.]

\* i674.

WINSLOW

**P**APAMO MACHACAM and Achawanamett being the Right owners of the land heer mensioned doe desire to haue them Recorded in the court of Plymouth collonie that soe wee may p'serue our lands for our children ; the bounds of our lands are as followeth ; from the Eastern bounds of Dartmouth, att the watersyde to a place called Wassapacoasett ; and soe into the woods to the southeast end of a pond called Masquanspust, which is about six or seauen Myle ; and along the southsyde of the pond, To a great spruce tree marked, on four sydes, which is the head bound, on the east syde of our land, and from thence to a swamp which lyeth south from the Marked tree. The swamp is called quanumpacke ; and from thence downe to the two Rockes lying by the Pathsyde ; which goeth from Dartmouth to Sandwich ; Eastern syde of Dartmouth bounds is the westerside of our bounds ; and Sandwich path is our head bounds, on the westsyde of our land from Dartmouth bounds to them two Rockes before Named, our Tract of land is called by the Name of Mattapoisett.





\*1

Arther Hathewey and Jonathan Dellano doe Witsesse that wee haue seen these bounds ;

ARTHER HATHAWEY  
JONATHAN DELLANO

The Names of the Indians that doe witnesses that the aboue written tract of land doth belonge to the aboue named three Indians.


October the 3. i673.

HESQUEPEST	his marke	
WASNECKSUCKE	his marke	
PEWAT	his marke	
PESWONTKOM	his marke	

The bounds of the tract of land which doth belonge to Papaumo Machacome and Achawanomett, which they doe desire to haue Recorded, are as followeth from the easteren bounds of Dartmouth alonge the watersyde to a place called Wassapacoasett; and from thence to the woods, to the Land which Joseph Laythorp and Barnabase Laythorp and John Tompson bought of Wilkam Tuspaquin and from thence to a swamp called Quana-packe; and from thence to two Rockes, by the path which goeth from Dartmouth to Sandwich; the line of Dartmouth is their bounds, on the Westsyde of their land, the reason why all the bounds, are not Mensioned heer, which are in the other writing is because they are in the aforementioned tract, which Wilkam Tuspaquin sold: which sale they haue condenced vnto, their land is comonly called by the Name of Mattapoissett;

Dated att Dartmouth July the 2<sup>cond</sup> 1674.

Written by Jonathan Delano  
being acquainted with their land  
and desired by them to write  
their bounds.

Witnes heervnto the  marke of PECHAWONCHEM.

\* 1674.

WINSLOW Gou<sup>r</sup>

•2

**K** NOW all men by these p<sup>r</sup>sents that I Quachattasett Sachem of Manomett doe acknowledg that I haue receiued of Will Hedge or Webaquequan of Koomasabunkawitt the full sume of Nine pounds in Indian goods; with the which some of nine pounds I doe acknowledge my selfe fully satisfied and payed therwith, for and in consideration of a certaine tract or p<sup>r</sup>sell of land sold by mee the aforsaid Quachattasett vnto the aforsaid Will: Hedge; the which tract of land lyeth att a place called by the English the blacke banke neare vnto break hart hill but called by the Indians Monechchan; the bounds of the afore mensioned land begining neare vnto the blacke banke; and soc extending easterly vpon the topp of the hill or clift for one hundred pole, and from this bound of the end of one hundred pole vpon the hill then extending southerly to a little pond called by the Indians Weakpocoinke and a little hill; and from this little hill vnto a place called Patoompawksicke; the which southermost end is to be one hundred pole likewise and from Patoompacksicke, runing to the seaward vnto the blacke banke aforsaid; all which the aformensioned p<sup>r</sup>mises according to the aforsaid bounds I the aforsaid Quachattasett for my selfe my heires and assignes; To haue and to hold foreuer with all the Right title, Interest that I haue; might or ought to



haue ; with all the Appurtenances comodities conveniencyes priviledges and proffitts ; with all woods timber or whatsoever is in the land or vpon the land in any Respect appertaining thervnto, I the aforsaid Quachattasett doe by these p<sup>r</sup>sents allianate from my selfe my heires executors and assignes and fully and absolutely deliuer vnto the aforsaid Will: Hedge his heires and assignes ; to warrant and saue harmles the aforsaid Will: Hedge his heires and assignes for his owne true and proper Inheritance for euer ; and furthermore I the aforsaid Quachattasett doe Couenant and graunt to and with the aforsaid Will: Hedge his heires and assignes to warrant and saue harmles the aforsaid Will: Hedge his heires and assignes ; from any manor of p<sup>r</sup>sons, that shall or may, any lawfull claime to the aforsaid bargained p<sup>r</sup>mises from by or vnder mee the aforsaid Quachattasett or my heires or assignes, In witnes wherof I the aforsaid Quachattasett haue heervnto sett my hand and scale this sixt day of Aprill in the yeare one thousand six hundred seauenty and four.

The marke of QUACHATTASETT

and a



Signed sealed and deliuered

in the p<sup>r</sup>sence off

Richard Bourne

Sherjashubb Bourne

This deed was acknowlidg by  
Quachattasett this 4<sup>th</sup> of the 4<sup>th</sup>  
month i674 before mee

JOHN ALDIN, Assistant.


\* 1672.


PRENCE Gou<sup>r</sup>.

**K**NOW all men by these p<sup>r</sup>sents that I Pumpanahoo of Cautuhticut in the Collonie of New Plymouth in New England doe ffreely giue vnto my welbeloued frind and brother Charles or Pumpmunit off Ashimuit neare Sandwich in the Collonie of New Plymouth, a certaine tract of land lying and being in a place, called Ahquaunauwansuh River, runing into Cautuhticut Riuer ; and soe vnto another brooke called Peeskhamnett lying to the Northward of Cautuhticut Riuer, being the bounds wherin the forementioned hundred acres lyeth ; and likewise I the aforsaid Pumpanuho doe ffreely giue vnto the aforsaid Pumpmunit or Charles liberty for the feeding or grassing of any kind of cattle and for the giting of any sort of Timber or wood, and likewise free libertie for ffishing fouling or hunting, what hee or his assignes hath occasion for, all the which the afore mensioned hundred acres with the aformensioned liberties and priviledges I the aforsaid Pam-

\*3

panaho doe freely giue for my selfe, my heires and assignes for euer vnto Pompmunnitt or Charles, for himselfe his heires and assignes To haue and to hold foreuer ; for his owne true and feirme and proper posession and for the confeirmation heerof I the aforesaid Pampanuhoo haue sett my hand and seale ; this one and thirty day of October, in the yeare one Thousand six hundred seauenty and two,

The marke  of POMPANUHOO

and his 

Signed sealed and deliuered  
in the p<sup>r</sup>sence of vs the witnesses

Richard Bourne

Noauweas  his marke

The marke o  Cottnuttaquan

Samuell Ponaupam

This deed was acknowldiged this 1 of the 9<sup>th</sup> i672  
before mee JOHN ALDEN, Assistant.

\*5 \*New Plymouth.

In reference vnto the request made to the Court held att Plymouth the 10<sup>th</sup> day of June i67i by Gorge Wampey, concerning a p<sup>r</sup>sell or Tract of Land lying att Sampsons pond challenged by the wife of the said Gorge Wampey ; hee haueing produced three euidences: viz: three Indians namely Jawannah Capitaine John of Assowamsett and Joseph of Assawamsett ; whoe testified before the Court ; that shee the wife of the said Wampey is the trew and right propriator theroff ; The Court haue therefore ordered ; that in case noe other doe appeer betwixt this date and the 10<sup>th</sup> of July i672 to haue a better title thervnto that then shee shalbe rendered and reputed the true propriator therof ; and the said Court ordered that the p<sup>r</sup>mises should be recorded as aboue expressed.

\*7 \* 1669:1670.


Wofako alias Harry his Booke of Records.

**W**ITNESS that I Wasoko alius Hary do freely and willingly [giue] & bequeath all the lands that I am possessed of, vnto my son Ma — alivs Sam Hary. after my desease. and that my son shall not [sell] any part or parcell thereof but shall remaine to him & his heirs successiucly. but if Sam Hary should not liue to enioy it then to the next brother to vphold my name. vnto the which I do subscribe my name.

Witnes

William Hoskins

John Harman

The marke of WASOKO 

\*The last Will and Testament of Pamantaquash allies the Pond Sachem.

\*9

**W**ITNESETH these p'sents that Pamontaquash the pond Sachem [being weak] in body but of perfect disposing memory declared it to be his last [will and] Testament concerning all his lands at Assawamsett or elsewhere [that he is] now possessed of, that he would after his desease leaue them vnto his [ ] Tuspaquin alius the black Sachem, for his life and after the s<sup>d</sup> Tuspaquin [his desease vnto Soquontamouk alius William his sone and to his heires [for] euer, and desired seuerall of his men that were then about him to take [notice] of it, and be witnesses of it if he should not liue himselfe to doe [the] writing vnder his owne hande.


The Indians that were present doe here vnto subscribe.

PAEMPOHUT his  
 alius Joseph  marke

The marke of SAM: HARRY

alius Matwatacka X

WOSAKO his marke

alius Harry 

PELEX his marke

alius Nanauatauate S

The land that the said Pomon[taquash] challenges, the names of the places x  
 said witnesses haue made description x  
 followeth: Pachamaquast Wekam x  
 Nekatatacouek. Setnessnett Anec x path  
 that goes from Cushenett to x goes  
 through it: Wacagasaneps: Wacom x  
 Quamakeckett Tokopissett: Maspenn x  
 Wampaketatekam: Caskakachesqua[sh] Wach-  
 pusk. ester side of y<sup>e</sup> pond: p x Pachest :  
 soe o<sup>r</sup> Namassakett ri[uer] Pasamasatuatue.


p JOHN MORTON.


Harry and his sone Sam: Harry: desiery that neither Tuspaquin nor his sone be prest to sell the said lands ^ by any English or others whatsoever:

The lands mentioned which Tuspaquin posseseth: Ha ^ Wosako w<sup>ch</sup> [Where the above blanks are in pp. 228 and 229, the original is worn away. The words in brackets are supplied in conjecture.]  
 is as long as he liues.


29 October: 1668:

Witnes

Wapetom his mark: 



Wasnukesett his mark: 

\*10 \* **W**HERAS the Indians of Assowamsett haue agreed amongst themselves concerning their land for to leaue out homlots; ffelix his Lott is 58 acres and an halfe these was graunted by old Tuspaquin and Wiltam Watuspaquin did willingly and ffreely, to consent what men willing to doe, and heer I sett my hand the 11<sup>th</sup> day of March i673.

The Marke of old  WATUSPAQUIN  
 The marke of WILE WATUSPAQUIN  
 The Marke of MEMEHEVTT

**K**NOW all men by these p<sup>r</sup>sents that I old Watuspaquin doe graunt vnto John Sassamon; allies Wussasoman twenty seauen acres of land for a home lott; at Assowamsett Necke. this is my gift Giuen to him the said John Sassamon By mee the said Watuspaquin in Ann<sup>o</sup> i673.

Witnes my hand

OLD WATUSPAQUIN;  his marke  
 WILEAM TUSPAQUIN  his Marke

Witnes alsoe NANEHEVNT  his Marke

This abouesaid land John Sassamon aboue Named Gaue vnto his son in law ffelix, in Marriage with his daughter Bettey, as appeers by a line or two rudely written; by the said John Sassamons owne hand but onely witnessed by the said old Watuspaquen; as followeth

Saith old Watuspaquin; it was his Will to his daughter, to haue that land which was John Wasasomans; by old Watuspaquin; witness<sup>ed</sup>

OLD WATUSPAQUEN his  marke

Onely ther is a home lott graunted by the said Watuspaquin vnto one Capt: John an Indian deceased which is expressed in a writing which is the same writing in which the words abouesaid of Tuspaquin is expressed.

\*11 \*March the fift i67<sup>8</sup>/<sub>9</sub>. WINSLOW Gou<sup>r</sup>.

It was ordered and agreed by the Court before Named that all such lands as were formerly John Sassamons in our Colloni shalbe settled on ffelix his son in law; and to be and remaine vnto him the said ffelix as his owne proper Right, with all and singulare the appurtenances belonging thervnto, to him the said ffelix To him and heires and assignes for euer.

February 25: 1678.

The bounds of land given by Nanumett to his son Ralph or Aspuch-chamuck.

The lands lying neare Wauquanchett adjoining to the bounds of Mr Edmond Freeman seni<sup>r</sup> called Pockquamscutt or a great rocke neare vnto the brooke and from this great Rocke vpon a straight line vnto the red brooke; and runing Northerly on this side Partriches marsh and soe going to a place Kowpiscowonkouett and soe runing Northwest called Makewaumaquest and runing Northwest to a place called Wonammanitt; and soe runing to the Northeast to a place called Meshmuskuchtekutt; and soe runing Northeaster to a place called Paukohkoesseke; and soe runing easterly to a place called Sauqutagnappiepanquash and soe runing Southerly vnto a place called Quaupaukoessett and soe runing Northeasterly vnto a place called Mashashinett, and soe going to a place called Pethto Pogsett; and soe runing southerly to a place called Muskapasesett and soe runing southerly to a place called Quoh-tauanuet and soe runing to a place called Vntsatuitt and soe going to a place called Mussawomineukonett; and soe going Westerly to a place called Wauphaneeskitt and soe Westerly to Mr freemans bounds aforsaid but for the swamp called Muchquachema This belongeth to the widdow Bourne and Elisha Bourne; all the aforementioned bound belonging to the aforsaid Ralph or Aspuchchaumake with all appurtenances and priviledges thervnto belonging; as trees woods knotts or what euer benefitt belonges thervnto except one swamp aforsaid called Mauthquohkoma.

Nanumett gaue his son Ralph more about 30 acres of land lying by the herring pond adjoining to the old feild runing Easterly towards Sandwich and Namunett in his will ordered that this 30 acres last mentioned should not be sold or given away from his son Ralph; and his Generation successiely.

One Necke of land more that shoold into the herring riuer pond called Taupoowamsett and soe to Sandwich bounds; all this belonging to the aforsaid Ralph;

Witnes Mannomett Peter

Tom Peenis

Amawekett

Wiltam Pease

This was recorded by order of the Court held at Plymouth the 5<sup>th</sup> of March Ann<sup>o</sup> 1678.

\*13

\*The Testimony of Massentumpain this 7<sup>th</sup> of 8 : 73.

That he being at Naumosaukusset about seven years since that he heard Josiah or Wompatuk say that if he the said Josiah were absent or taken away by Death : He did give power and order to Pompanuhoo to give to Charles Pompunit A certaine parcel of land lying Betwixt two Brookes and the Great River Cotuhtikut River and so to extend unto Bridgwater Bounds the names of the Rivers one is Ahquonsooawmsooh Runing toward the Northward : And the name of the other river is Namunuxet runing toward the Northwest. All this Tract of Land being thus Bounded as above Massentumpaine saith he heard Josiah giue to Charles and desired Pompanuhoo to confirm it unto Charles

The mark of  MASSENTUMPAINE.

The testimony of Paupsuckquoad this 7 : of 8 : 73 :

That he being at Assooamsoo about six years since that he heard Josiah Wompatuck say that he had already given unto Charles Pompunit a certaine parcel of land lying betwixt two Brookes and the great River the name of one Riuer is Ahquonsoonumsoo and the other River is called Namunnunkqsit :

The mark of  PAUPSUKQUNUAD.

The Testimony of George Wampeï this 31 of October 1673 :

Who saith that Josiah Wompatuk with y<sup>e</sup> consent of George Wampeï, gave vnto Charles Pompunit first of all one hundred acres of Upland. And afterward the foresaid Josiah gave unto the aforesaid Charles another tract of land lying upon the Norther side of Cotuhtikut river and lying betwixt two Brookes one of y<sup>e</sup> Brookes is called Namuneunkquassit And the other Brooke is called Auhquannissonwaumissoo about one mile from Titikut River towards Bridgwater And Josiah gave this land to Charles with all Appurtenances for himself his heirs and Assigns for ever.

The mark  of GEORGE WAMPEI.

Witness Richard Bourne

Sachamus Indian of Satucket saith that he well remembers that he was at Josiah Wompatucks Wigwam at Mattacheeset before that y<sup>e</sup> s<sup>d</sup> Josiah went to the Moquaas Countrey from whence he returned no more And the said Josiah bid him the said Sachamus remember that he did now give to Pompunit alias Charles & his heirs for ever All that peece of Land lying betweene two Brookes or Rivers one called by y<sup>e</sup> Indians Aquáusowouso the

other is called Namuwouxit and from y<sup>e</sup> great river called Titticut river one mile towards Bridgwater. Sachamus further saith that the said Josiah did then before him bid his two chief men George Wompy and Peter Pompanohoo to see that this said tract of land should be accordingly settled to y<sup>e</sup> said Charles.

This above written evidence y<sup>e</sup> said Sachamus affirms is certaine true before,

JOHN THACHER

Jus. of peace this 12 June 1695.

**T**O all Christian People to whome these presents shall come Josias an Indian Sachem living at a place called Mattakeeset in the Colony of New Plimouth and Son of Josias alias Chickatabut Sedeth Greeting. Know yee that whereas it doth appear by a writing under the hand of the said Josias alias Chickatabut Dated y<sup>e</sup> ninth of June in the y<sup>e</sup> year one thousand six hundred sixty and four that y<sup>e</sup> said Josias alias Chickatabut did then and thereby promise and engage to give and confirm certain lands at Titticut unto two Indians one now called Peter by y<sup>e</sup> English and the other (when living) Thomas Hunter and to y<sup>e</sup> rest of y<sup>e</sup> Indians living upon Titticut river Therefore the said Josias y<sup>e</sup> son of Josias alias Chickatabut aboves<sup>d</sup> (the said Josias alias Chickatabut being deceased) his son y<sup>e</sup> aboves<sup>d</sup> Josias doth by these presents and in pursuance of his s<sup>d</sup> ffathers promise give grant confirm and deliver unto the said Peter an Indian of said Titticut and living there between Taunton and Bridgwater in s<sup>d</sup> Colony All the Lands of all sorts that are and lye on the Northeasterly side of a direct line from y<sup>e</sup> ffort that is now standing on y<sup>e</sup> Hill above said Titticut wear and on the southeasterly side of y<sup>e</sup> river unto the place where the line betweene Middleborough land and Titticut land doth cross the path that leadeth from the said Titticut to Middleborough mill that is to say All y<sup>e</sup> lands called Titticut lands on the Southeastwardly side of Titticut river and on the Northeaswardly side of s<sup>d</sup> line that are not already disposed of unto the English Furthermore the said Josias the son of Josias alias Chickatabut deceased doth by these presents covenant and promise to and with the said Peter that it shall be free and lawfull for ever hereafter to and for the s<sup>d</sup> Peter and such Indians that shall hereafter be his heirs of assigns from time to time To have and to hold the said lands with all & singular the rights priveledges Imunities and Appurtenances within or upon the same or any maner of ways thereunto belonging or appertaining without any Trouble molestation charge suits at law or any Incumbrances that shall or may arise from by or under him the s<sup>d</sup> Josias the son of Josias alias Chickatabut or his heirs executors or administrators or any

\*15

maner of way by any of their procurement for ever And whereas it is desired and the designe of y<sup>e</sup> s<sup>d</sup> Josias the son of y<sup>e</sup> said Josias alias Chickatabut That the said Peter may be able and capable to accomodate and supply with land such Indians as shall desire to live in Tittecut and want land to plant Therefore the said Josias the son of y<sup>e</sup> said Josias alias Chickatabut doth by these presents fully and absolutely forbid and prohibit the said Peter  
 \*16 his heirs or assigns or either or any of them from \*giving selling or any maner of way making over or conveighing the said lands or any part or parcell thereof unto the English for ever. Therefore if y<sup>e</sup> said Peter or any heir or assign of his shall at any time hereafter attempt to give sell or any way make over any part or parcell of y<sup>e</sup> said lands unto the English he or they that shall so doe shall by vertue of this prohibition forfeit and loose all his and their Interest in y<sup>e</sup> said lands and by vertue of this deed the said lands lost of forfeited shall fall to and belong to the rest of y<sup>e</sup> then Tittecut Indians and their Indian heirs and Assigns for ever.

In Testimony whereof the said Josias the son of Josias alias Chickatabut have hereunto set his hand and Affixed his seal y<sup>e</sup> eighth day of September in y<sup>e</sup> year of our Lord one thousand six hundred eighty and six. 1686 :

Signed sealed and delivered  
 in y<sup>e</sup> presence of  
 Benjamin Leonard  
 The mar j of John Cobb jun<sup>r</sup>  
 Thomas Leonard.

The mark of  
 JOSIAS



In Taunton in Bristoll County May the 8<sup>th</sup> 1694. The said Benjamin Leonard and s<sup>d</sup> John Cobb tooke oath that they saw the above said Josias signe seal and deliver the above written deed as his act and deed unto the said Peter y<sup>e</sup> day of y<sup>e</sup> date thereof. Sworne before

THOMAS LEONARD Justice


Entered and recorded July y<sup>e</sup> 9<sup>th</sup> 1695 :

p<sup>r</sup> SAM<sup>L</sup> SPRAGUE Record<sup>r</sup>/



\* **K** NOW all men by these presents that I y<sup>e</sup> said old Wattuspaquin and William Wattuspaquin both of us have give a free grant or gift unto a Woman called Assowetough A tract of land called Nahteawanet the bounds of that Neck is by the little swamp place called Mashquomoh from the west side of that little swamp and run a straight line to A pond called Sasonkususet ranging over that pond to an old fence and so going along with that ffence till we come to a great pond called Chupipoggut This we have given unto Assowetough with the consent of all the chief men of Assowamset that she might enjoy it peaceably without any mollestation Neither by us nor by ours or under us after us. But she shall have it for ever especially her eldest daughter that they shall not be troubled upon no account Neither by morgage or gift or sale or upon no account therefore we set our hands.


\*17


The mark  of WATTUSPAQUIN


The mark  WILLIAM WATTUSPAQUIN


December 23 : 1673.

Witness


The mark  of Tobias alias Poggapanossoo.

The  mark of old Thomas

The  mark of Pohonohoo

The mark  of Kankunuki.

I The above named Assowetough alias Betty do freely will give and bequeath the abovesaid Tract of land unto my Daughter Mercy  $\zeta$  to her heirs for ever. Witness my hand this 14<sup>th</sup> day of May 1696.

The  mark of

BETTY alias ASSOWETOUGH.

Witness Sam<sup>l</sup> Sprague

icharles


Isack Wonno.


\* **T** HIS is y<sup>e</sup> Gift or sale of Quateashit living at Monamat of that land called Kawamasuhkakamid. I Quateatahshit do give that land to Pompmunet or Charles Ahaz living at Ashamuit which land lies at Kawamasohkakannit the first bounds of it is called Pochuppunnukaak in English Break heart Hill. There *there* Acquanootas bounds meets with it Then goc's down to y<sup>e</sup> sea side And from waters side goe's into woods which is y<sup>e</sup> Southwesterly bounds and there it goe's into y<sup>e</sup> salt water there standing a great rock in y<sup>e</sup> water called Qussuknashunk which is Charles his bounds which is y<sup>e</sup> westerly bounds And upon y<sup>e</sup> upland stands a markt pine tree then runs into y<sup>e</sup> woods westerly and runs up Quite on y<sup>e</sup> north side of a fresh pond called Patopacassett which

\*19

pond stands in Charls his land And Charls his land goes not beyond that pond but y<sup>e</sup> pond is the head bounds of his land And from that pond turning a corner vpon a square it runs for y<sup>e</sup> Southerly bounds which land I give according to y<sup>e</sup> breadth at salt water to have the same breadth on y<sup>e</sup> other side of it in y<sup>e</sup> woods there being mark trees on y<sup>e</sup> north bounds I Queatatashit give this land to Pompmunit or Charles for ever with Commonage fire wood ways priviledges of hunting and fences and for grass and fishing and all manner of priviledges to him y<sup>e</sup> said Pompmunit or Charles and his heirs and Assigns for ever.

March 16<sup>th</sup> 1664 alias 1665.

QUETEATASHIT  his hand  
and mark

Witness Saseakouit<sup>r</sup> his mark. 

I Job Antkoo living at Soconeset I heard and saw Queteatahshit at that time above mentioned declare and sign this Instrument or writing.

I Amy so called by name together with y<sup>e</sup> wife of Queteatahshit heard him speak all these words and have hereunto set my hand

my hand.

\*20

\*Som Testimonyes concerning the lands of Watachpoo of Sepecan

The Testimoy of Amawekitt being an old man saith hee heard from his father that these lands in difference did belong vnto the predecessors of Watachpoo ;

1

Wassauwon hee had these lands for his owne possession.

2

Vspauhquan the sonne of Wassauwon held these lands for his owne.

3

Naunaumasso the sonne of Vspauhquan, hee likewise held these lands.

4

Maumooampees the sonne of Naunaumosso hee had these lands which Maumooampees Amawekkett knew himselfe to enjoy these lands.

5

Pohquantaushon the sonne of Maumooampees Injoyed this land ;

6

Wattachpoo the sonne of Pohquantaushon desires still to Injoy the land of his forefathers.

These witnesses Testify Concerning these lands.

The blacke Sachem with his wife testify the same that the rest of the witnesses doth.

Wausoopausuke the same

Josias witnesseth the same

Sampoiateen Navnmvott the same witnesseth.

francis vnderstands the same.

Sampson hee heares and vnderstands by his father that this is truth.

Phillip hath heard and knowne p<sup>r</sup>te.

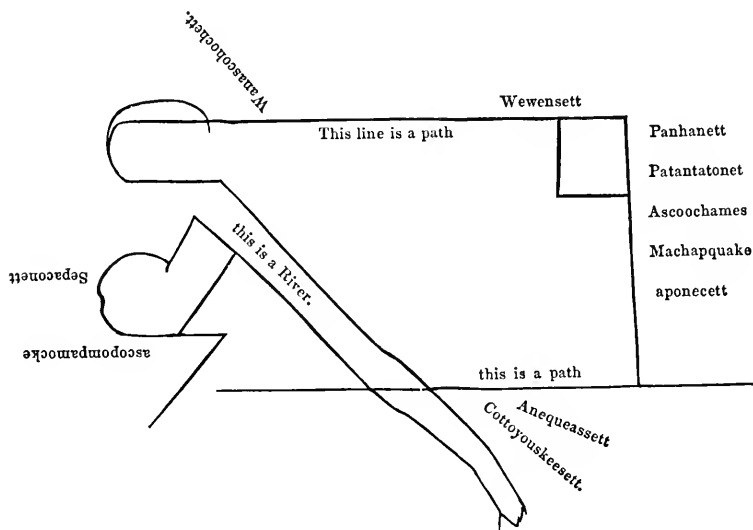
Ompatakesuke witnesseth the same.

**T**HIS may informe the honor<sup>d</sup> Court that I Phillip ame willing to sell the Land within this draught ; but the Indians that are vpon it may liue vpon it still but the land that is [waste] may be sold and Wattachpoo is of the same mind ; I haue set downe all the principall names of the land wee are not willing should be sold.

ffrom Pacanaukett

the 24<sup>th</sup> of the 12<sup>th</sup> month 1668.

PHILLIP: *P*. his mark.



**K**NOW all Men by these p<sup>r</sup>sents that Phillip haue giuen power vnto Watachpoo and Sampson and their bretheren To hold and make sale of to whom they will by my consent ; and they shall not haue it ; without they be Willing to lett it goe ; it shalbe soe by my consent ; But without my Knowlidge they cannot safely to: but with my consent there is none that can lay claime to that land which they haue marked out ; it is theirs for euer soe therefore none can safely purchase any otherwise but by Watachpoo and Sampson and their bretheren.

Witnesse my hand that I giue it to them

The marke *P* of Phillip i666.




John Sassamon is a Witnesse ;

\*1665

PRENCE Gou<sup>r</sup>



A deed appointed to bee Recorded.




THESE p<sup>r</sup>sents witnesseth that I Josias allies Chickatabutt doe promise by these p<sup>r</sup>sents to giue vnto the Indians liueing vpon Catuhtkut Riuier (viz) Pompanohoo Waweevs and the other Indians liueing there; that is three miles vpon each side of the Riuier (excepting the lands that are alreddy sold to the English either Taunton Bridgwater or to the Major and doe promise by these p<sup>r</sup>sents not to sell or giue to any any pte or pcell of land; but that the aforesaid Indians shall peacably enjoy the same without any Interuption from mee or by my meanes in any respect; the which I doe engage and promise by these p<sup>r</sup>sents: witnes my hand this 9<sup>th</sup> of June in the yeare 1664.

CHICKATABUTT allies JOSIAS  his marke.  
 WITTANAUMATUKE  his marke.  
 Witnes  
 Richard Bourne  
 John Low  his marke

A deed appointed likewise to bee recorded.

THESE p<sup>r</sup>sents witnesseth that wee Josias allies Chickatabutt Pompanahoo Waweevs and Wottanamatuque doe freely giue vnto Charles allies Pimpanunett a sertaine pcell of land lying by the riuier Cotuhtikutt bounded as followeth (viz) to the westward by a smale riuier called Namuwarnuksit; to the eastward bounded by a riuier called Ahquannissowamsoo and towards the North the riuier calld Cotuhtikutt; and soe one hundred acres within this bounds; extending in the woods; to accomplish the aforesaid hundred acres and soe to bee bounded; as it appeers when layed out; all the which one hundred acres wee the Afforsaid Chickatabutt Pompanahoo Waweevs and Wattanamatuke; doe freely giue from vs and ours to the aforesaid Pimpanunett hee and his with all priuillidges emunities or whatsoever may bee for his benefitt within the aforesaid bounds. Witness our hands this sixt day of october in the yeare one thousand six hundred sixty and four i664.

Witnes Richard Bourne  
 Apwanoonke  his marke  
 Humpees  his marke

The marke  JOSIAS.  
 The marke  of POMPANAHOO  
 The marke of  WAWEEUS  
 The marke of WUTTANAMATUCKE

PRENCE Gou<sup>r</sup>

\*A deed appointed to bee Recorded.

\*24

**K** NOW all Men by these p<sup>r</sup>sents that I Quechattasett Sachem of Manmomett doe sell vnto Hope a certaine pcell of Land lying att Pokeesett; bounded as followeth (viz.) of land lying betwixt the Riuers or brookes called Annussanatonsett and another called Wakonacob; and soe downe to the sea and to the old way as they goe to Saconeesett; all which the p<sup>r</sup>mises I the aforsaid Quechattasett doe freely sell from mee and myne vnto him and his for euer all priuilidges swamp libertie libertie of the sea and what euer is nessesary for their welbeing respecting this pcell of land; all which the p<sup>r</sup>mises; I doe confeirme this p<sup>r</sup>sent day being the 9<sup>th</sup> of June in the yeare 1664. Witnes my hand





QUECHATTASETT his  marke

Witnes Richard Bourne  
Paumpunitt  
James Attukoo.

A Deed appointed to bee Recorded.

**K** NOW all men by these p<sup>r</sup>sents that wee Quachattasett and Jepaupow both of Mannomett haue sold vnto Pompmunitt al<sup>tis</sup> Charles one tract or pcell of land and meddow being bounded as followeth; vpon the North-erly side being bounded by the lands of James Skiffe of Sandwich; vpon the southerly side extending to a riuer called Coppoanissett al<sup>tis</sup> Pinguin hole riuer vpon the Easterly end extending two miles into the woods from the salt water; and the westerly end being bounded by the salt water; all the aforsaid Tract or pcells of land and mcddow wee doe resigne from vs and ours for euer; acknowledging ourselues fully satisfied and payed; and deliuering vp the aforsaid lands and meddowes with all the timber wood grasse ffishing fowling and what priuilidges belongs thervnto either by sea or land; wee say wee fully and absolutely convey vnto the aforsaid Pompmunitt al<sup>tis</sup> Charles vnto him and his with three Ilands lying before this land adjoyning by smale beaches of sand vnto the aforsaid p<sup>r</sup>mises all which the aforsaid p<sup>r</sup>mises with euery pte and pcell within the aforsaid bounds either lands meddowes or Ilands or any other priuilidge therto belonging; wee say wee doe fully convey vnto the aforsaid Pompmunitt vnto him and his heires assignes for euer;

To Haue and to hold without any just molestation from vs or any of ours.  
witness our hands this sixteenth day of march in the yeare i664 Altis i665.




	JEPAWPOW	his		his marke
Witnes p <sup>r</sup> sent	QUACHATTASETT			his marke
Richard Bourne	SEPITT			his marke
Sherjashubb Bourne.	NANQUATNUMACH			his marke

\*26



\*i666.

Prence Gou<sup>r</sup>:

**T**HIS writing witnesseth that I Quachattasett of Manomett haue sold a p<sup>r</sup>sell or necke of land vnto Pompmunett allies Charles ; called Messatug being bounded by a Riuer called Wansaquatomsa vpon the Northeast side haueing two heads ; and this bounds to be betwixt these two heads runing vp to the barren hills about one mile and an halfe to a little pond amongst the hills called Sakesett and for the southerly bounds vnto a riuer called Tausakaust and soe into the woods to a marked tree being the bounds of Edmond freemans land ; and soe to the barren hills vpon the southeast about one mile and an halfe ; I Quachattasett doe acknowledg that I haue sold and receiued full satisfaction for all the foremencioned necke of land with all timber and wood vpon the said necke with all the meddow land about the said necke and all privileges thervnto belonging in any respect either by land or sea I say I doe allianate from mee and mine fore euer vnto the aforesaid Charles to him and his heires foreuer. To haue and to hold for his possession ; Witnes my hand this 28<sup>th</sup> day of December in the yeare i665.



Witnesse Richard Bourne	QUACHATTASETT	his		marke
Kunnoovnisse.	NUMOTT			his marke
	SEPITT			his marke.

**T**HESE p<sup>r</sup>sents Witnesseth that wee Adtoquanpoke and Sasecakowett both of Onkowam doe sell vnto Nokunowitt of Ashumueitt a certaine Iland with a longe beach adjoyning to it being neare vnto a place called Quanaconwampith the Iland being called Ontsett ; the which Iland wee convey from vs and our childern for euer vnto the aforesaid Nokanowitt and his assignes for euer acknowledgng ourselues fully satisfied and payed. Witnes our hands this twenty fourth of July i666.


Witnesse	SASEEAKOWUTT	his		marke
Richard Bourne	ADTOQUANPOKE	his		mark.

\* THESE p<sup>r</sup>sents testify That wee Quechattasett and Nanquidnumacke doe  
 giue vnto Jacob allies Pampequin a certaine p<sup>r</sup>sell of land lying att a  
 place called Pawkeesett about forty acres be it more or lesse bounded att a  
 springe called by the Indians Mooskukhaquant and soe to the eastward to a  
 great rocke without the ffence now in being and soe by the marked trees vpon  
 a Northwest line to a place called by the Indians Tautanchanekanosseke and  
 then by marked trees vpon the southwest to a place called Haquesukkuppa-  
 muke; all which the foremencioned p<sup>r</sup>mises wee the aforsaid Quechattasett  
 and Nanquidnumacke doe freely giue and convey from vs and ours vnto the  
 aforsaid Jacob allies Pompequine vnto him and his heires for euer; To haue  
 and to hold for his proper Inheritance with all timber wood grasse ffishing  
 fowling or what priuledge thervnto belonging; all which the aformencioned  
 p<sup>r</sup>mises wee doe confeirme vnto the aforsaid Jacob and his children for euer;  
 Witnesse our hands this seauenth day of June in the yeare i666.

\*28

QUACHATTASETT his  mark  
 NANQUIDNUMACKE  his marke

Witnes

Keencomsett his  marke

Charles;

hope  his marke

This deed was acknowledged  
 this 8<sup>th</sup> of the 4<sup>th</sup> (66) before mee  
 JOHN ALDIN Assisstant.

\* THESE p<sup>r</sup>sents witnesseth that wee Wosniksuke and Wuttantauson both  
 of Sepaconit doe sell vnto Paumpmunitt allies Charles of Ashimuitt  
 one Necke of land with the meddow adjoyning; called Meltukqnaaumsett  
 lying betwixt two Riuers the one being to the Southwards of this Necke  
 called Acoont the other Riuer lying to the eastward called Pawkihchatt; the  
 end of this necke extending to the salt water vpon the southeasterly line;  
 the head of this necke being bounded by a place called Pitchuooohutt adjoy-  
 ning to an old feild vpon the easterly syde and soe vpon a straight line runing  
 westerly vnto a place called Waquompohchukoit; with all liberties priuiledges  
 and emunities thervnto belonging with libertie of Comonage for Cattle and  
 likewise to make vse of any *Comonage for Cattle and likewise to make  
 vse of any* timber for ffencing or building that is without this necke with  
 libertie of ffishing or ffowling or whateuer priuledge is belonging ther-  
 vnto as nessesarie; all which the foremencioned p<sup>r</sup>mises wee doe sell and  
 convey from our selues and heires and assignes vnto the aforsaid Charles

\*30












\***T**O all Christian people to whome these presents shall come George Hunter & Joseph Hunter y<sup>e</sup> sons of Thomas Hunter an Indian formerly living at Tittecutt an Indian Plantation in Plimouth County Send Greeting &c Know ye that whereas Josias alias Charles an Indian Sachem late of Mattakeeset in y<sup>e</sup> County of Plimouth deceased did in his life time give unto David Hunter deceased brother unto the said George & Joseph a Tract of Lands at Tittecutt abovesaid as may appear by a deed vnder y<sup>e</sup> hand & seal of s<sup>d</sup> Josiah dated September the eighth in y<sup>e</sup> year 1686 reference thereunto being had And whereas the s<sup>d</sup> David Hunter hath now no child surviving and said George & Joseph Hunter being convinced that their brother David on his death bed expressed himself so that his sister Betty y<sup>e</sup> wife of John Eechee of s<sup>d</sup> Titecutt should haue some of y<sup>e</sup> s<sup>d</sup> lands The ^ George Hunter & Joseph Hunter do hereby for themselves and their heirs Executors & Administrators agree with each other and with their sister Betty y<sup>e</sup> wife of s<sup>d</sup> John Eechee & their heirs Executors & Administrators that y<sup>e</sup> lands given by Josias alias Charles unto s<sup>d</sup> David Hunter as in s<sup>d</sup> deed is specified shall be & is by these presents divided as followeth that is to say that y<sup>e</sup> said Betty & her Indian heirs Execcutors Administrators & Assigns shall for ever hereafter haue and hold & enjoy that part of s<sup>d</sup> land next unto Taunton bounds & as far up by the great river as to y<sup>e</sup> place where s<sup>d</sup> David Hunters upermost fence came to s<sup>d</sup> River to fence in y<sup>e</sup> neck then called Davids neck & from thence on a direct line to y<sup>e</sup> bounds betweene Middleborow's land & the s<sup>d</sup> Indians land bearing y<sup>e</sup> same bredth there as it doth at y<sup>e</sup> river and that Isaac Wanno an Indian of s<sup>d</sup> Tittecutt & his Indian heirs & assigns shall for ever hereafter Have & hold & enjoy twenty acres of land above Tittecutt greate weair & next unto y<sup>e</sup> land given by said Josias unto old Peter late of s<sup>d</sup> Tittecutt deceased said twenty acres of land to be layd as square as conveniently may be by y<sup>e</sup> great river side & also half y<sup>e</sup> grass in y<sup>e</sup> next neck below s<sup>d</sup> ware And all y<sup>e</sup> rest of s<sup>d</sup> Tittecutt lands given by s<sup>d</sup> Josias unto s<sup>d</sup> David Hunter by s<sup>d</sup> deed to be equally divided between George Hunter & his s<sup>d</sup> Brother Joseph Hunter s<sup>d</sup> Georg Hunter & his Indian heirs & assigns To have & to hold & for ever to enjoy that part next to what said Betty hath & the s<sup>d</sup> Joseph Hunter & his Indian heirs & assigns To have & to Hold for ever that part next to y<sup>e</sup> land given by s<sup>d</sup> Josias unto s<sup>d</sup> Peter deceased except y<sup>e</sup> twenty acres for Isaac Wanno And in Testimony that y<sup>e</sup> s<sup>d</sup> George Hunter & Joseph Hunter have divided s<sup>d</sup> lands as is above specified & that it is to y<sup>e</sup> good liking & acceptance of s<sup>d</sup> Betty & s<sup>d</sup> Isaac Wanno, these persons viz<sup>t</sup> y<sup>e</sup> said George Hunter, Joseph Hunter, Betty y<sup>e</sup> wife of John Eechee & s<sup>d</sup> Isaac Wanno for themselves

ℓ their heirs executors ℓ administrato<sup>rs</sup> have hereunto set their hands ℓ affixed their seals this eleventh day of March In y<sup>e</sup> year of Christ 169 $\frac{1}{2}$  in y<sup>e</sup> tenth year of y<sup>e</sup> reign of William y<sup>e</sup> third over England Scotland ffrance ℓ Ireland King defender of y<sup>e</sup> ffaith.

Signed sealed and Delivered  
 \*34 \* In y<sup>e</sup> presence of us  
 Samuel Phillips  
 Samuel Leonard  
 Elkanah Leonard

Signum  of  
 GEORGE HUNTER   
 JOSEPH HUNTER   
 his  mark  
 The  mark of   
 BETTY  
 ISAAC WANNO 

March y<sup>e</sup> 11<sup>th</sup> 169 $\frac{1}{2}$ . The above<sup>sd</sup> George Hunter ℓ Joseph Hunter ℓ the abovesaid Betty ℓ Isaac Wanno acknowledged y<sup>e</sup> above written Instrument to be their own free act ℓ deed

Before me, THOMAS LEONARD Justice

Memorandum That on y<sup>e</sup> 17<sup>th</sup> day of September 1701 before me y<sup>e</sup> subscriber Judge of Probate for y<sup>e</sup> County of Plimouth personally appeared the above named George Hunter and y<sup>e</sup> aboves<sup>d</sup> Betty his sister and Issac Wanno ℓ acknowledged the above written Instrument to be their voluntary act ℓ deed. And I do approve thereof ℓ order y<sup>e</sup> same to be recorded.

WILLIAM BRADFORD

Entered ℓ recorded October 28<sup>th</sup> 1701

p<sup>r</sup> SAM<sup>L</sup> SPRAGUE Register.

# GENERAL INDEX.

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# GENERAL INDEX.

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